



**ADJOURNED MEETING OF THE
CANYON LAKE CITY COUNCIL**

**Wednesday, July 18, 2018
Closed Session – 5:30 p.m.
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

CLOSED SESSION – 5:30 P.M.

- 1. Call to Order**
- 2. Roll Call:** Council Members Bonner, Ehrenkranz, Haggerty, Mayor Pro Tem Greene, Mayor Warren
- 3. 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.*
- 4. Closed Session**
 - a. CLOSED SESSION WITH LEGAL COUNSEL PURSUANT TO GOVT. CODE SECTION 54956.9 (d)(1) - City of Canyon Lake v. Athey (receivership);
 - b. CLOSED SESSION PURSUANT TO GOVT. CODE SECTION 54956.9(d)(4) - possible litigation initiated by the City - 1 case
 - c. Return/Report from Closed Session

OPEN SESSION – 6:30 P.M.

- 1. Call Open Session to Order**
- 2. Invocation – John Hollenbeck/ Canyon Lake Community Church Council Member**
Flag Salute
- 3. Roll Call:** Council Members Bonner, Ehrenkranz, Haggerty, Mayor Pro Tem Greene, Mayor Warren
- 4. Approval of City Council Agenda**
- 5. Special Presentations and Proclamations:**
 - 5.1 Chamber of Commerce Announcements**
 - 5.2 Student of the Year – Taylor Ogden**
 - 5.3 Public Safety Update by Police Department**
- 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.

 - 7.1 Waiver of Reading in Full of all Ordinances by Title Only**
 - 7.2 Adoption of Resolution No. 2018-19, Approving Claims and Demands of the City** Pg. 7
 - 7.3 City Council Meeting Minutes**
 - 7.3.1 May 31, 2018 – Special Meeting Minutes Pg. 47
 - 7.3.2 June 6, 2018 – Regular Meeting Minutes Pg. 51

7.3.3 July 4, 2018 – Adjourned Minutes Pg. 59

7.4 Authorize the Mayor to Send a Letter to Senators Feinstein and Harris in Opposition to Senate Bill 3157 Pg. 61

8. Pulled Consent Calendar Items

9. Schedule of Future Events:

9.1 Finance and Planning Committee Meeting
Tuesday, September 4, 2018 at 8:00 a.m., City Council Chambers

9.2 Public Safety Committee Meeting
Tuesday, September 4, 2018 at 9:30 a.m., City Council Chambers

9.3 Canyon Lake City Council Meeting
Wednesday, September 5, 2018 at 6:30 p.m., City Council Chambers

9.4 Water Committee Meeting
TBD

9.5 Veterans Committee Meeting
TBD

10. Business Items

10.1 Discussion and Possible Action regarding the City's Participation in Canyon Lake City Golf Championship Pg. 83

10.2 League of California Cities (LOCC) Voting Delegate for Annual Conference Pg. 85

10.3 Acceptance of Contract Work Railroad Canyon Road Slurry Seal FY 2017-2018 Project No. 2017-01 Pg. 91

10.4 Approval to Join Western Community Energy Joint Powers Authority Pg. 117

10.5 Approval of Resolution No. 2018-20, Re-establishing City Council Committees, Committee Functions, and setting Committee Meeting dates and times, and appointing a primary and alternate member to the Western Community Energy JPA Board Pg. 139

10.6 Consideration of continuation of UUT by placement of the CANYON LAKE PUBLIC SAFETY AND LOCAL CONTROL CONTINUATION MEASURE on the November 6, 2018 general election ballot Pg. 147

- a. Consideration of Resolution ordering submission to the qualified electors of the City of a measure relating to a proposed UUT.
- b. Authorize City Manager to coordinate ballot argument.

- c. Allocation of funding from reserves for informational mailings.
- d. Confirm that actions taken are exempt from CEQA.

11. Public Hearing

11.1 Public Hearing – Approve Resolution No. 2018-18 - Increasing and setting solid waste collection rates for the 2018-2019 fiscal year and providing for collection of residential service on the property tax roll

Pg. 181

- 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

12. City Manager Comments

13. Committee and Council Reports/Comments

- 13.1 Council Member Bonner
- 13.2 Council Member Ehrenkranz
- 13.3 Council Member Haggerty
- 13.4 Mayor Pro Tem Greene
- 13.5 Mayor Warren

14. Announcements

The next regular City Council meeting scheduled for August 1st will be canceled. The next regular meeting will be **Wednesday, September 5, 2018 at 6:30 p.m. for open session**

15. Adjournment

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 Aaron Palmer, City Manager/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.

July 18, 2018 Adjourned City Council Meeting

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

I, Stephanie Roseen, being duly sworn, depose and say that I am the duly appointed and qualified Deputy City Clerk of the City of Canyon Lake and that on July 12, 2018 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.

Stephanie Roseen

Deputy City Clerk

**City of Canyon Lake
City Council
Staff Report**

TO: Mayor and City Council
FROM: Kayla Lozano, Accountant
DATE: July 18, 2018
SUBJECT: List of Demands

Recommendation:

That the City Council adopts a resolution entitled: RESOLUTION NO. 2018-19

**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 June 6, 2018.

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. 2018-19

**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 July 18th, in the amount of
\$591,700.95 as follows:

Payroll Earnings (Gross)	\$ 41,607.72	(2nd Half of May & 1st Half of June)
Payroll Taxes - Employer	743.49	(2nd Half of May & 1st Half of June)
On-line Retirement	3,984.98	(2nd Half of May & 1st Half of June)
On-line Health	134.09	(For the Month of June)
Nationwide Deferred Comp.	405.33	(For the Month of May)
General	544,825.34	
TOTAL	<u>\$ 591,700.95</u>	

PASSED, APPROVED AND ADOPTED this 18th day of July 2018.

Mayor, Vicki Warren

ATTEST:

Stephanie Roseen, Deputy City Clerk

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

I, Stephanie Roseen, Deputy 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. 2018-19 adopted by the City Council of the City of Canyon Lake, California, at a adjourned meeting thereof, held on July 18, 2018, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Stephanie Roseen, Deputy City Clerk

City of Canyon Lake
Check/Voucher Register - Council Report - Expenditures
From 6/1/2018 Through 6/30/2018

Check Numb...	Matching Docum... Date	Vendor Name	Transaction Description	Check Amount	Fund Code	Fund Short Title
24357	6/7/2018	Avenet, LLC	Gov Office - City Website	4,755.00	10	GENERAL
Total 24357	6/7/2018			4,755.00		
24358	6/7/2018	Charles Abbott Associates, Inc.	Engineering Services February 2018	7,581.75	20	GAS TAX
Total 24358	6/7/2018			7,581.75		
24359	6/7/2018	CANYON LAKE PEST CONTROL, Steven E. Young	Pest Control, P.O. Box 09-010	100.00	10	GENERAL
Total 24359	6/7/2018			100.00		
24360	6/7/2018	Corelogic Information Solutions, INC.	Database for Code Enforcement May 2018	125.00	10	GENERAL
Total 24360	6/7/2018			125.00		
24361	6/7/2018	DATA TICKET	Code Enforcement Citation Processing April 2018	305.00	10	GENERAL
24361	6/7/2018	DATA TICKET	Parking Citation Processing April 2018	100.00	10	GENERAL
Total 24361	6/7/2018			405.00		
24362	6/7/2018	Fairbank, Maslin, Maullin, Metz & Associates	Quality of Life Survey	13,500.00	10	GENERAL
Total 24362	6/7/2018			13,500.00		
24363	6/7/2018	THE GAS COMPANY	Gas, 4/27/18-5/29/18	0.88	10	GENERAL
Total 24363	6/7/2018			0.88		
24364	6/7/2018	GOLDING PUBLICATIONS	#10 Envelopes	56.03	10	GENERAL

City of Canyon Lake
Check/Voucher Register - Council Report - Expenditures
From 6/1/2018 Through 6/30/2018

Check Numb...	Matching Docum... Date	Vendor Name	Transaction Description	Check Amount	Fund Code	Fund Short Title
Total 24364	6/7/2018			56.03		
24365	6/7/2018	Interior Logic Group Property Services	Refund for Overpayment of Disability Access Fee	4.00	10	GENERAL
Total 24365	6/7/2018			4.00		
24366	6/7/2018	Jani-King of CA, Inc.	Janitorial Services June 2018	735.50	10	GENERAL
Total 24366	6/7/2018			735.50		
24367	6/7/2018	Joe's Hardware	Cleaning Supplies	23.20	10	GENERAL
Total 24367	6/7/2018			23.20		
24368	6/7/2018	The LEW Edwards Group	UUT Consultant	5,500.00	10	GENERAL
Total 24368	6/7/2018			5,500.00		
24369	6/7/2018	NBS	Comprehensive Citywide User Fee and Rate Study	1,735.00	10	GENERAL
Total 24369	6/7/2018			1,735.00		
24370	6/7/2018	Rogers, Anderson, Malody & Scott, LLP	Accounting Services, Data Recovery	27,452.22	10	GENERAL
Total 24370	6/7/2018			27,452.22		
24371	6/7/2018	RIV COUNTY SHERIFF-Dept. Technical Svcs.	Communications Dispatch FY 17/18	8,392.00	10	GENERAL
Total 24371	6/7/2018			8,392.00		
24372	6/7/2018	SOUTHERN CALIFORNIA EDISON	Electricity, Traffic Signals 4/30/18-5/30/18	345.49	20	GAS TAX

City of Canyon Lake
Check/Voucher Register - Council Report - Expenditures
From 6/1/2018 Through 6/30/2018

Check Numb...	Matching Docum... Date	Vendor Name	Transaction Description	Check Amount	Fund Code	Fund Short Title
Total 24372	6/7/2018			345.49		
24373	6/7/2018	Sparkletts	Drinking Water Service 5/9/18-5/23/18	63.49	10	GENERAL
Total 24373	6/7/2018			63.49		
24374	6/7/2018	STAPLES	Office Supplies	740.16	10	GENERAL
Total 24374	6/7/2018			740.16		
24375	6/7/2018	Structural Termite/Pest Control	Pest Control, Fire Station 6/4/18	36.75	10	GENERAL
Total 24375	6/7/2018			36.75		
24376	6/7/2018	Synoptek, LLC	Desktop Computers for City Hall	858.45	10	GENERAL
24376	6/7/2018	Synoptek, LLC	Memory Upgrade for City Manager	93.46	10	GENERAL
Total 24376	6/7/2018			951.91		
24377	6/7/2018	TVC, Inc.	Re-Issue Payments for Invoices #2670 & #2575	240.00	10	GENERAL
Total 24377	6/7/2018			240.00		
24378	6/7/2018	Underline Concepts, Inc.	Refund for Permit No. 2018-214	60.00	10	GENERAL
Total 24378	6/7/2018			60.00		
24379	6/21/2018	Aflac	Supplemental Insurance July 2018	325.70	10	GENERAL
Total 24379	6/21/2018			325.70		

City of Canyon Lake
Check/Voucher Register - Council Report - Expenditures
From 6/1/2018 Through 6/30/2018

Check Numb...	Matching Docum... Date	Vendor Name	Transaction Description	Check Amount	Fund Code	Fund Short Title
24380	6/21/2018	AMERICAN FORENSIC NURSES INC	Sheriff's Blood Draws May 2018	80.00	10	GENERAL
Total 24380	6/21/2018			80.00		
24381	6/21/2018	AmeriGas	Propane Fire Station	782.38	10	GENERAL
Total 24381	6/21/2018			782.38		
24382	6/21/2018	ANIMAL FRIENDS OF THE VALLEYS	Animal Control Services April 2018	3,500.00	10	GENERAL
Total 24382	6/21/2018			3,500.00		
24383	6/21/2018	BIO-TOX LABORATORIES	Sheriff's Blood Testing May 2018	288.00	10	GENERAL
24383	6/21/2018	BIO-TOX LABORATORIES	Sheriff's Dept Blood Testing May 2018	168.40	10	GENERAL
Total 24383	6/21/2018			456.40		
24384	6/21/2018	Randall Bonner	2016 Candidate Statement Deposit Reimbursement	133.02	10	GENERAL
Total 24384	6/21/2018			133.02		
24385	6/21/2018	Charles Abbott Associates, Inc.	Building and Safety May 2018	200.00	10	GENERAL
24385	6/21/2018	Charles Abbott Associates, Inc.	Building and Safety Services May 2018	16,632.55	10	GENERAL
24385	6/21/2018	Charles Abbott Associates, Inc.	Engineering, March 2018	6,059.00	10	GENERAL
24385	6/21/2018	Charles Abbott Associates, Inc.	Engineering, May 2018	2,406.50	10	GENERAL
24385	6/21/2018	Charles Abbott Associates, Inc.	Environmental Services May 2018	619.00	10	GENERAL
24385	6/21/2018	Charles Abbott Associates, Inc.	Planning, May 2018	3,852.00	10	GENERAL

City of Canyon Lake
Check/Voucher Register - Council Report - Expenditures
From 6/1/2018 Through 6/30/2018

Check Numb...	Matching Docum... Date	Vendor Name	Transaction Description	Check Amount	Fund Code	Fund Short Title
24385	6/21/2018	Charles Abbott Associates, Inc.	Engineering Services May 2018	13,107.85	20	GAS TAX
24385	6/21/2018	Charles Abbott Associates, Inc.	Engineering Services, March 2018	4,689.75	20	GAS TAX
Total 24385	6/21/2018			47,566.65		
24386	6/21/2018	Corelogic Information Solutions, INC.	Code Enforcement Database May 2018	5.00	10	GENERAL
Total 24386	6/21/2018			5.00		
24387	6/21/2018	Cota, Cole and Huber, LLP	Attorney Services - Athney Case May 2018	3,351.05	10	GENERAL
24387	6/21/2018	Cota, Cole and Huber, LLP	Attorney Services, May 2018	7,086.89	10	GENERAL
Total 24387	6/21/2018			10,437.94		
24388	6/21/2018	DIRECTV	Satellite, Fire Station 6/12/18-7/11/18	69.34	10	GENERAL
Total 24388	6/21/2018			69.34		
24389	6/21/2018	Jordan Ehrenkranz	2016 Candidate Statement Deposit Reimbursement	159.27	10	GENERAL
Total 24389	6/21/2018			159.27		
24390	6/21/2018	David Eilers	2016 Candidate Statement Deposit Reimbursement	144.52	10	GENERAL
Total 24390	6/21/2018			144.52		
24391	6/21/2018	ELSINORE VALLEY MUNI WATER DIS	Water Service, City Hall 4/25/18-5/26/18	102.47	10	GENERAL
24391	6/21/2018	ELSINORE VALLEY MUNI WATER DIS	Water Service, Fire Station 4/28/18-5/28/18	266.56	10	GENERAL

City of Canyon Lake
Check/Voucher Register - Council Report - Expenditures
From 6/1/2018 Through 6/30/2018

Check Numb...	Matching Docum... Date	Vendor Name	Transaction Description	Check Amount	Fund Code	Fund Short Title
24391	6/21/2018	ELSINORE VALLEY MUNI WATER DIS	Water Service, Irrigation 4/28/18-5/28/18	941.95	20	GAS TAX
Total 24391	6/21/2018			1,310.98		
24392	6/21/2018	Frontier Communications	City Hall, Internet 6/10/18-7/9/18	146.98	10	GENERAL
24392	6/21/2018	Frontier Communications	City Hall, Phones 6/13/18-7/12/18	120.48	10	GENERAL
24392	6/21/2018	Frontier Communications	Fire Station Phones 6/13/18-7/12/18	263.71	10	GENERAL
Total 24392	6/21/2018			531.17		
24393	6/21/2018	NANCY GREENHALGH	Retiree Health Insurance	197.76	10	GENERAL
Total 24393	6/21/2018			197.76		
24394	6/21/2018	Johnson Controls Security Solutions	Security System 7/1/18-9/30/18	190.98	10	GENERAL
Total 24394	6/21/2018			190.98		
24395	6/21/2018	Larry Greene	2016 Candidate Statement Deposit Reimbursement	136.02	10	GENERAL
Total 24395	6/21/2018			136.02		
24396	6/21/2018	Lawrence Roll-Up Doors, Inc.	Door Repairs and Maintenance	424.00	10	GENERAL
Total 24396	6/21/2018			424.00		
24397	6/21/2018	George H. Middle	2016 Candidate Statement Deposit Reimbursement	141.52	10	GENERAL
Total 24397	6/21/2018			141.52		

City of Canyon Lake
Check/Voucher Register - Council Report - Expenditures
From 6/1/2018 Through 6/30/2018

Check Num...	Matching Docum... Date	Vendor Name	Transaction Description	Check Amount	Fund Code	Fund Short Title
24398	6/21/2018	Nate Volk	Broadcasting Services, 6/6/18 Council Meeting	350.00	10	GENERAL
Total 24398	6/21/2018			350.00		
24399	6/21/2018	Purchase Power	Postage 6/13/18	201.00	10	GENERAL
Total 24399	6/21/2018			201.00		
24400	6/21/2018	Rogers, Anderson, Malody & Scott, LLP	Accounting Services May 2018	6,700.00	10	GENERAL
Total 24400	6/21/2018			6,700.00		
24401	6/21/2018	Regional Conservation Authority	MSHCP Fees June 2018	4,062.00	50	AGENCY
Total 24401	6/21/2018			4,062.00		
24402	5/30/2018	JOHN REGUS	Library Rent July 2018	250.00	10	GENERAL
Total 24402	5/30/2018			250.00		
24403	6/21/2018	JOHN REGUS	Library Rent August 2018	1,043.33	10	GENERAL
Total 24403	6/21/2018			1,043.33		
24404	6/21/2018	RIV. CO. SHERIFF'S DEPT., Acctg & Fin	Sheriff's Contract Law Enforcement FY 17/18 Rate Adjustment	67,965.73	10	GENERAL
Total 24404	6/21/2018			67,965.73		
24405	6/21/2018	RIV. CO. SHERIFF'S DEPT., Acctg & Fin	Sheriff's Contract Law Facility Expenses FY 17/18	61,491.61	10	GENERAL
Total 24405	6/21/2018			61,491.61		

City of Canyon Lake
Check/Voucher Register - Council Report - Expenditures
From 6/1/2018 Through 6/30/2018

Check Numb...	Matching Docum... Date	Vendor Name	Transaction Description	Check Amount	Fund Code	Fund Short Title
24406	6/21/2018	RIV. CO. SHERIFF'S DEPT., Acctg & Fin	Sheriff's Contract Law Enforcement 3/29/18-4/25/18	122,699.60	10	GENERAL
Total 24406	6/21/2018			122,699.60		
24407	6/21/2018	RIV. CO. SHERIFF'S DEPT., Acctg & Fin	Sheriff's Contract Law 4/26/18-5/23/18	123,872.03	10	GENERAL
Total 24407	6/21/2018			123,872.03		
24408	6/21/2018	SOUTHERN CALIFORNIA EDISON	Electricity, City Hall 5/15/18-6/14/18	1,319.93	10	GENERAL
24408	6/21/2018	SOUTHERN CALIFORNIA EDISON	Electricity, Fire Station 5/15/18-6/14/18	348.46	10	GENERAL
24408	6/21/2018	SOUTHERN CALIFORNIA EDISON	Electricity, Pump Station 5/9/18-6/8/18	213.81	20	GAS TAX
24408	6/21/2018	SOUTHERN CALIFORNIA EDISON	Electricity, Traffic Signals 4/20/18-5/21/18	12.90	20	GAS TAX
24408	6/21/2018	SOUTHERN CALIFORNIA EDISON	Electricity, Traffic Signals 5/15/18-6/14/18	181.73	20	GAS TAX
Total 24408	6/21/2018			2,076.83		
24409	6/21/2018	Special District Risk Management Authority	Dental Insurance, July 2018	200.63	10	GENERAL
Total 24409	6/21/2018			200.63		
24410	6/21/2018	Solar City	Refund, Permit 2018-152	45.00	10	GENERAL
Total 24410	6/21/2018			45.00		
24411	6/21/2018	STATE COMP. INS. FUND	Deposit Premium	1,104.82	10	GENERAL
Total 24411	6/21/2018			1,104.82		
24412	6/21/2018	STATE COMP. INS. FUND	Workers Comp July 2018	659.17	10	GENERAL

City of Canyon Lake
Check/Voucher Register - Council Report - Expenditures
From 6/1/2018 Through 6/30/2018

Check Numb...	Matching Docum... Date	Vendor Name	Transaction Description	Check Amount	Fund Code	Fund Short Title
Total 24412	6/21/2018			659.17		
24413	6/21/2018	Synoptek, LLC	IT Maintenance June 2018	2,451.00	10	GENERAL
Total 24413	6/21/2018			2,451.00		
24414	6/21/2018	Time Warner Cable	Internet, Fire Station 6/10/18-7/9/18	74.98	10	GENERAL
Total 24414	6/21/2018			74.98		
24415	6/21/2018	U. S. Bank	Office supplies, candy for Fiesta Days, etc.	664.78	10	GENERAL
Total 24415	6/21/2018			664.78		
24416	6/21/2018	Verizon Wireless	Cell Phones, 5/4/18-6/3/18	444.72	10	GENERAL
24416	6/21/2018	Verizon Wireless	iPads, 05/04/18-06/03/18	199.08	10	GENERAL
Total 24416	6/21/2018			643.80		
24417	6/21/2018	WRCOG	TUMF Fees June 2018	8,873.00	50	AGENCY
Total 24417	6/21/2018			8,873.00		
Report Total				544,825.34		

City of Canyon Lake
Invoices Selected for Payment - COUNCIL CHECK REPORT

Vendor ID	Invoice Description	Cash Required
Aflac	Supplemental Insurance July 2018	325.70
AMERICAN FORENSIC	Sheriff's Blood Draws May 2018	80.00
AmeriGas	Propane Fire Station	782.38
ANIMAL FRIENDS	Animal Control Services April 2018	3,500.00
BIO-TOX	Sheriff's Dept Blood Testing May 2018	168.40
	Sheriff's Blood Testing May 2018	288.00
Bonner	2016 Candidate Statement Deposit Reimbursement	133.02
Charles Abbott	Engineering, March 2018	6,059.00
	Engineering Services, March 2018	4,689.75
	Planning, May 2018	3,852.00
	Engineering, May 2018	2,406.50
	Engineering Services May 2018	268.35
	Engineering Services May 2018	12,839.50
	Environmental Services May 2018	619.00
	Building and Safety May 2018	200.00
	Building and Safety Services May 2018	16,632.55
Corelogic	Code Enforcement Database May 2018	5.00
Cota	Attorney Services, May 2018	7,086.89
	Attorney Services - Athney Case May 2018	3,351.05
DIRECTV	Satellite, Fire Station 6/12/18-7/11/18	69.34
Ehrenkranz	2016 Candidate Statement Deposit Reimbursement	159.27
Eilers	2016 Candidate Statement Deposit Reimbursement	144.52
EVMWD	Water Service, City Hall 4/25/18-5/26/18	102.47
	Water Service, Irrigation 4/28/18-5/28/18	941.95
	Water Service, Fire Station 4/28/18-5/28/18	266.56
Frontier	City Hall, Internet 6/10/18-7/9/18	146.98
	City Hall, Phones 6/13/18-7/12/18	120.48
	Fire Station Phones 6/13/18-7/12/18	263.71
GREENHALGH	Retiree Health Insurance	197.76
Johnson Controls	Security System 7/1/18-9/30/18	190.98
Larry Greene	2016 Candidate Statement Deposit Reimbursement	136.02
Lawrence	Door Repairs and Maintenance	424.00
Middle	2016 Candidate Statement Deposit Reimbursement	141.52
Nate Volk	Broadcasting Services, 6/6/18 Council Meeting	350.00
Pitney Bowes -	Postage 6/13/18	201.00
Purchase Power		
RAMS	Accounting Services May 2018	6,700.00
RCA	MSHCP Fees June 2018	4,062.00
REGUS	Library Rent August 2018	1,043.33
	Library Rent July 2018	250.00
Riv Co Sheriff Acctg	Sheriff's Contract Law Enforcement FY 17/18 Rate Adjustment	67,965.73
	Sheriff's Contract Law Enforcement 3/29/18-4/25/18	122,699.60
	Sheriff's Contract Law Facility Expenses FY 17/18	61,491.61

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City of Canyon Lake
Invoices Selected for Payment - COUNCIL CHECK REPORT

Vendor ID	Invoice Description	Cash Required
	Sheriff's Contract Law 4/26/18-5/23/18	123,872.03
SCE	Electricity, City Hall 5/15/18-6/14/18	1,319.93
	Electricity, Traffic Signals 5/15/18-6/14/18	181.73
	Electricity, Traffic Signals 4/20/18-5/21/18	12.90
	Electricity, Fire Station 5/15/18-6/14/18	348.46
	Electricity, Pump Station 5/9/18-6/8/18	213.81
SDRMA	Dental Insurance, July 2018	200.63
SolarCity	Refund, Permit 2018-152	45.00
STATE FUND	Deposit Premium	1,104.82
	Workers Comp July 2018	659.17
Synoptek	IT Maintenance June 2018	2,451.00
Time Warner	Internet, Fire Station 6/10/18-7/9/18	74.98
US Bank	Office supplies, candy for Fiesta Days, etc.	664.78
VerizonW	iPads, 05/04/18-06/03/18	199.08
	Cell Phones, 5/4/18-6/3/18	444.72
WRCOG	TUMF Fees June 2018	8,873.00
Report Total		472,021.96

City of Canyon Lake
Invoices Selected for Payment - COUNCIL CHECK REPORT

Vendor ID	Invoice Description	Cash Required
Avenet	Gov Office - City Website	4,755.00
Charles Abbott	Engineering Services February 2018	7,581.75
CL PEST	Pest Control, P.O. Box 09-010	100.00
Corelogic	Database for Code Enforcement May 2018	125.00
DATA TICKET	Code Enforcement Citation Processing April 2018	305.00
	Parking Citation Processing April 2018	100.00
FM3	Quality of Life Survey	13,500.00
GAS CO	Gas, 4/27/18-5/29/18	0.88
GOLDING	#10 Envelopes	56.03
Interior Logic	Refund for Overpayment of Disability Access Fee	4.00
Jani-King	Janitorial Services June 2018	735.50
Joe's	Cleaning Supplies	23.20
LEW Edwards	UUT Consultant	5,500.00
NBS	Comprehensive Citywide User Fee and Rate Study	1,735.00
RAMS	Accounting Services, Data Recovery	27,452.22
Riv Co Sheriff DTS	Communications Dispatch FY 17/18	8,392.00
SCE	Electricity, Traffic Signals 4/30/18-5/30/18	345.49
Sparkletts	Drinking Water Service 5/9/18-5/23/18	63.49
STAPLES	Office Supplies	740.16
Structural	Pest Control, Fire Station 6/4/18	36.75
Synoptek	Desktop Computers for City Hall	858.45
	Memory Upgrade for City Manager	93.46
TVC, Inc.	Re-Issue Payments for Invoices #2670 & #2575	240.00
Underline	Refund for Permit No. 2018-214	60.00
Report Total		72,803.38

Labor Distribution

City of Canyon Lake
Company (10756)Check Date: 06/15/2018
Process: 2018061501
Period: 06/01/2018 to 06/15/2018Page
1

Department: (20)City Employees

Borja, Miguel A	102	3500.00	125 Cash	9.50	492.43	PTAXF	Code	Amount	Deduction	Code	Amount	Taxable	Code	Amount	Tax	Taxable	Amount	
Salary			Reg		3500.00		CA	245.00	Pre-Tax P.			3747.43	CAEIT	98.30	CA Edu & T	0.00	0.00	
			Sick		0.00		CASDI					3992.43	CASUI	39.93	California SI	0.00	0.00	Gross
							FITW					3747.43	MED-R	272.32	Medicare - E	3992.43	57.89	Tot Liab
							MED					3992.43		57.89				Net Amt

Total Earnings	9.50	3992.43	Total Deductions	245.00	3992.43	Total Employer Taxes	468.44	Total Employer Taxes	57.89
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Day, Victoria L	106	19.9000	125 Cash	40.00	796.00	457B	Code	Amount	Deduction	Code	Amount	Taxable	Code	Amount	Tax	Taxable	Amount	
Emp Id			Reg		796.00		CA	59.70	EE			736.30	CAEIT	8.55	CA Edu & T	0.00	0.00	
Rate			Regular				CASDI					796.00	CASUI	7.96	California SI	0.00	0.00	Gross
							FITW					736.30	MED-R	25.50	Medicare - E	796.00	11.54	Tot Liab
							MED					796.00		11.54				Net Amt

Total Earnings	40.00	796.00	Total Deductions	59.70	796.00	Total Employer Taxes	53.55	Total Employer Taxes	11.54
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Manzano, Rubi E	98	23.1000	125 Cash	76.00	499.58	PTXPE	Code	Amount	Deduction	Code	Amount	Taxable	Code	Amount	Tax	Taxable	Amount	
Emp Id			Reg		499.58		CA	109.73	Pre-Tax P.			2145.45	CAEIT	73.85	CA Edu & T	0.00	0.00	
Rate			Regular		1755.60		CASDI					2255.18	CASUI	22.56	California SI	0.00	0.00	Gross
							FITW					2145.45	MED-R	142.33	Medicare - E	2255.18	32.70	Tot Liab
							MED					2255.18		32.70				Net Amt

Total Earnings	76.00	2255.18	Total Deductions	109.73	2255.18	Total Employer Taxes	271.44	Total Employer Taxes	32.70
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Palmer, Aaron D	99	5416.67	125 Cash	0.00	452.83	PTXPE	Code	Amount	Deduction	Code	Amount	Taxable	Code	Amount	Tax	Taxable	Amount	
Emp Id			Reg		452.83		CA	338.54	Pre-Tax P.			5530.96	CAEIT	261.35	CA Edu & T	0.00	0.00	
Salary			Regular		5416.67		CASDI					5869.50	CASUI	58.69	California SI	0.00	0.00	Gross
							FITW					5530.96	MED-R	582.35	Medicare - E	5869.50	85.11	Tot Liab
							MED					5869.50		85.11				Net Amt

Total Earnings	0.00	5869.50	Total Deductions	338.54	5869.50	Total Employer Taxes	987.50	Total Employer Taxes	85.11
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Rosen, Stephanie N	100	21.0000	125 Cash	8.50	553.15	PTXPE	Code	Amount	Deduction	Code	Amount	Taxable	Code	Amount	Tax	Taxable	Amount	
Emp Id			Reg		553.15		CA	99.75	Pre-Tax P.			2049.40	CAEIT	33.92	CA Edu & T	0.00	0.00	
Rate			Regular		1417.50		CASDI					2149.15	CASUI	21.49	California SI	0.00	0.00	Gross
			Sick		178.50		FITW					2049.40	MED-R	151.55	Medicare - E	2149.15	31.16	Tot Liab
							MED					2149.15		31.16				Net Amt

Total Earnings	76.00	2149.15	Total Deductions	99.75	2149.15	Total Employer Taxes	238.12	Total Employer Taxes	31.16
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Department: (20)City Employees Total

Employees	5	Code	Earning	Hours	Amount	Deduction	Code	Amount	Taxable	Code	Amount	Tax	Taxable	Amount	Amount
Female	3	125CO	125 Cash		1997.99	457B	457B EE	59.70	CA	CA	California SI		14209.54	CAEIT	CA Edu & T
Male	2	Reg	Regular	183.50	12885.77	PTAXE	Pre-Tax P.	245.00	CASDI	CA SDI - Eir	15062.26		15062.26	CASUI	California SI
		Sick	Sick	18.00	178.50	PTXPE	Pre-Tax P.	548.02	FITW	Federal Incon	14209.54		14209.54	MED-R	Medicare - E
									MED	Medicare	15062.26		15062.26		
											218.40				
											218.40				
											218.40				
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Labor Distribution

City of Canyon Lake
Company (10756)

Check Date: 06/15/2018
Process: 2018061501
Period: 06/01/2018 to 06/15/2018

Department: (30)Special Enforcement Team

Code	Earning	Hours	Amount	Deduction	Code	Amount	Taxable	Code	Tax	Amount	Taxable	Amount
Reg	Regular	7.00	174.16	457B EE!	CA	24.26	299.18	CAETT	CA Edu & Ti	0.00	323.44	0.32
Sick	Sick	6.00	149.28		CASDI	CA SDI - Err	323.44	CASUI	California SI	3.23	323.44	14.55
105					FITW	Federal Incon	299.18	MED-R	Medicare - E	0.00	323.44	4.69
Rate					MED	Medicare	323.44			4.69		Net Amt
24.8800												

Total Earnings		13.00	323.44	Total Deductions		24.26		Total Employer Taxes		7.92		19.56
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Code	Earning	Hours	Amount	Deduction	Code	Amount	Taxable	Code	Tax	Amount	Taxable	Amount
Reg	Regular	42.00	966.00	457B EE!	CA	72.45	893.55	CAETT	CA Edu & Ti	3.03	0.00	0.00
104					CASDI	CA SDI - Err	966.00	CASUI	California SI	9.66	0.00	0.00
Rate					FITW	Federal Incon	893.55	MED-R	Medicare - E	23.94	966.00	14.01
23.0000					MED	Medicare	966.00			14.01		Net Amt

Total Earnings		42.00	966.00	Total Deductions		72.45		Total Employer Taxes		50.64		14.01
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Code	Earning	Hours	Amount	Deduction	Code	Amount	Taxable	Code	Tax	Amount	Taxable	Amount
Reg	Regular	19.00	511.48		CA	0.00	511.48	CAETT	CA Edu & Ti	0.00	0.00	0.00
83					CASDI	CA SDI - Err	511.48	CASUI	California SI	5.12	0.00	0.00
Rate					FITW	Federal Incon	511.48	MED-R	Medicare - E	35.73	511.48	7.42
26.9200					MED	Medicare	511.48			7.42		Net Amt

Total Earnings		19.00	511.48	Total Deductions		0.00		Total Employer Taxes		48.27		7.42
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Code	Earning	Hours	Amount	Deduction	Code	Amount	Taxable	Code	Tax	Amount	Taxable	Amount
125CO	125 Cash	68.00	228.02	PTAXI Pre-Tax P.	CA	133.28	1998.74	CAETT	CA Edu & Ti	71.36	0.00	0.00
101	Regular		1904.00		CASDI	CA SDI - Err	2132.02	CASUI	California SI	21.32	0.00	0.00
Rate					FITW	Federal Incon	1998.74	MED-R	Medicare - E	166.22	2132.02	30.91
28.0000					MED	Medicare	2132.02			30.91		Net Amt

Total Earnings		68.00	2132.02	Total Deductions		133.28		Total Employer Taxes		289.81		30.91
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Department: (30)Special Enforcement Team Total

Code	Earning	Hours	Amount	Deduction	Code	Amount	Taxable	Code	Tax	Amount	Taxable	Amount
4	125CO 125 Cash		228.02	457B EE!	CA	96.71	3702.95	CAETT	CA Edu & Ti	74.39	323.44	0.32
Female	Regular	136.00	3555.64	PTAXI Pre-Tax P.	CASDI	133.28	3932.94	CASUI	California SI	39.33	323.44	14.55
Male	Sick	6.00	149.28		FITW	Federal Incon	3702.95	MED-R	Medicare - E	225.89	3932.94	57.03
					MED	Medicare	3932.94			57.03		Net Amt

