



## CITY OF CANYON LAKE

City Hall

31516 Railroad Canyon Road  
Canyon Lake, CA 92587

Website: [www.cityofcanyonlake.org](http://www.cityofcanyonlake.org)

Mayor Jordan Ehrenkranz  
Mayor Pro Tem Kasey Castillo  
Council Members:

Randy Bonner  
Larry Greene  
Jeremy Smith

City Manager Chris Mann  
City Attorney Steven Graham  
Deputy City Clerk Ana V. Sauseda

## AGENDA

Regular Meeting of the Canyon Lake City Council  
Wednesday, November 6, 2019

Closed Session 5:00 P.M. – City Hall Administration Office – 31526 Railroad Canyon Road, Suite 5  
Open Session 6:30 P.M. – City Hall Council Chamber – 31516 Railroad Canyon Road

CLOSED SESSION – 5:00 P.M.

### CLOSED SESSION CALLED TO ORDER

ROLL CALL Councilmember Bonner, Mayor Pro Tem Castillo, Councilmember Greene, Councilmember Smith, Mayor Ehrenkranz

### PUBLIC COMMENT

LIMIT 3 MINUTES

*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.*

A. CLOSED SESSION WITH LEGAL COUNSEL PURSUANT TO GOVT. CODE SECTION 54956.9 (d)(1) - City of Canyon Lake, et al. v. Nancy Athey, et al. *Riverside Superior Court Case No. RIC1812338*

B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9 - 1 case

OPEN SESSION - 6:30 P.M.

OPEN SESSION CALLED TO ORDER

INVOCATION Pastor Pete VanDyke - Canyon Lake Community Church Member

FLAG SALUTE

ROLL CALL Councilmember Bonner, Mayor Pro Tem Castillo, Councilmember Greene, Councilmember Smith, Mayor Ehrenkranz

CLOSED SESSION REPORT

APPROVAL OF CITY COUNCIL AGENDA

CEREMONIAL MATTERS *Presentations, Awards, Proclamations*

- Student of the Month

COMMUNITY REPORTS

- State Legislative Update from Assemblywoman Melisa Melendez
- Elsinore Valley Municipal Water District Update from Director Darcy Burke
- Canyon Lake Chamber of Commerce Announcements

PUBLIC SAFETY UPDATE

- ❖ Sheriff
- ❖ Fire
- ❖ Special/Code Enforcement
- ❖ AMR
- ❖ Animal Friends of the Valleys

-----  
PUBLIC COMMENT

Limit 3 Minutes

*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.*

-----

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.*

- (1) Waive Full Reading, Read all Ordinances by Title Only
- (2) Resolution - Adoption of Resolution No. 2019-38, Approving Claims and Demands of the City

- (3) Minutes - Approval of City Council Minutes
  - October 2, 2019 Special Meeting
  - October 2, 2019 Regular Meeting
- (4) Resolution – Approval of Resolution 2019-39 Authorizing the Reallocation of Fiscal Year 2016/2017 & 2017/2018 Community Development Block **Grant (CDBG) Funds to the City's ADA** Accessibility Project

PULLED CONSENT CALENDAR ITEMS:

BUSINESS ITEMS

- (5) Resolution - Approval of Resolution No. 2019-40 Approving SB 2 Planning Grant for Housing Element Related Actions
- (6) Building and Construction Code Updates
  - Introduction and First Reading of Ordinance No. 189, An Ordinance of The City Council of The City of Canyon Lake California Amending Chapter 8.02 of The Canyon Lake Municipal Code, Adopting By Reference The 2019 Editions of The California Codes (Including But Not Limited To The Green Building Code) And Related Model Codes With Appendices And Amendments Thereto
  - Introduction and First Reading of Ordinance No. 190, An Ordinance of The City Council of The City of Canyon Lake California Adopting the 2019 California Fire Code as Amended as Chapter 8.12 of the Canyon Lake Municipal Code and Repealing Ordinance No. 170
- (7) Resolution - Approval of Resolution No. 2019-41, Establishing **the City of Canyon Lake's** Special/Code Enforcement Department Equipment Policy
- (8) Resolution - Approval of Resolution No. 2019-42, Adopting Rules of Procedure for Council Meetings and Related Functions and Activities
- (9) Ordinance - Second Reading and Adoption of Ordinance No. 187, An Ordinance of the City Council of the City of Canyon Lake Establishing a Voluntary Emergency Medical Services Subscription Program Fee
- (10) Resolution - Approval of Resolution No. 2019-43, **Formally Adopting the City of Canyon Lake's Military** Banner Program Policy and Guidelines
- (11) Resolution – Approval of Resolution No. 2019-44, Authorizing the City Manager to Enter the City into an Agreement with Seven Other Cities to Assess the Feasibility of Establishing a Police Services Joint Powers Authority
- (12) Ordinance - Introduction and First Reading of Ordinance No. 188, an Ordinance of the City Council of the City of Canyon Lake Amending Chapters 2.04 and 2.08 of the Municipal Code related to the Positions of City Clerk and City Treasurer

- (13) Residential Rentals – Discussion and Direction Regarding Establishing a Single-Family Residential Rental Registration, Inspection and Crime-Free Rental Housing Program
- (14) Award of Contract - Award of Construction Contract for Railroad Canyon Road Wrought Iron Fence Repair Project Phase II – Bid No. 2019-01
- (15) Award of Service Agreement - Award of Service Agreement with Syntech Group for Information Technology Support Services

CITY MANAGER COMMENTS

COMMITTEE AND COUNCIL REPORTS/COMMENTS

ANNOUNCEMENTS

The next regular meeting will be Wednesday, December 4, 2019 at 5:30 for Closed Session & 6:30 p.m. for Open Session

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](http://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 Ana V. Sauseda, Deputy 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.

November 6, 2019 City Council Meeting

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

I, Ana V. Sauseda, 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 October 31, 2019 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.

Ana V. Sauseda  
Deputy City Clerk



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

**TO:** Honorable Mayor and Members of the City Council  
**FROM:** Chris Mann, City Manager  
**BY:** Kayla Lozano, Accountant  
**DATE:** November 6, 2019  
**SUBJECT:** List of Demands

---

**Recommendation:**

That the City Council adopt a resolution entitled: RESOLUTION NO. 2019-38

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 October 2, 2019.

**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:**

1. Resolution No. 2019-38
2. List of Demands



# **ATTACHMENT 1**



**RESOLUTION NO. 2019-38**

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 November 6th, in the amount of \$364,148.72 as follows:

Payroll Earnings (Gross)	\$ 46,170.87	(2nd Half of September & 1st Half of October)
Payroll Taxes - Employer	950.02	(2nd Half of September & 1st Half of October)
On-line Retirement	5,835.62	(2nd Half of September & 1st Half of October)
On-line Health	969.94	(For the Month of October)
Nationwide Deferred Comp.	330.23	(For the Month of September)
General	309,892.04	
TOTAL	<u>\$ 364,148.72</u>	

PASSED, APPROVED AND ADOPTED this 6th day of November, 2019.

\_\_\_\_\_  
Jordan Ehrenkranz, Mayor Pro Tem

ATTEST:

\_\_\_\_\_  
Ana V. Sauseda, Deputy City Clerk

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

I, Ana V. Sauseda, 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. 2019-38 adopted by the City Council of the City of Canyon Lake, California, at a regular meeting thereof, held on November 6, 2019, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

---

Ana V. Sauseda  
Deputy City Clerk

## **ATTACHMENT 2**



# Claims and Demands



**City of Canyon Lake**  
 Check/Voucher Register - Council Report - Expenditures  
 From 10/1/2019 Through 10/31/2019

Check Number	Matching Docume... Date	Vendor Name	Transaction Description	Check Amount	Fund Code	Fund Short Title
25359	10/1/2019	San Bernardino County Clerk of the Board	Dept. of Fish & Wildlife CEQA Fee for Housing Element Update	2,404.75	10	GENERAL
Total 25359	10/1/2019			2,404.75		
25360	10/3/2019	CFSTES	Fire Inspector 1A Class State Fee - Dickson	80.00	10	GENERAL
Total 25360	10/3/2019			80.00		
25361	10/3/2019	CFSTES	Fire Inspector 1A Class State Fee - Ecclefield	80.00	10	GENERAL
Total 25361	10/3/2019			80.00		
25362	10/3/2019	CFSTES	Fire Inspector 1A Class State Fee - Manzano	80.00	10	GENERAL
Total 25362	10/3/2019			80.00		
25363	10/9/2019	AMP GLOBAL LLC	Rent for Admin Bldg for the month of November 2019	2,600.00	10	GENERAL
Total 25363	10/9/2019			2,600.00		
25364	10/9/2019	Randall Bonner	Auto Allowance for October - Bonner	100.00	10	GENERAL
Total 25364	10/9/2019			100.00		
25365	10/9/2019	Cole Huber LLP	Attorney Services for August 2019	5,000.00	10	GENERAL
25365	10/9/2019	Cole Huber LLP	Attorney Services for September 2019	5,000.00	10	GENERAL
Total 25365	10/9/2019			10,000.00		

**City of Canyon Lake**  
 Check/Voucher Register - Council Report - Expenditures  
 From 10/1/2019 Through 10/31/2019

Check Number	Matching Docume... Date	Vendor Name	Transaction Description	Check Amount	Fund Code	Fund Short Title
25366	10/9/2019	Control Pump	Landscape Booster Station Monitor Report, 10/4/19	375.00	20	GAS TAX
Total 25366	10/9/2019			375.00		
25367	10/9/2019	Corelogic Information Solutions, INC.	Database for Code Enforcement Reports, September 2019	10.30	10	GENERAL
25367	10/9/2019	Corelogic Information Solutions, INC.	Database for Code Enforcement, September 2019	128.75	10	GENERAL
Total 25367	10/9/2019			139.05		
25368	10/9/2019	CR&R	Refuse 2017-18PY Pen SP	6,610.67	50	AGENCY
25368	10/9/2019	CR&R	Refuse FY 17-18 Secured Settlement 3	28,893.15	50	AGENCY
25368	10/9/2019	CR&R	Refuse FY 18-19 SEC SP1	13,825.98	50	AGENCY
Total 25368	10/9/2019			49,329.80		
25369	10/9/2019	CTAI Pacific Greenscape	Irrigation(Median & Parkways) - Fix leak & wiring issues9/26	2,290.00	20	GAS TAX
Total 25369	10/9/2019			2,290.00		
25370	10/9/2019	Dawn Ecclefield	Fire Training Course Reimb of lunch(10/4 to 10/6)-Ecclefield	32.67	10	GENERAL
Total 25370	10/9/2019			32.67		
25371	10/9/2019	Eagle Aerial Solutions	Digital File of Aerial Maps in Admin Office, 9/30/19	432.00	40	CAP. PROJ.
Total 25371	10/9/2019			432.00		
25372	10/9/2019	Jordan Ehrenkranz	Auto Allowance for October - Ehrenkranz	100.00	10	GENERAL

**City of Canyon Lake**  
 Check/Voucher Register - Council Report - Expenditures  
 From 10/1/2019 Through 10/31/2019

Check Number	Matching Docume... Date	Vendor Name	Transaction Description	Check Amount	Fund Code	Fund Short Title
Total 25372	10/9/2019			100.00		
25373	10/9/2019	Interwest Consulting Group	Building & Safety for August 2019	37,857.02	10	GENERAL
Total 25373	10/9/2019			37,857.02		
25374	10/9/2019	Jeremy Smith	Auto Allowance for October - Smith	100.00	10	GENERAL
Total 25374	10/9/2019			100.00		
25375	10/9/2019	Kasey Castillo	Auto Allowance for October - Castillo	100.00	10	GENERAL
Total 25375	10/9/2019			100.00		
25376	10/9/2019	Larry Greene	Auto Allowance for October - Greene	100.00	10	GENERAL
Total 25376	10/9/2019			100.00		
25377	10/9/2019	Ruby Manzano	Fire Training Course Reimb of lunch(10/4 to 10/6)-Manzano	76.54	10	GENERAL
Total 25377	10/9/2019			76.54		
25378	10/9/2019	MR. WINDOW CLEANING	Window & Cleaning Inside & Outside (City Hall) 10/2/19	75.00	10	GENERAL
Total 25378	10/9/2019			75.00		
25379	10/9/2019	Nate Volk	Video Broadcasting for Council Mtg. 10/2/19	500.00	10	GENERAL
Total 25379	10/9/2019			500.00		

**City of Canyon Lake**  
 Check/Voucher Register - Council Report - Expenditures  
 From 10/1/2019 Through 10/31/2019

Check Number	Matching Docume... Date	Vendor Name	Transaction Description	Check Amount	Fund Code	Fund Short Title
25380	10/9/2019	Platinum Plumbing CA	Install gas control valve & burner assembly at Fire Station	200.00	10	GENERAL
25380	10/9/2019	Platinum Plumbing CA	Removed & Installed new 50g Propane Tank at Fire Station9/27	1,350.00	10	GENERAL
Total 25380	10/9/2019			1,550.00		
25381	10/9/2019	PV Maintenance Inc.	Street & Facility Maint./Veteran Banner Removal - Sept. 2019	1,733.43	20	GAS TAX
Total 25381	10/9/2019			1,733.43		
25382	10/9/2019	PZL, Inc.	Planning Services for September 2019	3,675.00	10	GENERAL
Total 25382	10/9/2019			3,675.00		
25383	10/9/2019	Ramsey Backflow & Plumbing	Tested Backflow Device at City Hall, 10/3/19	45.00	10	GENERAL
Total 25383	10/9/2019			45.00		
25384	10/9/2019	County Executive Office	SCFA Miscellaneous Admin Expenses 2nd Qtr.	496.15	10	GENERAL
25384	10/9/2019	County Executive Office	SCFA Quarterly Sheltering Services Oct. - Dec. 2019	17,220.00	10	GENERAL
Total 25384	10/9/2019			17,716.15		
25385	10/9/2019	Round Up Jr. Mart	City Vehicle Fuel April - October 2019 (4/6/19 to 9/27/19)	1,699.73	10	GENERAL
Total 25385	10/9/2019			1,699.73		