Total Earnings		142.00	3932.94	Total Deductions		229.99		Total Employer Taxes		396.64		71.90
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Report Total

Code	Earning	Hours	Amount	Deduction	Code	Amount	Taxable	Code	Tax	Amount	Taxable	Amount
9	125CO 125 Cash		2226.01	457B EE!	CA	156.41	17912.49	CAETT	CA Edu & Ti	530.36	323.44	0.32
Female	Regular	319.50	16441.41	PTAXI Pre-Tax P.	CASDI	378.28	18995.20	CASUI	California SI	189.96	323.44	14.55
Male	Sick	24.00	327.78	PTXPE Pre-Tax P.	FITW	548.02	17912.49	MED-R	Medicare - E	1399.94	18995.20	275.43
					MED	Medicare	18995.20			275.43		Net Amt

Total Earnings		343.50	18995.20	Total Deductions		1082.71		Total Employer Taxes		2415.69		290.30
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6-13-18
Date
Aaron Palmer, City Manager

Labor Distribution

City of Canyon Lake Company (10756)

Check Date: 05/31/2018
Process: 2018053101
Period: 05/16/2018 to 05/31/2018

Department: (20)City Employees

Borja, Miguel A Emp Id Salary	102 3500.00	Code	Earning	Hours	Amount	Code	Deduction	Amount	Code	Tax	Taxable	Amount	Code	Tax	Taxable	Amount
		125CO	125 Cash		492.43	PTAXI	Pre-Tax P.	245.00	CA	California SI	3747.43	98.30	CAETT	CA Edu & Ti	0.00	0.00
		Hol	Holiday	9.50	0.00	CASDI	CA SDI - Eir		CASDI	California SI	3992.43	39.92	CASUI	California SI	0.00	0.00
		Reg	Regular		3500.00	FITW	Federal Incon		FITW	Federal Incon	3747.43	272.32	MED-R	Medicare - E	3992.43	57.89
		Sick	Sick	9.50	0.00	MED	Medicare		MED	Medicare	3992.43	57.89				
		Total Earnings				Total Deductions		245.00	Total Employer Taxes			468.43	Total Employer Taxes			57.89
																3992.43
																4050.32
																3279.00
																Net Amt

Day,	Code	Earning	Hours	Amount	Code	Deduction	Amount	Code	Tax	Taxable	Amount	Code	Tax	Taxable	Amount
Victoria L	Reg	Regular	44.85	892.52	457B	457B EE	66.94	CA	California SI	825.58	10.51	CAETT	CA Edu & T	627.03	0.63
Emp Id	106							CASDI	CA SDI - Eir	892.52	8.92	CASUI	California SI	627.03	28.22
Rate	19,900							FITW	Federal Incon	825.58	34.43	MED-R	Medicare - E	892.52	12.94
															Tot Liab
															892.52
															934.31

Manzano, Rubi E Emp Id Rate	98 23,100.00	Code	Earning	Hours	Amount	Code	Deduction	Amount	Code	Tax	Taxable	Amount	Code	Tax	Taxable	Amount		
		125CO	125 Cash		499.58	PTXPE	Pre-Tax P.	109.73	CA	California SI	2584.35	114.75	CAETT	CA Edu & Ti	0.00	0.00		
		Comp	Comp Tin	19.00	438.90	CASDI	CA SDI - Eir		CASDI	California SI	2694.08	26.94	CASUI	California SI	0.00	0.00		
		Hol	Holiday	9.50	219.45	FITW	Federal Incon		FITW	Federal Incon	2584.35	195.00	MED-R	Medicare - E	2694.08	39.06		
		Reg	Regular	57.00	1316.70	MED	Medicare		MED	Medicare	2694.08	39.07				Net Amt		
		Total Earnings				95.00	2694.08	Total Deductions		109.73	Total Employer Taxes			375.76	Total Employer Taxes			39.06
		Gross																2694.08
		Tot Liab																2733.14
		Net Amt																2208.59

Palmer, Aaron D Emp Id Salary	99 5416.67	Code	Earning	Hours	Amount	Code	Deduction	Amount	Code	Tax	Taxable	Amount	Code	Tax	Taxable	Amount
		125CO	125 Cash		452.83	PTXPE	Pre-Tax P.	338.54	CA	California SI	5530.96	261.35	CAETT	CA Edu & Ti	0.00	0.00
		Hol	Holiday	9.50	0.00	CASDI	CA SDI - Eir		CASDI	California SI	5869.50	58.70	CASUI	California SI	0.00	0.00
		Reg	Regular		5416.67	FITW	Federal Incon		FITW	Federal Incon	5530.96	582.35	MED-R	Medicare - E	5869.50	85.11
		Sick	Sick	9.50		MED	Medicare		MED	Medicare	5869.50	85.11				Net Amt
Total Earnings				9.50	5869.50	Total Deductions		338.54	Total Employer Taxes			987.51	Total Employer Taxes			85.11

Rosen, Stephanie N	Emp Id	Rate	21.0000	Code	Earning	Hours	Amount	Code	Deduction	Amount	Code	Tax	Taxable	Amount	Code	Tax	Taxable	Amount
				125CO	125 Cash		553.15	PTXPE	Pre-Tax P.	124.69	CA	California SI	2423.46	50.38	CAETT	CA Edu & T	0.00	0.00
				100	Hol	Holiday	9.50	199.50	CASDI	CA SDI - Eir	2548.15	25.49	CASUI	California SI	0.00	0.00	Gross	
				Reg	Regular	76.00	1596.00	FITW	Federal Incon	2423.46	196.44	MED-R	Medicare - E	2548.15	36.95	Tot Liab		
				Sick	Sick	9.50	199.50	MED	Medicare	2548.15	36.95					Net Amt		
2548.15																		
2585.10																		
2114.20																		

Department: (20)City Employees Total

Employees	5	Code	Earning	Hours	Amount	Code	Deduction	Amount	Code	Tax	Taxable	Amount	Code	Tax	Taxable	Amount
Female	3	125CO	125 Cash		1997.99	457B	457B EE	66.94	CA	California SI	15111.78	535.29	CAETT	CA Edu & T	627.03	0.63
Male	2	Comp	Comp Tin	19.00	438.90	PTAXI	Pre-Tax P.	245.00	CASDI	CA SDI - Eir	15996.68	159.97	CASUI	California SI	627.03	28.22
		Hol	Holiday	38.00	418.95	PTXPE	Pre-Tax P.	572.96	FITW	Federal Incon	15111.78	1280.54	MED-R	Medicare - E	15996.68	231.95
		Reg	Regular	177.85	12721.89				MED	Medicare	15996.68	231.96				Net Amt
		Sick	Sick	28.50	418.95											
Total Earnings				263.35	15996.68	Total Deductions		884.90	Total Employer Taxes			2207.76	Total Employer Taxes			260.80

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City of Canyon Lake
Company (10756)

Check Date: 05/31/2018
Process: 2018053101
Period: 05/16/2018

Page 2

Department: (30)Special Enforcement Team

Browning, Curtis M Emp Id Rate	105	24.8800	Code	Earnings	Hours	Amount	Code	Deduction	Amount	Code	Tax	Taxable	Amount	Code	Tax	Taxable	Amount		
	Reg	Regular	24.00	597.12	457B	EE	44.78	CA	California ST	552.34	CA	Edu & Tj	597.12	0.00	CAETT	CA Edu & Tj	597.12	0.60	
								CASDI	CA SDI - Err	597.12	5.98	CASUI	California ST	597.12	5.98	CASUI	California ST	26.87	
								FITW	Federal Incom	552.34	0.00	MED-R	Medicare - E	597.12	0.00	MED-R	Medicare - E	8.66	
								MED	Medicare	597.12	8.66							Net Amt	
Total Earnings			24.00	597.12	Total Deductions			44.78	Total Employee Taxes			14.64	Total Employer Taxes			36.13			
Eckelfield, Dawn A Emp Id Rate	104	23.0000	Code	Earnings	Hours	Amount	Code	Deduction	Amount	Code	Tax	Taxable	Amount	Code	Tax	Taxable	Amount		
	Reg	Regular	55.50	1276.50	457B	EE	95.74	CA	California ST	1180.76	CA	Edu & Tj	0.00	9.35	CAETT	CA Edu & Tj	0.00	0.00	
								CASDI	CA SDI - Err	1276.50	12.76	CASUI	California ST	0.00	12.76	CASUI	California ST	0.00	
								FITW	Federal Incom	1180.76	52.66	MED-R	Medicare - E	1276.50	52.66	MED-R	Medicare - E	18.51	
								MED	Medicare	1276.50	18.50							Net Amt	
Total Earnings			55.50	1276.50	Total Deductions			95.74	Total Employee Taxes			93.27	Total Employer Taxes			18.51			
Feeney, Michael S Emp Id Rate	83	26.9200	Code	Earnings	Hours	Amount	Code	Deduction	Amount	Code	Tax	Taxable	Amount	Code	Tax	Taxable	Amount		
	Reg	Regular	35.00	942.20			CA	California ST	942.20	13.08	CAETT	CA Edu & Tj	0.00	9.42	CASUI	California ST	0.00	0.00	
							CASDI	CA SDI - Err	942.20	86.63	MED-R	Medicare - E	942.20	86.63	MED-R	Medicare - E	13.66	13.66	
							FITW	Federal Incom	942.20	13.66								Net Amt	
								MED	Medicare	942.20	13.66							Net Amt	
Total Earnings			35.00	942.20	Total Deductions			0.00	Total Employee Taxes			122.79	Total Employer Taxes			13.66			
Helgemso Dickson Gina M Emp Id Rate	101	28.0000	Code	Earnings	Hours	Amount	Code	Deduction	Amount	Code	Tax	Taxable	Amount	Code	Tax	Taxable	Amount		
	125CO	125 Cash		228.02	PTAXI	Pre-Tax P	145.04	CA	California ST	2154.98	85.11	CAETT	CA Edu & Tj	0.00	23.00	CASUI	California ST	0.00	
	Reg	Regular	74.00	2072.00			CASDI	CA SDI - Err	2300.02	184.97	MED-R	Medicare - E	2300.02	184.97	MED-R	Medicare - E	33.35	33.35	
							FITW	Federal Incom	2154.98	33.35								Net Amt	
								MED	Medicare	2300.02	33.35							Net Amt	
Total Earnings			74.00	2300.02	Total Deductions			145.04	Total Employee Taxes			326.43	Total Employer Taxes			33.35			

Department: (30)Special Enforcement Team Total

Employees		4	Code	Earning	Hours	Amount	Code	Deduction	Amount	Taxable	Amount	Code	Tax	Taxable	Amount	
Female	2	125CO	125 Cash	188.50	228.02	457B EE	CA	California ST	140.52	4830.28	107.54	CAETT	CA Edu & T	597.12	0.60	Gross
Male	2	Reg	Regular	188.50	4887.82	PTAXI Pre-Tax P.	CASDI CA SDI - Err	Federal Inco	145.04	5115.84	51.16	CASUI	California ST	597.12	26.87	Total Liab
							FITW Federal Inco	MEDicare	324.26	4830.28	324.26	MED-R Medicare - E		5115.84	74.18	Net Amt
							MED Medicare		74.17	5115.84	74.17					
								Total Deductions	285.56		557.13		Total Employer Taxes		101.65	
								Total Earnings	188.50		5115.84					

City of Canyon Lake
Company (10756)

Check Date: 05/31/2018
Process: 2018053101
Period: 05/16/2018 to 05/31/2018

Page 3

Department: (50)Council Members

Total Earnings	0.00	300.00	Total Deductions	0.00	Total Employee Taxes	4.35	Total Employer Taxes	18.14
----------------	------	--------	------------------	------	----------------------	------	----------------------	-------

Total Earnings	0.00	300.00	Total Deductions	0.00	Total Employer Taxes	4.35	Total Employer Taxes	18.15
----------------	------	--------	------------------	------	----------------------	------	----------------------	-------

Total Earnings	0.00	Total Deductions	300.00	Total Employer Taxes	0.00	Total Employer Taxes	4.35	Total Employer Taxes	18.15
----------------	------	------------------	--------	----------------------	------	----------------------	------	----------------------	-------

Net Amt	18 15
Total Employer Taxes	34 35
2025.05	0.00
2025.05	0.00

Net Amt	19.45	295.65
---------	-------	--------

Department: (50) Council Members Total

Total Earnings	0.00	Total Deductions	0.00	Total Employee Taxes	51.75	Total Employer Taxes	90.74
----------------	------	------------------	------	----------------------	-------	----------------------	-------

Labor Distribution

City of Canyon Lake
Company (10756)

Check Date: 05/31/2018
Process: 2018053101
Period: 05/16/2018 to 05/31/2018

Page 4

Report Total

Employees	14	Code	Earning	Hours	Amount	Deduction	Amount	Code	Tax	Taxable	Amount	Code	Tax	Taxable	Amount	
Female	7	125CO	125 Cash		2226.01	457B	457B EE	CA	California ST	21442.06	642.83	CAETT	CA Edu & Ti	2724.15	2.72	
Male	7	Comp	Comp Tin	19.00	438.90	PTAXF	Pre-Tax P	CASDI	CA SDI - Err	21112.52	211.13	CASUI	California ST	2724.15	122.59	Gross
		Hol	Holiday	38.00	418.95	PTXPF	Pre-Tax P	FITW	Federal Inco	21442.06	1634.80	MED-R	Medicare - E	22612.52	327.88	Tot Liab
		Reg	Regular	366.35	19109.71			MED	Medicare	22612.52	327.88					Net Amt
		Sick	Sick	28.50	418.95											
Total Earnings				451.85		Total Deductions		1170.46	Total Employee Taxes			2816.64	Total Employer Taxes			453.19

22612.52
23065.71
18625.42

Aaron D Palmer

Aaron Palmer, City manager

5/31/18

Date

U S BANK Statement dated 6/6/18

ITEM #	CREDITOR	DESCRIPTION	AMOUNT	ACCOUNT
1	Michael Stores	Office Supplies	\$ 19.02	10-310-6210
2	Staples	Office Supplies	\$ 34.79	10-310-6210
3	Staples	City Council Supplies	\$ 43.41	10-100-6510
4	Smart N Final	Candy for Fiesta Days	\$ 173.80	10-100-6830
5	Microsoft	Microsoft 365 Monthly Fee	\$ 362.50	10-310-6610
6	Vincenzo's	Meeting for Palmer/Council Member	\$ 17.89	10-310-6510
7	Vincenzo's	Meeting for Palmer/Council Member	\$ 13.37	10-310-6510
			\$ 664.78	
		Account Breakdown		
	Council Meeting	10-100-6510	\$ 43.41	
	Council Special Dept. Expense	10-100-6520		
	Promotion and Advertising	10-100-6830	\$ 173.80	
	Office Expense	10-310-6210	\$ 53.81	
	Code Enforcement Supplies	10-520-6210		
	Professional/Specialized Services	10-550-6610		
	Professional/Specialized Services	10-310-6610	\$ 362.50	
	Conference/Meeting/Travel Expense	10-310-6510	\$ 31.26	
	Vehicle Maintenance	10-520-6415		
	Code Enforcement Vehicle Equipment	10-520-6410		
	Fire Station Expenses	10-420-8018		
	Emergency Preparedness Supplies	10-425-6215		
	Special Enforcement Misc Expense	10-520-6220		
	Code Enforcement Membership Dues	10-520-6520		
			\$ 664.78	
		Check Figure	\$ -	

OK by
6/13/18 Af

*Copies for City Council
as directed by
the Finance Committee*



Home Profile Reporting Person Information Education Other Organizations

Manage Reports Billing and Payments Payroll Schedule Member Requests Health Reconciliation Retirement Appointment Reconciliation

Common Tasks

Name: City of Canyon Lake CalPERS ID: 3813045770

Payment Request Acceptance

Your request for payment has been accepted.

- Please print this page for your records.
- If you need to contact us with questions regarding this payment, please have your Payment Confirmation Number for faster access.
- Your payment will be reflected in your CalPERS account once the payment has been received by CalPERS.
- Your payment account may take longer to post, depending upon your Financial Institution. Once your payment is processed, CalPERS will send a confirmation email to the email address in your profile.

Billing and Payments
Super Funded
Accounts
Rate Plan Details
Payment Accounts
Make Payment

Payment Setup Total
Total Payment Amount: \$1,954.04

Payment Summary

Payment Confirmation Number	Payment Authorization Date	Receivable ID	Receivable Description	Payment Method	Payment Account Nickname	Selected Payment Amount
1001094803	06/13/2018	100000015292797	Employer Contribution, PEPPRA, 26189, CalPERS, 06/01/2018 - 06/15/2018	EFT - Debit	Citizens Business Bank -5402	\$1,120.85
1001094804	06/13/2018	100000015292769	Employer Contribution, Classic, 1684, CalPERS, 06/01/2018 - 06/15/2018	EFT - Debit	Citizens Business Bank -5402	\$833.19

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Build: v7.3.1 Baseline: 180521_110709_v7.3.1_Int.759 UID: 318

OK to pay
6/13/18 BJ



Home Profile Reporting Person Information Education Other Organizations
Manage Reports Billing and Payments Payroll Schedule Member Requests Health Reconciliation Retirement Appointment Reconciliation

Common Tasks **Name:** City of Canyon Lake **CalPERS ID:** 3813045770

Menu **Payment Request Acceptance**

- Billing and Payments
- Super Funded Accounts
- Rate Plan Details
- Payment Accounts
- Make Payment

Your request for payment has been accepted.

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Payment Setup Total **Total Payment Amount:** \$2,030.94

Payment Summary				Selected Payment Amount	
Payment Confirmation Number	Payment Authorization Date	Receivable ID	Receivable Description	Payment Method	Payment Account Nickname
1001087164	06/01/2018	100000015264268	Employer Contribution, PEPPRA, 26189, CalPERS, 05/16/2018 - 05/31/2018	EFT - Debit	Citizens Business Bank -5402
1001087165	06/01/2018	100000015264229	Employer Contribution, Classic, 1684, CalPERS, 05/16/2018 - 05/31/2018	EFT - Debit	Citizens Business Bank -5402
					\$1,171.85
					\$859.09

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Build: v7.3.1 Baseline: 180521_110709_v7.3.1_Int.759 **UID: 318**

Handwritten signature and date 6/6/18



Home Profile Reporting Person Information Education Other Organizations

Manage Reports Billing and Payments Payroll Schedule Member Requests Health Reconciliation Retirement Appointment Reconciliation

Common Tasks

Name: City of Canyon Lake CalPERS ID: 3813045770

Menu

Payment Request Acceptance

Billing and Payments

Super Funded

Accounts

Rate Plan Details

Payment Accounts

Make Payment

Your request for payment has been accepted.

Please print this page for your records.

- If you need to contact us with questions regarding this payment, please have your Payment Confirmation Number for faster access.
- Your payment will be reflected in your CalPERS account once the payment has been received by CalPERS.
- Your payment account may take longer to post, depending upon your Financial Institution. Once your payment is processed, CalPERS will send a confirmation email to the email address in your profile.

Payment Setup Total

Total Payment Amount: \$134.09

Payment Summary

Payment Confirmation Number	Payment Authorization Date	Receivable ID	Receivable Description	Payment Method	Payment Account Nickname	Selected Payment Amount
1001087142	06/01/2018	100000015299618	Health PA Billing - PERS	EFT - Debit	Citizens Business Bank -5402	\$134.09

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Build: v7.3.1 Baseline: 180521_110709_v7.3.1_Int.759 UID: 318

Ok to pay
6/6/18 AB



CITY OF CANYON LAKE
PLAN SPONSOR: 0035273

Acknowledgment



Your payment was successfully submitted. Provided it is in good order, it will process within contractual timeframes.

You can print this acknowledgment for your records.

Plan Name: CITY OF CANYON LAKE 457 OBRA-PST

Plan Number: 0035273002

Payroll Center: CITY OF CANYON LAKE OBRA

Payroll Center Number: 001

Payroll Received for Salary Reduction

Submission date: 06/12/2018

Submission time: 01:32 PM

Pay period end date: 05/31/2018

Payment method: Debit ACH

Bank routing number: 122234149

Bank account number: 245125402

Contributions payment amount: \$405.33

Contributions count: 3

Draft date: 06/13/2018

Nationwide Retirement Solutions and Nationwide Life Insurance Company (collectively "Nationwide") have endorsement relationships with the National Association of Counties, the International Association of Fire Fighters-Financial Corporation, and the National Association of Police Organizations.

Nationwide may receive payments from mutual funds or their affiliates in connection with certain investment options. Learn more about these payments.

Retirement Specialists provide information for educational purposes only. This information is not meant to be used as investment advice. Retirement Specialists are Registered Representatives of Nationwide Investment Services Corporation, member FINRA.

Your plan may offer a Nationwide Bank product. Learn more about Bank products.

CITIZENSTRUST™

PO Box 2549

Rancho Cucamonga, CA 91729-2549

Return Service Requested

000000085 MCB1000060818873599 01 000000 43 004

CITY OF CANYON LAKE
31516 RAILROAD CANYON RD
CANYON LAKE CA 92587

RECEIVED
JUN 18 2018

BY: _____

STATEMENT FOR THE PERIOD FROM 05/01/2018 TO 05/31/2018
ACCOUNT 1035003119

THIS IS YOUR REPORT OF INVESTMENTS AND TRANSACTIONS FOR THE PERIOD. INCLUDED
IN THE REPORT ARE

* PORTFOLIO: SUMMARY GRAPHICAL DISPLAY WITH MARKET VALUE & PERCENT

* ACTIVITY SUMMARY: MARKET VALUE WITH TRANSACTION SUMMARY

* PORTFOLIO STATEMENT: A LISTING OF COST AND MARKET VALUE OF ASSETS
HELD IN THE PORTFOLIO

COST BASIS APPLICABLE FOR CALCULATING CAPITAL GAINS AND LOSSES.
MARKET VALUE IS THE CURRENT VALUE OF EACH ASSET FOR MOST STOCKS AND BONDS.
MARKETS ARE THE CLOSING PRICES ON THE LAST TRADING DAY OF THE PERIOD.

* TRANSACTION STATEMENT: A COMPLETE LISTING FOR THE PERIOD GROUPED BY
TRANSACTION TYPE.

* DISCLOSURES: CITIZENS BUSINESS BANK MAY RECEIVE RESEARCH AND OTHER BENEFITS
FROM BROKER DEALERS WHICH MAY BE CONSIDERED COMPENSATION TO US. UPON REQUEST
WE WILL DISCLOSE DETAILS OF ANY COMPENSATION RECEIVED.

* TO TRUST BENEFICIARIES: UNDER SECTION 17200 OF CALIFORNIA PROBATE CODE,
YOU MAY PETITION THE COURT TO OBTAIN A COURT REVIEW OF THE ACCOUNT AND
THE ACTS OF THE TRUSTEE. CLAIMS AGAINST THE TRUSTEE FOR BREACH OF TRUST
MUST BE MADE WITHIN THREE YEARS FROM THE DATE OF RECEIPT OF AN ACCOUNTING
OR OTHER REPORT DISCLOSING FACTS GIVING RISE TO THE CLAIM.

CITIZENSTrust™

PO Box 2549

Sancho Cucamonga, CA 91729-2549

Return Service Requested

Account Statement

Account Number: 1035003119

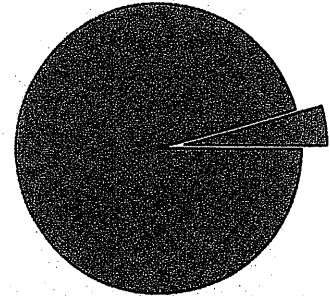
May 01, 2018 To May 31, 2018

CITY OF CANYON LAKE
31516 RAILROAD CANYON RD
CANYON LAKE, CA 92587

Account Name: CITY OF CANYON LAKE
CITIZENS BUSINESS BANK
Account Number: 1035003119
Your Relationship
Manager Is: MIKE GARDNER
Phone: 909-483-4390

Investment Portfolio Summary

Market Value As Of	05/01/2018	05/31/2018	% Of Account
CASH & CASH EQUIVALENTS	113,274.08	114,927.84	4.4%
FIXED INCOME	2,494,156.68	2,499,751.81	95.6%
Total	2,607,430.76	2,614,679.65	100.0%



Activity Summary

	This Period	Year To Date	Realized Capital Gains / Losses	
			This Period	Year To Date
Beginning Market Value	2,607,430.76	2,622,592.86		
Income	642.56	20,956.08	Long Term	128.32-
Asset Activity	1,833.12	141,286.75-	Total Gains / Losses	609.93-
Fees	821.92-	4,136.99-		
Cash Management	1,653.76-	124,467.66		
Change In Market Value	7,248.89	7,913.21-		
Ending Market Value	2,614,679.65	2,614,679.65		

Account Statement

Page 2

Account Number: 1035003119

May 01, 2018 To May 31, 2018

Portfolio Statement

Quantity	Description	Market Value	Cost Basis
Cash & Cash Equivalents			
Cash Equivalents			
Unclassified			
114,927.840	31607A703 FIDELITY GOVERNMENT PORTFOLIO	114,927.84	114,927.84
	Total Unclassified	114,927.84	114,927.84
Total	Cash Equivalents	114,927.84	114,927.84
Total	Cash & Cash Equivalents	114,927.84	114,927.84
Fixed Income			
Taxable			
100,000.000	02587DA99 AMERICAN EXPR CENTURION MEDIUM-TERM CD DTD 09/16/15 1.6% 09/17/2018	99,957.70	99,975.00
75,000.000	05531FAU7 BB&T CORPORATION DTD 06/29/15 CALL 2.625% 06/29/2020-2020	74,498.25	75,273.33
100,000.000	05580ACZ5 BMW BANK BANK NORTH AMERICA DTD 09/30/15 MEDIUM-TERM CD 2.2% 09/30/2020	98,704.60	99,980.00
100,000.000	14042RAR2 CAPITAL ONE NA MEDIUM-TERM CD DTD 10/07/2015 2.2% 10/07/2020	98,687.40	99,615.00
100,000.000	24422ERE1 JOHN DEERE CAPITAL CORP SERIES MTN DTD 07/12/2011 3.9% 07/12/2021	102,578.00	107,183.45
100,000.000	29266NS32 ENERBANK USA DTD 10/16/2015 MEDIUM-TERM CD 1.75% 10/16/2020	97,504.10	100,000.00
70,000.000	3130A1CE6 FEDERAL HOME LOAN DTD 03/27/14 2% 12/27/2019	69,544.30	70,459.45
100,000.000	3130A6NA1 FEDERAL HOME LOAN DTD 10/29/15 CALL 1.4% 10/29/2019-2016	98,593.00	100,000.00
50,000.000	3130A8EN9 FEDERAL HOME LOAN BANK DTD 06/14/16 CALL 1.64% 06/14/2021-2016	48,529.00	50,000.00
100,000.000	3130A8NT6 FEDERAL HOME LOAN DTD 07/13/16 CALL 1.48% 07/13/2021-2017	96,440.00	100,000.00
150,000.000	3130ADZ88 FEDERAL HOME LOAN DTD 4/17/18 3% 4/17/23 CALL 3% 04/17/2023-2019	149,715.00	150,000.00

PO Box 2549

Rancho Cucamonga, CA 91729-2549

Return Service Requested

Account Number: 1035003119

May 01, 2018 To May 31, 2018

Portfolio Statement (Continued)

Quantity	Description	Market Value	Cost Basis
Taxable			
100,000.000	313380FB8 FEDERAL HOME LOAN BANK DTD 08/09/12 1.375% 09/13/2019	98,761.00	99,667.18
100,000.000	3133EFZ91 FEDERAL FARM CREDIT BANK DTD 04/12/16 CALL 1.62% 04/12/2021-2017	97,022.00	99,909.00
200,000.000	3134G9J40 FREDDIE MAC DTD 07/26/16 CALL 1% 04/26/2019-2017	197,562.00	200,000.00
50,000.000	3134GAHK3 FREDDIE MAC DTD 09/30/16 CALL 1.6% 09/30/2021-2016	48,029.00	49,967.50
100,000.000	3134GAZR8 FREDDIE MAC DTD 12/30/2016 CALL 2.05% 12/30/2021-2017	97,430.00	100,000.00
100,000.000	3134GB7F3 FREDDIE MAC DTD 12/29/17 CALL 2.5% 12/29/2022-2018	98,283.00	100,000.00
100,000.000	3134GBZS4 FREDDIE MAC DTD 7/27/2017 CALL 2.15 4/27/2022 2.15% 04/27/2022-2017	97,082.00	100,000.00
50,000.000	3136G1C98 FANNIE MAE DTD 02/05/13 1.42% 02/05/2020	49,197.00	50,304.31
100,000.000	3136G3J30 FANNIE MAE DTD 07/28/16 CALL 1.6% 07/28/2021-2016	96,837.00	100,000.00
100,000.000	3136G3VG7 FANNIE MAE DTD 06/29/16 CALL 1.5% 09/29/2020-2016	97,779.00	100,000.00
100,000.000	3136G3XZ3 FANNIE MAE DTD 07/28/16 CALL 1.5% 07/28/2021-2016	96,328.00	100,000.00
100,000.000	3136G4EV1 FANNIE MAE DTD 10/28/16 CALL 1.625% 10/28/2021-2017	95,671.00	99,959.00
73,678.150	31398R7H2 FANNIE MAE SERIES 2010-M4 CLASS A3 DTD 07/01/10 3.819% 06/25/2020	74,754.46	78,835.64
200,000.000	69353REW4 PNC BANK NA DTD 04/29/16 CALL 2.15% 04/29/2021-2021	194,396.00	202,443.98
25,000.000	713448BN7 PEPSICO INC DTD 01/14/10 4.5% 01/15/2020	25,869.00	26,352.98
Total	Taxable	2,499,751.81	2,559,925.82

Account Statement

Page 4

Account Number: 1035003119

May 01, 2018 To May 31, 2018

Portfolio Statement (Continued)

Quantity	Description	Market Value	Cost Basis
Fixed Income			
Total	Fixed Income	2,499,751.81	2,559,925.82
Miscellaneous			
Miscellaneous Sundry Assets			
Documents			
1.000	DOC199647 INVESTMENT MANAGEMENT AGREEMENT CITY OF CANYON LAKE A/C# 1035003119	0.00	0.00
Total Documents		0.00	0.00
Total	Miscellaneous Sundry Assets	0.00	0.00
Total	Miscellaneous	0.00	0.00
Grand Total Assets		2,614,679.65	2,674,853.66

Account Activity Summary

	Total Cash	Cost Basis Excluding Cash	Market Value Including Cash
Balances Beginning Of Period	0.00	2,675,161.34	2,615,102.41
Prior Accruals			7,671.65-
Unrealized Appreciation This Period			7,377.21
Current Accruals			11,554.89
Asset Activity	1,833.12	1,961.44-	1,833.12
Cash Management	1,653.76-	1,653.76	1,653.76-
Fees	821.92-	0.00	821.92-
Income	642.56	0.00	642.56
Realized Gain/loss			128.32-
Non Cash Asset Changes			
Balances End Of Period	0.00	2,674,853.66	2,626,234.54

Transaction Statement

Date	Quantity	Description	Transaction Type	Cash	Cost Basis
05/01/18		Beginning Balance		0.00	2,675,161.34
Income					
Interest					
05/01/18		31607A703 FIDELITY GOVERNMENT PORTFOLIO	INTEREST RCVD	242.28	
05/16/18		29266NS32 ENERBANK USA DTD 10/16/2015	INTEREST RCVD	143.84	
05/25/18		MEDIUM-TERM CD 1.75% 10/16/2020 31398R7H2 FANNIE MAE SERIES 2010-M4 CLASS	INTEREST RCVD	240.31	
		A3 DTD 07/01/10 3.819% 06/25/2020			

Transaction Statement (Continued)

Date	Quantity	Description	Transaction Type	Cash	Cost Basis
05/25/18		31398R7H2 FANNIE MAE SERIES 2010-M4 CLASS A3 DTD 07/01/10 3.819% 06/25/2020	INTEREST RCVD	16.13	
Total Interest				642.56	0.00
Total Income				642.56	0.00
Asset Activity					
Assets Sold					
05/17/18		31398R7H2 FANNIE MAE SERIES 2010-M4 CLASS A3 DTD 07/01/10 3.819% 06/25/2020	NOTE AND MTG PMT		
05/25/18	1,833.120-	31398R7H2 FANNIE MAE SERIES 2010-M4 CLASS A3 DTD 07/01/10 3.819% 06/25/2020	NOTE AND MTG PMT	1,833.12	1,961.44-
05/25/18		31398R7H2 FANNIE MAE SERIES 2010-M4 CLASS A3 DTD 07/01/10 3.819% 06/25/2020	NOTE AND MTG PMT		
Total Assets Sold				1,833.12	1,961.44-
Total Asset Activity				1,833.12	1,961.44-
Fees					
05/24/18		MANAGEMENT FEES CITIZENS BUSINESS BANK FOR THE PERIOD ENDING 05/20/2018	DISBURSEMENT	821.92-	
Total Fees				821.92-	0.00
Cash Management					
05/31/18	1,653.760	31607A703 NET CASH MANAGEMENT	NET CASH MGMT	1,653.76-	1,653.76
Total Cash Management				1,653.76-	1,653.76
05/31/18		Ending Balance		0.00	2,674,853.66

Disclosure

CitizensTrust may receive research and other benefits from Brokers/Dealers which may be considered compensation. Upon request, we will disclose details of any compensation received. We have added an additional benchmark to your performance insert. Call for details.

2018 Expense Reports

	January	February	March	April	May	June	July	August	September	October	November	December
Randall Bonner												
Internet	\$ 20.00	\$ 20.00	\$ 20.00	\$ 20.00								
Cell Phone	\$ 53.62	\$ 53.62	\$ 53.67	\$ 53.57								
Travel												
Total	\$ 73.62	\$ 73.62	\$ 73.67	\$ 73.57	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Jordan Ehrenkranz												
Internet			\$ 40.00	\$ 40.00								
Cell Phone												
Travel												
Total	\$ -	\$ -	\$ 40.00	\$ 40.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Larry Greene												
Internet												
Cell Phone												
Travel	\$ 696.75											
Total	\$ 696.75	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Dawn Haggerty												
Internet	\$ 30.00		\$ 30.00									
Cell Phone												
Travel												
Total	\$ 30.00	\$ -	\$ 30.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Vicki Warren												
Internet												
Cell Phone												
Travel												
Total	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

MINUTES
SPECIAL MEETING OF THE
CANYON LAKE CITY COUNCIL
Wednesday, May 31, 2018
Open Session – 12:00 p.m.

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

Open Session – 12:00 p.m.

1. Call Open Session to Order

Mayor Warren called the meeting to order at 12:00 p.m.

2. Flag Salute

Flag Salute was led by Mayor Vicki Warren.

3. Roll Call

Present: Council Members Bonner, Ehrenkranz, Haggerty, Mayor Pro Tem Greene, and Mayor Warren.

4. Approval of the City Council Agenda

Moved by Greene, seconded by Haggerty to approve the agenda as presented.

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

5. Public Comment

There were no public comments.

6. Review and Discussion of 2018-2019 Proposed City Budget

City Manager Palmer provided the staff report.

Accountant, Terry Shea, discussed the Tax Revenue Sources.

It was discussed that the assessed home value was updated every fiscal year and this year's budget was based off last fiscal year's assessed valuation with a 3% increase.