**City of Canyon Lake**  
 Check/Voucher Register - Council Report - Expenditures  
 From 10/1/2019 Through 10/31/2019

Check Number	Matching Docume... Date	Vendor Name	Transaction Description	Check Amount	Fund Code	Fund Short Title
25386	10/9/2019	STAPLES	Office Supplies for Admin Bldg & City Hall, September 2019	872.49	10	GENERAL
Total 25386	10/9/2019			872.49		
25387	10/9/2019	STATE COMP. INS. FUND	Workers Comp Premium Annual 6/1/19	11,941.98	10	GENERAL
Total 25387	10/9/2019			11,941.98		
25388	10/9/2019	The Christmas Kings	50% Deposit for Lighting & Decor for Christmas Tree Event	1,600.00	10	GENERAL
Total 25388	10/9/2019			1,600.00		
25389	10/9/2019	Time Warner Cable	Digital Converter for City Hall, 9/22/19 to 10/21/19	5.25	10	GENERAL
Total 25389	10/9/2019			5.25		
25390	10/23/2...	Aflac	Supplemental Insurance for October 2019	432.82	10	GENERAL
Total 25390	10/23/2...			432.82		
25391	10/23/2...	AmeriGas	Propane for Fire Station, 10/9/19	1,141.47	10	GENERAL
Total 25391	10/23/2...			1,141.47		
25392	10/23/2...	Castaneda & Associates	Housing Needs Assessment July 1, 2019 - October 11, 2019	3,441.37	10	GENERAL
Total 25392	10/23/2...			3,441.37		

**City of Canyon Lake**  
 Check/Voucher Register - Council Report - Expenditures  
 From 10/1/2019 Through 10/31/2019

Check Number	Matching Docume... Date	Vendor Name	Transaction Description	Check Amount	Fund Code	Fund Short Title
25393	10/23/2...	California Bulding Standards Commission	Permit Valuation July through September 2019	178.60	10	GENERAL
Total 25393	10/23/2...			178.60		
25394	10/23/2...	CANYON LAKE PEST CONTROL, Steven E. Young	City Hall Admin General Pest Control Qtrly, 10/17/19	55.00	10	GENERAL
25394	10/23/2...	CANYON LAKE PEST CONTROL, Steven E. Young	Pest Control Services for Fire Station, 10/11/19	40.00	10	GENERAL
Total 25394	10/23/2...			95.00		
25395	10/23/2...	CTAI Pacific Greenscape	Landscape Maintenance for Fire Station October 2019	250.00	10	GENERAL
25395	10/23/2...	CTAI Pacific Greenscape	Landscape Maintenance for Median & Parkways October 2019	5,000.00	20	GAS TAX
Total 25395	10/23/2...			5,250.00		
25396	10/23/2...	Delgado Janitorial Services	Janitorial Services for October 2019	941.50	10	GENERAL
Total 25396	10/23/2...			941.50		
25397	10/23/2...	DEPARTMENT OF CONSERVATION	Strong Motion Instrument and Seismic Hazard; July-Sept 2019	413.06	10	GENERAL
Total 25397	10/23/2...			413.06		
25398	10/23/2...	DIRECTV	Satellite Service for Fire Station, 10/12/19 to 11/11/19	110.09	10	GENERAL
Total 25398	10/23/2...			110.09		

**City of Canyon Lake**  
 Check/Voucher Register - Council Report - Expenditures  
 From 10/1/2019 Through 10/31/2019

Check Number	Matching Docume... Date	Vendor Name	Transaction Description	Check Amount	Fund Code	Fund Short Title
25399	10/23/2...	STATE OF CA DEPT. OF JUSTICE	Sheriff's Blood Alcohol Analysis, September 2019	35.00	10	GENERAL
Total 25399	10/23/2...			35.00		
25400	10/23/2...	Division of the State Architect	Disability & Education Fee Qtr. Ended 9/30	22.80	10	GENERAL
Total 25400	10/23/2...			22.80		
25401	10/23/2...	FRIDAY FLYER	Public Hearing Ad for Housing Element 9/20/19	145.00	10	GENERAL
Total 25401	10/23/2...			145.00		
25402	10/23/2...	Frontier Communications	City Hall Internet, 10/10/19 to 11/9/19	201.56	10	GENERAL
25402	10/23/2...	Frontier Communications	City Hall Phones, 10/13/19 to 11/12/19	90.17	10	GENERAL
25402	10/23/2...	Frontier Communications	Phones for Fire Station, 10/13/19 to 11/12/19	280.90	10	GENERAL
Total 25402	10/23/2...			572.63		
25403	10/23/2...	Debby Gagnon	Flag Purchases for Veterans Day, 10/1/19	308.53	10	GENERAL
Total 25403	10/23/2...			308.53		
25404	10/23/2...	NANCY GREENHALGH	Retiree Health Insurance November 2019	163.37	10	GENERAL
Total 25404	10/23/2...			163.37		
25405	10/23/2...	ICMA Membership Renewals	ICMA Membership for 2020 (Mann)	1,136.00	10	GENERAL
Total 25405	10/23/2...			1,136.00		

**City of Canyon Lake**  
 Check/Voucher Register - Council Report - Expenditures  
 From 10/1/2019 Through 10/31/2019

Check Number	Matching Docume... Date	Vendor Name	Transaction Description	Check Amount	Fund Code	Fund Short Title
25406	10/23/2...	Joe's Hardware	Garment Hook, Lysol, Air Filters, Cobweb Brush FS 9/14/19	40.05	10	GENERAL
25406	10/23/2...	Joe's Hardware	Lithum Battery & Drain for Fire Station, 9/27/19	17.38	10	GENERAL
25406	10/23/2...	Joe's Hardware	Master Keys for Code Enf. (Lopez) 10/19/19	4.07	10	GENERAL
25406	10/23/2...	Joe's Hardware	Nozzle Gun, Brass Shutoff for Fire Station, 9/7/19	54.16	10	GENERAL
25406	10/23/2...	Joe's Hardware	Nozzle Gun, Tilex Mold, Screws, etc. - Fire Station, 9/3/19	55.95	10	GENERAL
25406	10/23/2...	Joe's Hardware	Paint & Exchange Tank for Fire Station, 9/10/19	37.85	10	GENERAL
Total 25406	10/23/2...			209.46		
25407	10/23/2...	KC Graphics	Notice of Violation Forms for Code Enf. 10/12/19	274.55	10	GENERAL
Total 25407	10/23/2...			274.55		
25408	10/23/2...	Kasey Castillo	League of Cities Conf. Parking Reimb. - Castillo	95.00	10	GENERAL
Total 25408	10/23/2...			95.00		
25409	10/23/2...	PRESS ENTERPRISE	Notice of RFP for IT Support Services 10/4/19 & 10/11/19	243.60	10	GENERAL
25409	10/23/2...	PRESS ENTERPRISE	Notice of Bid-Wrought Iron Fence Repair Phase II 9/20 & 10/4	722.40	21	MEASURE A
Total 25409	10/23/2...			966.00		
25410	10/23/2...	Regional Conservation Authority	MSHCP Fees collected for October 2019	2,168.00	50	AGENCY
Total 25410	10/23/2...			2,168.00		

**City of Canyon Lake**  
 Check/Voucher Register - Council Report - Expenditures  
 From 10/1/2019 Through 10/31/2019

Check Number	Matching Docume... Date	Vendor Name	Transaction Description	Check Amount	Fund Code	Fund Short Title
25411	10/23/2...	JOHN REGUS	Library Lease for December 2019	1,074.62	10	GENERAL
Total 25411	10/23/2...			1,074.62		
25412	10/23/2...	RIV. CO. SHERIFF'S DEPT., Acctg & Fin	Sheriff's Contract Law, 7/18/19 to 8/14/19	127,062.64	10	GENERAL
Total 25412	10/23/2...			127,062.64		
25413	10/23/2...	COUNTY OF RIVERSIDE-TLMA	SLF Costs September 2019	1,383.41	20	GAS TAX
Total 25413	10/23/2...			1,383.41		
25414	10/23/2...	Special District Risk Management Authority	Dental & Vision Ins. for Ecclefield, Mann & Sauseda Nov 2019	298.96	10	GENERAL
Total 25414	10/23/2...			298.96		
25415	10/23/2...	Speedy Vehicle Registration	Live Scans Day & Enriquez, July 2019	40.00	10	GENERAL
Total 25415	10/23/2...			40.00		
25416	10/23/2...	STATE COMP. INS. FUND	Workers Comp for November 2019	884.75	10	GENERAL
Total 25416	10/23/2...			884.75		
25417	10/23/2...	Synoptek, LLC	IT Services for October 2019	2,667.87	10	GENERAL
Total 25417	10/23/2...			2,667.87		
25418	10/23/2...	Time Warner Cable	Internet for Fire Station, 10/10/19 to 11/9/19	99.98	10	GENERAL

**City of Canyon Lake**  
 Check/Voucher Register - Council Report - Expenditures  
 From 10/1/2019 Through 10/31/2019

Check Number	Matching Docume... Date	Vendor Name	Transaction Description	Check Amount	Fund Code	Fund Short Title
Total 25418	10/23/2...			99.98		
25419	10/23/2...	Toshiba Financial Services	Monthly Copier Lease for Admin & City Hall, 11/10/19	799.31	10	GENERAL
Total 25419	10/23/2...			799.31		
25420	10/23/2...	U. S. Bank	Office Supplies, CM Conferences, CC Class & Seminar Sept '19	4,155.15	10	GENERAL
Total 25420	10/23/2...			4,155.15		
25421	10/23/2...	Verizon Wireless	Cell Phones, 9/4/19 to 10/3/19	392.98	10	GENERAL
25421	10/23/2...	Verizon Wireless	iPads, 9/4/19 to 10/3/19	207.09	10	GENERAL
Total 25421	10/23/2...			600.07		
25422	10/24/2...	CFSTES	Fire Inspector 1A Class(10/25)State Fee,3 Code Enf. Officers	240.00	10	GENERAL
Total 25422	10/24/2...			240.00		
25423	10/24/2...	Joe's Hardware	Supplies for new lock on BLM, Spray Paint & Stencil, 7/31/19	58.34	10	GENERAL
Total 25423	10/24/2...			58.34		
EFT60		Sparkletts	Water for City Hall & Admin Office September 2019	83.26	10	GENERAL
Total EFT60				83.26		
EFT61		SOUTHERN CALIFORNIA EDISON	Electricity for City Hall 8/14/19 to 9/13/19	1,495.55	10	GENERAL

**City of Canyon Lake**  
 Check/Voucher Register - Council Report - Expenditures  
 From 10/1/2019 Through 10/31/2019

Check Number	Matching Docume... Date	Vendor Name	Transaction Description	Check Amount	Fund Code	Fund Short Title
Total EFT61				1,495.55		
EFT62		SOUTHERN CALIFORNIA EDISON	Electricity for Traffic Signals 8/14/19 to 9/13/19	161.72	20	GAS TAX
Total EFT62				161.72		
EFT63		SOUTHERN CALIFORNIA EDISON	Electricity for Traffic Signals 8/20/19 to 9/19/19	6.57	20	GAS TAX
Total EFT63				6.57		
EFT64		SOUTHERN CALIFORNIA EDISON	Electricity for Fire Station August 2019 (8/14/19 to 9/13/19)	815.08	10	GENERAL
Total EFT64				815.08		
EFT65		SOUTHERN CALIFORNIA EDISON	Electricity for Traffic Signals 8/21/19 to 9/20/19	46.47	20	GAS TAX
Total EFT65				46.47		
EFT66		SOUTHERN CALIFORNIA EDISON	Electricity for City Hall Admin 8/20/19 to 9/19/19	304.16	10	GENERAL
Total EFT66				304.16		
EFT67		SOUTHERN CALIFORNIA EDISON	Electricity for Traffic Signals 8/28/19 to 9/27/19	302.05	20	GAS TAX
Total EFT67				302.05		
EFT68		SOUTHERN CALIFORNIA EDISON	Electricity for Pump Station 9/9/19 to 10/8/19	182.21	20	GAS TAX
Total EFT68				182.21		

**City of Canyon Lake**  
 Check/Voucher Register - Council Report - Expenditures  
 From 10/1/2019 Through 10/31/2019

Check Number	Matching Docume... Date	Vendor Name	Transaction Description	Check Amount	Fund Code	Fund Short Title
EFT69		ELSINORE VALLEY MUNI WATER DIS	Water for Fire Station 8/27/19 to 9/27/19	396.70	10	GENERAL
Total EFT69				396.70		
EFT70		ELSINORE VALLEY MUNI WATER DIS	Water for City Hall 8/25/19 to 9/25/19	164.91	10	GENERAL
Total EFT70				164.91		
EFT71		ELSINORE VALLEY MUNI WATER DIS	Water for Irrigation 8/27/19 to 9/27/19	777.15	20	GAS TAX
Total EFT71				777.15		
Report Total				309,892.04		

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

<u>Vendor ID</u>	<u>Invoice Description</u>	<u>Cash Required</u>
SB Co. Clerk	Dept. of Fish & Wildlife CEQA Fee for Housing Element Update	2,404.75
Report Total		<u>2,404.75</u>

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

<u>Vendor ID</u>	<u>Invoice Description</u>	<u>Cash Required</u>
CFSTES	Fire Inspector 1A Class State Fee - Manzano	80.00
	Fire Inspector 1A Class State Fee - Dickson	80.00
	Fire Inspector 1A Class State Fee - Ecclefield	<u>80.00</u>
Report Total		<u><u>240.00</u></u>

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

Vendor ID	Invoice Description	Cash Required
AMP	Rent for Admin Bldg for the month of November 2019	2,600.00
Bonner	Auto Allowance for October - Bonner	100.00
Cole Huber	Attorney Services for August 2019	5,000.00
	Attorney Services for September 2019	5,000.00
Control Pump	Landscape Booster Station Monitor Report, 10/4/19	375.00
Corelogic	Database for Code Enforcement Reports, September 2019	10.30
	Database for Code Enforcement, September 2019	128.75
CR&R	Refuse 2017-18PY Pen SP	6,610.67
	Refuse FY 18-19 SEC SP1	13,825.98
	Refuse FY 17-18 Secured Settlement 3	28,893.15
CTAI	Irrigation(Median & Parkways) - Fix leak & wiring issues9/26	2,290.00
Dawn Ecclefield	Fire Training Course Reimb of lunch(10/4 to 10/6)-Ecclefield	32.67
EagleAerial	Digital File of Aerial Maps in Admin Office, 9/30/19	432.00
Ehrenkranz	Auto Allowance for October - Ehrenkranz	100.00
ICG	Building & Safety for August 2019	37,857.02
Jeremy Smith	Auto Allowance for October - Smith	100.00
Kasey Castillo	Auto Allowance for October - Castillo	100.00
Larry Greene	Auto Allowance for October - Greene	100.00
Manzano	Fire Training Course Reimb of lunch(10/4 to 10/6)-Manzano	76.54
MR. WINDOW	Window & Cleaning Inside & Outside (City Hall) 10/2/19	75.00
Nate Volk	Video Broadcasting for Council Mtg. 10/2/19	500.00
PLAT	Removed & Installed new 50g Propane Tank at Fire Station9/27	1,350.00
	Install gas control valve & burner assembly at Fire Station	200.00
PVM	Street & Facility Maint./Veteran Banner Removal - Sept. 2019	1,733.43
PZL, Inc.	Planning Services for September 2019	3,675.00
Ramsey Backflow	Tested Backflow Device at City Hall, 10/3/19	45.00
riv Co Exec	SCFA Quarterly Sheltering Services Oct. - Dec. 2019	17,220.00
	SCFA Miscellaneous Admin Expenses 2nd Qtr.	496.15
Round Up	City Vehicle Fuel April - October 2019 (4/6/19 to 9/27/19)	1,699.73
STAPLES	Office Supplies for Admin Bldg & City Hall, September 2019	872.49
STATE FUND	Workers Comp Premium Annual 6/1/19	11,941.98
The Christmas Kings	50% Deposit for Lighting & Decor for Christmas Tree Event	1,600.00