Accountant Shea discussed revenue from licenses, permits and fees and the City was projecting upward. There was discussion regarding Construction/Building Permit Fees and 67% of the projected \$270,000.00 revenue would go to Charles Abbott Associates (CAA) for their fee, business license revenue was projected the same, and the library lease was raised.

There was discussion regarding the cost for Charles Abbott Associates (CAA) and the City's other options of hiring City staff or going out for Request for Proposal (RFP).

Shea discussed the Motor Vehicle License Fee, miscellaneous income and the Veteran's Donations.

There was discussion regarding the fees for blood/alcohol analysis and towing costs and recouping costs.

There was discussion regarding recouping costs for damage to done to City property.

Shea discussed the General Fund Department Expenditures and the expenditure increase to the building department was due to the increase in revenues and the 67% paid to CAA.

There was discussion regarding the budgeted amount of \$42,000.00 for the Public Works Department and that was a number given by CAA based on projected projects.

There was discussion regarding the Emergency Preparedness budget.

Shea discussed the increase to the Law Enforcement and Fire budget and the decrease to the Animal Control budget.

There was discussion regarding the cost for Fire for the fiscal year 2014/2015.

There was further discussion regarding the Law Enforcement budget.

Shea discussed NPDES and the Special Enforcement budget and explained that benefits were projected higher due to CalPERS and Unfunded Liability Payment were higher.

Mike Borja, Administrative Services Manager, clarified that the majority of the Emergency Preparedness budget was for CodeRed and the City satellite phones.

There was discussion regarding using Ariel Hall on an as needed basis as a consultant during the elections.

There was discussion regarding deferring full payment to Fire until the City had a response regarding the SAFER Grant.

Shea further discussed the General Fund Expenditures.

There was discussion regarding the cost increase for Fire services of approximately \$700,000.00 and the proposed General Fund Budget was anticipating a deficit of \$538,923.00.

Shea continued to discuss the General Fund Department Services Expenditures.

There was discussion regarding the City Attorney budget.

Shea continued to discuss the General Fund Department Services Expenditures.

City Manager Palmer stated the City was looking into using the Property Owners Association (POA) for janitorial and on call service.

There was discussion regarding Senate Bill 1 (SB1), gas tax funds and maintenance along Railroad Canyon Road.

Shea discussed the Measure A Fund that was used to pay back the Riverside County Transportation Commission (RCTC) Loan and County General Fund Loan. It was stated there was one more year after this year for both loans and Measure A Funds could only be spent on transportation and road maintenance.

There was discussion regarding AQMD funds.

There was discussion regarding the Law Enforcement Grants.

There was discussion regarding \$376,000.00 that could be used towards Capital Improvement Projects and the City currently does not have any projects planned.

Shea discussed a Fund Balance Analysis that compared past fiscal years with and without Utility Users Tax (UUT) Revenues.

Shea discussed the City's Public Safety Expenditures and the General Government used 15% of the budget, Development Services used 10% of the budget and Public Safety used 75% of the budget.

There was discussion regarding the completion of the Fee Study.

There was discussion regarding the UUT and that item would be brought to Council in July to discuss details for the November Election.

Council Member Bonner stepped away from the dias at 12:58 p.m.

There was further discussion regarding the UUT percentage, the history of other Cities and it would be further discussed at the July City Council Meeting.

Council Member Bonner returned to the dias at 1:00 p.m.

There was discussion regarding funding security for POA events.

There was discussion regarding the UUT on the November Ballot.

There was discussion that the City had not paid for Deputies for Taco Tuesday for some time and Special and Code Enforcement would not attending this year.

City Manager Palmer and Accountant Shea discussed proposed salary increase options.

It was discussed that staff would leave the proposed budget and salary proposal the same and it would be further discussed during the City Council Meeting.

There was discussion regarding fire inspection fees and this topic would be brought back at the July City Council Meeting.

7. Announcements

City Manager Palmer discussed BLM surplussing land.

The next regular City Council meeting was scheduled for June 6, 2018 at 6:30 p.m. for Open Session.

8. Adjournment

Mayor Warren adjourned the meeting at 1:20 p.m.

Respectfully submitted,

Stephanie Roseen, Deputy City Clerk

MINUTES
REGULAR MEETING OF THE
CANYON LAKE CITY COUNCIL
Wednesday, June 6, 2018
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

Mayor Warren called the meeting to order at 5:30 p.m.

2. Roll Call

Present: Council Members Bonner, Mayor Pro Tem Greene, and Mayor Warren.

Absent: Council Members Ehrenkranz and Haggerty

3. Public Comments

There were no public comments.

Council Members Ehrenkranz and Haggerty arrived to closed session.

4. Closed Session

The City Council entered Closed Session at 5:31 p.m.

a. Anticipated litigation pursuant to Govt. Code Section 54956.9(d)(2) – 2 cases

b. Return/Report from Closed Session

The City Council returned from Closed Session at 6:35 p.m. with no reportable action.

Open Session – 6:30 p.m.

1. Call Open Session to Order

Mayor Warren called the meeting to order at 6:35 p.m.

2. Invocation

Invocation was led by Pastor Peter Van Dyke with the Canyon Lake Community Church.

Flag Salute

Flag Salute was led by Lt. Ray Huskey.

3. Roll Call

Present: Council Members Bonner, Ehrenkranz, Haggerty, Mayor Pro Tem Greene, and Mayor Warren.

4. Approval of the City Council Agenda

City Manager Palmer requested to add item 5.4, public safety announcement from the Police and Fire Departments.

Moved by Bonner, seconded by Greene to approve the agenda with item 5.4 added.

Motion carried 5-0.

5. Special Presentation and Proclamations

5.1 Chamber of Commerce Announcements

There was no report.

5.2 Student of the Year – Taylor Ogden

Mayor Warren announced Taylor Ogden's graduation was that evening and she would be honored at the July City Council Meeting.

5.3 Presentation by Elsinore Valley Municipal Water District (EVMWD) regarding Variable Sewer Rates

Bonnie Woodrome, Community Affairs Supervisor with EVMWD, introduced Nancy Horton, Division 1 EVMWD Board of Directors, who discussed and introduced variable sewer rates.

Bonnie Woodrome gave a PowerPoint presentation regarding new variable sewer rates for the City of Canyon Lake.

There was discussion regarding how a resident's water allocation is represented by how many people are reported living in the home.

It was discussed that if a resident had guests for a period of time staying at their home there would be a possibility of their water bill charging at a higher tier if more than the normal allocated water was used.

5.4 Public Safety Update by the Fire and Police Departments

Lt. Raymond Huskey, Riverside County Sheriff's Department, provided a report on activity for the month of April and discussed activity and police calls within the past year surrounding the Roadway Inn.

It was discussed that 37 calls over the past year would not be considered a lot of calls, also taking into consideration those calls could be in response to surrounding locations.

Chief Pemberton, Riverside County Fire, provided an incident report on the residential fire that took place on Old Wrangler Road, June 4, 2018.

Chief Pemberton explained the back up call to take care of a smoldering area in the homes blown in insulation.

There was discussion regarding the cause and origin of the fire.

Chief Pemberton introduced Battalion Chief Jeremy Schneider, Incident Commander, who then explained how the fire was accessed.

Mayor Warren stated her appreciation to the Fire Department and their work on the Old Wrangler residential fire.

6. Public Comment

Joe Kamashian, Men's Golf Club, discussed the City Golf Championship event.

There was discussion regarding adding this as an item to the July City Council Agenda.

There was further discussion regarding the City Golf Championship.

There was discussion regarding using the City logo and that would have to be approved at a City Council Meeting.

7. Consent Calendar

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

7.2 Adoption of Resolution No. 2018-15, Approving Claims and Demands of the City

7.3 City Council Meeting Minutes

7.3.1 May 2, 2018

7.3.2 May 9, 2018

7.4 November 2018 Election Resolutions

7.4.1 Resolution No. 2018-12, calling and giving notice of the General Municipal Election for November 2018

7.4.2 Resolution No. 2018-13, requesting consolidation of the election with the County of Riverside

7.4.3 Resolution No. 2018-14, setting regulations for the filing of candidate statements

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

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

8. Pulled Consent Calendar Items

There were no pulled consent calendar items.

9. Schedule of Future Events

Mayor Warren announced the schedule of future events are located on the agenda, website and Friday Flyer and stated the Veterans Day Committee would start meeting in July.

10. Business Items

10.1 Consideration and possible adoption of City Budget

10.1.1 Resolution No. 2018-16, adopting the City's Fiscal Year 2018/2019 Budget and Appropriations Limit

10.1.2 Approval of Resolution No. 2018-17, approving the salary and wage schedule for employees of the City for FY 2018/2019

Bonner stepped away from the dias at 7:21 pm

Terry Shea, Accountant, provided a PowerPoint presentation on the proposed budget.

It was stated that 75% of the City's budget is allocated to public safety.

Bonner returned to the dias at 7:24 pm

Shea continued his report on the proposed budget.

City Manager Palmer introduced options for the City salary and wage schedule.

Shea explained the different proposed salary increases.

There was discussion regarding the proposed 3% step increase and if an employee stayed at the same step they would see a 3% increase and they could receive a merit increase if moved to a higher step based on performance.

Resident, Travis Montgomery, stated he appreciated the extra patrol around the Roadway Inn. There was discussion regarding having a three man engine and better response. Montgomery also discussed the step increases and the budget for Railroad Canyon Road maintenance.

It was discussed that maintenance along Railroad Canyon Road was funded for through the Gas Tax Fund.

Moved by Bonner, seconded by Ehrenkranz to approve the Fiscal Year 2018/2019 Budget with a \$1,000.00 increase to the Gas Tax Fund and \$19,412.00 to staff salaries.

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

Council Member Ehrenkranz stated his appreciation to staff for their work on the budget.

10.2 Discussion and possible action regarding AB 1405

City Manager Palmer introduced the item.

Council Member Bonner discussed the proposed Assembly Bill and explained if it were to pass, local businesses that want to advertise on billboards along the freeways, it would have to be approved by Caltrans.

It was discussed that the League of California Cities (LOCC) and Riverside County Transportation Commission (RCTC) had not taken a position at the moment.

Council Member Haggerty discussed not being in favor of passing AB 1405.

It was discussed the City should wait to see what the LOCC position was on the bill.

Resident, Travis Montgomery, suggested the Council wait to make a decision until the transportation agencies take a position.

There was discussion regarding local businesses ability to advertise on local freeways.

There was discussion to wait until the LOCC had taken a position and then approve the City Manager to draft a letter on the City's behalf.

Moved by Greene, seconded by Haggerty to approve the City Manager to contact to LOCC and draft a letter based on their position on AB 1405.

Motion approved 5-0.

10.3 Discussion and possible action regarding status as a sanctuary city (SB 54)

Sonny Huynh, City Attorney, introduced the item.

Mayor Warren stepped away from the dias 7:58 pm.

It was stated that because the City does not have its own police department the City's position would be political and symbolic decision.

Mayor Warren returned to the dias at 8:00 pm.

Elizabeth Martyn, City Attorney, suggested along with opposing SB 54, the City would request to amend, reconsider, or repeal it.

Council Member Haggerty stated she agreed that the City should opposed SB 54 and include a written suggestion on what the City would like to see changed.

Lt. Husky discussed that Riverside County Sheriff's Department would continue to follow to law as mandated.

There was discussion regarding other Cities that had filed amicus briefs in support of Huntington Beach's lawsuit.

There was discussion regarding what SB 54 mandates.

Council Member Bonner stepped away from the dias at 8:07 pm.

There was discussion regarding what Riverside County Sheriff's Department could and could not report.

Mayor Warren and Council Member Haggerty agreed to do more than just verbally oppose SB 54.

Council Member Bonner returned to the dias at 8:09 pm.

Resident, Jack Wamsley, stated he would like to see the City Council oppose SB 54.

Resident, Dorothy Washle, discussed her position on sanctuary cities.

Moved by Haggerty, seconded by Greene, to approve the City Attorney to write a letter representing the City's objection to SB 54 as it stands and suggest changes be made for the people, City and state.

Council Member Ehrenkranz agreed a written letter opposing SB 54 would be a good idea.

Council Member Greene clarified what the City Council was opposing in regards to SB 54.

Council Member Haggerty discussed incidents where criminal immigrants released from jails had committed more crimes.

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

11. City Manager Comments

City Manager Palmer discussed the slurry seal project and discussed the City of Lake Elsinore's plan to widen and repave Railroad Canyon Road.

12. Committee and Council Reports/Comments

12.1 Council Member Bonner

Council Member Bonner discussed the slurry seal project, Railroad Canyon interchange that had been fully funded, the City EOC (Emergency Operations Center) drill, and the Celebration of Life for Menifee Mayor, Neil Winter.

Council Member Bonner also stated the July meetings would be held the 10th and the 11th due to the 4th of July.

12.2 Council Member Ehrenkranz

Council Member Ehrenkranz discussed attending 2 budget meetings for the City and 3 budget meetings for Vector, Senator Jeff Stone's Veteran's Dinner, Fiesta Days, and the WRCOG meeting.

12.3 Council Member Haggerty

Council Member Haggerty discussed information from the Riverside Transit Authority (RTA) meeting.

12.4 Mayor Pro Tem Greene

Mayor Pro Tem Greene discussed the City EOC drill, the City and POA cool center at the senior center, and Riverside Conservation Authority (RCA) meeting.

12.5 Mayor Warren

Mayor Warren discussed the City would be having 2 open seats for City Council this November and the filing period would be July 16th to August 10th. Warren also discussed Fiesta Days and the passing of Honorable Mayor Neil Winter and dedicated the meeting to him.

13. Announcements

The next regular City Council meeting that was scheduled for July 4, 2018 at 6:30 p.m. will be adjourned to July 11, 2018 at 6:30 pm.

14. Adjournment

Mayor Warren adjourned the meeting at 8:35 p.m.

Respectfully submitted,

Stephanie Roseen, Deputy City Clerk

**MINUTES
REGULAR MEETING OF THE CANYON LAKE
CITY COUNCIL
Wednesday, July 4, 2018**

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

**THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CANYON LAKE
SCHEDULED FOR July 4, 2018 HAD BEEN ADJOURNED FOR LACK OF A QUORUM
AND WAS RESCHEDULED TO WEDNESDAY, July 18, 2018.**

Respectfully Submitted,

Stephanie Roseen
Deputy 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: July 18, 2018

SUBJECT: Authorize the Mayor to Send a Letter to Senators Feinstein and Harris in Opposition to Senate Bill 3157

Recommendation

Authorize the Mayor to send a letter to Senators Feinstein and Harris in opposition to Senate bill 3157.

Background

The National League of Cities has asked cities to submit letters to their U.S. Senators in opposition to S. 3157. The following was information received from the NLC:

- **Complicate Existing Efforts to Deploy Small Cell Infrastructure**
 - Roughly half of all US states have already passed legislation specifically addressing the deployment of small cell wireless structures, and the local governments in those states are busy implementing new ordinances and procedures to comply with those changes.
 - Forcing a one-size-fits-all preemption will harm local negotiations and policy work, slowing the deployment of new infrastructure.
 - Cities have traditionally negotiated with providers on issues such as the location, appearance, and size of wireless infrastructure. This bill severely limits the ability of cities to ensure that infrastructure suits the neighborhood around it.
 - The bill also limits the ability of cities to act in a proprietary capacity – to decide whether or not to allow private use of public property at all.
- **Transfer Public Property to Private Companies with No Public Obligation**
 - S. 3157 restricts the rental rates cities can charge for use of public property such as the right-of-way and municipally-owned poles, in direct violation of the 5th and 10th Amendments.
 - Limiting rental rates to “actual and direct costs” also violates the gift prohibition of many state constitutions.

- This forces taxpayers to subsidize private, commercial development, without any corresponding obligation on providers to serve communities in need or contribute to closing the digital divide in those markets.
- **Create a New Unfunded Mandate on Local Governments**
 - The new timelines for cities to review applications for small cells on public property are substantially shorter than the timelines the federal government allowed itself in the MOBILE NOW Act, yet cities have fewer resources than federal agencies.
 - These harsh timelines limit the resources cities have for other public needs, such as road maintenance and public safety. While small cell sites are smaller than macrotowers, they do not require an equivalently smaller amount of review and oversight.
 - The punishment for failing to meet these new, more stringent timelines is also unreasonable – automatically deeming granted any application which runs out the shot clock.

Budget (or Fiscal) Impact

Unknown at this time.

Attachments

1. Letter in Opposition to S. 3157 **Pg. 63**
2. S. 3157 Bill Text **Pg. 65**



CITY OF CANYON LAKE

July 12, 2018

Senator Dianne Feinstein
United States Senate
331 Hart Office Building
Washington, D.C. 20510

Senator Kamala Harris
United States Senate
112 Hart Office Building
Washington, D.C. 20510

Dear Sen. Feinstein and Sen. Harris,

RE: Opposition to S. 3157 (Thune & Schatz) STREAMLINE Act

On behalf of the City of Canyon Lake, we urge your opposition S. 3157, the STREAMLINE Act, which would force local governments to lease out publicly owned infrastructure, eliminate reasonable local environmental and design review, and eliminate the ability for local governments to negotiate fair leases or public benefits for the installation of “small cell” wireless equipment on taxpayer-funded property.

Just this year, the wireless industry pursued similar failed legislation here in California that sought to achieve many of the elements present in this draft bill. The City of Canyon Lake was especially concerned about shifting authority away from our residents, businesses, and communities over to a for-profit industry whose shareholder returns potentially outweigh their considerations for the health, safety, aesthetic, and public benefits of our community.

To be clear, the City of Canyon Lake shares in the goal of ensuring all our residents have access to affordable, reliable high-speed broadband and eagerly welcome installation of wireless infrastructure in collaboration with local governments. However, the plain language in S. 3157 will not help in achieving these goals.

Instead, this bill would impose sharply reduced “shot clock” time limits for local governments to process potentially unlimited wireless facility applications for all sizes, “deem granted” applications for facilities when local governments are unable to meet the stringent time limits regardless of its safety impacts or delays caused by incomplete applications.

The draft bill also interferes with the ability for our City to manage our own property and our ability to receive appropriate compensation for its use. The City of Canyon Lake actively



CITY OF CANYON LAKE

manages the rights of way to protect our residents' safety, preserve the character of their communities, and maintain the availability of the rights of way for current and future uses. By stringently limiting those factors that we may consider in our own land use decisions and restricting compensation only to the "actual costs" we incur to process applications, this would limit our ability to adequately serve and protect our residents.

On behalf of the City of Canyon Lake, thank you for your consideration of our opposition. As Congress considers efforts to improve the rollout of wireless and broadband deployment, we urge you to carefully consider efforts that are more balanced and to reject attempts aimed to undermine input from your constituent residents, businesses, and local governments for this critical infrastructure.

For these reasons, we strongly urge your **OPPOSITION** to S. 3157.

Sincerely,

Vicki Warren
Mayor
City of Canyon Lake

cc: Ken Calvert, Congressman 42nd District of California
Erin Sasse, League of California Cities (via email)
Meg Desmond, League of California Cities (via email)

115TH CONGRESS
2D SESSION

S. 3157

To streamline siting processes for small cell deployment.

IN THE SENATE OF THE UNITED STATES

JUNE 28, 2018

Mr. THUNE (for himself and Mr. SCHATZ) introduced the following bill; which
was read twice and referred to the Committee on Commerce, Science, and
Transportation

A BILL

To streamline siting processes for small cell deployment.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Streamlining The
5 Rapid Evolution And Modernization of Leading-edge In-
6 frastructure Necessary to Enhance Small Cell Deployment
7 Act” or the “STREAMLINE Small Cell Deployment
8 Act”.

1 **SEC. 2. PRESERVATION OF LOCAL ZONING AUTHORITY.**

2 Section 332(c) of the Communications Act of 1934
 3 (47 U.S.C. 332(c)) is amended by striking paragraph (7)
 4 and inserting the following:

5 “(7) PRESERVATION OF LOCAL ZONING AU-
 6 THORITY.—

7 “(A) GENERAL AUTHORITY.—Except as
 8 provided in this paragraph, nothing in this Act
 9 shall limit or affect the authority of a State or
 10 local government or instrumentality thereof over
 11 decisions regarding the placement, construction,
 12 and modification of personal wireless service fa-
 13 cilities.

14 “(B) LIMITATIONS.—

15 “(i) IN GENERAL.—Except as pro-
 16 vided in subparagraph (C), the regulation
 17 of the placement, construction, or modi-
 18 fication of a personal wireless service facil-
 19 ity by any State or local government or in-
 20 strumentality thereof—

21 “(I) shall not unreasonably dis-
 22 criminate among providers of func-
 23 tionally equivalent services; and

24 “(II) shall not prohibit or have
 25 the effect of prohibiting the provision
 26 of personal wireless service.

1 “(ii) TIMEFRAME.—A State or local
2 government or instrumentality thereof
3 shall act on any request for authorization
4 to place, construct, or modify a personal
5 wireless service facility within a reasonable
6 period of time after the request is duly
7 filed with the government or instrumen-
8 tality, taking into account the nature and
9 scope of the request.

10 “(iii) WRITTEN DECISION AND
11 RECORD.—Any decision by a State or local
12 government or instrumentality thereof to
13 deny a request to place, construct, or mod-
14 ify a personal wireless service facility shall
15 be—

16 “(I) in writing; and

17 “(II) supported by substantial
18 evidence contained in a written
19 record.

20 “(iv) ENVIRONMENTAL EFFECTS OF
21 RADIO FREQUENCY EMISSIONS.—No State
22 or local government or instrumentality
23 thereof may regulate the placement, con-
24 struction, or modification of personal wire-
25 less service facilities on the basis of the en-

1 vironmental effects of radio frequency
2 emissions to the extent that the facilities
3 comply with the Commission's regulations
4 concerning such emissions.

5 “(v) JUDICIAL AND ADMINISTRATIVE
6 REVIEW.—

7 “(I) JUDICIAL REVIEW.—Any
8 person adversely affected by any final
9 action or failure to act by a State or
10 local government or any instrumen-
11 tality thereof that is inconsistent with
12 this subparagraph may, within 30
13 days after the action or failure to act,
14 commence an action in any court of
15 competent jurisdiction, which shall
16 hear and decide the action on an ex-
17 pedited basis.

18 “(II) ADMINISTRATIVE RE-
19 VIEW.—Any person adversely affected
20 by an act or failure to act by a State
21 or local government or any instrumen-
22 tality thereof that is inconsistent with
23 clause (iv) may petition the Commis-
24 sion for relief.

1 “(C) PLACEMENT, CONSTRUCTION, AND
2 MODIFICATION OF SMALL PERSONAL WIRELESS
3 SERVICE FACILITIES.—

4 “(i) IN GENERAL.—In addition to,
5 and not in derogation of any of, the limita-
6 tions under subparagraph (B), the regula-
7 tion of the placement, construction, or
8 modification of small personal wireless
9 service facilities by any State or local gov-
10 ernment or instrumentality thereof—

11 “(I) shall not unreasonably dis-
12 criminate among providers of the
13 same service using comparable equip-
14 ment, including by providing exclusive
15 or preferential use of facilities to a
16 particular provider or class of pro-
17 viders of personal wireless service; and

18 “(II) shall only permit a State or
19 local government to approve or deny a
20 permit or other permission to deploy a
21 small personal wireless service facility,
22 including access to a right-of-way or a
23 facility in a right-of-way owned or
24 managed by the State or local govern-

1 ment, based on publicly available cri-
2 teria that are—

3 “(aa) reasonable;

4 “(bb) objective; and

5 “(cc) non-discriminatory.

6 “(ii) ENGINEERING STANDARDS; AES-
7 THETIC REQUIREMENTS.—A State or local
8 government or instrumentality thereof may
9 regulate the placement, construction, and
10 modification of small personal wireless
11 service facilities for reasons of objective
12 and reasonable—

13 “(I) structural engineering stand-
14 ards based on generally applicable
15 codes;

16 “(II) safety requirements; or

17 “(III) aesthetic or concealment
18 requirements.

19 “(iii) TIMEFRAMES.—

20 “(I) IN GENERAL.—A State or
21 local government or instrumentality
22 thereof shall act on a complete re-
23 quest for authorization to place, con-
24 struct, or modify a small personal

1 wireless service facility not later
2 than—

3 “(aa)(AA) for collocation of
4 a small personal wireless service
5 facility, 60 days after the date on
6 which the complete request is
7 filed, except as provided in item
8 (bb); or

9 “(BB) for any other action
10 relating to a small personal wire-
11 less service facility, 90 days after
12 the date on which the complete
13 request is filed, except as pro-
14 vided in item (cc);

15 “(bb) for collocation of a
16 small personal wireless service fa-
17 cility, if the State or the area
18 under the jurisdiction of the local
19 government has a population of
20 fewer than 50,000 people—

21 “(AA) 90 days after the
22 date on which the complete
23 request is filed, if during the
24 30-day period ending on
25 that date of filing, the appli-

1 cable wireless service pro-
2 vider filed fewer than 50 re-
3 quests for collocation of a
4 small personal wireless serv-
5 ice facility with the State or
6 local government or instru-
7 mentality thereof; or

8 “(BB) 120 days after
9 the date on which the com-
10 plete request is filed, if dur-
11 ing the 30-day period ending
12 on that date of filing, the
13 applicable wireless service
14 provider filed not fewer than
15 50 requests for collocation of
16 a small personal wireless
17 service facility with the
18 State or local government or
19 instrumentality thereof; or

20 “(cc) for any other action
21 relating to a small personal wire-
22 less service facility, if the State
23 or the area under the jurisdiction
24 of the local government has a

1 population of fewer than 50,000
2 people—

3 “(AA) 120 days after
4 the date on which the com-
5 plete request is filed, if dur-
6 ing the 30-day period ending
7 on that date of filing, the
8 applicable wireless service
9 provider filed fewer than 50
10 requests for any other action
11 relating to a small personal
12 wireless service facility with
13 the State or local govern-
14 ment or instrumentality
15 thereof; or

16 “(BB) 150 days after
17 the date on which the com-
18 plete request is filed, if dur-
19 ing the 30-day period ending
20 on that date of filing, the
21 applicable wireless service
22 provider filed not fewer than
23 50 requests for any other
24 action relating to a small
25 personal wireless service fa-

1 cility with the State or local
2 government or instrumen-
3 tality thereof.

4 “(II) APPLICABILITY.—The ap-
5 plicable timeframe under subclause (I)
6 shall apply collectively to all pro-
7 ceedings required by a State or local
8 government or instrumentality thereof
9 for the approval of the request.

10 “(III) NO TOLLING.—A time-
11 frame under subclause (I) may not be
12 tolled by any moratorium, whether ex-
13 press or de facto, imposed by a State
14 or local government on the consider-
15 ation of any request for authorization
16 to place, construct, or modify a small
17 personal wireless service facility.

18 “(IV) TEMPORARY WAIVER.—
19 The Commission may temporarily
20 waive the applicability of subclause (I)
21 for not longer than a single 30-day
22 period for any complete request upon
23 a demonstration by a State or local
24 government that the waiver would be

1 consistent with the public interest,
2 convenience, and necessity.

3 “(iv) DEEMED GRANTED.—If a State
4 or local government or instrumentality
5 thereof has neither granted nor denied a
6 request within the applicable timeframe
7 under subclause (I) of clause (iii), includ-
8 ing any temporary waiver granted under
9 subclause (IV) of that clause, the request
10 shall be deemed granted on the date that
11 is 31 days after the date on which the gov-
12 ernment instrumentality receives a written
13 notice of the failure from the applicant.

14 “(v) FEES.—Notwithstanding any
15 other provision of law, a State or local gov-
16 ernment may charge a fee to consider an
17 application for the placement, construction,
18 or modification of a small personal wireless
19 facility, or to use a right-of-way or a facil-
20 ity in a right-of-way owned or managed by
21 the State or local government for the
22 placement, construction, or modification of
23 a small personal wireless facility, if the fee
24 is—

1 “(I) competitively neutral, tech-
2 nology neutral, and nondiscrim-
3 inatory;

4 “(II) publicly disclosed; and

5 “(III)(aa) except as provided in
6 item (bb), based on actual and direct
7 costs, such as costs for—

8 “(AA) review and processing
9 of applications;

10 “(BB) maintenance;

11 “(CC) emergency responses;

12 “(DD) repairs and replace-
13 ment of components and mate-
14 rials resulting from and affected
15 by the installation of small per-
16 sonal wireless facilities, improve-
17 ments, and equipment that facili-
18 tates the deployment and instal-
19 lation of such facilities; or

20 “(EE) inspections; or

21 “(bb) calculated in accordance
22 with section 224, in the case of a fee
23 charged for the placement, construc-
24 tion, or modification of a small per-
25 sonal wireless facility on a pole, in a

1 right-of-way, or on any other facility
2 that may be established under that
3 section.

4 “(vi) RULE OF CONSTRUCTION.—
5 Nothing in this subparagraph shall be con-
6 strued to prevent any State or local gov-
7 ernment from imposing any additional lim-
8 itation or requirement relating to consider-
9 ation by the State or local government of
10 an application for the placement, construc-
11 tion, or modification of a small personal
12 wireless service facility.

13 “(D) DEFINITIONS.—For purposes of this
14 paragraph—

15 “(i) the term ‘antenna’ means an ap-
16 paratus designed for the purpose of emit-
17 ting radiofrequency radiation, to be oper-
18 ated or operating from a fixed location for
19 the transmission of writing, signs, signals,
20 data, images, pictures, and sounds of all
21 kinds;

22 “(ii) the term ‘communications net-
23 work’ means a network used to provide a
24 communications service;

1 “(iii) the term ‘communications serv-
2 ice’ means—

3 “(I) cable service, as defined in
4 section 602;

5 “(II) information service;

6 “(III) telecommunications serv-
7 ice; or

8 “(IV) personal wireless service;

9 “(iv) the term ‘complete request’
10 means a request for which the applicant
11 has not received written notice from the
12 State or local government within 10 busi-
13 ness days of submission—

14 “(I) stating in writing that the
15 request is incomplete; and

16 “(II) identifying the information
17 causing the request to be incomplete;

18 “(v) the term ‘generally applicable
19 code’ includes a uniform building, fire,
20 electrical, plumbing, or mechanical code
21 adopted by a national code organization, or
22 a local amendment to such a code, to the
23 extent not inconsistent with this Act;

1 “(vi) the term ‘network interface de-
2 vice’ means a telecommunications demarca-
3 tion device and cross-connect point that—

4 “(I) is adjacent or proximate
5 to—

6 “(aa) a small personal wire-
7 less service facility; or

8 “(bb) a structure supporting
9 a small personal wireless service
10 facility; and

11 “(II) demarcates the boundary
12 with any wireline backhaul facility;

13 “(vii) the term ‘personal wireless serv-
14 ice’ means—

15 “(I) commercial mobile service;

16 “(II) commercial mobile data
17 service (as that term is defined in sec-
18 tion 6001 of the Middle Class Tax Re-
19 lief and Job Creation Act of 2012 (47
20 U.S.C. 1401));

21 “(III) unlicensed wireless service;

22 and

23 “(IV) common carrier wireless
24 exchange access service;

1 “(viii) the term ‘personal wireless
2 service facility’ means a facility for the
3 provision of personal wireless service;

4 “(ix) the term ‘small personal wireless
5 service facility’—

6 “(I) means a personal wireless
7 service facility in which each antenna
8 is not more than 3 cubic feet in vol-
9 ume; and

10 “(II) does not include a wireline
11 backhaul facility;

12 “(x) the term ‘unlicensed wireless
13 service’—

14 “(I) means the offering of tele-
15 communications service using a duly
16 authorized device that does not re-
17 quire an individual license; and

18 “(II) does not include the provi-
19 sion of direct-to-home satellite service,
20 as defined in section 303(v); and

21 “(xi) the term ‘wireline backhaul facil-
22 ity’ means an above-ground or under-
23 ground wireline facility used to transport
24 communications service or other electronic
25 communications from a small personal

1 wireless service facility or its adjacent net-
2 work interface device to a communications
3 network.”.

4 **SEC. 3. GAO STUDY OF BROADBAND DEPLOYMENT ON**
5 **TRIBAL LAND AND ON OR NEAR TRUST LAND.**

6 Not later than 1 year after the date of enactment
7 of this Act, the Comptroller General of the United States
8 shall—

9 (1) in consultation with the Secretary of Agri-
10 culture, the Director of the Bureau of Indian Af-
11 fairs, and the Federal Communications Commission,
12 study the process for obtaining a grant of a right-
13 of-way to deploy broadband infrastructure on tribal
14 land or on or near trust land, as defined in section
15 3765 of title 38, United States Code;

16 (2) in conducting the study under paragraph
17 (1), consider the unique challenges involved in
18 broadband deployment on tribal land and on or near
19 trust land; and

20 (3) submit to Congress a report on the study
21 conducted under paragraph (1).

○

City of Canyon Lake
City Council
Staff Report

TO: Honorable Mayor and Members of the City Council

FROM: Aaron Palmer, City Manager

DATE: July 18, 2018

SUBJECT: Discussion and Possible Action regarding the City's
Participation in Canyon Lake City Golf Championship

Recommendation

Discussion and possible action regarding the City's participation in Canyon Lake Golf Championship.

Background

At the June 6th, 2018 City Council meeting, during public comment, a group of community golfers informed the City Council of their desire to start a Canyon Lake City Golf Championship Tournament.

The Council asked for this item to be agendaized and discussed at the July 18th Council meeting. The discussion will center around the amount of involvement, if any, by the City as well as any funding being requested by the Tournament organizers.

Budget (or Fiscal) Impact

Unknown at this time

Attachments

None

City of Canyon Lake
City Council
Staff Report

TO: Mayor and City Council

FROM: Aaron Palmer, City Manager

BY: Stephanie Roseen, Deputy City Clerk

DATE: July 18, 2018

SUBJECT: Designation of Voting Delegate and Alternates at League of California Cities Annual Conference – Sept. 12th – 14th 2018 in Long Beach

Recommendation:

Appoint a voting delegate and alternate(s) to the League of California Cities Annual Conference Business Meeting on Friday, September 14, 2018; and direct City Staff to complete and file the necessary paperwork.

Background:

Consistent with the League of California Cities' bylaws, a City's voting delegate and up to two alternates must be designated by the City Council at a City Council Meeting. In the past the Mayor has been appointed the voting delegate and the Mayor Pro Tem as the voting alternate. The voting delegate and alternates must be registered to attend the conference. In order to cast a vote, at least one person must be present at the Business Meeting and in possession of the voting delegate card.

Budget (or Fiscal) Impact:

Registration and expenses for the League of California Cities Annual Conference attendance was included in the Fiscal Year 2018/2019 Budget.

Attachments:

1. Letter from the League of California Cities regarding Designation of Voting Delegates and Alternates **Pg. 87**



1400 K Street, Suite 400 • Sacramento,
California 95814
Phone: 916.658.8200 Fax: 916.658.8240
www.cacities.org

Council Action Advised by July 31, 2018

May 17, 2018

TO: Mayors, City Managers and City Clerks

**RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES
League of California Cities Annual Conference – September 12 - 14, Long Beach**

The League's 2018 Annual Conference is scheduled for September 12 – 14 in Long Beach. An important part of the Annual Conference is the Annual Business Meeting (during General Assembly), scheduled for 12:30 p.m. on Friday, September 14, at the Long Beach Convention Center. At this meeting, the League membership considers and takes action on resolutions that establish League policy.