Date: 10/9/19  
04:05:28 PM

11/06/2019 City Council Agenda

Page: 1

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

<u>Vendor ID</u>	<u>Invoice Description</u>	<u>Cash Required</u>
Time Warner	Digital Converter for City Hall, 9/22/19 to 10/21/19	<u>5.25</u>
Report Total		<u>145,046.11</u> <i>cm</i>

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

Vendor ID	Invoice Description	Cash Required
Aflac	Supplemental Insurance for October 2019	432.82
AmeriGas	Propane for Fire Station, 10/9/19	1,050.21
	Propane for Fire Station, 10/9/19	91.26
Castaneda & Associates	Housing Needs Assessment July 1, 2019 - October 11, 2019	3,441.37
CBSC	Permit Valuation July through September 2019	178.60
CL PEST	City Hall Admin General Pest Control Qtrly, 10/17/19	55.00
	Pest Control Services for Fire Station, 10/11/19	40.00
CTAI	Landscape Maintenance for Median & Parkways October 2019	5,000.00
	Landscape Maintenance for Fire Station October 2019	250.00
Delgado	Janitorial Services for October 2019	941.50
DEPT OF CONSER	Strong Motion Instrument and Seismic Hazard; July-Sept 2019	413.06
DIRECTV	Satellite Service for Fire Station, 10/12/19 to 11/11/19	110.09
DOJ	Sheriff's Blood Alcohol Analysis, September 2019	35.00
DSA	Disability & Education Fee Qtr. Ended 9/30	22.80
FRIDAY FLYER	Public Hearing Ad for Housing Element 9/20/19	145.00
Frontier	City Hall Internet, 10/10/19 to 11/9/19	201.56
	City Hall Phones, 10/13/19 to 11/12/19	90.17
	Phones for Fire Station, 10/13/19 to 11/12/19	280.90
Gagnon	Flag Purchases for Veterans Day, 10/1/19	308.53
GREENHALGH	Retiree Health Insurance November 2019	163.37
ICMA	ICMA Membership for 2020 (Mann)	1,136.00
Joe's	Nozzle Gun, Tilex Mold, Screws, etc. - Fire Station, 9/3/19	55.95
	Nozzle Gun, Brass Shutoff for Fire Station, 9/7/19	54.16
	Paint & Exchange Tank for Fire Station, 9/10/19	37.85
	Garment Hook, Lysol, Air Filters, Cobweb Brush FS 9/14/19	40.05
	Lithum Battery & Drain for Fire Station, 9/27/19	17.38
	Master Keys for Code Enf. (Lopez) 10/19/19	4.07
K Graphics	Notice of Violation Forms for Code Enf. 10/12/19	274.55
Kasey Castillo	League of Cities Conf. Parking Reimb. - Castillo	95.00
PRESS ENT	Notice of RFP for IT Support Services 10/4/19 & 10/11/19	243.60
	Notice of Bid-Wrought Iron Fence Repair Phase II 9/20 & 10/4	722.40
RCA	MSHCP Fees collected for October 2019	2,168.00
REGUS	Library Lease for December 2019	1,074.62
Riv Co Sheriff Acctg	Sheriff's Contract Law, 7/18/19 to 8/14/19	127,062.64
Riv Co TLMA	SLF Costs September 2019	1,383.41

Date: 10/23/19  
04:28:36 PM

11/06/2019 City Council Agenda

Page: 1

Page 27

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

Vendor ID	Invoice Description	Cash Required
SDRMA	Dental & Vision Ins. for Ecclefield, Mann & Sauseda Nov 2019	298.96
Speedy Vehicle	Live Scans Day & Enriquez, July 2019	40.00
STATE FUND	Workers Comp for November 2019	884.75
Synoptek	IT Services for October 2019	2,667.87
Time Warner	Internet for Fire Station, 10/10/19 to 11/9/19	99.98
Toshiba	Monthly Copier Lease for Admin & City Hall, 11/10/19	799.31
US Bank	Office Supplies, CM Conferences, CC Class & Seminar Sept '19	4,155.15
VerizonW	iPads, 9/4/19 to 10/3/19	207.09
	Cell Phones, 9/4/19 to 10/3/19	392.98
Report Total		157,167.01

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

<u>Vendor ID</u>	<u>Invoice Description</u>	<u>Cash Required</u>
CFSTES	Fire Inspector 1A Class(10/25)State Fee,3 Code Enf. Officers	240.00
Joe's	Supplies for new lock on BLM, Spray Paint & Stencil, 7/31/19	58.34
Report Total		<u>298.34</u>