In order to vote at the Annual Business Meeting, your city council must designate a voting delegate. Your city may also appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve in that capacity.

Please complete the attached Voting Delegate form and return it to the League's office no later than Friday, August 31, 2018. This will allow us time to establish voting delegate/alternate records prior to the conference.

Please note the following procedures are intended to ensure the integrity of the voting process at the Annual Business Meeting.

- **Action by Council Required.** Consistent with League bylaws, a city's voting delegate and up to two alternates must be designated by the city council. When completing the attached Voting Delegate form, please attach either a copy of the council resolution that reflects the council action taken, or have your city clerk or mayor sign the form affirming that the names provided are those selected by the city council. Please note that designating the voting delegate and alternates must be done by city council action and cannot be accomplished by individual action of the mayor or city manager alone.
- **Conference Registration Required.** The voting delegate and alternates must be registered to attend the conference. They need not register for the entire conference; they may register for Friday only. To register for the conference, please go to our website: www.cacities.org. In order to cast a vote, at least one voter must be present at the

Business Meeting and in possession of the voting delegate card. Voting delegates and alternates need to pick up their conference badges before signing in and picking up the voting delegate card at the Voting Delegate Desk. This will enable them to receive the special sticker on their name badges that will admit them into the voting area during the Business Meeting.

- **Transferring Voting Card to Non-Designated Individuals Not Allowed.** The voting delegate card may be transferred freely between the voting delegate and alternates, but *only* between the voting delegate and alternates. If the voting delegate and alternates find themselves unable to attend the Business Meeting, they may *not* transfer the voting card to another city official.
- **Seating Protocol during General Assembly.** At the Business Meeting, individuals with the voting card will sit in a separate area. Admission to this area will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate. If the voting delegate and alternates wish to sit together, they must sign in at the Voting Delegate Desk and obtain the special sticker on their badges.

The Voting Delegate Desk, located in the conference registration area of the Sacramento Convention Center, will be open at the following times: Wednesday, September 12, 8:00 a.m. – 6:00 p.m.; Thursday, September 13, 7:00 a.m. – 4:00 p.m.; and Friday, September 14, 7:30 a.m.– 11:30 a.m.. The Voting Delegate Desk will also be open at the Business Meeting on Friday, but will be closed during roll calls and voting.

The voting procedures that will be used at the conference are attached to this memo. Please share these procedures and this memo with your council and especially with the individuals that your council designates as your city's voting delegate and alternates.

Once again, thank you for completing the voting delegate and alternate form and returning it to the League's office by Friday, August 31. If you have questions, please call Kayla Curry at (916) 658-8254.

Attachments:

- Annual Conference Voting Procedures
- Voting Delegate/Alternate Form

Annual Conference Voting Procedures

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to League policy.
2. **Designating a City Voting Representative.** Prior to the Annual Conference, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the Voting Delegate Form provided to the League Credentials Committee.
3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the Voting Delegate Desk in the conference registration area. Voting delegates and alternates must sign in at the Voting Delegate Desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the Business Meeting.
4. **Signing Initiated Resolution Petitions.** Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the Credentials Committee at the Voting Delegate Desk, may sign petitions to initiate a resolution.
5. **Voting.** To cast the city's vote, a city official must have in his or her possession the city's voting card and be registered with the Credentials Committee. The voting card may be transferred freely between the voting delegate and alternates, but may not be transferred to another city official who is neither a voting delegate or alternate.
6. **Voting Area at Business Meeting.** At the Business Meeting, individuals with a voting card will sit in a designated area. Admission will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate.
7. **Resolving Disputes.** In case of dispute, the Credentials Committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the Business Meeting.



CITY: _____

**2018 ANNUAL CONFERENCE
VOTING DELEGATE/ALTERNATE FORM**

Please complete this form and return it to the League office by Friday, August 31, 2018. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.

In order to vote at the Annual Business Meeting (General Assembly), voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

Please note: Voting delegates and alternates will be seated in a separate area at the Annual Business Meeting. Admission to this designated area will be limited to individuals (voting delegates and alternates) who are identified with a special sticker on their conference badge. This sticker can be obtained only at the Voting Delegate Desk.

1. VOTING DELEGATE

Name: _____

Title: _____

2. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

3. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

PLEASE ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES.

OR

ATTEST: I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate(s).

Name: _____ E-mail: _____

Mayor or City Clerk _____ Phone: _____
(circle one) (signature)

Date: _____

Please complete and return by Friday, August 31, 2018

League of California Cities
ATTN: Kayla Curry
1400 K Street, 4th Floor
Sacramento, CA 95814

FAX: (916) 658-8240
E-mail: kcurry@cacities.org
(916) 658-8254

**City of Canyon Lake
City Council
Staff Report**

TO: Honorable Mayor and Members of the City Council

FROM: Aaron Palmer, City Manager

BY: Margaret Monson, Associate Engineer, Public Works

DATE: July 18, 2018

SUBJECT: Acceptance of Contract Work
Slurry Seal FY 2017-2018
Project No. 2017-01

Recommendation

That City Council:

1. Accept the contract work completed by All American Asphalt of Corona, CA in the amount of \$263,241.63 and Construction Contingencies in the amount of \$14,420.04 for a total of \$277,661.67 for the Slurry Seal FY 2017-2018, Project Number 2017-01; and
2. Approve the contract work final payment; and
3. Authorize the recordation of the Notice of Completion.

Background

City Council awarded the contract to complete Slurry Seal FY 2017-2018, Project Number 2017-01 to All American Asphalt at their March 07, 2018, City Council Meeting in the amount of \$263,241.63. The approved budget for the project is detailed in the following table:

Approved Budget	Approved Budget
Construction Contract	\$263,241.63
Construction Contract (Contingencies)	\$26,324.16
Engineering Design & Management	\$24,120.50
Construction Management & Inspection	\$37,000.00
Total	\$350,686.29

Table 1. Approved Budget. Project 2017-01 approved budget line items.

The budget approved for this project is \$350,686.29.

Prior to project commencement, Staff ensured the Contractor obtained proper permitting, licensing and verified both the General and Subcontractors held active registrations with the Department of Industrial Relations.

The work was completed in accordance with the project plans and specifications.

Fiscal Impact

The Slurry Seal FY 2017-2018 budget of \$350,686.29 was anticipated for Fiscal Year 2017-2018. On June 20, 2017, City Council approved Resolution No. 2017-09 which included an increase of \$530,000.00 to the Gas Tax Special Revenue Fund, for the completion of Slurry Seal FY 2017-2018.

The fiscal impact is as follows:

Total Projected Expense	Approved Budget	Actual Costs	Savings
Construction Contract	\$263,241.63	\$263,241.63	\$0.00
Construction Contract (Contingencies)	\$26,324.16	\$14,420.04	\$11,904.12
Engineering Design & Management	\$24,120.50	\$24,120.50	\$0.00
Construction Management & Inspection	\$37,000.00	\$29,661.75	\$7,338.25
Total	\$350,686.29	\$331,443.92	\$19,242.37

Table 2. Project Amounts. Project 2017-01 approved budget and actual costs.

The total project contract expense is \$331,443.92. With the completion of this project, there is a total savings in the amount of \$19,242.37. The savings will be returned to the Gas Tax Special Revenue Fund.

Five percent of the 2017-01 Construction Contract was retained and will be paid upon the filing of the Notice of Completion.

The Contract Retention amount is as follows:

Project	Actual Costs	5% Retention
2017-01 Construction Contract w/ Contingencies	\$277,661.67	\$13,883.08

Table 3. Contract Retention. 5% Contraction Retention detailed for Project 2017-01.

The Construction Contract 5% Retention is \$13,883.08.

Attachments

Notice of Completion **Pg. 93**

All American Asphalt's Bid **Pg. 95**

*Construction Documents are available at the City Manager's office upon request

RECORDING REQUESTED BY
City of Canyon Lake
AND WHEN RECORDED MAIL TO:

Name City Clerk
Street Address 31516 Railroad Canyon Rd
City & State Canyon Lake
CA 92587

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

NOTICE OF COMPLETION

Notice is hereby given that:

1. The undersigned is owner or corporate officer of the owner of the interest or estate stated below in the property hereinafter described:
2. The full name of the owner is City of Canyon Lake
3. The full address of the owner is 31516 Railroad Canyon Road, Canyon Lake, CA 92587
4. The nature of the interest or estate of the owner is in fee.
(If other than fee, strike "in Fee" and insert, for example, "purchaser under contract of purchase," or "lessee")
5. The full names and full addresses of all persons, if any, who hold title with the undersigned as joint tenants or as tenants in common are:

NAMES	ADDRESSES
6. A work of improvement on the property hereinafter described was completed on 06/08/2018. The work done was:
road repair along Railroad Canyon Road, Project No. 2017-01.
7. The name of the contractor, if any, for such work of improvement was All American Asphalt, Inc

(If no contractor for work of improvement as a whole, insert "none")
03/27/2018
(Date of Contract)
8. The property on which said work of improvement was completed is in the city of Canyon Lake,
County of Riverside, State of California, and is described as follows: Railroad Canyon Road, within Canyon Lake City boundaries.
9. The street address of said property is along Railroad Canyon Road, Canyon Lake, CA 92587
(If no street address has been officially assigned, insert "none")

Dated: 07/18/2018

Signature of owner or corporate officer of owner
named in paragraph 2 or his agent

VERIFICATION

I, the undersigned, say: I am the _____ the declarant of the foregoing
("President of," "Manager of," "A partner of," "Owner of," etc.)
notice of completion; I have read said notice of completion and know the contents thereof; the same is true of my own knowledge.
I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, 20 _____, at _____, California.
(Date of signature) (City where signed)

(Personal signature of the individual who is swearing that the contents of the notice of completion are true)



ADDENDUM NO. 2
CONTRACT DOCUMENTS
For
SLURRY SEAL FY 2017-2018
BID NO. 2017-01

The Construction Drawings for the above project are hereby amended as follows: (Please take special notice of all **bold** typed and **underlined** information).

1. The Contract Documents are hereby revised. Use the revised Bidder's Bond and Subcontractor List forms (Attached).

BY: *Danny Chow*

DATE: February 14, 2018

Danny Chow, P.E.

City Engineer

Please acknowledge receipt of this ADDENDUM NO. 2 by including this executed page with your bid submittal proposal form. The undersigned acknowledges receipt of this ADDENDUM NO. 2.

Name of Firm

Bidding:

All American Asphalt

Representative's
Signature:

Edward J. Carlson
Edward J. Carlson, Vice President

ADDENDUM NO. 2
Project No. 2017-01 Slurry Seal FY 2017



ADDENDUM NO. 1
CONSTRUCITON DRAWINGS
For
SLURRY SEAL FY 2017-2018
BID NO. 2017-01

The Construction Drawings for the above project are hereby amended as follows: (Please take special notice of all **bold** typed and **underlined** information).

1. The Construction Drawings are hereby revised. Use the revised Construction Drawings (Attached).

BY: 
Danny Chow, P.E.
City Engineer

DATE: February 13, 2018

Please acknowledge receipt of this ADDENDUM NO. 1 by including this executed page with your bid submittal proposal form. The undersigned acknowledges receipt of this ADDENDUM NO. 1.

Name of Firm
Bidding:

All American Asphalt

Representative's
Signature:


Edward J. Carlson, Vice President

FORMS

SLURRY SEAL FY 2017-2018
PROJECT NO. 2017-01

STATE OF CALIFORNIA)
) ss
COUNTY OF Riverside)

BY:

Signature (CONTRACTOR)

Edward J. Carlson, Vice President
Title (CONTRACTOR)

A notary public or other officer completing this certificate verifies on the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy or validity of that document.

*Please See Attached)

Subscribed and sworn (affirmed) to before me this

_____ day of _____, 20____

Signature of Officer Administering Oath
(NOTARY PUBLIC)

CALIFORNIA JURAT**GOV CODE § 8202**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of RiversideSubscribed and sworn to (or affirmed) before
me on this 19th day of February, 2018.
Date MonthBy (1) Edward J. Carlson
Name of SignerProved to me on the basis of satisfactory evidence
be the person who appeared before me (.) (.)

(and

(2) _____
Name of SignerProved to me on the basis of satisfactory evidence
be the person who appeared before me.)

Place Notary Seal Above

Signature _____

A handwritten signature in cursive script that reads "Courtney Chapas".

Signature of Notary Public**OPTIONAL**

Though the information below is not required by law, it may prove
valuable to person relying on the document and could prevent
fraudulent removal and reattachment of this form to another document.

Further Description of Any Attached DocumentTitle or Type of Document: Affidavit of Non-CollusionDocument Date: 2-19-2018 Number of Pages: 1Signer(s) Other Than Named Above: None

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

CONTRACTOR'S PROPOSAL

Date February 19, 2018

To the City of Canyon Lake:

The Undersigned hereby declares:

(a) That the only persons or parties interested in this proposal as principals are the following:

All American Asphalt

Mark Luer, President

Edward J. Carlson, Vice President Michael Farkas, Secretary

(If the bidder is a corporation, give the name of the corporation and the name of its president, secretary, treasurer, and manager. If a co-partnership, give the name, under which the co-partnership does business, and the names and addresses of all co-partners. If an individual, state the name under which the contract is to be drawn.)

(b) That this bid proposal is made without collusion with any person, firm or corporation.

(c) That he has carefully examined the location of the proposed work and has familiarized himself with all of the physical and climatic conditions, and makes this bid proposal solely upon his own knowledge.

(d) That by submitting this bidder's Proposal, he acknowledges receipt and knowledge of the contents of those communications sent by the Desert Recreation City to him at the address furnished by him to the Desert Recreation City when this bid proposal form was obtained.

(e) That he has carefully examined the specifications, both general and detail, and the drawings attached hereto, and communications sent to him as aforesaid, and makes this bid proposal in accordance therewith.

(f) That, if this bid proposal is accepted he will enter into a written contract for the performance of the proposed work with the City.

(g) That he proposes to enter into such contract and to accept in full payment for the work actually done thereunder the prices shown in the attached schedule. It is understood and agreed that the quantities set forth are estimates, and that the unit prices will apply to the actual quantities whatever they may be.

Accompanying this bid proposal is a certified or cashier's check or bidder's bond, payable to the order of the City in the amount of

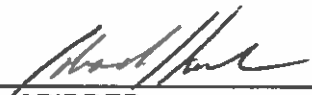
Bidders' Bond _____ DOLLARS (\$ 10%) Said
BIDDER's bond has been duly executed by the undersigned bidder and by a financially sound
surety company authorized to transact business in this state as a "California admitted insurer."

It is understood and agreed that should the bidder fail within ten business days after award of
contract to enter into the contract and furnish acceptable surety bonds, then the proceeds of
said cash, check, or bidder's bond, shall become the property of the Desert Recreation City, but
if this contract is entered into and said bonds are furnished, or if the bid is not accepted then
said check or cash shall be returned to the undersigned, or the bidder will be released from the
bidder's bond.

Edward J. Carlson, Vice President
Print Name of Bidder

400 East Sixth Street Corona 92879
Street Address City Zip Code

(951) 736-7600
Telephone Number



Signature of BIDDER
Edward J. Carlson, Vice President

BID SCHEDULE

SPECIFIC TERMS AND CONDITIONS

Pursuant to the Notice Inviting Bids, the undersigned hereby proposes and agrees that on award by the City under this Bid, and in accordance with the provisions therein stated, to execute a Contract, with necessary bonds, to furnish and install any and all labor, materials, transportation, and services for **SLURRY SEAL FY 2017-2018**, in accordance with the Scope of Work and Specifications therefore adopted and on file with the City within the time hereinafter set forth and at the prices named in this Bid as follows:

BASE BID

ITEM NO.	QTY.	UNIT	DESCRIPTION	UNIT PRICE	TOTAL
1	30,020	SF	Cold Mill Existing AC Pavement (3" Uniform)	0.39	11,707.80
2	30,020	SF	AC Leveling Course (1")	0.23	6,904.60
3	30,020	SF	AC Overlay (2")	1.11	33,322.20
4	595,000	SF	Type II Slurry Seal	0.22	130,900
5	2	EA	Remove, Replace and Align Traffic Detector Loop	1,951.74	3,903.58
6	1	LS	Crack Sealing- (Approximately 50 LF)	6,111.03	6,111.03
7	1	LS	Traffic Striping- Remove Existing Striping	21,510.98	21,510.98
8	31,000	LF	Thermoplastic Striping- 4" Lane Line	0.45	13,950
9	2,850	LF	Thermoplastic Striping- 4" Channelization Line	0.45	1,282.50
10	1,000	LF	Thermoplastic Striping- Double Yellow Median Stripe	0.84	840.00
11	15,600	LF	Thermoplastic Striping- 6" Bike Lane Line	0.67	10,452
12	1,500	LF	Thermoplastic Striping- 8" Limit Line	0.89	1,335
13	3,465	LF	Thermoplastic Striping- 8" Channelization Line	0.89	3,083.85
14	2,770	LF	Thermoplastic Striping- 12" Limit Line or Crosswalk Marking	2.23	6,177.10
15	32	EA	Thermoplastic Striping- CA-MUTCD Type IV (Turn Arrows- L & R)	55.77	1,784.64
16	2	EA	Thermoplastic Striping- U-Turn Arrows	55.77	111.54
17	30	EA	Thermoplastic Striping- Pavement Marking "SIGNAL AHEAD"	161.72	4,851.60
18	19	EA	Thermoplastic Striping- Pavement Marking "BIKE LANE" Letters and Arrow	55.77	1,059.63
19	1	LS	Raised Pavement Markers	3,903.58	3,903.58

TOTAL AMOUNT BASE BID IN FIGURES \$ 263,141.63

TOTAL AMOUNT BASE BID IN WORDS two hundred sixty three thousand one hundred forty one
dollars and sixty three cents

BIDDER'S BOND

KNOW ALL MEN BY THESE PRESENTS, THAT WE, All American Asphalt

_____ as principal, and

Fidelity and Deposit Company of Maryland as surety, are held and firmly bound unto the City, hereinafter "City" in the sum to ten percent (10%) of the total amount of the bid of the principal, to be paid to the said City or its certain attorney, its successors and assigns; for which payment will and truly to be made, we bind ourselves, our heirs, executors and administrators, successors or assigns, jointly and severally, firmly by these presents.

In no case shall the liability of the surety hereunder exceed the sum of \$ Ten Percent (10%) of Total Amount Bid -----

THE CONDITION OF THIS OBLIGATION IS SUCH,

That whereas the principal has submitted the above mentioned bid to the City for ~~landseape maintenance services~~ completing Slurry Seal FY 2017-2018 specifically described as follows, for which bids are to be opened at the City of Canyon Lake, City Hall, on February 21, 2018 [time] at 10:00 AM [address]. City of Canyon Lake - 31516 Railroad Canyon Road, Canyon Lake, CA 92587

NOW THEREFORE, if the aforesaid principal is awarded the contract, and within the time and manner required under the specifications, after the prescribed forms are presented to him for signature, enters into a written contract, in the prescribed form in accordance with the bid proposal, and files the two bonds with the City, one to guarantee faithful performance and other to guarantee payments for labor and materials, as required by law, then this obligation shall be null and void; otherwise it shall remain in full force and effect. In the event suit is brought upon this bond by the Obligee and judgment is recovered, the surety shall pay all costs incurred by the Obligee in such suit, including a reasonable attorney's fee to be fixed by the court.

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this 14th day of February, 2018

All American Asphalt (seal)


Edward J. Carlson, Vice President (seal)

_____ (seal)

400 East Sixth Street, Corona, CA 92879 (seal)

PRINCIPAL

Fidelity and Deposit Company of Maryland (seal)

 (seal)

Rebecca Haas-Bates, SURETY Attorney-in-Fact

777 S. Figueroa Street, Suite 3900, Los Angeles, CA 90017 (seal)

ADDRESS

NOTE: Signatures of those executing for the surety must be properly acknowledged.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT**CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of RiversideOn February 19, 2018 before me, Courtney Chapas, Notary Public
Date Here Insert name and Title of the Officerpersonally appeared Edward J. Carlson
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Place Notary Seal Above

Signature

Courtney Chapas
Signature of Notary Public**OPTIONAL**

Though the information below is not required by law, it may prove valuable to person relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached DocumentTitle or Type of Document Bidder's BondDocument Date: February 14, 2018 Number of Pages: 2Signer(s) Other Than Named Above: None**Capacity(ies) Claimed by Signer(s)**Signer's Name: Edward J. Carlson☐ Individual☒ Corporate Officer — Title(s): Vice President☐ Partner ☐ Limited ☐ General☐ Attorney in Fact☐ Trustee☐ Other: _____Signer is Representing:
All American AsphaltRIGHT THUMBPRINT
OF SIGNER

Top of thumb here

Signer's Name: _____

☐ Individual☐ Corporate Officer — Title(s): _____☐ Partner ☐ Limited ☐ General☐ Attorney in Fact☐ Trustee☐ Other: _____Signer is Representing:
All American AsphaltRIGHT THUMBPRINT
OF SIGNER

Top of thumb here

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of Orange)On 02/14/2018 before me, A. MacFarlane, Notary Public

Date

Here Insert Name and Title of the Officer

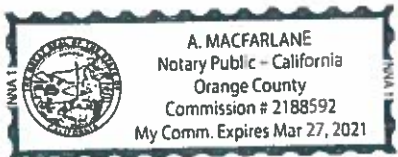
personally appeared Rebecca Haas-Bates

Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature

Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached DocumentTitle or Type of Document: Bid BondDocument Date: 02/14/2018Number of Pages: Two (2) Signer(s) Other Than Named Above: All American Asphalt**Capacity(ies) Claimed by Signer(s)**Signer's Name: Rebecca Haas-Bates☐ Corporate Officer — Title(s): _____☐ Partner — ☐ Limited ☐ General☐ Individual ☒ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer Is Representing: _____

Fidelity and Deposit Company of Maryland

Signer's Name: _____

☐ Corporate Officer — Title(s): _____☐ Partner — ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer Is Representing: _____

EXTRACT FROM BY-LAWS OF THE COMPANIES

"Article V, Section 8, Attorneys-in-Fact. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify or revoke any such appointment or authority at any time."

CERTIFICATE

I, the undersigned, Vice President of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that Article V, Section 8, of the By-Laws of the Companies is still in force.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney...Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seals of the said Companies, this 14th day of FEBRUARY, 2018.



Michael Bond, Vice President

TO REPORT A CLAIM WITH REGARD TO A SURETY BOND, PLEASE SUBMIT ALL REQUIRED INFORMATION TO:

Zurich American Insurance Co.
Attn: Surety Claims
1299 Zurich Way
Schaumburg, IL 60196-1056

SUBCONTRACTOR LIST

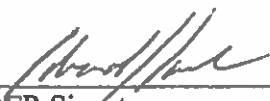
In compliance with the provisions of the Public Contract Code Section 4102, the undersigned bidder herewith sets forth the name and location of the place of business of each subcontractor who will perform work or labor or render service to the General contractor in or about the ~~landscape maintenance services~~ Slurry Seal FY 2017-2018 in an amount in excess of one-half (1/2) of one percent (1%) of the General Contractor's total bid, and the portion of the work which will be done by each subcontractor.

Subcontractor Name	Office Address	License Number	*DIR Registration Number	Work to be completed by subcontractor
Cal stripe	20410 East street N.D. Colton CA 92324	685387 C-32	1000001100	Striping
CPE California Professional Engineering	924 outbanc Ave. unit E La Puente, CA	793907 C-10	1000001980	electric

If the bidder fails to specify a subcontractor for any portion of the work, the bidder agrees to perform the work with his own crews. (Alternative subcontractors for the same work are prohibited by provisions of the California Government Code.)

*An inaccurate registration number is not the basis to set aside the bid if corrected within 24 hours.

February 19, 2018
Dated


BIDDER Signature
Edward J. Carlson, Vice President

AFFIDAVIT FOR CO-PARTNERSHIP FIRM

STATE OF CALIFORNIA)
) ss
COUNTY OF)

_____ N/A _____, being first duly sworn,
deposes and says:

That he is a member of the co-partnership firm designated as _____

_____ which is the party making the foregoing bid proposal; that such bid proposal is genuine and not collusive or sham; that said bidder has not colluded, conspired, connived or agreed, directly or indirectly, with any other bidder or person to put in a sham bid proposal or that such other person shall refrain from bidding; and has not in any manner sought by collusion to secure any advantage against the City or any person interested in the proposed contract, for himself or for any other person.

That he has been and is duly vested with authority to make and sign instruments for the co-partnership by _____

_____ N _____

who constitute the other members of the co-partnership. A

Signature

USE UPDATED NOTARY JURAT

Subscribed and sworn (affirmed) to before me this

_____ day of _____, 20____

Signature of Officer Administering Oath
(NOTARY PUBLIC)

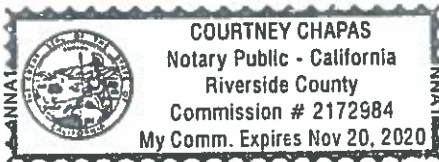
STATE OF CALIFORNIA)
)ss
COUNTY OF Riverside)

111

CALIFORNIA JURAT**GOV CODE § 8202**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of RiversideSubscribed and sworn to (or affirmed) before
me on this 19th day of February, 2018.
Date MonthBy (1) Edward J. Carlson
Name of SignerProved to me on the basis of satisfactory evidence
be the person who appeared before me (.) (.)

(and

(2) _____
Name of SignerProved to me on the basis of satisfactory evidence
be the person who appeared before me.)

Place Notary Seal Above

Signature _____
Signature of Notary Public**OPTIONAL**

Though the information below is not required by law, it may prove
valuable to person relying on the document and could prevent
fraudulent removal and reattachment of this form to another document.

Further Description of Any Attached DocumentTitle or Type of Document: Affidavit for Corporation BidderDocument Date: 2-19-2018 Number of Pages: 1Signer(s) Other Than Named Above: NoneRIGHT THUMBPRINT
OF SIGNER

Top of thumb here

RIGHT THUMBPRINT
OF SIGNER

Top of thumb here

AFFIDAVIT FOR INDIVIDUAL BIDDER

STATE OF CALIFORNIA)
) ss
COUNTY OF _____)

_____, N/A, being first duly sworn,
deposes and says:

That he is the party making the foregoing bid proposal; that such bid proposal is genuine and not collusive or sham; that said bidder has not colluded, conspired, connived or agreed, directly or indirectly, with any other bidder or person to put in a sham bid proposal or that such other person shall refrain from bidding; and has not in any manner sought by collusion to secure any advantage against the Recreation City or any person interested in the proposed contract, for himself or for any other person.

Signature

USE UPDATED NOTARY JURAT

Subscribed and sworn (affirmed) to before me this

_____ day of _____, 20____

Signature of Officer Administering Oath
(NOTARY PUBLIC)

AFFIDAVIT FOR JOINT VENTURE

STATE OF CALIFORNIA)
) ss
COUNTY OF _____)

_____ N/A _____, being first duly sworn,
deposes and says:

That he is _____ of,

one of the parties submitting the foregoing bid proposal as a joint venture and that he has been
and is duly vested with the authority to make and sign instruments for and on behalf of the
parties making said bid proposal who are:

that such bid proposal is genuine and not collusive or sham; that said bidder has not colluded,
conspired, connived or agreed, directly or indirectly, with any other bidder or person to put in a
sham bid proposal or that such other person shall refrain from bidding; and has not in any
manner sought by collusion to secure any advantage against the Recreation City or any person
interested in the proposed contract, for himself or for any other person.

Signature

USE UPDATED NOTARY JURAT

Subscribed and sworn (affirmed) to before me this

_____ day of _____, 20____

Signature of Officer Administering Oath
(NOTARY PUBLIC)

**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Maryland, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Maryland (herein collectively called the "Companies"), by **DAVID MCVICKER**, Vice President, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint **William SYRKIN**, **Rebecca HAAS-BATES**, **Sergio D. BECHARA** and **Richard ADAIR**, all of Irvine, California, EACH its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: any and all bonds and undertakings, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

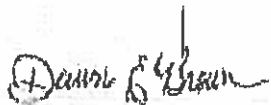
The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 10th day of July, A.D. 2017.

ATTEST:

**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**



By: 
Assistant Secretary
Dawn E. Brown


Vice President
David McVicker

State of Maryland
County of Baltimore

On this 10th day of July, A.D. 2017, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **DAVID MCVICKER**, Vice President, and **DAWN E. BROWN**, Assistant Secretary, of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, deposeth and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.

Constance A. Dunn

Constance A. Dunn, Notary Public
My Commission Expires: July 9, 2019



**City of Canyon Lake
City Council
Staff Report**

TO: Honorable Mayor and Members of the City Council

FROM: Aaron Palmer, City Manager

DATE: July 18, 2018

SUBJECT: Approval to Join the Western Community Energy Joint Powers Authority

Recommendation

The City Council approve joining the Western Community Energy Joint Powers Authority and adopt Resolution No. 2018-21: A RESOLUTION OF THE CITY OF CANYON LAKE, CALIFORNIA APPROVING THE WESTERN COMMUNITY ENERGY JOINT POWERS AGREEMENT AND APPROVING THE BYLAWS OF THE WESTERN COMMUNITY ENERGY JOINT POWERS AUTHORITY AS PROVIDED FOR IN THE JOINT POWERS AGREEMENT.

Background

Community Choice Aggregation (CCA) allows a local government – either alone or as a group of jurisdictions in a Joint Powers Authority (JPA) – to purchase power on behalf of its community, while utilizing the delivery system of the investor owned utility, in this region’s case Southern California Edison (SCE). A CCA provides a choice for the community which it does not currently have (unless their community is served by a separate public utility). In those instances - which impact the majority of residents and businesses in Western Riverside County - getting power from SCE under the rates SCE offers is their only option. Under a CCA, residents and businesses have the ability to choose from new rates and power sources (that are often more renewable and at reduced cost) offered by the CCA, or they can choose to stay with SCE. The City, by participating in a CCA, will allow its businesses and residents to voluntarily make those choices.

CCAs are not a new or novel concept, and there’s ample history to lean on. 13 CCAs are currently operational in California; all of them have met their objectives to either reduce costs to consumers and/or achieve environmental gains. According to the California Community Choice Association, CCAs currently serve nearly 2 million customers in California. With more than 80 cities either engaged in or currently considering community choice energy, it is estimated that over 50% of California residents will be served by a CCA by 2020. In 2016 CCAs operating in California, through greener purchasing policies, helped avoid 949,388 metric tons of greenhouse gasses from being emitted. And in 2017, CCA participants in California saved more than \$10,000,000 on bill savings.

10 new CCAs are expected to commence operations in the State in 2018. Jurisdictions representing the vast majority of the population in SCE’s service territory are examining CCA

formation. In Los Angeles and Ventura Counties, more than 30 jurisdictions have recently joined “Clean Power Alliance,” the multi-jurisdictional CCA that is underway there.

Feasibility Study Conducted

Based on the success of CCAs elsewhere in California, in January 2016 the Executive Committee of the Western Riverside Council of Governments (WRCOG) directed staff to conduct a Feasibility Study (Study) for the potential formation of a Community Choice Aggregation (CCA) Program for interested member jurisdictions. The Study concluded that, using conservative assumptions, a CCA would provide rate savings to businesses and residents.

- The Feasibility Study indicated a CCA could provide a 4.4% savings on electricity rates for the WRCOG subregion.
- At just a 2% savings (1/2 of what the Feasibility Study projects), 150,000 homes and 20,000 businesses (which represents just a portion of the total homes and businesses in Western Riverside County) could save nearly \$5.5 million annually on their utility bills.
- In the City of Canyon Lake, for example, a 2% savings on electricity costs for businesses and residents would translate to about \$300,000 annually in savings each year.
- For a \$200/month electric bill, a 3% savings would result in an annual savings for a household of approximately \$72.
- Western Riverside County customers (excluding unincorporated areas) pay approximately \$960 million to SCE annually for electricity.

After receiving the Feasibility Study, the Executive Committee directed WRCOG to develop a CCA as a separate agency (now called Western Community Energy) from WRCOG, but would use WRCOG resources to provide cost efficiencies. As part of this subsequent effort, governing documents have been developed to implement the CCA for Western Riverside County. A website, www.westerncommunityenergy.com has also been launched which includes information about the pending CCA, along with a series of “video FAQs” that respond to frequently asked questions. A subcommittee of Executive Committee members was formed to further guide the CCA formation effort, and governing board documents (summarized below) were created along with staffing arrangements for initially implementing the CCA business plan. Consultants have also been selected and are set to begin work once the CCA becomes operational.

As WCE establishes a joint powers authority (JPA) and it’s Governing Board, WCE anticipates launching in 2020 for those member jurisdictions who join prior to August 15, assuming that the Governing Board is comfortable with projections of savings, etc.

Western Community Energy would not be the first CCA in Riverside County. In the Coachella Valley, the “Desert Community Energy” CCA is already formed, with three jurisdictions on board. The City of San Jacinto has begun to service load for its community through a CCA operated by the City of Lancaster. And the Riverside County unincorporated area has set up its CCA and continues to explore an implementation date.

CCA Benefits to the Community

Following is a summary discussion of benefits that CCA Programs can provide to community residents and businesses:

CCAs are economic drivers: WRCOG member agencies regularly indicate that economic development is a top priority in the subregion. As CCAs, which offer local control in rate setting, lower rates, and choices for residents and businesses, form in adjacent communities, WRCOG jurisdictions stand to lose ground in the fight for new economic growth. Providing savings to community residents allows for them to spend monies in their communities, rather than having it default to their energy bill.

- CCA's have a history of success in meeting community objectives.
- Cities are joining CCA's at a rate never experienced before in California.
- No city in California has dropped out of a CCA.

Local control is huge: Currently, local elected officials have no vote on rate setting, as SCE sets the rates through the California Public Utilities Commission (CPUC) at meetings held in San Francisco. By joining a CCA, the City has an immediate voice in rate setting and can work to tailor rates that can best benefit their community and region. A CCA provides local control over rate setting and programs by locally elected city councilmembers and Board of Supervisors members. Rates and programs would be designed and implemented at the local level, at local public meetings, where members of the public who are living within the CCA boundaries can readily participate.

Giving constituents options is important: When a jurisdiction joins a CCA, it is simply providing its residents and businesses with the ability to choose whether they, too, wish to participate in the CCA. Participation is totally optional, and prior to launch and during operations the CCA will provide notices to businesses and residents to inform them of the CCA and rates, and provide them with the ability to choose.

- Residents and businesses cannot have energy choices – and thus opportunities for rate savings – unless jurisdictional council members elect to participate in a CCA.
- Once a city joins a CCA, their residents and businesses take it from there, and decide which option is best for them.

Timing is critical: In February 2018, the CPUC adopted a Resolution that dictates when a CCA can begin operating. CCAs that formed and submitted their required Implementation Plans prior to January 1, 2019, are able to launch in 2020.

- To pursue a 2020 launch, jurisdictions must join WCE by August 15, 2018.
- Jurisdictions joining WCE after August 15, 2018 would not be able to launch until 2021.

Joining WCE by the August 15 deadline does not lock the City into implementation. It simply provides for a potential launch in 2020 should the WCE Governing Board make a determination. The August 15 deadline is based on the requirement that an Implementation Plan must be submitted to the CPUC in December 2018 to ensure a 2020 launch. In order to submit the Implementation Plan, jurisdictions must join the JPA so that its consultants can develop a cost / environmental savings report to the WCE Governing Board in September. The savings report will indicate whether or not it is favorable for WCE to move forward. If favorable, WCE would prepare its Implementation Plan for a 30 day public review prior to submitting to the CPUC. If it is not favorable, all works would stop.

By joining WCE, the City is allowing the Agency to move forward in further examining the true savings amounts based on accurate data and not based on current assumptions, and to launch sooner (2020) rather than later (2021) if elected officials desire to do so.

After August 15, the CCA will not be able to become operational until 2021.

Governance Structure for WCE

The most common approach to administration of a CCA is an inter-agency "joint powers agency," sometimes referenced as a "joint powers authority" (JPA or "Authority") formed pursuant to the Joint Exercise of Powers Act codified at California Government Code Section 6500 et seq. Western Community Energy will operate under this model. In this instance, the JPA serves as a public, non-profit agency on behalf of the municipalities that choose to participate in the CCA program. Regardless of a CCA's administrative structure, the program's assets and liabilities remain separate from those of City's general fund. Financial liability is mitigated by specific JPA organization or action, and vendor contract language that protects municipal assets. In the JPA model, surplus funds generated by the CCA may be reinvested back into the community in the form of new energy projects and programs that serve the entire service area.

Highlights from the Western Community Energy JPA include:

- Board of Directors. The governing body of the Authority shall be a Board of Directors consisting of one director for each Member Agency appointed in accordance with Section 2.2.
- Appointment of Directors. The governing body of each Member Agency (for example, a city) shall appoint and designate in writing one regular Director (a councilmember) who shall be authorized to act for and on behalf of the Member Agency on matters within the powers of the Authority. The governing body of each Member Agency shall also appoint and designate in writing one alternate Director who may vote in matters when the regular Director is absent from a Board meeting. The persons appointed and designated as the regular Director and the alternate Director shall be a member of the governing body of the Member Agency.
- Voting by the Board of Directors. Each member of the Board or participating alternate shall be entitled to one vote. Action of the Board on all matters shall require an affirmative vote of a majority of all Directors present and qualified to vote constituting a quorum.
- Initial Funding of Authority. WRCOG has funded certain activities necessary to implement the CCA Program. If the program becomes operational, these initial costs shall be included in the customer charges for electric services to the extent permitted by law, and WRCOG shall be reimbursed from the payment of such charges by customers of the Authority pursuant to a reimbursement agreement between Authority and WRCOG. Prior to such reimbursement, WRCOG shall provide such documentation of costs paid as the Board may request. The Authority may establish a reasonable time period over which such costs are recovered. In the event the program does not become operational, WRCOG shall not be entitled to any reimbursement of the initial costs.

- Right to Withdraw Prior to Program Launch. After receiving bids from power suppliers, the Authority must provide to the Member Agencies the report from the electrical utility consultant retained by the Authority that compares the total estimated electrical rates that the Authority will be charging to customers as well as the estimated greenhouse gas emissions rate and the amount of estimated renewable energy used with that of the incumbent utility. If the report provides that the Authority is unable to provide total electrical rates, as part of its baseline offering, to the customers that are equal to or lower than the incumbent utility or to provide power in a manner that has a lower greenhouse gas emissions rate or uses more renewable energy than the incumbent utility, a Member Agency may immediately withdraw its membership in the Authority without any financial obligation, as long as the Member Agency provides written notice of its intent to withdraw to the Authority Board no more than thirty (30) days after receiving the report.

Fiscal Impact

There is no cost to the City to participate in this JPA.

Attachments

1. Resolution No. 2018-21; approving joint powers agreement **Pg. 123**
2. Western Community Energy Joint Powers Agreement **Pg. 127**

RESOLUTION NUMBER 2018-21

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANYON
LAKE APPROVING MEMBERSHIP IN THE WESTERN COMMUNITY
ENERGY JOINT POWERS AUTHORITY AND APPROVAL OF THE JOINT
POWERS AUTHORITY BY-LAWS**

WHEREAS, Assembly Bill 117 (Stat. 2002, ch. 838; see California Public Utilities Code section 366.2 *et seq.*) authorizes any California city or county, whose governing body so elects, to combine the electricity load of its residents and businesses in a community-wide electricity aggregation program known as Community Choice Aggregation, and

WHEREAS, pursuant to the Joint Exercise of Powers Act (see California Government Code section 6500 *et seq.*) incorporated municipalities or counties within Riverside County may enter into a Joint Powers Agreement creating a separate public agency to study, promote, develop, conduct, operate, and manage energy, energy efficiency and conservation, and other energy-related and climate change programs, to be known as the Western Community Energy Authority; and

WHEREAS, each incorporated municipality or county wishing to participate in the Western Community Energy Authority will appoint one regular Director and one alternate Director to serve on the governing body of the Western Community Energy Authority; and

WHEREAS, the City of Canyon Lake desires to provide constituents within its service area with greater local involvement over electric services, and promote competitive retail choice by joining the Western Community Energy Authority and participating in the Community Choice Aggregation program; and

WHEREAS, in order for the City of Canyon Lake to become a Member Agency in the Western Community Energy Authority, the City Council must adopt a resolution requesting participation and evidencing an intent to join the Western Community Energy Authority.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Canyon Lake, California, as follows:

1. The above recitals are true and correct.
2. The City Council of the City of Canyon Lake affirms its intent to join the Western Community Energy Authority as a Member Agency by authorizing its signatory for the execution of the Western Community Energy Joint Powers Agreement and the Authority's By-laws as attached hereto.

PASSED, APPROVED AND ADOPTED this 18th day of July, 2018.

Vicki Warren, Mayor

ATTEST:

Stephanie Roseen, Deputy City Clerk

APPROVED AS TO FORM:

Elizabeth Martyn, City Attorney

Attachments:

1. Exhibit A: Western Community Energy Joint Powers Agreement

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

I, Stephanie Roseen, Deputy 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. 2018-21 adopted by the City Council of the City of Canyon Lake, California, at an adjourned regular meeting held on the 18th day of July 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Stephanie Roseen, Deputy City Clerk

EXHIBIT A

WESTERN COMMUNITY ENERGY JOINT POWERS AGREEMENT

[Starts on Next Page]

WESTERN COMMUNITY ENERGY JOINT POWERS AGREEMENT

This Joint Powers Agreement (“**Agreement**”), effective as of _____, 2017 (“**Effective Date**”) is made and entered into pursuant to the provisions of Title 1, Division 7, Chapter 5, Article 1 (Section 6500 *et seq.*) of the California Government Code relating to the joint exercise of powers among the parties set forth in Exhibit A (“**Member Agencies**”). The term “**Member Agencies**” shall also include an incorporated municipality or county added to this Agreement in accordance with Section 3.1.

RECITALS

A. In 2002, AB 117 was signed into law allowing public agencies to aggregate the electrical load of interested consumers within their jurisdictional boundaries and purchase electricity on behalf of those consumers.

B. The Member Agencies desire to establish a separate public agency, known as Western Community Energy (“**Authority**”), under the provisions of the Joint Exercise of Powers Act of the State of California (Government Code § 6500 *et seq.*) (“**Act**”) in order to collectively study, promote, develop, conduct, operate, and manage energy programs, and exercise any powers common to the Authority’s members to further these purposes.

C. The Member Agencies have each adopted an ordinance electing to implement through the Authority a community choice aggregation program pursuant to California Public Utilities Code § 366.2. The priority of the Authority will be the consideration of those actions necessary to implement the program.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual promises, covenants, and conditions hereinafter set forth, it is agreed by and among the Member Agencies as follows:

SECTION 1. FORMATION OF AUTHORITY

1.1 Creation of Agency. Pursuant to the Joint Exercise of Powers Act, California Government Code § 6500 *et seq.* and other pertinent provisions of law, there is hereby created a public entity to be known as the Western Community Energy. The Authority shall be a public entity separate and apart from the Member Agencies.

1.2 Effective Date and Term. This Agreement shall become effective and Authority shall exist as a separate public agency on the date this Agreement is executed by at least two Member Agencies after adoption of the ordinances required by California Public Utilities Code § 366.2(c)(10). The Authority shall continue to exist, and this Agreement shall be effective, until this Agreement is terminated in accordance with Section 5, subject to the rights of a Member Agency to withdraw from the Authority.

1.3 Member Agencies. The names, particular capacities, and addresses of the Member Agencies are shown on Exhibit A, attached hereto, as may be amended from time to time.

1.4 Purpose. The purpose of this Agreement is to establish an independent public agency in order to exercise powers common to each Member Agency to study, promote, develop, conduct, operate, and manage energy, energy efficiency and conservation, and other energy-related and climate change programs (the “**CCA Program**”), and to exercise all other powers necessary and incidental to accomplishing this purpose. The Member Agencies intend for this Agreement to be used as a contractual mechanism by which the Member Agencies are authorized to participate in the CCA Program. The Member Agencies intend that other agreements shall define the terms and conditions associated with the implementation of the CCA Program and any energy programs approved by the Authority.

1.5 Powers. The Authority shall have all powers common to the Member Agencies and such additional powers accorded to it by law. The Authority is authorized, in its own name, to exercise all powers and do all acts necessary and proper to carry out the provisions of this Agreement and fulfill its purpose, including, but not limited to, each of the following powers:

1.5.1 Serve as a forum for the consideration, study, and recommendation of energy services for the CCA Program;

1.5.2 To make and enter into any and all contracts to effectuate the purpose of this Agreement, including, but not limited to, those relating to the purchase or sale of electrical energy or attributes thereof, and related service agreements;

1.5.3 To employ agents and employees, including, but not limited to, engineers, attorneys, planners, financial consultants, and separate and apart therefrom to employ such other persons, as it deems necessary;

1.5.4 To acquire, contract, manage, maintain, and operate any buildings, works, or improvements, including, but not limited to, electric generating facilities;

1.5.5 To acquire property by eminent domain, or otherwise, except as limited by section 6508 of the Act, and to hold or dispose of property;

1.5.6 To lease any property;

1.5.7 To use and be sued in its own name;

1.5.8 To incur debts, liabilities, and obligations, including, but not limited to, loans from private lending sources pursuant to its temporary borrowing powers, such as California Government Code § 53850 *et seq.* and authority under the Act;

1.5.9 To form subsidiary or independent corporations or entities, if appropriate, to carry out energy supply and energy conservation programs, or to take advantage of legislative or regulatory changes;

1.5.10 To issue revenue bonds and other forms of indebtedness;

1.5.11 To apply for, accept, and receive all licenses, permits, grants, loans, or other assistance from any federal, state, or local agency;

1.5.12 To submit documentation and notices, register, and comply with orders, tariffs, and agreements for the establishment and implementation of the CCA Program and other energy and climate change programs;

1.5.13 To adopt rules, regulations, policies, bylaws, and procedures governing the operation of the Authority; and

1.5.14 To receive gifts, contributions, and donations of property, funds, services, and other forms of financial assistance from persons, firms, corporations, and any governmental entity.

1.6 Manner of Exercising Powers. The powers of the Authority are subject to the restrictions upon the manner of exercising power possessed by a general law city.

SECTION 2: GOVERNANCE

2.1 Board of Directors. The governing body of the Authority shall be a Board of Directors consisting of one director for each Member Agency appointed in accordance with Section 2.2.

2.2 Appointment of Directors. The governing body of each Member Agency shall appoint and designate in writing one regular Director who shall be authorized to act for and on behalf of the Member Agency on matters within the powers of the Authority. The governing body of each Member Agency shall also appoint and designate in writing one alternate Director who may vote in matters when the regular Director is absent from a Board meeting. The persons appointed and designated as the regular Director and the alternate Director shall be a member of the governing body of the Member Agency.

2.3 Terms of Office. Each regular and alternate Director shall serve at the pleasure of the governing body of the Member Agency that the Director represents, and may be removed as Director by the governing body of the Member Agency at any time. If at any time a vacancy occurs on the Board, a replacement shall be appointed by the governing body to fill the position of the previous Director within ninety (90) days of the date that such position becomes vacant.

2.4 Quorum. A majority of the Directors of the entire Board shall constitute a quorum, except that less than a quorum may adjourn a meeting from time to time in accordance with law.

2.5 Powers of the Board of Directors. The Board may exercise all the powers enumerated in this Agreement and shall conduct all business and activities of the Authority consistent with this Agreement and any bylaws, operating procedures, and applicable law.

2.6 Executive Committee. The Board may establish an executive committee consisting of a smaller number of Directors. The Board may delegate to the executive committee such authority as the Board might otherwise exercise.

2.7 Committees. The Board may establish advisory committees as the Board deems appropriate to assist the Board in carrying out its functions and implementing the purposes of this Agreement.

2.8 Director Compensation. The Board may adopt policies establishing a stipend to compensate work performed by a Director on behalf of the Authority as well as policies for the reimbursement of expenses incurred by a Director.

2.9 Voting by the Board of Directors.

2.9.1 Vote Count. Each member of the Board or participating alternate shall be entitled to one vote. Action of the Board on all matters shall require an affirmative vote of a majority of all Directors present and qualified to vote constituting a quorum.

2.9.2 Weighted Vote. Notwithstanding Section 2.9.1, above, the Board of the Authority may establish in its Bylaws a procedure to require a weighted vote for all or certain matters before the Board. Any procedure for a weighted vote shall allocate votes based on energy usage of Member Agencies and shall be approved or amended by the affirmative vote of at least a majority of all Directors present and qualified to vote and constituting a quorum.

2.10 Officers.

2.10.1 Chair and Vice Chair. On an annual basis, the Directors shall select from among themselves, a Chair and a Vice-Chair. The Chair shall be the presiding officer of all Board meetings. The Vice-Chair shall serve in the absence of the Chair. The term of office of the Chair and Vice-Chair shall continue for one year. There shall be no limit on the number of terms held by either the Chair or Vice-Chair. The office of either the Chair or Vice-Chair shall be declared vacant and a new selection shall be made if: (a) the person serving dies, resigns, or the Member Agency that the person represents removes the person as its representative on the Board, or (b) the Member Agency that he or she represents withdraws from the Authority pursuant to the provisions of this Agreement.

2.10.2 Secretary. The Board shall appoint a Secretary who need not be a member of the Board. The Secretary shall be responsible for keeping the minutes of all meetings of the Board and all other official records of the Authority.

2.10.3 Treasurer/Auditor. The Board shall appoint a qualified person to act as the Treasurer and a qualified person to act as the Auditor, neither of whom need be members of the Board. If the Board so designates, and in accordance with the provisions of applicable law, a qualified person may be appointed as the Treasurer and Auditor. Such person or persons shall possess the powers of, and shall perform those functions required of them by California Government Code §§ 6505, 6505.5, and 6505.6, and by all other applicable laws and regulations and amendments thereto.

2.11 Meetings. The Board shall provide for its regular meetings, the date, hour, and place of which shall be fixed by resolution of the Board. Regular, adjourned, and special meetings shall be called and conducted in accordance with the provisions of the Ralph M. Brown Act, California Government Code § 54950 *et seq.*

2.12 Executive Director. The Executive Director shall be the chief administrative officer of the Western Riverside Council of Governments, or whomever is appointed by the Board thereafter. Compensation shall be fixed by the Board. The powers and duties of the Executive Director shall be subject to the authority of the Board.

2.13 Initial Administration of Authority. The Authority will be initially administered by the Western Riverside Council of Governments (“**WRCOG**”), which shall provide Executive Director, staff, and consultant services to the Authority. WRCOG shall provide administrative services for three years from the Effective Date of this Agreement pursuant to a services agreement. The term and conditions of the administrative services agreement may be extended by mutual agreement of WRCOG and the Authority without further amendment of this Agreement, as set forth in the administrative services agreement.

2.14 Additional Officers and Employees. The Board shall have the power to authorize such additional officers and assistants as may be appropriate, including retaining one or more administrative service providers for planning, implementing, and administering the CCA Program. Such officers and employees may also be, but are not required to be, officers and employees of the individual Member Agencies.

2.15 Bonding Requirement. The officers or persons who have charge of, handle, or have access to any property of the Authority shall be the members of the Board, the Treasurer, the Executive Director, and any such officers or persons to be designated or empowered by the Board. Each such officer or person shall be required to file an official bond with the Authority in an amount which shall be established by the Board. Should the existing bond or bonds of any such officer be extended to cover the obligations provided herein, said bond shall be the official bond required herein. The premiums on any such bond attributable to the coverage required herein shall be the appropriate expenses of the Authority.

2.16 Audit. The records and accounts of the Authority shall be audited annually by an independent certified public accountant and copies of such audit report shall be filed with the State Controller, and each Member Agency to the Authority no later than fifteen (15) days after receipt of said audit by the Board.

SECTION 3: PARTICIPATION IN AUTHORITY AND IMPLEMENTATION OF CCA PROGRAM

3.1 Participation in Authority. An interested incorporated municipality or county may become a Member Agency of the Authority and a party to this Agreement upon satisfaction of the following:

3.1.1 Adoption of a resolution by the governing body of an incorporated municipality or county requesting participation and an intent to join the Authority;

3.1.2 Adoption of an ordinance required by California Public Utilities Code § 366.2(c)(12) and execution of all necessary CCA Program documents by an incorporated municipality or county;

3.1.3 Adoption by an affirmative vote of the Board of a resolution authorizing participation of the additional incorporated municipality or county;

3.1.4 Payment of a membership payment, if any; and

3.1.5 Satisfaction of any conditions established by the Board.

3.2 Continuing Participation. The Member Agencies acknowledge that participation in the CCA Program may change by the addition or withdrawal or termination of a Member Agency. The Member Agencies agree to participate with additional Member Agencies as may later be added. The Member Agencies also agree that the withdrawal or termination of a Member Agency shall not affect this Agreement or the remaining Member Agencies' continuing obligations under this Agreement.

3.3 Implementation of CCA Program.

3.3.1 Enabling Ordinance. Each Member Agency shall adopt an ordinance in accordance with California Public Utilities Code § 366.2(c)(12) specifying that the Member Agency intends to implement a community choice aggregation program by and through its participation in this Authority.

3.3.2 Implementation Plan. The Authority shall cause to be prepared an implementation plan meeting the requirements of California Public Utilities Code § 366.2 and any applicable regulations of the California Public Utilities Commission ("CPUC"). The Board shall approve the implementation plan prior to it being filed with the CPUC.

3.4 Authority Documents. The Member Agencies acknowledge and agree that the operations of the Authority will be implemented through various program documents and regulatory filings duly adopted by the Board, including, but not limited to, operating rules, an annual budget, and plans and policies related to the provision of the CCA Program. The Member

Agencies agree to abide by and comply with the terms and conditions of all such Authority documents that may be approved or adopted by the Board.

3.5 Termination of CCA Program. Nothing contained in this Agreement shall be construed to limit the discretion of the Authority to terminate the implementation or operation of the CCA Program at any time in accordance with any applicable requirements of state law.

SECTION 4: FINANCIAL PROVISIONS

4.1 Fiscal Year. The Authority's fiscal year shall be twelve (12) months commencing July 1 of each year and ending June 30 of the succeeding year.

4.2 Treasurer. The Treasury of the member agency whose Treasurer is the Treasurer for the Authority shall be the depository for the Authority. The Treasurer of the Authority shall have custody of all funds and shall provide for strict accountability thereof in accordance with California Government Code § 6505.5 and other applicable laws. The Treasurer shall perform all of the duties required in California Government Code § 6505 *et seq.* and all other such duties as may be prescribed by the Board.

4.3 Depository & Accounting. All funds of the Authority shall be held in separate accounts in the name of the Authority and not commingled with the funds of any Member Agency or any other person or entity. Disbursement of such funds during the term of this Agreement shall be accounted for in accordance with generally accepted accounting principles applicable to governmental entities and pursuant to California Government Code § 6505 *et seq.* and other applicable laws. There shall be a strict accountability of all funds. All revenues and expenditures shall be reported to the Board. The books and records of the Authority shall be open to inspection by the Member Agencies at all reasonable times.

4.4 Budget. The Board shall establish the budget for the Authority, and may from time to time amend the budget to incorporate additional income and disbursements that might become available to the Authority for its purposes during a fiscal year.

4.5 Initial Funding of Authority. WRCOG has funded certain activities necessary to implement the CCA Program. If the program becomes operational, these initial costs shall be included in the customer charges for electric services to the extent permitted by law, and WRCOG shall be reimbursed from the payment of such charges by customers of the Authority pursuant to a reimbursement agreement between Authority and WRCOG. Prior to such reimbursement, WRCOG shall provide such documentation of costs paid as the Board may request. The Authority may establish a reasonable time period over which such costs are recovered. In the event the program does not become operational, WRCOG shall not be entitled to any reimbursement of the initial costs.

4.6 No Liability to the Member Agencies. The debts, liabilities, or obligations of the Authority shall not be the debts, liabilities, or obligations of the individual Member Agencies unless the governing board of a Member Agency agrees in writing to assume any of the debts, liabilities, or obligations of the Authority. Notwithstanding Government Code section 895.2, if

the Authority is found to be liable for injury caused by a negligent or wrongful act or omission occurring in the performance of an agreement, no Member Agency is jointly or severally liable for such injury.

SECTION 5: WITHDRAWAL AND TERMINATION

5.1 Right to Withdraw. A Member Agency may withdraw its membership in the Authority, effective as of the beginning of the Authority's fiscal year, by giving no less than 180 days advance written notice of its election to do so, which notice shall be given to the Authority and each Member Agency. Withdrawal of a Member Agency shall require an affirmative vote of the Member Agency's governing board. A Member Agency that withdraws its participation in the Authority pursuant to this subsection may be subject to certain continuing liabilities as described in Section 5.4. The withdrawing Member Agency and the Authority shall execute and deliver all further instruments and documents, and take any further action that may be reasonably necessary, as determined by the Board, to effectuate the orderly withdrawal of such Member Agency.

5.2 Right to Withdraw Prior to Program Launch. After receiving bids from power suppliers, the Authority must provide to the Member Agencies the report from the electrical utility consultant retained by the Authority that compares the total estimated electrical rates that the Authority will be charging to customers as well as the estimated greenhouse gas emissions rate and the amount of estimated renewable energy used with that of the incumbent utility. If the report provides that the Authority is unable to provide total electrical rates, as part of its baseline offering, to the customers that are equal to or lower than the incumbent utility or to provide power in a manner that has a lower greenhouse gas emissions rate or uses more renewable energy than the incumbent utility, a Member Agency may immediately withdraw its membership in the Authority without any financial obligation, as long as the Member Agency provides written notice of its intent to withdraw to the Authority Board no more than thirty (30) days after receiving the report.

5.3 Involuntary Termination. Membership in the Authority may be terminated for material non-compliance with the provisions of this Agreement or any other agreement or Board operating procedure relating to the Member Agency's participation in the CCA Program upon a vote of the Board.

5.4 Continuing Liability. Except as provided by Section 5.2, upon the withdrawal or involuntary termination of a Member Agency, the Member Agency shall remain responsible for any claims, demands, damages, or liabilities arising from the Member Agency's membership or participation in the Authority through the date of its withdrawal or termination. Claims, demands, damages, or liabilities for which a withdrawing or terminated Member Agency may remain liable, include, but are not limited to, losses from the resale of power contracted for by the Authority to serve the Member Agency's load and the administrative costs associated thereto. The Authority may withhold funds otherwise owed to the Member Agency or require the Member Agency to deposit sufficient funds with the Authority, as reasonably determined by the Authority to cover the Member Agency's costs described above. Upon notice by a Member Agency that desire to withdraw from the Authority, the Authority shall notify the Member

Agency of the minimum waiting period under which the Member Agency would have no costs for withdrawal if the Member Agency agrees to stay in for such period. The waiting period will be set to the minimum duration such that there are no costs transferred to remaining ratepayers. If the Member Agency elects to withdraw from the Authority before the end of the minimum waiting period, the charge for exiting shall be set at a dollar amount that would offset the actual costs to the remaining ratepayers served by the Authority, and may not include punitive damages that exceed actual costs.

5.5 Mutual Termination. This Agreement may be terminated by mutual agreement of all the Member Agencies; provided, however, that this subsection shall not be construed as limiting the rights of a Member Agency to withdraw in accordance with Section 5.1.

5.6 Disposition of Authority Assets Upon Termination of Agreement. Upon termination of this Agreement, any surplus money or assets in possession of the Authority for use under this Agreement, after payment of all liabilities, costs, expenses, and charges incurred by the Authority, shall be returned to the then-existing Member Agencies in proportion to the contributions made by each.

SECTION 6: MISCELLANEOUS PROVISIONS

6.1 Dispute Resolution. The Member Agencies and Authority shall make efforts to settle all disputes arising out of or in connection with this Agreement. Before exercising any remedy provided by law, a Member Agency or Member Agencies and the Authority shall engage in nonbinding mediation in the manner agreed to by the Member Agency or Member Agencies and the Authority. In the event that nonbinding mediation does not resolve a dispute within 120 days after the demand for mediation is made, any Member Agency or the Authority may pursue any all remedies provided by law.

6.2 Liability of Directors, Officers, and Employees. The Directors, officers, and employees of the Authority shall use ordinary care and reasonable diligence in the exercise of their powers and in the performance of their duties pursuant to this Agreement. No current or former Director, officer, or employee will be responsible for any act or omission by another Director, officer, or employee. The Authority shall defend, indemnify, and hold harmless the individual current and former Directors, officers, and employees for any acts or omissions in the scope of their employment or duties in the manner provided by California Government Code § 995 *et seq.* Nothing in this section shall be construed to limit the defenses available under the law to the Member Agencies, the Authority, or its Directors, officers, or employees.

6.3 Indemnification. The Authority shall acquire such insurance coverage as the Board deems necessary to protect the interests of the Authority, the Member Agencies, and the Authority's ratepayers. The Authority shall indemnify, defend, and hold harmless the Member Agencies and each of their respective members board or council members, officers, agents, and employees, from any and all claims, losses, damages, costs, injuries, and liabilities of every kind arising directly or indirectly from the conduct, activities, operations, acts, and omissions of the Authority under this Agreement.

6.4 Amendment of Agreement. This Agreement may be amended in writing with the approval of not less than two-thirds (2/3) of a vote of the Member Agencies.

6.5 Assignment. Except as otherwise expressly provided in this Agreement, the rights and duties of the Member Agencies may not be assigned or delegated without the advance written consent of all other Member Agencies. Any attempt to assign or delegate such rights or duties without express written consent shall be null and void. This Agreement shall inure to the benefit of, and shall be binding upon, the successors and assigns of the Member Agencies. This section does not prohibit a Member Agency from entering into an independent agreement with another entity regarding the financing of that Member Agency's contributions to the Authority, or the disposition of proceeds which that Member Agency receives under this Agreement, so long as such independent agreement does not affect, or purport to affect, the rights and duties of the Authority or the Member Agencies under this Agreement.

6.6 Severability. If any part of this Agreement is held, determined, or adjudicated to be illegal, void, or unenforceable by a court of competent jurisdiction, the remainder of this Agreement shall be given effect to the fullest extent reasonably possible.

6.7 Further Assurances. Each Member Agency agrees to execute and deliver all further instruments and documents, and take any further action that may be reasonably necessary to effectuate the purposes of this Agreement.

6.8 Counterparts. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute but one and the same instrument.

6.9 Notices. Any notice authorized or required to be given pursuant to this Agreement shall be validly given if served in writing either personally, by deposit in the United States mail, first class postage prepaid with return receipt requested, or by a recognized courier service. Notices given (a) personally or by courier service shall be conclusively deemed received at the time of delivery and receipt and (b) by mail shall be conclusively deemed given 48 hours after the deposit thereof (excluding Saturdays, Sundays and holidays) if the sender receives the return receipt. All notices shall be addressed to the office of the clerk or secretary of the Authority or Member Agency, as the case may be, or such other person designated in writing by the Authority or Member Agency. Notices given to one Member Agency shall be copied to all other Member Agencies. Notices given to the Authority shall be copied to all Member Agencies.

//

[INSERT SIGNATURE PAGES]

EXHIBIT A
List of Member Agencies

TEMPLATE

**City of Canyon Lake
City Council
Staff Report**

TO: Mayor and City Council

FROM: Aaron Palmer, City Manager

BY: Stephanie Roseen, Deputy City Clerk

DATE: July 18, 2018

SUBJECT: Approval of Resolution No. 2018-20, Re-establishing City Council Committees, Committee Functions, and setting Committee Meeting dates and times, and appointing a primary and alternate member to the Western Community Energy JPA Board

Recommendation:

1. The City Council approve Resolution No. 2018-20, re-establishing City Council Committees, Committee Functions, and setting Committee Meeting dates and times.
2. Review and appoint a primary member and an alternate to the Western Community Energy Joint Powers Authority (JPA) Board.

Background:

Committee Chair Warren and Committee Member Ehrenkranz asked that the Water Subcommittee Meetings be changed to meet on an as needed basis.

All City Council committees, their purposes, and their meeting dates and times are set by resolution of the City Council. In order to amend dates and times, a resolution must be approved by a majority of the City Council.

The City Council reviews and selects committee and agency assignments by a majority vote. The City Clerk's Department has posted a Form 806, so action may be taken by the entire City Council on the appointments as a whole.

The Board of Directors for the Western Community Energy JPA consists of primary member from each Member Agency. Each Member Agency shall appoint one primary and one alternate who shall be authorized to act for a behalf of the Member Agency on matters within the JPA.

Budget (or Fiscal) Impact:

There is no fiscal impact.

Attachments:

1. Resolution No. 2018-20 **Pg. 141**
2. Committee Roster 2018 **Pg. 145**

RESOLUTION NO. 2018-20**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANYON LAKE,
CALIFORNIA, RE-ESTABLISHING CITY COUNCIL COMMITTEES, COMMITTEE
FUNCTIONS, AND SETTING COMMITTEE MEETING DATES AND TIMES**

WHEREAS Section 2.04.040 of the Municipal Code requires that the City Council adopt Rules of Procedure to govern the conduct of its meetings and any of its other functions and activities, and regulations pertaining thereto; and

WHEREAS, with the passage of time, the City has had experience with such activities and therefore wishes to update such functions and activities by updating the City Council Committees, their functions, and meeting dates and times; and

NOW, THEREFORE, the City Council of the City of Canyon Lake does hereby resolve that the City Council Committees, their related functions, and meeting dates and times are revised and adopted as follows:

Section 1. **STANDING COMMITTEES**

1.1 **FINANCE AND PLANNING COMMITTEE:**

There shall be a standing committee of the City Council known as the Finance and Planning Committee. The Committee shall consist of two members who shall be Councilmembers appointed by the City Council. The Finance and Planning Committee shall study matters related to the financial policies of the City, revenues and expenditures, planning, land use, and those duties as prescribed in the Canyon Lake Municipal Code or assigned by the City Council and shall make recommendations to the Council. The Finance and Planning Committee shall meet on the Tuesday prior to the monthly Regular City Council Meeting at 8:00 a.m. in the City Council Chamber at 31516 Railroad Canyon Road, Canyon Lake, CA 92587.

1.2 **PUBLIC WORKS COMMITTEE:**

There shall be a standing committee of the City Council known as the Public Works Committee. The Committee shall consist of two members who shall be Councilmembers appointed by the City Council. The Public Works Committee shall study matters relating to roads, public facilities, street lighting, parks and recreation, and related matters referred to it by the City Council, and shall make recommendations to the Council. The Public Works Committee shall meet on an as needed basis in the City Council Chamber at 31516 Railroad Canyon Road, Canyon Lake, CA 92587.

1.3 **PUBLIC SAFETY COMMITTEE:**

There shall be a standing committee of the City Council known as the Public Safety Committee. The Committee shall consist of two members who shall be Councilmembers appointed by the City Council. The Public Safety Committee shall study matters relating

to law enforcement, fire department, traffic safety, animal control, and related matters referred to it by the City Council, and shall make recommendations to the Council. The Public Safety Committee shall meet on the Tuesday prior to the monthly Regular City Council Meeting at 9:30 a.m., after the Finance and Planning Committee Meeting, in the City Council Chamber at 31516 Railroad Canyon Road, Canyon Lake, CA 92587.

1.4 HEALTH & COMMUNITY COMMITTEE

There shall be a standing committee of the City Council known as the Health & Community Committee. The Committee shall consist of two members who shall be Councilmembers appointed by the City Council. The Committee shall study matters relating to healthy cities and other matters as referred to it by the City Council, and shall make recommendations to the Council as to such matters. The Health and Community Committee shall meet on an as needed basis in the City Council Chamber at 31516 Railroad Canyon Road, Canyon Lake, CA 92587.

1.5 WATER COMMITTEE

There shall be a standing committee of the City Council known as the Water Committee. The Committee shall consist of two members who shall be Councilmembers appointed by the City Council. The Committee shall study matters relating to water issues within the City and Region and such other matters a referred to it by the City Council, and shall make recommendations to the Council as to such matters. The Water Committee shall meet on an as needed basis in the City Council Chamber at 31516 Railroad Canyon Road, Canyon Lake, CA 92587.

1.6 ECONOMIC DEVELOPMENT COMMITTEE

There shall be a standing committee of the City Council known as the Economic Development Committee. The Committee shall consist of two members of the City Council appointed by the Council. This Committee shall study matters regarding redevelopment and economic development within the City and region and related matters referred to it by the City Council and shall make recommendations to the Council regarding such matters. The Economic Development Committee shall meet on an as needed basis in the City Council Chamber at 31516 Railroad Canyon Road, Canyon Lake, CA 92587.

PASSED, APPROVED, and ADOPTED on this 18th day of July, 2018.