**Labor Distribution**

**City of Canyon Lake**  
Company (10756)

Check Date: 10/15/2019  
Process: 2019101501  
Period: 10/01/2019 to 10/15/2019

**Department: (20)City Employees**

Code	Earning	Hours	Amount	Deduction	Code	Amount	Tax	Code	Amount	Tax	Code	Amount	Taxable	Amount	Taxable	Amount
125CO	125 Cash		492.43	PTAXI	CA	California SI	4111.28	CAETT	CA Edu & Ti	0.00	0.00	0.00	0.00	0.00	0.00	0.00
102	Hol Holiday	9.50	0.00		CASDJ	CA SDI - Err	4383.67	CASUI	California SI	0.00	0.00	0.00	0.00	0.00	0.00	0.00
3891.24	Reg Regular		3891.24		FITW	Federal Incon	4111.28	MED-R	Medicare - E	4383.67	63.57	63.57	4383.67	63.57	63.57	63.57
					MED	Medicare	4383.67									
	<b>Total Earnings</b>	<b>9.50</b>	<b>4383.67</b>	<b>Total Deductions</b>								<b>719.32</b>	<b>Total Employer Taxes</b>			<b>63.57</b>
Day,	Earning	Hours	Amount	Deduction	Code <td>Amount</td> <td>Tax</td> <td>Code <td>Amount</td> <td>Tax</td> <td>Code <td>Amount</td> <td>Taxable</td> <td>Amount</td> <td>Taxable</td> <td>Amount</td> </td></td>	Amount	Tax	Code <td>Amount</td> <td>Tax</td> <td>Code <td>Amount</td> <td>Taxable</td> <td>Amount</td> <td>Taxable</td> <td>Amount</td> </td>	Amount	Tax	Code <td>Amount</td> <td>Taxable</td> <td>Amount</td> <td>Taxable</td> <td>Amount</td>	Amount	Taxable	Amount	Taxable	Amount
106	Regular	30.00	632.10		CA	California SI	632.10	CAETT	CA Edu & Ti	0.00	0.00	0.00	0.00	0.00	0.00	0.00
21.0700					CASDJ	CA SDI - Err	632.10	CASUI	California SI	632.10	39.19	39.19	632.10	39.19	39.19	39.19
					FITW	Federal Incon	632.10	MED-R	Medicare - E	632.10	9.17	9.17	632.10	9.17	9.17	9.17
					MED	Medicare	632.10									
	<b>Total Earnings</b>	<b>30.00</b>	<b>632.10</b>	<b>Total Deductions</b>								<b>35.49</b>	<b>Total Employer Taxes</b>			<b>48.36</b>
Enriquez,	Earning	Hours	Amount	Deduction	Code <td>Amount</td> <td>Tax</td> <td>Code <td>Amount</td> <td>Tax</td> <td>Code <td>Amount</td> <td>Taxable</td> <td>Amount</td> <td>Taxable</td> <td>Amount</td> </td></td>	Amount	Tax	Code <td>Amount</td> <td>Tax</td> <td>Code <td>Amount</td> <td>Taxable</td> <td>Amount</td> <td>Taxable</td> <td>Amount</td> </td>	Amount	Tax	Code <td>Amount</td> <td>Taxable</td> <td>Amount</td> <td>Taxable</td> <td>Amount</td>	Amount	Taxable	Amount	Taxable	Amount
114	Regular	44.00	707.08	457B EE	CA	California SI	654.05	CAETT	CA Edu & Ti	0.00	0.00	0.00	0.00	0.00	0.00	0.00
16.0700					CASDJ	CA SDI - Err	707.08	CASUI	California SI	707.08	43.84	43.84	707.08	43.84	43.84	43.84
					FITW	Federal Incon	654.05	MED-R	Medicare - E	707.08	10.25	10.25	707.08	10.25	10.25	10.25
					MED	Medicare	707.08									
					SS	OASDI	707.08									
	<b>Total Earnings</b>	<b>44.00</b>	<b>707.08</b>	<b>Total Deductions</b>								<b>40.00</b>	<b>Total Employer Taxes</b>			<b>54.09</b>
Mann,	Earning	Hours	Amount	Deduction	Code <td>Amount</td> <td>Tax</td> <td>Code <td>Amount</td> <td>Tax</td> <td>Code <td>Amount</td> <td>Taxable</td> <td>Amount</td> <td>Taxable</td> <td>Amount</td> </td></td>	Amount	Tax	Code <td>Amount</td> <td>Tax</td> <td>Code <td>Amount</td> <td>Taxable</td> <td>Amount</td> <td>Taxable</td> <td>Amount</td> </td>	Amount	Tax	Code <td>Amount</td> <td>Taxable</td> <td>Amount</td> <td>Taxable</td> <td>Amount</td>	Amount	Taxable	Amount	Taxable	Amount
5916.67	125 Cash		103.28	PTXPE	CA	California SI	5695.57	CAETT	CA Edu & Ti	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	Auto Allo'		75.00		CASDJ	CA SDI - Err	6094.95	CASUI	California SI	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	Hol Holiday	9.50	0.00		FITW	Federal Incon	5695.57	MED-R	Medicare - E	6094.95	88.38	88.38	6094.95	88.38	88.38	88.38
	MGTL' Managem	9.50	0.00		MED	Medicare	6094.95									
	Reg Regular		5916.67													
	<b>Total Earnings</b>	<b>19.00</b>	<b>6094.95</b>	<b>Total Deductions</b>								<b>1626.14</b>	<b>Total Employer Taxes</b>			<b>88.38</b>
Sauseda,	Earning	Hours	Amount	Deduction	Code <td>Amount</td> <td>Tax</td> <td>Code <td>Amount</td> <td>Tax</td> <td>Code <td>Amount</td> <td>Taxable</td> <td>Amount</td> <td>Taxable</td> <td>Amount</td> </td></td>	Amount	Tax	Code <td>Amount</td> <td>Tax</td> <td>Code <td>Amount</td> <td>Taxable</td> <td>Amount</td> <td>Taxable</td> <td>Amount</td> </td>	Amount	Tax	Code <td>Amount</td> <td>Taxable</td> <td>Amount</td> <td>Taxable</td> <td>Amount</td>	Amount	Taxable	Amount	Taxable	Amount
108	125 Cash		527.34	457B EE	CA	California SI	2450.02	CAETT	CA Edu & Ti	0.00	0.00	0.00	0.00	0.00	0.00	0.00
25.0100	Hol Holiday	9.50	237.60	PTAXI	CASDJ	CA SDI - Err	2665.70	CASUI	California SI	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	Reg Regular	76.00	1900.76		FITW	Federal Incon	2450.02	MED-R	Medicare - E	2665.70	38.65	38.65	2665.70	38.65	38.65	38.65
					MED	Medicare	2665.70									
	<b>Total Earnings</b>	<b>85.50</b>	<b>2665.70</b>	<b>Total Deductions</b>								<b>251.62</b>	<b>Total Employer Taxes</b>			<b>38.65</b>

**Department: (20)City Employees Total**

Code	Earning	Hours	Amount	Deduction	Code	Amount	Tax	Code	Amount	Tax	Code	Amount	Taxable	Amount	Taxable	Amount
5	125 Cash		1123.05	457B EE	CA	California SI	13543.02	CAETT	CA Edu & Ti	0.00	0.00	0.00	0.00	0.00	0.00	0.00
3	Auto Allo'		75.00	PTAXI	CASDJ	CA SDI - Err	14483.50	CASUI	California SI	1339.18	83.03	83.03	1339.18	83.03	83.03	83.03
2	Hol Holiday	28.50	237.60	PTXPE	FITW	Federal Incon	13543.02	MED-R	Medicare - E	14483.50	210.02	210.02	14483.50	210.02	210.02	210.02
	MGTL' Managem	9.50	0.00		MED	Medicare	14483.50									
	Reg Regular	150.00	13047.85		SS	OASDI	707.08									
	<b>Total Earnings</b>	<b>188.00</b>	<b>14483.50</b>	<b>Total Deductions</b>								<b>2672.57</b>	<b>Total Employer Taxes</b>			<b>293.05</b>