Vicki Warren, Mayor

ATTEST:

Stephanie Roseen, Deputy City Clerk

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

I, Stephanie Roseen, Deputy 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. 2018-20 adopted by the City Council of the City of Canyon Lake, California, at an adjourned meeting held on the 18th day of July 2018, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Stephanie Roseen, Deputy City Clerk

2018 Agency and Committee Assignments; and Appointments						
Committee	Per Meeting Stipend	Chair	Member	Meeting Date	Time	Place
Finance & Planning Committee		Greene	Bonner	Tuesday before Regular Council Meeting	8:00 AM	Municipal Building
Public Safety Committee		Bonner	Greene	Tuesday before Regular Council Meeting	9:30 AM	Municipal Building
Public Works Committee		Warren	Ehrenkranz	As Needed		Municipal Building
Water Committee		Warren	Ehrenkranz	As Needed		Municipal Building
Veterans Committee		Warren	Ehrenkranz	As Needed		Municipal Building
Emergency Preparedness Committee		Greene	Borja	As Needed		Municipal Building
Agency		Designee	Alternate	Meeting Date	Time	Place
Lake Elsinore San Jacinto Watersheds Authority (LESJWA)		Warren	Greene	Third Thursday	3:00 PM	EVMWD, 31315 Chaney St, Lake Elsinore
Riverside County Transportation Commission (RCTC)	\$100	Bonner	Warren	Second Wednesday	9:30 AM	4080 Lemon St, Riverside, 1st Floor
Riverside Transit Agency (RTA)	\$150	Haggerty	Bonner	Fourth Thursday	2:00 PM	4080 Lemon St, Riverside, 1st Floor
SCFA - JPA (Animal Friends)	None	Warren	City Manager	As Needed		33751 Mission Trail, Wildomar
Western Riverside Council of Governments (WRCOG) - Executive Committee	\$150	Ehrenkranz	Bonner	First Monday	2:00 PM	4080 Lemon St, Riverside, 1st Floor
Western Riverside County - Regional Conservation Authority (RCA)	\$100	Greene	Warren	First Monday	1:00 PM	4080 Lemon St., 1st Floor, Riverside
Southwest Cities Coalition		Mayor	Mayor Pro Tem	Quarterly	Lunch	Rotates Cities
League of California Cities (Legislative)		Mayor	Mayor Pro Tem			Rotates Cities
Southern California Association of Governments (SCAG)	\$120	Mayor	Mayor Pro Tem			818 West 7th St. 12th Floor, Los Angeles
Murrieta/Temecula Group (Open to anyone)		Haggerty	Warren	First Friday	7:30 AM	Varies
Regional Task Force on Health		Warren	Bonner	As Needed		Murrieta City Hall, 1 Town Square, Murrieta
South Coast Air Quality Management District (SCAQMD)		Mayor	Mayor Pro Tem			21865 Copley Drive, Diamond Bar
Move I-15 Through Temecula Valley Task Force		Warren	Bonner			
Western Community Energy JPA						
Northwest Mosquito and Vector Control District	\$100	Ehrenkranz	Greene	Third Thursday Term Expires 12/15	3:00 PM	1966 Compton Ave., Corona
Appointment by Agency		Member	Member	Meeting Date	Time	Place
Public Entity Risk Management Authority		City Manager	Admin Serv Mgr	6 times per year		Rancho Mirage
Quail Valley Environmental Coalition (501C3)		Warren	Bonner			
County Free Library Advisory Committee		Ginger Harris	Sandra Brautigam	Quarterly, Thursdays	10:00 AM	Rotates Riverside County
League of California Cities Riverside Division		Warren				Rotates Cities/2018

**City of Canyon Lake
City Council
Staff Report**

TO: Honorable Mayor and Members of the City Council

FROM: Aaron Palmer, City Manager

BY: Elizabeth Martin, City Attorney

DATE: July 18, 2018

SUBJECT: Consideration of continuation of UUT by placement of the CANYON LAKE PUBLIC SAFETY AND LOCAL CONTROL CONTINUATION MEASURE on the November 6, 2018 general election ballot

Recommendation:

City Council discretion. Should the City Council decide to seek continuation of the current voter-approved UUT tax without raising tax rates by placing the CANYON LAKE PUBLIC SAFETY AND LOCAL CONTROL CONTINUATION MEASURE on the November 6, 2018 ballot, the Council must take the following actions:

1. Approve Resolution No. 2018-22; ordering the submission to the qualified electors of the City of a measure relating to the continuation without increase of the current Utility Users' Tax (UUT) at the General Election to be held on Tuesday, November 6, 2018, as called by Resolution No. 2018-12.
2. Authorize the City Manager to coordinate the preparation of a statement in favor of the measure with up to five other registered voters of the City, or members of a bona fide association, and the rebuttal to a statement submitted in opposition to the measure, if any.
3. Approve the expenditure of \$40,000 as budgeted for permissible informational mailings to inform residents regarding past and proposed uses of funds from the continuation of the UUT.
4. Confirm that the actions taken are exempt from CEQA.

In the event the City Council determines not to proceed with this Measure, no action is necessary.

Background:

The City Council approved the retention of Fairbank, Maslin, Maullin, Metz & Associates (FM3 Research) to conduct updated public opinion research to identify service priorities and their vision for the City, as well as assess the potential viability of continuing the existing, voter-approved locally-controlled utility users'

tax without an increase in rates until ended by voters. The UUT proceeds are and remain local funds that stay within the community to fund essential community purposes; no funds can be taken by the state.

The UUT approved by the voters in 2014 is a general-purpose tax that may be used for all authorized City purposes. The continuation of the UUT would be at the same rate (3.95%) without increase. Since 2015, when the first UUT funds were received, \$3,158,152 has been received and has been expended to pay for a portion of animal control services as well as to reopen Fire Station 60, fund effective 911 emergency response services and maintain sheriff deputy staffing levels.

Unfortunately, the costs of essential life safety services continue to increase, as presented by the City Manager and the Finance Director during the recent budget review, and as shown in the chart below.

	Police		Fire		Animal Control	
	Amount	% Change	Amount	% Change	Amount	% Change
FY 2012-13	\$1,231,152		\$1,446,629		\$125,714	
FY 2013-14	1,261,368	2.45%	1,353,567	-6.43%	124,847	-0.69%
FY 2014-15	1,403,484	11.27%	1,262,969	-6.69%	133,007	6.54%
FY 2015-16	1,486,677	5.93%	850,050	-32.69%	167,872	26.21%
FY 2016-17	1,542,853	3.78%	1,123,037	32.11%	143,973	-14.24%
FY 2017-18	1,679,080	8.83%	1,457,100	29.75%	197,000	36.83%
FY 2018-19	1,753,720	4.45%	2,230,870	53.10%	141,990	-27.92%
Fiscal years 2017-18 and 2018-19 amounts are budget not actual.						
Fiscal year 2015-16 Fire Station closed and shared with other cities, only nine months.						
Fiscal year 2016-17 Fire Station closed and shared with other cities.						
Fiscal year 2017-18 Fire Station opened.						
Fiscal year 2018-19 Fire Station opened and three men per engine.						

The existing UUT comprises approximately 21% City's general fund budget. If this continuation Measure is approved, all funds will continue to be deposited into the city's general fund. Historically, the largest expenditure from the general fund is the provision of police and fire services.

If the UUT is not extended, the City's financial ability to sustain these local services and maintain and repair vital infrastructure will be significantly eroded.

The recommended spending priorities for a continuation of the tax are the same as those for which the tax has been expended in the past: The locally-controlled continuation measure, if enacted, would continue to generate an estimated \$1 million annually without raising tax rates. Staff would recommend that the revenues be used to continue to maintain life safety services, although such revenues could be used for other general fund purposes. Such life safety services would include:

- Maintaining 911 emergency response times
- Preventing cuts to sheriff's deputies, firefighters and paramedics
- Keeping Canyon Lake Fire Station open

The uses of the UUT revenues collected since 2015 have been audited annually by an independent and outside auditing firm. That audit has shown transparency in the use of such funds.

Input on the use of the funds has come through direct citizen testimony at public meetings as well as through emails, social media posts and other direct communication with City Council members and staff. Such input has included opposition to the tax itself. In the future, the Council may wish to consider formalizing the channels for input regarding the UUT by formation of a Citizens Oversight Committee.

Because of legal constraints, a general-purpose continuation measure cannot be dedicated to specific purposes without triggering a two-thirds voter approval requirement. The draft spending priorities provides a general outline for the uses of the continued revenue, but the actual determination would be done as part of future budget deliberations.

The deadline for the City Council to act on placing this continuation measure on the November 6, 2018 ballot for voter consideration is August 10th. Action by the City Council to place a measure on the November 6th ballot will also result in the preparation of an impartial analysis of the ballot measure by August 20th, the submittal of statements in favor and opposed to the measure to the City Clerk by August 20th, and the submittal of rebuttal arguments to the statements in favor and opposed to the measure by August 30th.

Approval of Resolution No. 2018-22 would place an ordinance before the voters for their consideration to continue the current utility users' tax measure without any increase and with suggested (but not mandated) spending priorities as outlined in this staff report. [Note: Passage of a utility users' tax measure would adopt the ordinance that is a part of this resolution, for inclusion in the Municipal Code] The resolution includes the 75-word title for such a measure (the maximum wording allowable).

Budget (or Fiscal) Impact:

If the City Council places the continuation measure on the ballot, and if voters approve it in November, the continued revenue would be reflected in the annual budget process for community and Council consideration and discussion. If the UUT is not extended, the City's financial ability to sustain these local services and maintain and repair vital infrastructure will be significantly eroded. The cost of adding a measure to the City's November 6, 2018 ballot was not available at the time the agenda was published. Once the cost is made known to staff, it will be reported to the City Council.

Attachments:

1. Resolution No. 2018-22 **Pg. 151**
2. Ordinance No. 177 **Pg. 157**

RESOLUTION NO. 2018-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANYON LAKE, CALIFORNIA, ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY OF A CERTAIN MEASURE RELATING TO THE CONTINUATION WITHOUT INCREASE OF THE CURRENT UTILITY USERS TAX (UUT) AT THE GENERAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2018, AS CALLED BY RESOLUTION NO. 2018-12

WHEREAS, a General Election on Tuesday, November 6, 2018 has been called by Resolution No. 2018-12, adopted on June 6, 2018, and

WHEREAS, pursuant to Elections Code Section 9222, the City Council may submit to the qualified electors of the City, without a petition therefor, a proposition by ordinance; and

WHEREAS, a general tax measure imposed for general governmental purposes, such as this Ordinance, is required to be approved by at least a two-thirds vote of the City Council; and

WHEREAS, pursuant to Govt. Code Section 53723, the City Council desires to submit to the voters at the election a question relating to the continuation without increase of the Utility Users Tax (UUT) in the amount and on the same terms and conditions as previously approved by the voters on November 4, 2014, and as set forth in proposed Ordinance No. 177;

WHEREAS, the City provides 911 emergency response and paramedic services with the locally-controlled UUT funding; and

WHEREAS, the community continues to indicate that life and public safety services, keeping City spending transparent, and local control of City resources and services are top priorities; and

WHEREAS, continued funding is essential to continuing public safety and timely emergency response; and

WHEREAS, this measure simply continues without increase previous voter-approved local funding which may be used for the same purposes; and

WHEREAS, continuing voter-approved locally-controlled funding that cannot be taken by the State is critical to maintaining public safety and quality of life; and

WHEREAS, a review of the uses of the UUT approved in 2014 shows that it has been utilized to keep the Canyon Lake Fire Station open, maintain emergency response times, and pay for law enforcement staffing; and

WHEREAS, the draft spending priorities (but not requirements) for this continuation measure include maintaining life safety services and 911 emergency response times, preventing cuts to sheriff's deputies, firefighters and paramedics, keeping Canyon Lake Fire Station open and other essential services;

WHEREAS, this measure continues to require strict accountability including independent financial audits; and

WHEREAS, transparency, citizen oversight and public review are provided by direct communication with City Council members and staff at a variety of noticed public meetings; and

WHEREAS, these fiscal accountability safeguards continue to ensure funds are used efficiently, effectively and as promised to voters.

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

SECTION 1. That the City Council, pursuant to its right and authority, does order submitted to the voters at the General Municipal Election the following question:

CANYON LAKE PUBLIC SAFETY AND LOCAL CONTROL

CONTINUATION MEASURE. To continue life safety services/911 emergency response times; preserve local control; prevent cuts to sheriff's deputies, firefighters/paramedics; keep Canyon Lake Fire Station open; and other essential City services, shall Ordinance No. 177 be adopted continuing the existing, voter-approved 3.95% utility users' tax providing \$1,000,000 annually until ended by voters, continuing to require independent audits, all funds used for Canyon Lake, with no tax rate increase?

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SECTION 2. That the text of the "Canyon Lake Public Safety and Local Control Continuation Measure" to be submitted to the voters of the City is attached as Exhibit "A" and dated as of July 18, 2018. The City Clerk shall maintain a copy of the Measure and the proposed Ordinance and shall make the same available for public inspection upon request.

SECTION 3. That pursuant to Section 10403 of the Elections Code, the City Council hereby requests the Registrar of Voters of the County of Riverside to consolidate the ballot measure with the general election to be on November 6, 2018.

SECTION 4. That the City Council authorizes election expenses to be paid to the County upon presentation of a properly approved bill.

SECTION 5. That the City Clerk is hereby directed to file this resolution with the Registrar of Voters, the election official of the County of Riverside, on or before August 10, 2018.

SECTION 6. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 7. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 8. That in accordance with Elections Code sections 9282(b) and 9283, arguments for or against the measure, not exceeding 300 words in length and signed by no more than five (5) persons, may be submitted to the City Clerk prior to August 20, 2018 at 5:00 p.m. That the City Council authorizes the Mayor, in conjunction with up to four (4) other registered voters of the City, to file a written argument in favor of or against the Measure and submit it to the City Clerk no later than August 20, 2018, after which no arguments for or against the Measure may be submitted to the City Clerk.

SECTION 9. That in accordance with Elections Code section 9285, rebuttal arguments, not exceeding 250 words and signed by no more than five (5) persons, may be submitted to the City Clerk prior to August 30, 2018 at 5:00 p.m.

SECTION 10. That in accordance with Elections Code section 9280, the City Attorney is directed to file with the City Clerk an impartial analysis of the measure, not to exceed 500 words, showing the effect of the measure on the existing law and the operation of the measure, prior to August 20, 2018 at 5:00 p.m.

SECTION 11. That during the period commencing August 21, 2018 and ending August 30, 2018 the City Clerk shall make available for public inspection the arguments filed for or against the Measure as well as the impartial analysis.

SECTION 12. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

SECTION 13. That this Resolution shall take effect upon its adoption.

PASSED, APPROVED, and ADOPTED on this 18th day of July 2018.

Vicki Warren, Mayor

ATTEST:

Stephanie Roseen, Deputy City Clerk

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

I, Stephanie Roseen, Deputy 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. 2018-22 adopted by the City Council of the City of Canyon Lake, California, at an adjourned regular meeting held on the 18th day of July 2018, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Stephanie Roseen, Deputy City Clerk

ORDINANCE NO. 177

**AN ORDINANCE OF THE VOTERS OF THE CITY OF CANYON LAKE
READOPTING CHAPTER 3.26 OF THE CANYON LAKE MUNICIPAL CODE
TO CONTINUE THE LEVY OF A UTILITY USERS' TAX FOR GENERAL
PURPOSES ON THE SAME TERMS AND CONDITIONS UNTIL REPEALED
BY THE VOTERS AND PROVIDING FOR THE COLLECTION AND
ADMINISTRATION THEREOF**

The voters of the City of Canyon Lake do ordain as follows:

Section 1. Chapter 3.26 of the Canyon Lake Municipal Code is readopted to read as follows:

CHAPTER 3.26 UTILITY USERS' TAX

Section 3.26.010	Title and Purpose
Section 3.26.020	Definitions
Section 3.26.030	Exemptions
Section 3.26.040	Telecommunications users' tax
Section 3.26.050	Video users' tax
Section 3.26.060	Gas users' tax
Section 3.26.070	Electricity users' tax
Section 3.26.080	Solid waste collection and disposal users' tax
Section 3.26.090	Water users' tax
Section 3.26.100	Sewer users' tax
Section 3.26.110	Bundling taxable items with non-taxable items
Section 3.26.120	Duty to collect—Procedures
Section 3.26.130	Collection penalties—Service suppliers
Section 3.26.140	Actions to collect
Section 3.26.150	Deficiency determination and assessment—Tax application errors
Section 3.26.160	Administrative remedy—Non-paying service users
Section 3.26.170	Additional powers and duties of the tax administrator
Section 3.26.180	Records
Section 3.26.190	Refunds
Section 3.26.200	Appeals
Section 3.26.210	Notice of changes to ordinance
Section 3.26.220	Effect of state and federal reference—Authorization
Section 3.26.230	Independent audit
Section 3.26.240	Effective date
Section 3.26.250	Remedies cumulative

3.26.010 Title and Purpose. This chapter shall be known as the "Canyon Lake Utility Users' Tax." The purpose of this chapter is as follows:

(a) The City of Canyon Lake must maintain its status as a viable, independent City to protect the interests of its constituents and maintain local authority and control over land use issues;

(b) Unless the City continues its status as an independent, self-governing City, the residents could lose local authority over land use issues and the residents do not wish to cede these important policy decisions to County officials who may not be as familiar with these issues;

(c) Residents prefer that the Canyon Lake Fire Station remain open with some level of service;

(d) The City of Canyon Lake wishes to maintain services the community has identified as priorities, including effective 911 services, maintaining sheriff deputy staffing levels, and keeping Railroad Canyon Road in good condition;

(e) The City requires locally-controlled funds for local needs—the funds generated by the Canyon Lake Public Safety and Local Control Continuation Measure cannot be seized by Sacramento politicians and can be only spent on our community's needs; and

(f) The continued utility user tax will include published independent annual audits, no tax increase without voter approval, and expires when terminated by voters.

3.26.020 Definitions.

The following words and phrases whenever used in this chapter shall be construed as defined in this section.

"800 service" means a telecommunications service that allows a caller to dial a toll-free number without incurring a charge for the call. The service is typically marketed under the name "800," "855," "866," "877" or "888" toll-free calling, and any subsequent numbers designated by the Federal Communications Commission.

"900 service" means an inbound toll telecommunications service purchased by a subscriber that allows the subscriber's customers to call in to the subscriber's prerecorded announcement or live service. "900 service" does not include the charge for: collection services provided by the seller of the telecommunications services to the subscriber, or service or product sold by the subscriber to the subscriber's customer. The service is typically marketed under the name "900" service, and any subsequent numbers designated by the Federal Communications Commission.

"Ancillary telecommunication services" mean services that are associated with or incidental to the provision, use or enjoyment of telecommunications services, including but not limited to the following services:

1. "Conference bridging service" which means an ancillary service that links two or more participants of an audio or video conference call and may include the provision of a telephone number. Conference bridging service does not include the telecommunications services used to reach the conference bridge.

2. "Detailed telecommunications billing service" which means an ancillary service of separately stating information pertaining to individual calls on a customer's billing statement.

3. "Directory assistance" which means an ancillary service of providing telephone number information, and/or address information.

4. "Vertical service" which means an ancillary service that is offered in connection with one or more telecommunications services, which offers advanced calling features that allow customers to identify callers and to manage multiple calls and call connections, including conference bridging services.

5. "Voice mail service" which means an ancillary service that enables the customer to store, send or receive recorded messages. Voice mail service does not include any vertical services that the customer may be required to have in order to utilize the voice mail service.

"Ancillary video services" mean services that are associated with or incidental to the provision or delivery of video services, including but not limited to electronic program guide services, search functions, recording services, or other interactive services or communications that are associated with or incidental to the provision, use or enjoyment of video services.

"Billing address" means the mailing address of the service user where the service supplier submits invoices or bills for payment by the customer.

"City" means the City of Canyon Lake.

"Cogenerator" means any person employing cogeneration (as defined in Section 218.5 of the California Public Utilities Code) for producing power for the generation of electricity for sale to others from a qualified cogeneration facility (as defined in the Federal Public Utility Regulatory Policies Act of 1978 and regulations thereunder). As used herein, "cogenerator" does not mean a person employing clean energy cogeneration only for personal use.

"Days" as used here means calendar days.

"Electrical corporation" means any organization, municipality or agency engaged in the selling or supplying of electrical power to a service user.

"Electricity service provider" means any entity or person that provides electricity service to a service user within the City.

"Exempt wholesale generator" has the meaning and usage as set forth in the Federal Power Act (15 U.S.C. Section 79z-5a) and the regulations established therewith as those may be amended from time to time.

"Gas" means natural or manufactured gas or any alternate hydrocarbon fuel that may be substituted therefore.

"Gas service provider" means any entity or person that provides gas to a service user within the City.

"Mobile telecommunications service" means the meaning and usage as set forth in the Mobile Telecommunications Sourcing Act (4 U.S.C. Section 124) and the regulations established therewith, as those may be amended from time to time.

"Month" means a calendar month.

"Non-utility service supplier" means the following:

1. A service supplier, other than a provider of electric distribution services to all or a significant portion of the City that generates electricity for sale to others, including, but not limited to, any publicly-owned electric utility, investor-owned utility, co-generator, exempt wholesale generator, municipal utility district, federal power marketing agency, electric rural cooperative, or other supplier or seller of electricity.

2. An electric service provider (ESP), electricity broker, marketer, aggregator, pool, operator, or other electricity supplier other than a provider of electric distribution services to all or a significant portion of the City that sells or supplies electricity or supplemental services to electricity users within the City.

3. A gas service supplier, aggregator, marketer or broker, other than a provider of gas distribution services to all or a significant portion of the City that sells or supplies gas or supplemental services to gas users within the City.

"Paging service" means a telecommunications service that provides transmission of coded radio signals for the purpose of activating specific pagers; such transmissions may include messages and/or sounds.

"Person" means, without limitation, any natural individual, firm, trust, common law trust, estate, partnership of any kind, association, syndicate, club, joint stock company, joint venture, limited liability company, corporation (including foreign, domestic, and non-profit), municipal district or municipal corporation (other than the City) cooperative, receiver, trustee, guardian, or other representative appointed by order of any court.

"Place of primary use" generally means the street address where the customer's use of a taxable service primarily occurs, which may be the residential street address, the primary business street address of the customer, or the Service address as defined below.

"Post-paid telecommunication service" means the telecommunication service obtained by making a payment on a telecommunication -by- telecommunication basis either through the use of a payment mechanism such as a bank card, travel card, credit card, or debit card, or by charge made to a service number which is not associated with the origination or termination of the telecommunication service.

"Prepaid telecommunication service" means the right to access telecommunication services, which must be paid for in advance and which enables the origination of telecommunications using an access number or authorization code, whether manually or electronically dialed, and that is sold in predetermined units or dollars of which the number declines with use in a known amount.

"Private telecommunication service" means a telecommunication service that entitles the customer to exclusive or priority use of a telecommunications channel or group of channels between or among termination points, regardless of the manner in which such channel or channels are connected, and includes switching capacity, extension lines, stations, and any other associated services that are provided in connection with the use of such channel or channels. A telecommunications channel is a physical or virtual path of telecommunications over which signals are transmitted between or among customer channel termination points (i.e., the location where the customer either inputs or receives the telecommunications).

"Refuse" is a comprehensive term meaning any putrescible and non-putrescible solid waste, except sewage, whether combustible or noncombustible and includes garbage and rubbish as well as otherwise recyclable materials placed for collection by the Refuse collector. "Garbage" as used in this chapter includes all waste accumulations of animal, fruit, vegetable or other matter that attends or results from the preparation, use, cooking, processing, dealing in or storage of food, meat, fish, fowl, fruits or vegetables, including the same or parts thereof. "Rubbish" as used in this chapter includes all waste matter other than garbage, soil, or rock material.

“Refuse collector” means the City’s authorized agent for such collection.

“Service address” means any of the following:

1. The location of the service user's equipment from which the taxable service originates or terminates, regardless of where the service is billed or paid.
2. If the location of the service user's equipment from which the taxable service originates or terminates is unknown (e.g., mobile telecommunications service or VoIP service), the service address means the location of the service user's place of primary use.
3. For prepaid telecommunication service, "service address" means the location associated with the service number.
4. For refuse collection and disposal, "service address" means the location of the service user's place of primary use.

"Service supplier" means any entity or person, that provides telecommunication, video, gas, electrical, water, sewer or refuse collection and disposal service to a user of such service within the City.

"Service user" means a person required to pay a tax imposed under the provisions of this chapter.

“Sewer service” means any entity or person, public or private, that provides sewer service to a service user within the City.

"Tax administrator" means the City Manager or his or her designee.

"Telecommunication services" means the transmission, conveyance, or routing of voice, data, audio, video, or any other information or signals to a point, or between or among points, whatever the technology used, and including broadband services (e.g., T-I, digital subscriber line (EDSL) fiber optic, coaxial cable, and wireless broadband, including Wi-Fi, WiMAX, and Wireless MESH) to the extent federal and/or state law permits taxation of such broadband services, now or in the future. The term “telecommunications services” includes such transmission, conveyance, or routing in which computer processing applications are used to act on the form, code or protocol of the content for purposes of transmission, conveyance or routing without regard to whether such services are referred to as voice over Internet Protocol (VoIP) services or are classified by the Federal Communications Commission as enhanced or value added, and includes video and/or data services that are functionally integrated with telecommunication services. Telecommunications services include, but are not limited to, the following services, regardless of the manner or basis on which such services are calculated or billed: Ancillary telecommunication services; mobile telecommunications service; prepaid telecommunication service; post-paid telecommunication service; private telecommunication service; paging service; 800 service (or any other toll-free numbers designated by the Federal Communications Commission); 900 service (or any other similar numbers designated by the Federal Communications Commission for services whereby subscribers call in to pre-recorded or live service).

"Video programming" means those programming services commonly provided to subscribers by a "video service supplier" including but not limited to basic services, premium services, audio services, video games, pay-per-view services, video on demand, origination programming, or any other similar services, regardless of the content of such

video programming, or the technology used to deliver such services, and regardless of the manner or basis on which such services are calculated or billed.

"Video services" mean video programming and any and all services related to the providing, recording, delivering, use or enjoyment of video programming (including origination programming and programming using Internet Protocol, e.g., IP-TV and IP-Video) using one or more channels by a "video service supplier," regardless of the technology used to deliver, store or provide such services, and regardless of the manner or basis on which such services are calculated or billed, and includes ancillary video services, data services, telecommunication services, or interactive communication services that are functionally integrated with video services.

"Video service supplier" means any person or service that provides or sells one or more channels of video programming, or provides or sells the capability to receive one or more channels of video programming, including any telecommunications that are ancillary, necessary or common to the provision, use or enjoyment of the video programming, to or from a business or residential address in the City, where some fee is paid, whether directly or included in dues or rental charges for that service, whether or not public rights-of-way are utilized in the delivery of the video programming or telecommunications. A "video service supplier" includes, but is not limited to, multi-channel video programming distributors (as defined in 47 U.S.C.A. Section 522(13); open video systems (OVS) suppliers; and suppliers of cable television; master antenna television; satellite master antenna television; multi-channel multipoint distribution services (MMDS); video services using Internet Protocol (e.g., IP-TV and IP-Video, which provide, among other things, broadcasting and video on demand), direct broadcast satellite to the extent federal law permits taxation of its video services, now or in the future; and other suppliers of video services (including two-way communications), whatever their technology.

"VoIP (Voice over Internet Protocol)" means the digital process of making and receiving real-time voice transmissions over any Internet Protocol network.

"Water service" means any entity or person, public or private, that provides sewer and related wastewater disposal service to a service user within the City.

3.26.030 Exemptions.

(a) Consistency with State and Federal Law. Nothing in this chapter shall be construed as imposing a tax upon any person or service when the imposition of such tax upon such person or service would be in violation of a federal or state statute, the Constitution of the United States or the Constitution of the state of California. Any service user who has been exempted under this subsection shall comply with the notification requirements of subsection (k) of this section if any change in fact or circumstance disqualifies the individual from receiving this exemption.

(b) The City. Nothing in this chapter shall be construed as imposing a tax upon the City.

(c) Exemption Application. Any service user that is exempt pursuant to subsection (a) of this section from any tax imposed by this chapter shall file an application with the tax administrator for an exemption; provided, however, this requirement shall not apply to a service user that is a state or federal agency. Said application shall be made upon a form approved by the tax administrator and shall state those facts, declared under penalty of perjury, which qualify the applicant for an exemption, and shall include the names of all service suppliers serving that service user.

(d) Application Processing. The application shall be approved or denied by the tax administrator within seventy-five days of receipt.

(e) Notice to Service Supplier. If the application is approved, the tax administrator shall promptly notify the service user's service suppliers stating the name of the service user, the address to which such exempt service is being supplied, the account number, if any, and such other information as may be necessary for the service supplier to remove the exempt service user from its tax billing procedure.

(f) Discontinuance of Tax. Upon receipt of the notice of service user exemption, the service supplier shall within sixty days discontinue billing the service user for taxes imposed by this chapter.

(g) Duration of Exemption. All exemptions under this section shall continue and be renewed automatically by the tax administrator for as long as the requisite facts supporting the initial qualification for exemption shall continue. The exemption shall automatically terminate with any change in service address or residence of the exempt individual. The individual may apply for a new exemption with each change of service address or residence. The tax administrator shall have the power and right to demand evidence of continued eligibility. Failure to provide such evidence as is within the control of a service user to provide may be the basis for immediate discontinuance of the service user's eligibility for exemption under this section.

(h) Denial—Appeal. If the tax administrator determines that an application for exemption is faulty, that the applicant has failed to truthfully set forth facts, or that the facts do not support the application for exemption, the application shall be denied in writing to the applicant. The applicant shall thereafter have a right to file an amended application, or to appeal the tax administrator's decision to the City Council within a ten-day period after the mailing date of the tax administrator's notification.

(i) Duty to Disclose Disqualification—Investigation. Any service user who has been exempted under this section shall notify the City within ten days of any change in facts or circumstance that might disqualify the person from receiving such exemption. Any service supplier that determines by any means that a new or nonexempt service user is receiving service through a meter or connection exempt by virtue of an exemption issued to a previous user or exempt user of the same meter or connection, shall immediately notify the tax administrator of such fact and the tax administrator shall conduct an investigation to ascertain whether or not the provisions of this section have been complied with, and when appropriate, order the service supplier to commence collecting the tax from the nonexempt service user.

(j) Penalty. It shall be a misdemeanor for any person to knowingly receive the benefit of the exemption provided by this section when the basis for such exemption does not exist or ceases to exist.

(k) Exemption List. Upon request of the tax administrator, a service supplier, or its billing agent, shall provide a list of the names and addresses of those service users that, according to its billing records, are deemed exempt from the taxes imposed by this chapter.

3.26.040 Telecommunications users' tax.

(a) Establishment of Telecommunications Users' Tax. There is hereby imposed a tax upon every person in the City using telecommunication services. The tax imposed by this

section shall be at the rate of 3.95% of the charges made for such services and shall be collected from the service user by the telecommunication services supplier or its billing agent. There is a rebuttable presumption that telecommunication services, which are billed to a billing or service address in the City, are used, in whole or in part, within the City's boundaries, and such services are subject to taxation under this chapter. If the billing address of the service user is different from the service address, the service address of the service user shall be used for purposes of imposing the tax. As used in this section, the term "charges" shall include the value of any other services, credits, property of every kind or nature, or other consideration provided by the service user in exchange for the telecommunication services.

(b) Substantial Nexus and Minimum Contacts. For purposes of imposing a tax or establishing a duty to collect and remit a tax under this section, "substantial nexus" and "minimum contacts" shall be construed broadly in favor of the imposition, collection and/or remittance of the tax to the fullest extent permitted by state and federal law, and as it may change from time to time by judicial interpretation or by statutory enactment.

(c) Sourcing Rules. Mobile telecommunications service shall be sourced in accordance with the sourcing rules set forth in the Mobile Telecommunications Sourcing Act (4 U.S.C. Section 124). The tax administrator may issue and disseminate to telecommunication service suppliers that are subject to the tax collection requirements of this chapter, sourcing rules for the taxation of other telecommunication services, including but not limited to post-paid telecommunication services, prepaid telecommunication services, and private telecommunication services, provided that such rules are based upon custom and common practice that further administrative efficiency and minimize multi-jurisdictional taxation.

(d) Authority for Administrative Rulings. The tax administrator may, from time to time, issue and disseminate to telecommunication service suppliers that are subject to the tax collection requirements of this section an administrative ruling identifying those communication services that are subject to the tax of subsection (a) above. This administrative ruling shall be consistent with legal nexus rules, regulations, and laws pertaining to telecommunication services. To the extent that the tax administrator determines that the tax imposed under this section shall not be collected in full for any period of time, such a determination falls within the tax administrator's discretion to settle disputes. The tax administrator's exercise of forbearance under this subsection does not constitute a change in taxing methodology for purposes of Government Code Section 53750, and the City does not waive or abrogate its ability to impose the Telecommunication Users' Tax in full.

(e) Specific Inclusions in Telecommunication Services. As used in this section, the term "telecommunication services" shall include, but are not limited to, charges for the following: connection, reconnection, termination, movement, or change of telecommunication services; late payment fees; detailed billing; central office and custom calling features (including but not limited to call waiting, call forwarding, caller identification and three-way calling); voice mail and other messaging services; directory assistance; access and line charges; universal service charges; regulatory, administrative and other cost recovery charges; local number portability charges; and text and instant messaging.

(f) Specific Exclusions from Telecommunications Services. As used in this section, the term "telecommunication services" shall not include digital downloads that are not "ancillary telecommunication services," such as music, ringtones, games, and similar digital products. Telecommunication services shall not include telecommunication services that are dedicated to or used exclusively for internet access.

(g) Exemptions. The following shall be exempt from the tax imposed by this section:

1. State and Local Governments. Charges for services or facilities furnished to the government of any state, or any political subdivision thereof, or the District of Columbia.

2. Installation. The installation of any instrument, wire, pole, switchboard, apparatus or equipment as is properly attributable to such installation.

(h) Multi-Jurisdictional Taxation. To prevent actual multi-jurisdictional taxation of telecommunication services subject to tax under this section, any service user, upon proof to the tax administrator that the service user has previously paid the same tax in another state or local jurisdiction on such telecommunication services, shall be allowed a credit against the tax imposed to the extent of the amount of such tax legally imposed in such other state or local jurisdiction; provided, however, the amount of credit shall not exceed the tax owed to the City under this section.

(i) Collection of Telecommunication Users' Tax. The telecommunication users' tax imposed by this section shall be collected from the service user by the service supplier. The amount of tax collected in one month shall be remitted to the tax administrator, and must be received by the tax administrator on or before the twentieth day of the following month.

3.26.050 Video users' tax.

(a) Establishment of Video Users' Tax. There is hereby imposed a tax upon every person in the City using video services. The tax imposed by this section shall be at the rate of 3.95% of the charges made for such services and shall be collected from the service user by the video service supplier or its billing agent. There is a rebuttable presumption that video services that are billed to a billing or service address in the City are used, in whole or in part, within the City's boundaries, and such services are subject to taxation under this chapter. If the billing address of the service user is different from the service address, the service address of the service user shall be used for purposes of imposing the tax.

(b) Video Charges. As used in this section, the term "charges" shall include, but is not limited to, charges for the following:

1. Regulatory fees and surcharges, franchise fees, and access fees (e.g., "PEG" fees), whether designated on the customer's bill or not.

2. Initial installation of equipment necessary for provision and receipt of video services.

3. Late fees, collection fees, bad debt recoveries, and return check fees.

4. Activation fees, reactivation fees, and reconnection fees.

5. Video programming and video services.

6. Ancillary video services (e.g., electronic program guide services, recording functions, search functions, or other interactive services or communications that are ancillary, necessary or common to the use or enjoyment of video services).

7. Equipment leases (e.g., remote, recording or search devices, converters, remote devices).

8. Service calls, service protection plans, name changes, changes of services, and special services.

9. The leasing of channel access (e.g., home shopping) to the extent that the service user is subject to an additional direct or indirect charge for programming or communications over the leased channel; provided that, in the absence of evidence of direct payment by the service user, the indirect payment of the service user(s), which is subject to the utility users tax, shall be deemed to be the lease payment to the video service supplier by the party leasing the channel access.

(c) Charges Further Defined. As used in this section, the term "charges" shall include the value of any other services, credits, property of every kind or nature, or other consideration provided by the service user in exchange for the video services.

(d) Survey of Video Service Suppliers—Authority for Administrative Rulings. The tax administrator shall, from time to time, survey the video service suppliers in the City to identify the various components of the video service that are being offered to customers within the City, and the charges therefor. The tax administrator may, thereafter, issue and disseminate to such video service suppliers an administrative ruling identifying those components: (1) that are necessary or common to the receipt, use and enjoyment of video services; or (2) which currently are, or historically have been, included in a bundled rate for video service by a local distribution company. Charges for such components shall be subject to the tax of subsection (a) above.