**Department: (30)Special Enforcement Team**

Code	Earning	Hours	Amount	Deduction	Code	Amount	Tax	Code	Amount	Taxable	Tax	Code	Amount	Taxable	Amount
125CO	125 Cash		161.06	457B EE	CA	50.00	California SI	1729.04	50.23	CAEIT	CA Edu & T	0.00	0.00	0.00	0.00
104	Reg Regular	68.50	1735.10	PTXPE Pre-Tax P.	CASDI	117.12	CA SDI - Err	1896.16	18.96	CASUI	California SI	0.00	0.00	0.00	1896.16
25.3300	Rate				FITW		Federal Incoi	1729.04	132.32	MED-R	Medicare - E	1896.16	27.49	27.49	1923.65
					MED		Medicare	1896.16	27.49						1500.04
	<b>Total Earnings</b>	<b>68.50</b>	<b>1896.16</b>	<b>Total Deductions</b>		<b>167.12</b>	<b>Total Employee Taxes</b>		<b>229.00</b>		<b>Total Employer Taxes</b>		<b>27.49</b>		
Heigene Dickson															
125CO	125 Cash		477.29	PTAXI Pre-Tax P.	CA	184.52	California SI	2928.75	154.97	CAEIT	CA Edu & T	0.00	0.00	0.00	0.00
101	Comp Comp Tin	1.50	46.25		CASDI		CA SDI - Err	3113.27	31.13	CASUI	California SI	0.00	0.00	0.00	3113.27
30.8300	Hol Holiday	9.50	292.89		FITW		Federal Incoi	2928.75	276.28	MED-R	Medicare - E	3113.27	45.14	45.14	3158.41
	Reg Regular	74.50	2296.84		MED		Medicare	3113.27	45.14						2421.23
	<b>Total Earnings</b>	<b>85.50</b>	<b>3113.27</b>	<b>Total Deductions</b>		<b>184.52</b>	<b>Total Employee Taxes</b>		<b>507.52</b>		<b>Total Employer Taxes</b>		<b>45.14</b>		
Lopez, Fred S															
113	Reg Regular	26.00	712.40	PTAXI Pre-Tax P.	CA	49.87	California SI	662.53	6.63	CAEIT	CA Edu & T	0.00	0.00	0.00	712.40
27.4000	Rate				CASDI		CA SDI - Err	712.40	7.13	CASUI	California SI	0.00	0.00	0.00	712.40
					FITW		Federal Incoi	662.53	52.42	MED-R	Medicare - E	712.40	10.33	10.33	766.90
					MED		Medicare	712.40	10.33						586.02
	<b>Total Earnings</b>	<b>26.00</b>	<b>712.40</b>	<b>Total Deductions</b>		<b>49.87</b>	<b>Total Employee Taxes</b>		<b>76.51</b>		<b>Total Employer Taxes</b>		<b>54.50</b>		
Manzano, Rubi E															
98	Hol Holiday	9.50	499.58	PTXPE Pre-Tax P.	CA	152.01	California SI	2599.64	61.35	CAEIT	CA Edu & T	0.00	0.00	0.00	2751.65
26.3400	Reg Regular	71.50	1883.31		CASDI		CA SDI - Err	2751.65	27.52	CASUI	California SI	0.00	0.00	0.00	2751.65
	Vac Vacation	4.50	118.53		FITW		Federal Incoi	2599.64	236.79	MED-R	Medicare - E	2751.65	39.90	39.90	2791.55
					MED		Medicare	2751.65	39.90						2234.08
	<b>Total Earnings</b>	<b>85.50</b>	<b>2751.65</b>	<b>Total Deductions</b>		<b>152.01</b>	<b>Total Employee Taxes</b>		<b>365.56</b>		<b>Total Employer Taxes</b>		<b>39.90</b>		

**Department: (30)Special Enforcement Team Total**

Code	Earning	Hours	Amount	Deduction	Code	Amount	Tax	Code	Amount	Taxable	Tax	Code	Amount	Taxable	Amount
125CO	125 Cash		1137.93	457B EE	CA	50.00	California SI	7919.96	273.18	CAEIT	CA Edu & T	0.00	0.00	0.00	8473.48
1	Comp Comp Tin	1.50	46.25	PTAXI Pre-Tax P.	CASDI	234.39	CA SDI - Err	8473.48	84.74	CASUI	California SI	0.00	0.00	0.00	8473.48
	Hol Holiday	19.00	543.12	PTXPE Pre-Tax P.	FITW	269.13	Federal Incoi	7919.96	697.81	MED-R	Medicare - E	8473.48	122.86	122.86	8640.51
	Reg Regular	240.50	6627.65		MED		Medicare	8473.48	122.86						6741.37
	Vac Vacation	4.50	118.53												
	<b>Total Earnings</b>	<b>265.50</b>	<b>8473.48</b>	<b>Total Deductions</b>		<b>553.52</b>	<b>Total Employee Taxes</b>		<b>1178.59</b>		<b>Total Employer Taxes</b>		<b>167.03</b>		

**City of Canyon Lake**  
Company (10756)

Check Date: 10/15/2019 Page 3  
Process: 2019101501  
Period: 10/01/2019 to 10/15/2019

**Labor Distribution**

11/06/2019 City Council Agenda

**Report Total**

9	Code	Earning	Hours	Amount	Code	Deduction	Amount	Code	Tax	Amount	Code	Tax	Amount	Code	Taxable	Amount	Taxable	Amount
6	125CO	125 Cash		2260.98	457B	457B EE	169.03	CA	California SI	21462.98	CAETT	CA Edu & T	909.37	CAETT	2051.58	0.00	2051.58	0.00
3	Auto	Auto Allo'		75.00	PTAXI	Pre-Tax P	656.46	CASDI	CA SDI - Err	22956.98	CASUI	California S	229.58	CASUI	2051.58	127.20	2051.58	127.20
	Comp	Comp Tin	1.50	46.25	PTXPE	Pre-Tax P	668.51	FITW	Federal Inco	21462.98	MED-R	Medicare - E	2379.33	MED-R	22956.98	332.88	22956.98	332.88
	Hol	Holiday	47.50	780.72				MED	Medicare	22956.98			332.88					
	MGTL	Managem	9.50	0.00				SS	OASDI	707.08			0.00					
	Reg	Regular	390.50	19675.50														
	Vac	Vacation	4.50	118.53														
	<b>Total Earnings</b>		<b>453.50</b>	<b>22956.98</b>	<b>Total Deductions</b>		<b>1494.00</b>	<b>Total Employee Taxes</b>		<b>3851.16</b>	<b>Total Employer Taxes</b>		<b>460.08</b>					

Chris Mann, City Manager

Date

**Labor Distribution**

**City of Canyon Lake**  
Company (10756)

Check Date: 09/30/2019  
Process: 2019093001  
Period: 09/16/2019 to 09/30/2019

**Department: (20)City Employees**

Code	Earning	Hours	Amount	Deduction	Code	Amount	Tax	Taxable	Amount	Code	Tax	Taxable	Amount
125CO	125 Cash		492.43	PTAXI Pre-Tax P	CA	272.39	California SI	4111.28	160.72	CAETT	CA Edu & T	0.00	0.00
Reg	Regular		3891.24	CASDI CA SDI - Err	CASDI	4383.67	California SI	4383.67	43.83	CASUI	California SI	0.00	0.00
Emp Id	102			FITW Federal Incon	FITW	4111.28	Federal Incon	4111.28	451.19	MED-R	Medicare - E	4383.67	63.56
Salary	3891.24			MED Medicare	MED	4383.67	Medicare	4383.67	63.56				63.56
		<b>0.00</b>	<b>4383.67</b>	<b>Total Deductions</b>		<b>272.39</b>	<b>Total Employee Taxes</b>		<b>719.30</b>		<b>Total Employer Taxes</b>		<b>63.56</b>
Code	Earning	Hours	Amount	Deduction	Code	Amount	Tax	Taxable	Amount	Code	Tax	Taxable	Amount
Reg	Regular	45.50	958.69	CASDI CA SDI - Err	CA	958.69	California SI	958.69	13.14	CAETT	CA Edu & T	958.69	0.00
Emp Id	106			FITW Federal Incon	CASDI	958.69	California SI	958.69	9.59	CASUI	California SI	958.69	59.44
Rate	21.0700			MED Medicare	FITW	958.69	Federal Incon	958.69	46.70	MED-R	Medicare - E	958.69	13.90
		<b>45.50</b>	<b>958.69</b>	<b>Total Deductions</b>		<b>0.00</b>	<b>Total Employee Taxes</b>		<b>83.33</b>		<b>Total Employer Taxes</b>		<b>73.34</b>