(e) Collection of Video Users' Tax. The tax imposed by this section shall be collected from the service user by the video service supplier, its billing agent, or a reseller of such services. In the case of video service, the service user shall be deemed to be the purchaser of the bulk video service (e.g., an apartment owner), unless such service is resold to individual users, in which case the service user shall be the ultimate purchaser of the video service. The amount of tax collected in one month shall be remitted to the tax administrator, and must be received by the tax administrator on or before the twentieth day of the following month.

3.26.060 Gas users' tax.

(a) Establishment of Gas Users' Tax. There is hereby imposed a tax upon every person in the City using gas that is delivered through a pipeline distribution system. The tax imposed by this section shall be at the rate of 3.95% of the charges made for such gas, including all services related to the storage, transportation and delivery of such gas.

(b) Gas Charges. As used in this section, the term "charges" shall include, but is not limited to, the following charges:

1. The commodity charges for purchased gas, or the cost of gas owned by the service user (including the actual costs attributed to drilling, production, lifting, storage, gathering, trunk-line, pipeline, and other operating costs associated with the production and delivery of such gas), which is delivered through a gas pipeline distribution.

2. Gas transportation charges (including interstate charges to the extent not included in commodity charges).

3. Storage charges; provided, however, that the service supplier shall not be required to apply the tax to any charges for gas storage services when the service supplier cannot, as a practical matter, determine the jurisdiction where such stored gas is ultimately used.

4. Capacity or demand charges, late charges, service establishment or reestablishment charges, transition charges, customer charges, minimum charges, annual and monthly charges, and any other charges, which are necessary or common to the receipt, use and enjoyment of gas service.

5. Charges, fees, or surcharges for gas services or programs, which are mandated by the California Public Utilities Commission or the Federal Energy Regulatory Commission, whether or not such charges, fees, or surcharges appear on a bundled or line item basis on the customer billing,

(c) Gas Charges Further Defined. As used in this section, the term "charges" shall include the value of any other services, credits, property of every kind or nature, or other consideration provided by the service user in exchange for the gas or services related to the delivery of such gas.

(d) Exclusions. There shall be excluded from the base on which the tax imposed in this section is computed:

1. Charges made for gas that is to be resold and delivered through a pipeline distribution system or by mobile vehicle transport.

2. Charges made for gas sold for use in the generation of electrical energy by an electric corporation, by a public utility or governmental agency, or by an exempt wholesale generator.

3. Charges made by a gas public utility for gas used and consumed in the conduct of the business of gas public utilities.

4. Charges made for gas used in the propulsion of a motor vehicle, as defined in the California Vehicle Code, utilizing natural gas and other natural gas clean-air technologies.

5. Charges made for gas used by a non-utility service supplier to generate electricity for its own use or for sale to others provided the electricity so generated is subject to the electricity users' tax in accordance with Section 3.26.070 below.

6. Propane purchased by a user for personal or household use.

(e) Survey of Gas Service Suppliers; Authority for Administrative Rulings. The tax administrator shall, from time to time, survey the gas service suppliers in the City to identify the various unbundled billing components of the gas retail service that are being offered to customers within the City, and the charges therefore, including those items that are mandated by state or federal regulatory agencies as a condition of providing such gas service. The tax administrator may, thereafter, issue and disseminate to such gas service suppliers an administrative ruling identifying those components and items that are: (1) necessary or common to the receipt, use and enjoyment of gas service; or (2) currently, or historically have been, included in a single or bundled rate for gas service by a local distribution company to a class of retail customers. Unbundled charges for such components and items shall be subject to the tax of subsection (a) above.

(f) Collection of Gas Users' Tax. Taxes on charges for gas imposed by this section shall be collected from the service user by the gas service supplier or its billing agent. The amount of tax collected in one month shall be remitted to the tax administrator, and must be received by the tax administrator, on or before the twentieth day of the following month; or, at the option of the person required to collect and/or remit the tax, such person shall remit an estimated amount of tax measured by the tax billed in the previous month or upon the payment pattern of the service user, which must be received by the tax administrator on or before the twentieth day of the following month.

3.26.070 Electricity users' tax.

(a) Establishment of Electricity Users' Tax. There is hereby imposed a tax upon every person in the City using electricity. The tax imposed by this section shall be at the rate of 3.95% of the charges made for such electricity, and for any supplemental services or other associated activities directly related to and/or necessary for the provision of electricity to the service users that are provided by a service supplier or non-utility service supplier to a service user.

(b) Electricity Charges. As used in this section, the term "charges" shall include, but is not limited to, the following charges:

1. Energy charges.
2. Distribution or transmission charges.
3. Metering charges.
4. Stand-by, reserves, firming, ramping, voltage support, regulation, emergency or other similar minimum charges for services.
5. Customer charges, service establishment or reestablishment charges, demand charges, fuel or other cost adjustments, power exchange charges, independent system operator charges, stranded investment or competitive transition charges, trust transfer amounts, bond financing charges, franchise fees, franchise surcharges, which are necessary or common to the receipt, use and enjoyment of electric service.
6. Charges, fees, or surcharges for electric services or programs, which are mandated by the California Public Utilities Commission or the Federal Energy Regulatory Commission, whether or not such charges, fees, or surcharges appear on a bundled or line item basis on the customer billing.

(c) Electricity Charges Further Defined. As used in this section, the term "charges" shall include the value of any other services, credits, property of every kind or nature, or other consideration provided by the service user in exchange for the electricity or services related to the provision of such electricity.

(d) Using Electricity Further Defined. As used in this section, the term "using electricity" shall not be construed to mean the storage of electrical energy by a person in a battery that said person owns or possesses for use in an automobile or other machinery or device apart from the premises upon which the electricity was received; provided, however, the term shall include the receiving of such electricity for the purpose of using it in the charging of batteries; nor shall the term include the mere receiving of such electricity by an electrical corporation or governmental agency at a point within the City for resale.

(e) **Survey of Electricity Service Suppliers—Authority for Administrative Rulings.** The tax administrator shall, from time to time, survey the electric service suppliers in the City to identify the various unbundled billing components of the electric retail service that are being offered to customers within the City, and the charges therefore, including those items that are mandated by state or federal regulatory agencies as a condition of providing such electric service. The tax administrator may, thereafter, issue and disseminate to such electric service suppliers an administrative ruling identifying those components and items that are: (1) necessary or common to the receipt, use and enjoyment of electric service; or (2) currently, or historically have been, included in a single or bundled rate for electric service by a local distribution company to a class of retail customers. Unbundled charges for such components and items shall be subject to the tax of subsection (a) above.

(f) **Collection of Electricity Users' Tax.** The tax on electricity that is provided by a non-utility service supplier not subject to the jurisdiction of this section shall be collected and remitted in the manner set forth in this chapter, including but not limited to, Sections 3.26.120 et seq. All other taxes on charges for electricity imposed by this section shall be collected from the service user by the electric service supplier or its billing agent. The amount of tax collected in one month shall be remitted to the tax administrator, and must be received by the tax administrator, on or before the twentieth day of the following month; or, at the option of the person required to collect and/or remit the tax, such person shall remit an estimated amount of tax measured by the tax billed in the previous month or upon the payment pattern of the service user, which must be received by the tax administrator on or before the twentieth day of the following month.

(g) **Tax on Co-generated Electricity.** Notwithstanding and in addition to the provisions of this Section 3.26.070, and except as set out here or otherwise provided by state or federal law, there is hereby imposed a tax upon every person using cogenerated electricity in the City to the extent such cogenerated electricity is not clean energy generated only for personal use or included within electricity provide by the service provider. The tax imposed by this section shall be at the rate of 3.95% of the actual charges made for such service and shall be collected from the service user by the co-generator/non-utility supplier. In addition to the tax provided in this section, the service user shall pay a tax on all charges for supplemental services as described in subsections (b) and (c) of Section 3.26.070.

1. **Metering System.** The co-generator shall install and maintain an appropriate metering system that will enable compliance with this section.

2. **Collection of Tax.** The amount of tax collected in one month shall be remitted to the tax administrator, and must be received by the tax administrator, on or before the twentieth day of the following month; or, at the option of the person required to collect and/or remit the tax, such person shall remit an estimated amount of tax measured by the tax billed in the previous month or upon the payment pattern of the service user, which must be received by the tax administrator on or before the twentieth day of the following month. The tax on cogenerated electricity provided by a non-utility supplier not under the jurisdiction of this chapter shall be collected and remitted in the manner set forth herein.

3.26.080 Solid waste collection and disposal users' tax.

(a) **Establishment of Solid Waste Users' Tax.** There is hereby imposed a tax upon every person in the City using refuse collection and disposal services provided by the refuse collector. The tax imposed by this section shall be at the rate of 3.95% of the total fee imposed for the collection and disposal of refuse (including any franchise fee component) and shall be in addition to and not a replacement of said fee.

(b) Rulings. The tax administrator shall, from time to time, survey all refuse collectors in the City to identify the various billing components of the refuse collection and disposal service that is being offered to customers within the City, and the charges therefore, including those items that are mandated by state or federal regulatory agencies. The tax administrator may, thereafter, issue and disseminate to service suppliers an administrative ruling identifying those components and items that are necessary or common to the receipt, use and enjoyment of refuse collection and disposal service. Charges for such components and items shall be subject to the tax of subsection (a) above.

(c) Collection of Tax. The tax upon every person in the City using refuse collection and disposal services provided by any refuse collector, may be collected and remitted in addition to and in the same manner as the City's franchise fee for the collection and disposal of refuse entered into pursuant to a franchise agreement authorized by Chapter 6.01 of this Code or in another manner determined by the tax administrator.

3.26.090 Water users' tax

(a) There is imposed a tax upon every person using water in the city which is transported and delivered through a pipeline distribution system. The tax imposed by this section shall be at the rate of 3.95% of the charges made for such water.

(b) As used in this section, the term "charges" shall apply to all services, components and items that are: (i) necessary for or common to the receipt, use or enjoyment of water service; or (ii) currently are or historically have been included in a single or bundled rate for water service by a local distribution company to a class of retail customers. The term "charges" shall include, but is not limited to, the following charges:

1. Water commodity charges (potable and non-potable);
2. Distribution or transmission charges;
3. Metering charges;
4. Customer charges, late charges, service establishment or reestablishment charges, bond financing payments, franchise fees, franchise surcharges, annual and monthly charges, and other charges, fees and surcharges which are necessary for or common to the receipt, use or enjoyment of water service; and
5. Charges, fees, or surcharges for water services or programs, which are mandated by a water district or a state or federal agency, whether or not such charges, fees, or surcharges appear on a bundled or line item basis on the customer billing.
6. Recycled water charges.

(c) As used in this section, the term "charges" shall include the value of any other services, credits, property of every kind or nature, or other consideration provided by the service user in exchange for the water services.

(d) The tax administrator, from time to time, may survey the water service suppliers in the City to identify the various unbundled billing components of water retail service that they commonly provide to residential and commercial/industrial customers in the city, and the charges therefor, including those items that are mandated by a water district or a state or federal agency as a condition of providing such water service. The tax administrator, thereafter, may

issue and disseminate to such water service suppliers an administrative ruling identifying those components and items which are: (1) necessary for or common to the receipt, use or enjoyment of water service; or (2) currently are or historically have been included in a single or bundled rate for water service by a local distribution company to a class of retail customers. Charges for such components and items shall be subject to the tax of subsection (a) of this section.

(e) There shall be excluded from the base on which the tax imposed in this section is computed charges made for wholesale water which is to be resold and delivered through a pipeline distribution system; and charges made by a public water district for water which it uses for the conduct of its business.

(f) The tax on water service imposed by this section shall be collected from the service user by the water service supplier or its billing agent. The amount of tax collected in one month shall be remitted to the tax administrator, and must be received by the tax administrator, on or before the twentieth day of the following month; or, at the option of the person required to collect and/or remit the tax, such person shall remit an estimated amount of tax measured by the tax billed in the previous month or upon the payment pattern of the service user, which must be received by the tax administrator on or before the twentieth day of the following month.

3.26.100 Sewer users' tax

(a) There is hereby imposed a tax upon every person in the city using sewer services within the city. The tax imposed by this section shall be at the rate of 3.95% of the charges made for such sewer service. The tax shall be paid by the person using such sewer service.

(b) As used in this section, the term "charges" shall apply to all services, components and items that are: (i) necessary for or common to the receipt, use or enjoyment of sewer service; or (ii) currently are or historically have been included in a single or bundled rate for sewer service to retail customers. The term "charges" shall include, but is not limited to, the following charges:

1. Customer charges, late charges, service establishment or reestablishment charges, annual and monthly charges, bond financing payments and other charges, fees and surcharges which are necessary for or common to the receipt, use or enjoyment of sewer service; and

2. Charges, fees, or surcharges for sewer services or programs, which are mandated by the city, a state, or federal agency, whether or not such charges, fees, or surcharges appear on a bundled or line item basis on the customer billing.

(c) The tax on sewer service imposed by this section shall be collected from the service user by the sewer service supplier or its billing agent. The amount of tax collected in one month shall be remitted to the tax administrator, and must be received by the tax administrator, on or before the twentieth day of the following month; or, at the option of the person required to collect and/or remit the tax, such person shall remit an estimated amount of tax measured by the tax billed in the previous month or upon the payment pattern of the service user, which must be received by the tax administrator on or before the twentieth day of the following month.

3.26.110 Bundling taxable items with non-taxable items.

If any nontaxable charges are combined with and not separately stated from taxable service charges on the customer bill or invoice of a service supplier, the combined charge is

subject to tax unless the service supplier identifies, by reasonable and verifiable standards, the portions of the combined charge that are nontaxable and taxable through the service supplier's books and records kept in the regular course of business, and in accordance with generally accepted accounting principles, and not created and maintained for tax purposes. The service supplier has the burden of proving the proper apportionment of taxable and non-taxable charges. If the service supplier offers a combination of taxable and non-taxable services, and the charges are separately stated, then for taxation purposes, the values assigned the taxable and non-taxable services shall be based on its books and records kept in the regular course of business and in accordance with generally accepted accounting principles, and not created and maintained for tax purposes. The service supplier has the burden of proving the proper valuation of the taxable and non-taxable services.

3.26.120 Duty to collect—Procedures.

(a) Manner of Collection by Service Suppliers. The duty of service suppliers to collect and remit the taxes imposed by the provisions of this chapter shall be performed as follows:

1. The tax shall be collected by service suppliers insofar as practicable at the same time as, and along with, the collection of the charges made in accordance with the regular billing practice of the service supplier. Where the amount paid by a service user to a service supplier is less than the full amount of the charge and tax which was accrued for the billing period, a proportionate share of both the charge and the tax shall be deemed to have been paid. In those cases where a service user has notified the service supplier of refusal to pay the tax imposed on said charges, Section 3.26.160 shall apply.

2. The duty of a service supplier to collect the tax from a service user shall commence with the beginning of the first regular billing period applicable to the service user where all charges normally included in such regular billing are subject to the provisions of this chapter. Where a service user receives more than one billing, one or more being for different periods than another, the duty to collect shall arise separately for each billing period.

(b) Filing Return and Payment. Each person required by this chapter to remit a tax shall file a return to the tax administrator, on forms approved by the tax administrator, on or before the due date. The full amount of the tax collected shall be included with the return and filed with the tax administrator. The tax administrator is authorized to require such additional information as he or she deems necessary to determine if the tax is being levied, collected, and remitted in accordance with this chapter. Returns are due immediately upon cessation of business for any reason. Pursuant to Revenue and Tax Code Section 7284.6, the tax administrator, and its agents, shall maintain such filing returns as confidential information that is exempt from the disclosure provisions of the Public Records Act.

3.26.130 Collection penalties—service suppliers.

(a) Due Date for Taxes—Delinquencies. Taxes collected from a service user are delinquent if not received by the tax administrator on or before the due date. Should the due date occur on a weekend or legal holiday, the return must be received by the tax administrator on the first regular working day following the weekend or legal holiday. A direct deposit, including electronic fund transfers and other similar methods of electronically exchanging monies between financial accounts, made by a service supplier in satisfaction of its obligations under this subsection shall be considered timely if the transfer is initiated on or before the due date, and the transfer settles into the City's account on the following business day.

(b) Failure to Collect or Remit. If the person required to collect and/or remit a tax imposed pursuant to this chapter fails to collect the tax (by failing to properly assess the tax on one or more services or charges on the customer's billing) or fails to remit the tax collected on or before the due date, the tax administrator shall attach a penalty for such delinquencies or deficiencies at the rate of fifteen percent (15%) of the total tax that is delinquent or deficient in the remittance, and shall charge simple interest at the rate of 9% per year, or any fraction thereof, on the amount of the tax, exclusive of penalties, from the date on which the remittance first became delinquent, until paid.

(c) Penalties for Fraud or Gross Negligence in Reporting or Remitting. The tax administrator shall have the power to impose additional penalties upon persons required to collect and remit taxes pursuant to the provisions of this chapter for fraud or gross negligence in reporting or remitting at the additional rate of fifteen percent (15%) of the amount of the tax collected and/or required to be remitted, or as recomputed by the tax administrator.

(d) Penalties Due as Tax. For collection purposes only, every penalty imposed and such interest that is accrued under the provisions of this section shall become a part of the tax herein required to be paid.

(e) Authority to Modify Due Dates. Notwithstanding the foregoing, the tax administrator may, in his or her discretion, modify the due dates of this chapter to be consistent with any uniform standards or procedures that are mutually agreed upon by other public agencies imposing a utility user's tax, or otherwise legally established, to create a central payment location or mechanism.

3.26.140 Actions to collect.

Any tax required to be paid by a service user under the provisions of this chapter shall be deemed a debt owed by the service user to the City. Any such tax collected from a service user which has not been remitted to the tax administrator shall be deemed a debt owed to the City by the person required to collect and remit and shall no longer be a debt of the service user. Any person owing money to the City under the provisions of this chapter shall be liable in an action brought in the name of the City for the recovery of such amount, including penalties and interest as provided for in this chapter, along with any collection costs incurred by the City as a result of the person's noncompliance with this chapter, including, but not limited to, reasonable attorneys' fees. Any tax required to be collected by a service supplier or owed by a service user is an unsecured priority excise tax obligation under 11 U.S.C.A. Section 507(a)(8)(C).

3.26.150 Deficiency determination and assessment—Tax application errors.

(a) Tax Deficiency Determinations. The tax administrator shall make a deficiency determination if he or she determines that any service user or service supplier required to pay or collect taxes pursuant to the provisions of this chapter has failed to pay, collect, and/or remit the proper amount of tax by improperly applying or by failing to apply the tax to one or more taxable services or charges. Nothing herein shall require that the tax administrator institute proceedings under this section if, in the opinion of the tax administrator, the cost of collection or enforcement likely outweighs the tax benefit.

(b) Notice of Deficiency. The tax administrator shall mail a notice of such deficiency determination to the person or entity allegedly owing the tax, which notice shall refer briefly to the amount of the taxes owed, plus simple interest at the rate of 9% per year, or any fraction thereof, on the amount of the tax from the date on which the tax should have been received by the City. Within fourteen days after the date of service of such notice, the person or entity allegedly owing the tax may request in writing to the tax administrator a hearing on the matter.

(c) Hearing on Deficiency. If the person or entity allegedly owing the tax fails to request a hearing within the prescribed time period, the amount of the deficiency determination shall become a final assessment, and shall immediately be due and owing to the City. If such person or entity requests a hearing, the tax administrator shall cause the matter to be set for hearing, which shall be scheduled within thirty days after receipt of the written request for hearing. Notice of the time and place of the hearing shall be mailed by the tax administrator to such person at least ten days prior to the hearing, and, if the tax administrator desires said person to produce specific records at such hearing, such notice may designate the records requested to be produced.

(d) Determination after Hearing. At the time fixed for the hearing, the tax administrator shall hear all relevant testimony and evidence, including that of any other interested parties. At the discretion of the tax administrator, the hearing may be continued from time to time for the purpose of allowing the presentation of additional evidence. Within a reasonable time following the conclusion of the hearing, the tax administrator shall issue a final assessment (or non-assessment), thereafter, by confirming, modifying or rejecting the original deficiency determination, and shall mail a copy of such final assessment to person or entity owing the tax. The decision of the tax administrator may be appealed pursuant to Section 3.26.200 of this chapter and such an appeal and a final decision thereon is a prerequisite to a suit thereon.

(e) Delinquencies. Payment of the final assessment shall become delinquent if not received by the tax administrator on or before the thirtieth day following the date of receipt of the notice of final assessment. The penalty for delinquency shall be fifteen percent (15%) on the total amount of the assessment, along with simple interest at the rate of 9% percent per year, or any fraction thereof, on the amount of the tax, exclusive of penalties, from the date of delinquency, until paid. The applicable statute of limitations regarding a claim by the City seeking payment of a tax assessed under this chapter shall commence from the date of delinquency as provided in this subsection.

(f) Notice of Delinquency. All notices under this section may be sent by regular mail, first class, postage prepaid, and shall be deemed received on the third calendar day following the date of mailing, as established by a proof of mailing.

3.26.160 Administrative remedy—Non-paying service users.

(a) Administrative Remedies for the Obligation to Collect Tax. Whenever the tax administrator determines that a service user has deliberately withheld the amount of the tax owed by the service user from the amounts remitted to a person required to collect the tax, or whenever the tax administrator deems it in the best interest of the City, he or she may relieve such person of the obligation to collect the taxes due under this chapter from certain named service users for specific billing periods. To the extent the service user has failed to pay the amount of tax owed for a period of two or more billing periods, the service supplier may be so relieved of the obligation to collect taxes due. The service supplier shall provide the City with the names and addresses of such service users and the amounts of taxes owed under the provisions of this chapter. Nothing herein shall require that the tax administrator institute proceedings under this section if, in the opinion of the tax administrator, the cost of collection or enforcement likely outweighs the tax benefit.

(b) **Delinquency Penalty.** In addition to the tax owed, the service user shall pay all penalties and interest due under Section 3.26.130 (b) as well as the delinquency penalty set out in Section 3.26.130 (c), on the amount of the tax, from the due date, until paid, as well as any and all costs of collection.

(c) **Notice to Non-Paying Service User.** The tax administrator shall notify the non-paying service user that the tax administrator has assumed the responsibility to collect the taxes due for the stated periods and demand payment of such taxes, including penalties and interest. The notice shall be served on the service user by personal delivery or by deposit of the notice in the United States mail, first class, postage prepaid, addressed to the service user at the address to which billing was made by the person required to collect the tax; should the service user have a change of address, notice shall be sent to his or her last known address.

(d) **Additional Penalties.** If the service user fails to remit the tax to the tax administrator within thirty days from the date of the service of the notice upon him or her, the tax administrator may impose an additional penalty of fifteen percent (15%) of the amount of the total tax that is owed.

3.26.170 Additional powers and duties of the tax administrator.

(a) **Enforcement by Tax Administrator.** The tax administrator shall have the power and duty, and is hereby directed, to enforce each and all of the provisions of this chapter.

(b) **Administrative Regulations Regarding Payment.** The tax administrator may adopt administrative rules and regulations consistent with provisions of this chapter for the purpose of interpreting, clarifying, carrying out and enforcing the payment, collection and remittance of the taxes herein imposed. The administrative ruling shall not impose a new tax, revise an existing tax methodology as stated in this section, or increase an existing tax, except as allowed by California Government Code Section 53750. A copy of such administrative rules and regulations shall be on file in the tax administrator's office. To the extent that the tax administrator determines that the tax imposed under this chapter shall not be collected in full for any period of time from any particular service supplier or service user, that determination shall be considered an exercise of the tax administrator's discretion to settle disputes and shall not constitute a change in taxing methodology for purposes of Government Code Section 53750 or otherwise. The tax administrator is not authorized to amend the City's methodology for purposes of Government Code Section 53750 and the City does not waive or abrogate its ability to impose any tax established by this chapter in full as a result of promulgating administrative rulings or entering into agreements.

(c) **Administrative Agreements Regarding Billing Procedures.** Upon a proper showing of good cause, the tax administrator may make administrative agreements, with appropriate conditions, to vary from the strict requirements of this chapter and thereby: (1) conform to the billing procedures of a particular service supplier so long as said agreements result in the collection of the tax in conformance with the general purpose and scope of this chapter; or (2) to avoid a hardship where the administrative costs of collection and remittance greatly outweigh the tax benefit. A copy of each such agreement shall be on file in the tax administrator's office, and are voidable by the tax administrator or the City Council at any time.

(d) **Compliance Audits.** The tax administrator may conduct an audit, to ensure proper compliance with the requirements of this chapter, of any person required to collect and/or remit a tax pursuant to this chapter. The tax administrator shall notify said person of the initiation of an audit in writing. In the absence of fraud or other intentional misconduct, the audit period of review shall not exceed a period of three years next preceding the date of receipt of the written notice by said person from the tax administrator. Upon completion of

the audit, the tax administrator may make a deficiency determination pursuant to subsection (a) of Section 3.26.150 of this chapter for all taxes (and applicable penalties and interest) owed and not paid, as evidenced by information provided by such person to the tax administrator. If said person is unable or unwilling to provide sufficient records to enable the tax administrator to verify compliance with this chapter, the tax administrator is authorized to make a reasonable estimate of the deficiency. Said reasonable estimate shall be entitled to a rebuttable presumption of correctness.

(e) **Extension of Time.** Upon receipt of a written request of a taxpayer, and for good cause, the tax administrator may extend the time for filing any statement required pursuant to this chapter for a period of not to exceed forty-five days, provided that the time for filing the required statement has not already passed when the request is received. No penalty for delinquent payment shall accrue by reason of such extension. Interest shall accrue during said extension at the rate of 9% per year, prorated for any portion thereof.

(f) **Eligibility for Exemption.** The tax administrator shall determine the eligibility of any person who asserts a right to exemption from, or a refund of, the tax imposed by this chapter.

(g) **Waiver of Penalties and Interest.** Notwithstanding any provision in this chapter to the contrary, the tax administrator may waive any penalty or interest imposed upon a person required to collect and/or remit for failure to collect the tax imposed by this chapter if the non-collection occurred in good faith. In determining whether the non-collection was in good faith, the tax administrator shall take into consideration industry practice or other precedence.

3.26.180 Records.

(a) **Retention of Necessary Tax Records.** It shall be the duty of every person required to collect and/or remit to the City any tax imposed by this chapter to keep and preserve, for a period of at least three years, all records as may be necessary to determine the amount of such tax as he/she may have been liable for the collection of and remittance to the tax administrator, which records the tax administrator shall have the right to inspect at a reasonable time.

(b) **Administrative Subpoenas.** The City may issue an administrative subpoena to compel a person to deliver to the tax administrator copies of all records deemed necessary by the tax administrator to establish compliance with this chapter, including the delivery of records in a common electronic format on readily available media if such records are kept electronically by the person in the usual and ordinary course of business. As an alternative to delivering the subpoenaed records to the tax administrator on or before the due date provided in the administrative subpoena, such person may provide access to such records outside the City on or before the due date, provided that such person shall reimburse the City for all reasonable travel expenses incurred by the City to inspect those records, including travel, lodging, meals, and other similar expenses, but excluding the normal salary or hourly wages of those persons designated by the City to conduct the inspection.

(c) **Non-Disclosure Agreements.** The tax administrator is authorized to execute a non-disclosure agreement approved by the City Attorney to protect the confidentiality of customer information pursuant to California Revenue and Tax Code Sections 7284.6 and 7284.7.

(d) **Use of Billing Agents.** If a service supplier uses a billing agent or billing aggregator to bill, collect, and/or remit the tax, the service supplier shall: (1) provide to the tax administrator the name, address and telephone number of each billing agent and billing aggregator currently authorized by the service supplier to bill, collect, and/or remit the tax to the City; and (2) upon request of the tax administrator, deliver, or effect the delivery of, any

information or records in the possession of such billing agent or billing aggregator that, in the opinion of the tax administrator, is necessary to verify the proper application, calculation, collection and/or remittance of such tax to the City.

(e) **Access to Necessary Records.** If any person subject to record-keeping under this section unreasonably denies the tax administrator access to such records, or fails to produce the information requested in an administrative subpoena within the time specified, then the tax administrator may impose a penalty of five hundred dollars on such person for each day following: (1) the initial date that the person refuses to provide such access; or (2) the due date for production of records as set forth in the administrative subpoena. This penalty shall be in addition to any other penalty imposed under this chapter.

3.26.190 Refunds.

Whenever the amount of any tax has been overpaid or paid more than once or has been erroneously or illegally collected or received by the tax administrator under this chapter from a person or service supplier, it may be refunded as provided in this section as follows:

(a) **Refund Application.** Any individual entitled to be exempt from the taxes imposed by this chapter, who paid more than \$3.00 in such taxes, may, during the twelve-month period following such payment, apply for a refund thereof on forms provided by the tax administrator. Refund applications shall contain a declaration of those facts, under oath, which qualify the applicant for a refund, and shall be accompanied by the customer's bills showing the amount of such taxes billed by the service supplier during the preceding calendar year. Refund claims may be filed by an individual who used the services and paid the taxes prescribed by this chapter either directly or indirectly to the service user rather than the service supplier. In the event the applicant has lost or destroyed any relevant billings or statements showing the amount of tax paid, or if the applicant indirectly paid such taxes in conjunction with the occupation of premises without receiving a specific billing therefor from the service user, the maximum refund shall be twenty-five dollars, or two dollars for each full month of services received by the applicant, whichever is less.

(b) **Written Claim for Refund.** No refund shall be paid under the provisions of this section unless the claimant or his or her guardian, conservator, executor, or administrator has submitted a written claim to the tax administrator within one year of the overpayment or erroneous or illegal collection of said tax. To be timely, such claim must clearly establish claimant's right to the refund by written records showing entitlement thereto. Nothing herein shall permit the filing of a claim on behalf of a class or group of taxpayers unless each member of the class has submitted a written claim under penalty of perjury as provided by this subsection or as otherwise allowed by law.

(c) **Compliance with Claims Act.** The filing of a written claim pursuant to Government Code Section 935 is a prerequisite to any suit thereon. Any action brought against the City pursuant to this section shall be subject to the provisions of Government Code Sections 945.6 and 946. The City Manager or City Council shall act upon the refund claim within the time period set forth in Government Code Sections 912.4 et seq. If the City Manager or City Council fails or refuses to act on a refund claim within the time prescribed by Government Section 912.4, the claim shall be deemed to have been rejected by the City council on the last day of the period within which the City council was required to act upon the claim as provided in Government Code Section 912.4. The tax administrator shall give notice of the action in a form which substantially complies with that set forth in Government Code Section 913.

(d) Refunds to Service Suppliers. The tax administrator may, at his or her discretion, give written permission to a service supplier, who has collected and remitted any amount of tax in excess of the amount of tax imposed by this chapter, to claim credit for such overpayment against the amount of tax which is due the City upon a subsequent monthly return to the tax administrator, provided that: (1) such credit is claimed in a return dated no later than one year from the date of overpayment or erroneous collection of said tax; (2) the tax administrator is satisfied that the underlying basis and amount of such credit has been reasonably established; and (3) in the case of an overpayment by a service user to the service supplier that has been remitted to the City, the tax administrator has received proof, to his or her satisfaction, that the overpayment has been refunded by the service supplier to the service user in an amount equal to the requested credit.

(e) Overpayments as Credits. Notwithstanding subsections (a) through (c) above, a service supplier shall be entitled to take any overpayment as a credit against an underpayment whenever such overpayment has been received by the City within the three years next preceding a deficiency determination or assessment by the tax administrator in connection with an audit instituted by the tax administrator pursuant to subsection (d) of Section 3.26.170. A service supplier shall not be entitled to such credit unless it clearly establishes the right to the credit by written records showing entitlement thereto. Under no circumstances shall an overpayment taken as a credit against an underpayment pursuant to this subsection qualify a service supplier for a refund to which it would not otherwise be entitled under the one-year written claim requirement of this section.

3.26.200 Appeals.

(a) Administrative Appeals. The provisions of this section apply to any decision (other than a decision related to an exemption determination pursuant to Section 3.26.030 of this chapter or a decision relating to a refund pursuant to Section 3.26.190 of this chapter). Any person otherwise aggrieved by any decision, deficiency determination, assessment, or administrative ruling of the tax administrator, shall be required to comply with the appeals procedure of this section. Compliance with this section shall be a prerequisite to a suit thereon. (See Government Code Section 935(b).) Nothing herein shall permit the filing of a claim or action on behalf of a class or group of taxpayers except as otherwise provided by law.

(b) Appeal of Tax Administrator's Decision. If any person is aggrieved by any such decision, deficiency determination, assessment, or administrative ruling of the tax administrator, he or she may appeal by filing a notice of appeal with the City Clerk within fourteen days of the date of the decision, deficiency determination, assessment, or administrative ruling of the tax administrator which aggrieved said person.

(c) Scheduling of Administrative Appeal Hearing. The matter shall be scheduled for hearing before an independent hearing officer selected by the City Manager, no more than thirty days from the receipt of the appeal. The appellant shall be served with notice of the time and place of the hearing, as well as any relevant materials, at least five calendar days prior to the hearing. The hearing may be continued from time to time upon mutual consent. At the time of the hearing, the appealing party, the tax administrator, and any other interested person may present such relevant evidence as he or she may have relating to the determination from which the appeal is taken.

(d) Notice of Decision. Based upon the submission of such evidence and the review of the City's files, the hearing officer shall issue a written notice and order upholding, modifying or reversing the determination from which the appeal is taken. The notice shall be given within fourteen days after the conclusion of the hearing and shall state the reasons for the

decision. The notice shall specify that the decision is final and that any petition for judicial review shall be filed within ninety days from the date of the decision in accordance with Code of Civil Procedure Section 1094.6.

(e) Manner of Notice. All notices under this section may be sent by regular first class mail, postage prepaid, and shall be deemed received on the third calendar day following the date of mailing, as established by a proof of mailing.

3.26.210 Notice of changes to ordinance.

If a tax under this chapter is added repealed, increased, reduced, or the tax base is changed, the tax administrator shall follow the notice requirements of California Public Utilities Code Section 799 for notification to service providers.

3.26.220 Effect of state and federal reference—Authorization.

Unless specifically provided otherwise, any reference to a state or federal statute in this chapter shall mean such statute as it may be amended from time to time, provided that such reference to a statute herein shall not include any subsequent amendment thereto, or to any subsequent change of interpretation thereto by a state or federal agency or court of law with the duty to interpret such law, to the extent that such amendment or change of interpretation would require voter approval under California law, or to the extent that such change would result in a tax decrease (as a result of excluding all or a part of a communication service, or charge therefore, from taxation). Only to the extent voter approval would otherwise be required or a tax decrease would result, the prior version of the statute (or interpretation) shall remain applicable; for any application or situation that would not require voter approval or result in a decrease of a tax, provisions of the amended statute (or new interpretation) shall be applicable to the maximum possible extent.

To the extent that the City's authorization to collect or impose any tax imposed under this chapter is expanded or limited as a result of changes in state or federal law, no amendment or modification of this chapter shall be required to conform the tax to those changes, and the tax shall be imposed and collected to the full extent of the authorization up to the full amount of the tax imposed under this chapter.

3.26.230 Independent audit.

The City shall annually verify that the taxes owed under this chapter have been properly applied, exempted, collected, and remitted in accordance with this chapter, and properly expended according to applicable law. The annual verification shall be performed by a qualified, independent third party, and the review shall employ reasonable, cost-effective steps to assure compliance, including the use of sampling audits.

3.26.240 Effective date.

Service providers shall continue to collect the tax imposed by this Chapter as soon as feasible after the effective date of the ordinance codified in this chapter, but in no event later than January 1, 2021.

3.26.250 Remedies cumulative.

All remedies and penalties prescribed by this chapter or which are available under any other provision of law or equity, including but not limited to the City's Municipal Code, the California False Claims Act (Government Code Section 12650 et seq.) and the California

Unfair Practices Act (Business and Professions Code Section 17070 et seq.), are cumulative. The use of one or more remedies by the City shall not bar the use of any other remedy for the purpose of enforcing the provisions of this chapter.

Section 2. Savings Clause; Severability.

The provisions of this Chapter shall not apply to any person, or to any property as to whom or which it is beyond the power of the City to impose the tax herein provided. If any provision, sentence, clause, section or part of this Chapter is found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall affect only such provision, sentence, clause, section or part of this Chapter and shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Chapter. It is hereby declared to be the intention of the voters that this section would have been adopted had such unconstitutional, illegal or invalid provision, sentence, clause, section or part thereof not been included herein.

Section 3. Effective Date and Term.

This ordinance shall take effect upon the termination of Ordinance No. 156 and shall continue until revised or repealed by the voters.

**City of Canyon Lake
City Council
Staff Report**

TO: Mayor and City Council

FROM: Aaron Palmer, City Manager

BY: Stephanie Roseen, Deputy City Clerk

DATE: July 18, 2018

SUBJECT: Resolution No. 2018-18 Approving Annual Rate Adjustment and Confirmation of Collection of Residential Solid Waste Charges on the Tax Rolls

Recommendation:

Conduct a public hearing and adopt Resolution No. 2018-18 approving the annual rate adjustment for all solid waste services and placement of residential solid waste fees on the tax roll for collection for the 2018-2019 fiscal year.

Background:

A public hearing was noticed before the City Council on July 6, 2018 to review documentation from CR&R, the franchise holder, for the annual rate adjustment for solid waste fees. The rates are recommended to the City by CR&R based upon their actual costs for service, which include adjustments for the Consumer Price Index (CPI) and Landfill costs. The franchise agreement requires that CR&R annually provide evidence of the CPI adjustment to the City Manager for review and approval.

Since Canyon Lake has mandatory trash collection, the City Council adopted an ordinance which allowed these fees to be collected on the property tax roll for residential services. Tax roll collection minimizes delinquencies and thus helps keep rates down.

As provided in the contract with CR&R, there are automatic pass through components for service (CPI) and landfill (disposal) costs. The June 11, 2018 letter from J. Alex Braicovich of CR&R and 2018 Annual Price Adjustment reflect an increase of .59 cents per month for CPI and an increase in the Riverside County Landfill component of .18 cents per month for a total increase of .77 cents per month; from \$22.35 to \$23.12 a month for residential standard service.

Similarly, for commercial, industrial and multi-family residential refuse service, the typical three cubic yard bin will increase by \$3.92 from \$125.67 to 129.59 per month. These are minimum increases which will help defray the increased cost of operations and maintain the level of service.

Also, the residential organic AD rate will increase by .07 cents from \$1.95 to \$2.02 per month.

Budget (or Fiscal) Impact:

Revenue Neutral – this is a pass-through rate

Attachments:

1. Resolution No. 2018-18 **Pg. 183**
2. Letter from CR&R dated June 11, 2018 **Pg. 187**
3. Notice of Public Hearing **Pg. 197**

RESOLUTION NO. 2018-18

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANYON LAKE INCREASING
AND SETTING SOLID WASTE COLLECTION RATES FOR THE 2018-2019 FISCAL YEAR
AND PROVIDING FOR COLLECTION OF RESIDENTIAL SERVICE ON THE PROPERTY
TAX ROLL**

WHEREAS, pursuant to the provisions of State law, including but not limited to Health & Safety Code Sections 5470 et seq., the City of Canyon Lake may adopt and implement fees and charges to cover the cost of collection of solid waste within the City and, when adopted, may collect such fees for residential service on the property tax rolls; and

WHEREAS, because of increased costs, the City's franchise hauler has informed the City that such fees must be increased by \$0.77 per month per single family residence pursuant to the cost of living provision to the franchise, which residential rates are collected on the property tax rolls; and

WHEREAS, because of rate correction going forward, the City's franchise hauler has informed the city that effective July 1st there will be a \$3.92 per month for commercial, industrial and multi-family residential refuse service, and has provided a report explaining the reasons for such increase, which report has been on file at the City office, which rates are not collected on the property tax rolls and which increase is prospective only and does not recoup any past fee amounts; and

WHEREAS, the proposed increased fees are set out on Exhibit "C", attached and incorporated hereto; and

WHEREAS, the City has published notice of the amount and collection of such residential fees on the property tax roll in the same manner, at the same time and subject to the same penalties as property taxes; and

WHEREAS, as additional information for such tax roll collection, a written report of prospective solid waste collection fees for the fiscal year 2018-2019 has been prepared and filed with the City Clerk; and

WHEREAS, on July 18, 2018, the City Council conducted a duly noticed public hearing and heard all comments/protests regarding both fee increases; and

WHEREAS, the City Council finds from such reports that the amount of fees is the reasonable cost of service provided, plus direct and indirect overhead; that amounts collected will be used only for immediately available (and not standby) solid waste collection services; that such fees and charges are proportionate to the amount of service received, and that such fees and charges are not for traditional governmental services such as police or libraries; and

WHEREAS, the City Council further finds that this increase in rates is for the purpose of meeting operating expenses, including wage rates and fringe benefits, required for the collection of solid waste within the City pursuant to its existing franchise, and that such action therefore is statutorily exempt from CEQA under Public Resources Code Section 21080 (b) and Section 15273 of the CEQA guidelines; and

**NOW, THEREFORE, THE CITY COUNCIL OF CANYON LAKE RESOLVES AND ORDERS AS
FOLLOWS:**

SECTION 1. RECITALS: The Recitals set out above are true and correct.

SECTION 2. CEQA EXEMPTION: The adoption of fess as set out here is statutorily exempt from CEQA and staff is directed to take all necessary actions to prepare and file a Notice of Exemption.

SECTION 3. FEES DETERMINED: The solid waste collection fees are increased in the amounts set out on Exhibit “C”. Such increase shall be effective on July 1, 2018.

SECTION 4. TAX ROLL COLLECTION: Such residential fees shall be collected on the property tax rolls. The City Clerk is directed to file a certified copy of this resolution and of the report with the County Auditor. The County Auditor is designated and empowered to collect the assessment as set out here as necessary. For purpose of tax roll collection, the fees set forth in the report shall be deemed to constitute special assessments against the respective parcels on which they are levied without regard to property valuation. The Assessment shall be collected at the same time and subject to the same procedures provided for such taxes. All laws applicable to the levy, collection and enforcement of ad valorem property taxes shall be applicable to such assessments, except that if any real property to which such fees or charges relate has been transferred or conveyed to a bona fide purchaser for value, or if a lien of a bona fide encumbrancer for value has been created and attached thereon, prior to the date on which the first installment of such taxes would become delinquent, then the lien which would otherwise be imposed shall not attach to such real property and the fees or charges and interest shall be transferred to the unsecured roll for collection.

PASSED, APPROVED AND ADOPTED the 18th day of July, 2018.

Vicki Warren, Mayor

ATTEST:

Stephanie Roseen, Deputy City Clerk

County of Riverside)ss
City of Canyon Lake)

I, Stephanie Roseen, Deputy City Clerk of the City of Canyon Lake, California, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution No. 2018-18 adopted by the City Council of the City of Canyon Lake, California, at an adjourned meeting thereof, held on July 18, 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Stephanie Roseen, Deputy City Clerk



June 11, 2018

Mr. Aaron Palmer
City Manager
City of Canyon Lake
31532 Railroad Canyon Road
Suite 101/103
Canyon Lake, CA 92587

Re: Annual Consumer Price Index Rate Adjustment

Dear Aaron,

Pursuant to our current agreement to provide Solid Waste and Recycling Services to the City of Canyon Lake, CR&R Incorporated respectfully submits the attached information which outlines our Annual Rate Adjustment request for fiscal year 2018-2019. As provided for in the contract between the City of Canyon Lake and CR&R Incorporated, the rates illustrated in Exhibit "C" shall be adjusted annually to reflect the change in the Consumer Price Index (CPI).

In reviewing the data from the Bureau of Labor Statistics (BLS) for March 2018, the CPI for All Urban Consumers has increased by 2.86% and the CPI for Urban Wage Earners increased by .54%. In addition, the County of Riverside's Waste Management Department has indicated that they will adjust their disposal rate by 3.61% from \$29.08 per ton to \$30.13 per ton. Therefore, based upon the data supplied by both the BLS and the County of Riverside, we have prepared the attached rate schedules which pass these adjustments through to the various rates. We have also prepared a new Exhibit "C" to reflect the incremental increases that will become effective July 1, 2018.

As an example, the new rate for standard residential service will increase from \$22.35 per month to \$23.12 per month; an increase of 3.4% or .77 cents per month. Your typical 3 cubic yard commercial bin will increase from \$125.67 per month to \$129.59 per month; an increase of 3.1% or \$3.92 per month. This commercial rate adjustment includes the correction to the error that was discovered in the current landfill component of your commercial refuse rates. As you know, the error occurred in the fact that your commercial landfill component was not accounting for frequency increases; the formula remained static whether it was a one-time per week service level or a multiple time per week service levels. As a result the landfill components of your commercial rates, for multiple day services, were being understated. We have corrected that issue in this year's commercial landfill components. Moving forward we have also included a correction which includes a three year true up as well. All of these new rates are also reflected in your new Exhibit "C" which is attached for your review.

Lastly, we would also urge you to review a number of Bills that are making their way through the State Legislative process. In particular you may want to review SB 1383 and AB 3178. SB 1383 (Lara) has to do with mandatory organic recycling, short lived climate pollutants and methane emissions. It is currently going through the regulatory process. There are a number of deadlines in the Bill including a 50% reduction of organics from the landfill by 2020 (two short years away) and a 75% reduction of organics from the landfill by 2025. Organics diversion rates will be based on a 2014 waste characterization. We feel that this is a flawed methodology and that the State should wait until a new waste characterization study is completed later this year or possibly next year. There are a number of other educational and operational components that make this Bill very difficult and impractical to implement. The second Bill, AB 3178 (Rubio), is a first step in addressing the impacts of China's new rules in regards to the importation of recycled materials, also known as China Sword. This Bill is attempting to offer California jurisdictions some protection from compliance orders if they are unable to meet diversion mandates due to the fact that recycling markets have been severely reduced as a result of China's actions. This Bill is making its way through the committee process as we speak. These are just two of the many Bills that the legislature is working on which impact our industry and your City in particular.

We sincerely appreciate our long standing relationship with the City of Canyon Lake as well as the opportunity that we have had to be of service to your residents and businesses. It continues to be a privilege to be of service to your City. Please do not hesitate to call if you have any questions or comments. We look forward to any further assistance that we can provide.

Respectfully,



J. Alex Braicovich
Senior Regional Vice President

Attachments

CITY OF CANYON LAKE

EXHIBIT "C"

Schedule of Rates (effective July 1, 2018)

- 2 Fully automated single family residential collection, fully mechanized recycling, composting, transfer and disposal:

Monthly Rate: \$ 23.12

- 3 Fully automated single family residential additional refuse, recycling or composting container:

Monthly Rate Per Container: \$ 9.88

- 4 Single family residential additional bulky item pick up:

Per Pick Up (two items per pick up): \$ 10.47

Residential Organic AD Service \$ 2.02

Additional Food Scrap Pail \$ 7.24

- 5 Commercial, industrial, and multi-family residential refuse monthly bin rates (one 3 cubic yard bin) with the following pick ups per week:

1 x week	\$ 129.59
2 x week	\$ 258.01
3 x week	\$ 386.44
4 x week	\$ 514.84
5 x week	\$ 643.29
6 x week	\$ 771.70

- 6 Commercial, industrial, and multi-family residential recycle monthly bin rates (one 3 cubic yard bin) with the following pick ups per week:

1 x week	\$ 55.60
2 x week	\$ 111.19
3 x week	\$ 166.79
4 x week	\$ 222.40
5 x week	\$ 277.98
6 x week	\$ 333.57

- 7 Temporary 3 cubic yard bin rate: \$ 98.47 per bin

- 8 Redeliver and reinstatement rate: \$ 45.24 per occurrence

- 9 40 cubic yard roll-off bin rate: \$ 237.40 + MRF/landfill fees

- 10 10 cubic yard roll-off/lowboy bin rate: \$ 237.40 + MRF/landfill fees

Residential New Account Set up	\$	25.85
Commercial New Account Set up	\$	51.71
Rolloff New Account Set up	\$	51.71

Organic AD Rates

Anaerobic Digester Rate Per Ton	\$	75.12
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Commercial, industrial, and multi-family residential food monthly bin rates (one 2 cubic yard bin) with the following pick ups per week:

1 x week	\$	229.13
2 x week	\$	452.34
3 x week	\$	677.63
4 x week	\$	902.91
5 x week	\$	1,128.21
6 x week	\$	1,353.51

Commercial, industrial, and multi-family residential non-food monthly bin rates (one 2 cubic yard bin) with the following pick ups per week:

1 x week	\$	180.34
2 x week	\$	354.76
3 x week	\$	531.26
4 x week	\$	707.75
5 x week	\$	884.26
6 x week	\$	1,060.77

Commercial, industrial, and multi-family residential food monthly cart rate (one 64-gallon cart) with the following pick ups per week:

1 x week	\$	53.07
2 x week	\$	107.34
3 x week	\$	161.02
4 x week	\$	214.70
5 x week	\$	268.37
6 x week	\$	322.04

CANYON LAKE
2018 ANNUAL PRICE ADJUSTMENT

	New	Previous		
1. All Urban Consumers (Mar)	229,885	222,476	3.33%	86.0%
2. Urban Wage Earners (Mar)	254,451	244,932	3.89%	14.0%
				2.86%
				0.54%
				3.410%

	New	Previous		
Landfill	\$ 30.13	\$ 29.08	\$ 1.05	3.61%
MRF	\$ 50.80	\$ 49.03	\$ 1.77	3.61%

CPI *
3.61% * Provided by County Waste Management Dept

	Service Component				
	Previous Rate	Contract	CPI Change	Rate Change	Unit Measure
2 Standard service	\$ 22.35	78.0%	3.41%	\$ 0.59	per month
3 Additional Cart	\$ 9.45	78.0%	3.41%	\$ 0.25	per month
4 Additional Bulky pick up	\$ 10.02	78.0%	3.41%	\$ 0.27	per month
7 Temporary 3 cubic yard bin	\$ 95.29	71.5%	3.41%	\$ 2.32	per load
8 Re-deliver and re-instatement	\$ 43.75	100.0%	3.41%	\$ 1.49	per occurrence
9 40 cubic yard roll-off	\$ 229.57	100.0%	3.41%	\$ 7.83	per load
10 10 cubic yard roll-off	\$ 229.57	100.0%	3.41%	\$ 7.83	per load
Residential New Account Set up	\$ 25.00	100.0%	3.41%	\$ 0.85	
Commercial New Account Set up	\$ 50.00	100.0%	3.41%	\$ 1.71	
Roll-off New Account Set up	\$ 50.00	100.0%	3.41%	\$ 1.71	

	Landfill Component			
	Contract	Diversion	Landfill Fee Increase per Ton	Rate Change
	\$ 0.21	19.5%	\$ 1.05	\$ 0.18
	\$ 0.21	19.5%	\$ 1.05	\$ 0.18
	\$ 0.21	19.5%	\$ 1.05	\$ 0.18
	\$ 0.91	10.1%	\$ 1.05	\$ 0.86

	Total Rate Change	Previous Rate	Proposed Rate	Net % Change
	\$ 0.77	\$ 22.35	\$ 23.12	3.4%
	\$ 0.43	\$ 9.45	\$ 9.88	4.6%
	\$ 0.45	\$ 10.02	\$ 10.47	4.5%
	\$ 3.18	\$ 95.29	\$ 98.47	3.3%
	\$ 1.49	\$ 43.75	\$ 45.24	3.4%
	\$ 7.83	\$ 229.57	\$ 237.40	3.4%
	\$ 7.83	\$ 229.57	\$ 237.40	3.4%
	\$ 0.85	\$ 25.00	\$ 25.85	3.4%
	\$ 1.71	\$ 50.00	\$ 51.71	3.4%
	\$ 1.71	\$ 50.00	\$ 51.71	3.4%

	Service Component				
	True Up Previous Rate	Contract	CPI Change	Rate Change	Unit Measure
5 Complete Refuse 3 yd Bin Rates					
1 x week	\$ 125.67	71.5%	3.41%	\$ 3.06	per month
2 x week	\$ 250.19	71.5%	3.41%	\$ 6.10	per month
3 x week	\$ 374.72	71.5%	3.41%	\$ 9.14	per month
4 x week	\$ 499.23	71.5%	3.41%	\$ 12.17	per month
5 x week	\$ 623.78	71.5%	3.41%	\$ 15.21	per month
6 x week	\$ 748.30	71.5%	3.41%	\$ 18.24	per month
6 Complete Recycle 3 yd Bin Rates					
1 x week	\$ 54.28	71.5%	3.41%	\$ 1.32	per month
2 x week	\$ 108.54	71.5%	3.41%	\$ 2.65	per month
3 x week	\$ 162.82	71.5%	3.41%	\$ 3.97	per month
4 x week	\$ 217.11	71.5%	3.41%	\$ 5.29	per month
5 x week	\$ 271.36	71.5%	3.41%	\$ 6.62	per month
6 x week	\$ 325.63	71.5%	3.41%	\$ 7.94	per month

	Total Rate Change	Previous Rate	Proposed Rate	Net % Change
	\$ 3.92	\$ 125.67	\$ 129.59	3.1%
	\$ 7.82	\$ 250.19	\$ 258.01	3.1%
	\$ 11.72	\$ 374.72	\$ 386.44	3.1%
	\$ 15.61	\$ 499.23	\$ 514.84	3.1%
	\$ 19.51	\$ 623.78	\$ 643.29	3.1%
	\$ 23.40	\$ 748.30	\$ 771.70	3.1%
	\$ 1.32	\$ 54.28	\$ 55.60	2.4%
	\$ 2.65	\$ 108.54	\$ 111.19	2.4%
	\$ 3.97	\$ 162.82	\$ 166.79	2.4%
	\$ 5.29	\$ 217.11	\$ 222.40	2.4%
	\$ 6.62	\$ 271.36	\$ 277.98	2.4%
	\$ 7.94	\$ 325.63	\$ 333.57	2.4%

Total Rate Change	Previous Rate	Proposed Rate	Net % Change
\$ 0.07	\$ 1.95	\$ 2.02	3.6%
\$ 0.24	\$ 7.00	\$ 7.24	3.4%
\$ 2.62	\$ 72.50	\$ 75.12	3.6%
\$ 7.74	\$ 221.39	\$ 229.13	3.5%
\$ 15.28	\$ 437.06	\$ 452.34	3.5%
\$ 22.89	\$ 654.74	\$ 677.63	3.5%
\$ 30.50	\$ 872.41	\$ 902.91	3.5%
\$ 38.11	\$ 1,090.10	\$ 1,128.21	3.5%
\$ 45.73	\$ 1,307.78	\$ 1,353.51	3.5%
\$ 6.04	\$ 174.30	\$ 180.34	3.5%
\$ 11.88	\$ 342.88	\$ 354.76	3.5%
\$ 17.79	\$ 513.47	\$ 531.26	3.5%
\$ 23.70	\$ 684.05	\$ 707.75	3.5%
\$ 29.61	\$ 854.65	\$ 884.26	3.5%
\$ 35.53	\$ 1,025.24	\$ 1,060.77	3.5%
\$ 1.79	\$ 51.28	\$ 53.07	3.5%
\$ 3.62	\$ 103.72	\$ 107.34	3.5%
\$ 5.44	\$ 155.58	\$ 161.02	3.5%
\$ 7.26	\$ 207.44	\$ 214.70	3.5%
\$ 9.07	\$ 259.30	\$ 268.37	3.5%
\$ 10.88	\$ 311.16	\$ 322.04	3.5%

Digester Component				
	Contract	100.0%	Landfill Fee Increase per Ton	Rate Change
	\$ 72.50	100.0%	3.61%	\$ 2.62
	\$ 94.18	100.0%	3.61%	\$ 3.40
	\$ 188.36	100.0%	3.61%	\$ 6.80
	\$ 282.54	100.0%	3.61%	\$ 10.20
	\$ 376.72	100.0%	3.61%	\$ 13.60
	\$ 470.90	100.0%	3.61%	\$ 17.00
	\$ 565.08	100.0%	3.61%	\$ 20.40
	\$ 47.09	100.0%	3.61%	\$ 1.70
	\$ 94.18	100.0%	3.61%	\$ 3.40
	\$ 141.27	100.0%	3.61%	\$ 5.10
	\$ 188.36	100.0%	3.61%	\$ 6.80
	\$ 235.45	100.0%	3.61%	\$ 8.50
	\$ 282.54	100.0%	3.61%	\$ 10.20
	\$ 22.48	100.0%	3.61%	\$ 0.81
	\$ 44.96	100.0%	3.61%	\$ 1.62
	\$ 67.44	100.0%	3.61%	\$ 2.43
	\$ 89.92	100.0%	3.61%	\$ 3.25
	\$ 112.40	100.0%	3.61%	\$ 4.06
	\$ 134.88	100.0%	3.61%	\$ 4.87

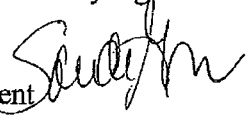
Service Component						
Previous Rate	Contract	CPI Change	Rate Change	Unit Measure		
\$	1.95	\$	1.95	3.41%	\$	0.07
\$	7.00	\$	7.00	3.41%	\$	0.24
\$	72.50					
\$	221.39	\$	127.21	3.41%	\$	4.34
\$	437.06	\$	248.70	3.41%	\$	8.48
\$	654.74	\$	372.20	3.41%	\$	12.69
\$	872.41	\$	495.69	3.41%	\$	16.90
\$	1,090.10	\$	619.20	3.41%	\$	21.11
\$	1,307.78	\$	742.70	3.41%	\$	25.33
\$	174.30	\$	127.21	3.41%	\$	4.34
\$	342.88	\$	248.70	3.41%	\$	8.48
\$	513.47	\$	372.20	3.41%	\$	12.69
\$	684.05	\$	495.69	3.41%	\$	16.90
\$	854.65	\$	619.20	3.41%	\$	21.11
\$	1,025.24	\$	742.70	3.41%	\$	25.33
\$	51.28	\$	28.80	3.41%	\$	0.98
\$	103.72	\$	58.76	3.41%	\$	2.00
\$	155.58	\$	88.14	3.41%	\$	3.01
\$	207.44	\$	117.52	3.41%	\$	4.01
\$	259.30	\$	146.90	3.41%	\$	5.01
\$	311.16	\$	176.28	3.41%	\$	6.01



Hans W. Kernkamp, General Manager-Chief Engineer

DATE: February 28, 2018

TO: Riverside County Waste Management – Waste Delivery Agreement Contracts

FROM: Sandra Green – Assistant General Manager
Riverside County Waste Management Department 

RE: Disposal Fee Increase – FY 2018/2019

The Riverside County Department of Waste Resources (Department) is responsible for assuring that there is, and will be in the future, sufficient and accessible landfill space to properly serve the population of the County in its disposal needs. To fulfill this mandate, the Department continually maintains and expands County landfill sites, and encourages, supports and develops recycling programs that minimize the dependence on landfill disposal facilities.

Due to sustained increases in labor expenses, capital improvement costs, and overhead, an increase in disposal rates is essential to allow for continued and improved services. This letter serves as a notice that subject to approval by the Riverside County Board of Supervisors, landfill disposal rates will increase in FY 18/19 by the Consumer Price Index (CPI), which is 3.61% for calendar year 2017. If approved, the new rates will become effective for tonnage deliveries starting on July 1, 2018.

The Department is also proposing an increase to the current rate for processed green waste used as Alternative Daily Cover (ADC) from \$17.00 per ton to \$24.00 per ton. As you are aware, AB 1594 will eliminate the diversion benefit that currently exists by 2020 and ADC placed in the landfill will constitute disposal. Our goal is to gradually increase the ADC rate to equal the disposal rate (currently \$37.94 per ton) between now and FY 20/21. While the use of ADC in the landfill system has been significantly reduced over the last several years due to the increased use of tarps to cover waste (17,000 tons in 2016, 14,000 tons in 2017), any additional revenue generated by the increase will be allocated to the Department's ongoing advancement of organics processing within Riverside County. Processed green waste used as erosion control at the landfills will continue to be charged at the \$10 per ton rate for the foreseeable future, as it provides a beneficial use to the landfill system.

Thank you for your past cooperation and support. We appreciate your careful consideration and understanding of the matter.

SG:sg

cc: Greg Reyes, LEA

DOCS_GENERAL-#220846-v1-Disposal_Fee_Increase_-_Notice_to_Haulers_-_779_19

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CPI-All Urban Consumers (Current Series)

Series Id: CUURS49ASA0L2

Not Seasonally Adjusted

Series Title: All items less shelter in Los Angeles-Long Beach-Anaheim, CA, all urban consumers, not seasonally adjusted

Area: Los Angeles-Long Beach-Anaheim, CA

Item: All items less shelter

Base Period: 1982-84=100

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Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	HALF1	HALF2
2008	199.681	199.910	202.760	204.330	206.843	209.674	210.498	207.972	206.589	204.449	198.669	194.998	203.864	203.866	203.863
2009	196.609	197.413	197.286	197.740	199.044	201.143	201.358	202.374	203.480	203.880	202.999	202.664	200.499	198.206	202.793
2010	203.971	203.802	205.285	205.774	206.399	205.431	205.740	205.834	205.164	206.379	205.234	206.460	205.456	205.110	205.802
2011	209.062	210.664	214.028	215.498	215.467	213.808	212.202	212.976	214.564	214.597	214.215	212.343	213.285	213.088	213.483
2012	214.742	215.904	218.816	218.468	218.457	216.740	216.127	218.077	219.094	221.751	218.360	215.928	217.705	217.188	218.223
2013	218.522	220.919	221.001	219.482	219.521	219.075	218.592	218.636	218.948	219.128	217.484	217.339	219.054	219.753	218.355
2014	218.614	219.973	221.974	221.692	222.926	222.942	222.330	221.841	221.494	220.815	218.208	216.134	220.745	221.353	220.137
2015	214.533	216.374	219.281	218.858	222.010	220.669	222.521	221.135	219.652	219.771	219.247	218.173	219.352	218.621	220.083
2016	220.019	219.387	219.558	220.292	221.281	221.134	220.438	219.575	219.676	220.640	218.881	218.445	219.944	220.279	219.609
2017	220.314	221.681	222.476	223.272	223.918	223.265	223.536	223.663	224.951	225.188	225.503	225.322	223.591	222.488	224.694
2018	227.716	229.387	229.885												

12-Month Percent Change

Series Id: CUURS49ASA0L2

Not Seasonally Adjusted

Series Title: All items less shelter in Los Angeles-Long Beach-Anaheim, CA, all urban consumers, not seasonally adjusted

Area: Los Angeles-Long Beach-Anaheim, CA

Item: All items less shelter

Base Period: 1982-84=100

Download: [XLS](#) [xlsx](#)

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	HALF1	HALF2
2008	3.4	2.7	3.1	3.3	4.1	6.8	7.5	6.4	5.5	3.5	-0.3	-1.6	3.7	3.9	3.5
2009	-1.5	-1.2	-2.7	-3.2	-3.8	-4.1	-4.3	-2.7	-1.5	-0.3	2.2	3.9	-1.7	-2.8	-0.5
2010	3.7	3.2	4.1	4.1	3.7	2.1	2.2	1.7	0.8	1.2	1.1	1.9	2.5	3.5	1.5
2011	2.5	3.4	4.3	4.7	4.4	4.1	3.1	3.5	4.6	4.0	4.4	2.8	3.8	3.9	3.7
2012	2.7	2.5	2.2	1.4	1.4	1.4	1.8	2.4	2.1	3.3	1.9	1.7	2.1	1.9	2.2
2013	1.8	2.3	1.0	0.5	0.5	1.1	1.1	0.3	-0.1	-1.2	-0.4	0.7	0.6	1.2	0.1
2014	0.0	-0.4	0.4	1.0	1.6	1.8	1.7	1.5	1.2	0.8	0.3	-0.6	0.8	0.7	0.8
2015	-1.9	-1.6	-1.2	-1.3	-0.4	-1.0	0.1	-0.3	-0.8	-0.5	0.5	0.9	-0.6	-1.2	0.0
2016	2.6	1.4	0.1	0.7	-0.3	0.2	-0.9	-0.7	0.0	0.4	-0.2	0.1	0.3	0.8	-0.2
2017	0.1	1.0	1.3	1.4	1.2	1.0	1.4	1.9	2.4	2.1	3.0	3.1	1.7	1.0	2.3
2018	3.4	3.5	3.3												

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CPI-Urban Wage Earners and Clerical Workers (Current Series)

Series Id: CWURS49ASA0

Not Seasonally Adjusted

Series Title: All items in Los Angeles-Long Beach-Anaheim, CA, urban wage earners and clerical workers, not seasonally adjusted

Area: Los Angeles-Long Beach-Anaheim, CA

Item: All items

Base Period: 1982-84=100

Download: [XLS](#) [xlsx](#)

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	HALF1	HALF2
2008	213.825	214.231	216.493	217.914	219.702	222.435	223.245	221.230	220.285	218.726	214.083	211.007	217.765	217.433	218.096
2009	212.454	213.234	213.013	213.405	214.446	216.145	216.128	216.628	217.302	217.474	216.618	216.233	215.257	213.783	216.730
2010	217.290	217.090	218.157	218.475	218.787	218.222	218.367	218.752	218.427	219.339	218.694	219.619	218.435	218.004	218.866
2011	221.540	222.814	225.770	227.051	226.842	225.461	224.277	224.665	226.096	226.116	225.786	224.444	225.072	224.913	225.231
2012	226.245	227.585	230.281	230.023	230.180	228.917	228.446	230.229	231.085	233.431	230.426	228.940	229.649	228.872	230.426
2013	230.651	232.983	233.200	232.030	232.387	232.378	232.190	232.245	232.817	232.735	231.598	231.594	232.234	232.271	232.197
2014	232.578	233.886	235.500	235.717	236.647	236.880	236.963	236.504	236.451	235.921	233.896	232.330	235.273	235.201	235.344
2015	231.063	232.975	235.991	235.697	238.816	237.792	239.889	238.755	237.324	237.472	237.190	236.787	236.646	235.389	237.903
2016	238.609	238.262	239.146	239.536	240.320	240.522	240.580	240.267	240.851	241.932	240.809	240.846	240.140	239.399	240.881
2017	242.735	244.254	244.932	245.417	246.153	245.900	246.681	247.260	248.550	249.234	249.680	249.854	246.721	244.899	248.543
2018	251.785	253.243	254.451												

12-Month Percent Change

Series Id: CWURS49ASA0

Not Seasonally Adjusted

Series Title: All items in Los Angeles-Long Beach-Anaheim, CA, urban wage earners and clerical workers, not seasonally adjusted

Area: Los Angeles-Long Beach-Anaheim, CA

Item: All items

Base Period: 1982-84=100

Download: [XLS](#) [xlsx](#)

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	HALF1	HALF2
2008	4.6	3.7	3.6	3.7	4.1	6.1	6.6	5.7	5.0	3.5	0.6	-0.6	3.9	4.3	3.5
2009	-0.6	-0.5	-1.6	-2.1	-2.4	-2.8	-3.2	-2.1	-1.4	-0.6	1.2	2.5	-1.2	-1.7	-0.6
2010	2.3	1.8	2.4	2.4	2.0	1.0	1.0	1.0	0.5	0.9	1.0	1.6	1.5	2.0	1.0
2011	2.0	2.6	3.5	3.9	3.7	3.3	2.7	2.7	3.5	3.1	3.2	2.2	3.0	3.2	2.9
2012	2.1	2.1	2.0	1.3	1.5	1.5	1.9	2.5	2.2	3.2	2.1	2.0	2.0	1.8	2.3
2013	1.9	2.4	1.3	0.9	1.0	1.5	1.6	0.9	0.7	-0.3	0.5	1.2	1.1	1.5	0.8
2014	0.8	0.4	1.0	1.6	1.8	1.9	2.1	1.8	1.6	1.4	1.0	0.3	1.3	1.3	1.4
2015	-0.7	-0.4	0.2	0.0	0.9	0.4	1.2	1.0	0.4	0.7	1.4	1.9	0.6	0.1	1.1
2016	3.3	2.3	1.3	1.6	0.6	1.1	0.3	0.6	1.5	1.9	1.5	1.7	1.5	1.7	1.3
2017	1.7	2.5	2.4	2.5	2.4	2.2	2.5	2.9	3.2	3.0	3.7	3.7	2.7	2.3	3.2
2018	3.7	3.7	3.9												

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NOTICE OF PUBLIC HEARING

Notice is hereby given that the City Council of the City of Canyon Lake will conduct a Public Hearing on Wednesday, July 18, 2018 during the course of the City Council meeting that begins at 6:30 p.m., at the Canyon Lake City Hall, Council Chambers, 31516 Railroad Canyon Road, Canyon Lake, CA 92587, pertaining to the annual adjustment of solid waste fees and residential collection on the annual tax roll for the fiscal year 2018-2019. As provided for in the contract between the City of Canyon Lake and CR&R Incorporated, the rates are adjusted annually to reflect the change in the Consumer Price Index (CPI) and the landfill costs.

The CPI and the landfill costs increased. The rate for basic service for a single family dwelling will increase .77 cents a month from \$22.35 to \$23.12. Organic waste service will increase .07 cents a month from \$1.95 to \$2.02. Refuse service for commercial, industrial and multi-family residential service will increase \$3.92 per month from \$125.67 to \$129.59 per month.

Residential solid waste fees will be placed on the tax roll for fiscal year 2018-2019. All such fees will be collected at the same time and in the same manner as County property taxes. The description of each lot or parcel is part of the records of the Assessor of the County of Riverside.

Anyone wishing to protest this action must file a written response or may appear personally at the public hearing. Prior to the hearing, written comments in favor or against should be sent to the Canyon Lake City Hall, City Clerk's Office at 31516 Railroad Canyon Road, Canyon Lake, CA 92587. If you challenge any project or fee in court, you may be held to raising only those issues you or someone else raised at the public hearing or in written correspondence to the City Clerk at or prior to the public hearing as described in this notice.

For additional information contact the City Hall at (951) 244-2955 or at 31516 Railroad Canyon Road, Canyon Lake, CA 92587. City Hall is open Monday through Thursday from 8 a.m. to 5 p.m.

Stephanie Roseen, Deputy City Clerk

Published 7/6/18