Code	Earning	Hours	Amount	Deduction	Code	Amount	Tax	Taxable	Amount	Code	Tax	Taxable	Amount
Reg	Regular	46.50	747.26	457B EE	CA	56.04	California SI	691.22	7.26	CAETT	CA Edu & T	747.26	0.00
Emp Id	114			FITW Federal Incon	CASDI	747.26	California SI	747.26	7.47	CASUI	California SI	747.26	46.33
Rate	16.0700			MED Medicare	FITW	691.22	Federal Incon	691.22	19.96	MED-R	Medicare - E	747.26	10.84
		<b>46.50</b>	<b>747.26</b>	<b>Total Deductions</b>		<b>56.04</b>	<b>Total Employee Taxes</b>		<b>10.83</b>		<b>Total Employer Taxes</b>		<b>645.70</b>

Code	Earning	Hours	Amount	Deduction	Code	Amount	Tax	Taxable	Amount	Code	Tax	Taxable	Amount
Reg	Regular	46.50	103.28	PTXPE Pre-Tax P	CA	399.38	California SI	5693.57	432.60	CAETT	CA Edu & T	0.00	0.00
Emp Id	111			CASDI CA SDI - Err	CASDI	75.00	California SI	6094.95	60.95	CASUI	California SI	0.00	0.00
Rate	5916.67			FITW Federal Incon	FITW	5916.67	Federal Incon	5693.57	1044.21	MED-R	Medicare - E	6094.95	88.38
		<b>46.50</b>	<b>747.26</b>	<b>Total Deductions</b>		<b>56.04</b>	<b>Total Employee Taxes</b>		<b>88.37</b>		<b>Total Employer Taxes</b>		<b>88.38</b>

Code	Earning	Hours	Amount	Deduction	Code	Amount	Tax	Taxable	Amount	Code	Tax	Taxable	Amount
Reg	Regular	85.50	2138.36	PTAXI Pre-Tax P	CA	66.00	California SI	2450.02	30.47	CAETT	CA Edu & T	0.00	0.00
Emp Id	108			CASDI CA SDI - Err	CASDI	149.68	California SI	2665.70	26.66	CASUI	California SI	0.00	0.00
Rate	25.0100			FITW Federal Incon	FITW	149.68	Federal Incon	2450.02	155.84	MED-R	Medicare - E	2665.70	38.65
		<b>85.50</b>	<b>2665.70</b>	<b>Total Deductions</b>		<b>215.68</b>	<b>Total Employee Taxes</b>		<b>38.66</b>		<b>Total Employer Taxes</b>		<b>38.65</b>

**Department: (20)City Employees Total**

Code	Earning	Hours	Amount	Deduction	Code	Amount	Tax	Taxable	Amount	Code	Tax	Taxable	Amount
Female	125CO 125 Cash	3	1123.05	457B EE	CA	122.04	California SI	13906.78	644.19	CAETT	CA Edu & T	1705.95	0.00
Male	Auto Auto Allo	2	75.00	PTAXI Pre-Tax P	CASDI	422.07	California SI	14850.27	148.50	CASUI	California SI	1705.95	105.77
	Reg Regular	177.50	13652.22	PTXPE Pre-Tax P	FITW	399.38	Federal Incon	13906.78	1717.90	MED-R	Medicare - E	14850.27	215.33
		<b>177.50</b>	<b>14850.27</b>	<b>Total Deductions</b>		<b>943.49</b>	<b>Total Employee Taxes</b>		<b>215.32</b>		<b>Total Employer Taxes</b>		<b>0.00</b>
					SS	0.00	OASDI	747.26					
									<b>2725.91</b>		<b>Total Employer Taxes</b>		<b>321.10</b>

**Labor Distribution**

**City of Canyon Lake**  
Company (10756)

Check Date: 09/30/2019  
Process: 2019093001  
Period: 09/16/2019 to 09/30/2019

**Department: (30)Special Enforcement Team**

Code	Earning	Hours	Amount	Deduction	Code	Amount	Tax	Code	Amount	Tax	Code	Amount	Taxable	Amount	Taxable	Amount
125CO	125 Cash		161.06	457B EE	CA	50.00	California SI	CA	50.00	CA	50.00	CA	1575.51	0.00	CA	0.00
104	Regular	62.00	1570.46	PTXPE Pre-Tax P.	CASDI	106.01	CA SDI - Err	CASUI	106.01	California SI	106.01	California SI	1731.52	0.00	California SI	0.00
25.3300	Rate				FITW		Federal Inco	MED-R	113.89	MED-R	113.89	Medicare - E	1731.52	25.11		25.11
					MED		Medicare		25.11		25.11					
	<b>Total Earnings</b>	<b>62.00</b>	<b>1731.52</b>	<b>Total Deductions</b>		<b>156.01</b>	<b>Total Employee Taxes</b>		<b>196.40</b>	<b>Total Employer Taxes</b>		<b>25.11</b>		<b>25.11</b>		<b>1731.52</b>

Code	Earning	Hours	Amount	Deduction	Code	Amount	Tax	Code	Amount	Tax	Code	Amount	Taxable	Amount	Taxable	Amount
125CO	125 Cash		477.29	PTAXI Pre-Tax P.	CA	184.52	California SI	CA	184.52	California SI	184.52	California SI	2928.73	0.00	CA	0.00
101	Regular	66.50	2050.19		CASDI		CA SDI - Err	CASUI	31.13	California SI	31.13	California SI	3113.25	0.00	California SI	0.00
30.8300	Sick	19.00	585.77		FITW		Federal Inco	MED-R	276.28	MED-R	276.28	Medicare - E	3113.25	45.14		45.14
	Rate				MED		Medicare		45.14		45.14					
	<b>Total Earnings</b>	<b>85.50</b>	<b>3113.25</b>	<b>Total Deductions</b>		<b>184.52</b>	<b>Total Employee Taxes</b>		<b>507.52</b>	<b>Total Employer Taxes</b>		<b>45.14</b>		<b>45.14</b>		<b>3113.25</b>

Code	Earning	Hours	Amount	Deduction	Code	Amount	Tax	Code	Amount	Tax	Code	Amount	Taxable	Amount	Taxable	Amount
Reg	Regular	28.00	767.20	PTAXI Pre-Tax P.	CA	53.70	California SI	CA	53.70	California SI	53.70	California SI	713.50	0.00	CA	0.00
113	Rate				CASDI		CA SDI - Err	CASUI	7.75	California SI	7.75	California SI	767.20	0.00	California SI	0.00
27.4000	Rate				FITW		Federal Inco	MED-R	7.67	MED-R	7.67	Medicare - E	767.20	47.57		47.57
					MED		Medicare		11.13	SS-R	11.13	OASDI - Err	767.20	11.12		11.12
	<b>Total Earnings</b>	<b>28.00</b>	<b>767.20</b>	<b>Total Deductions</b>		<b>53.70</b>	<b>Total Employee Taxes</b>		<b>85.09</b>	<b>Total Employer Taxes</b>		<b>58.69</b>		<b>58.69</b>		<b>767.20</b>

Code	Earning	Hours	Amount	Deduction	Code	Amount	Tax	Code	Amount	Tax	Code	Amount	Taxable	Amount	Taxable	Amount
125CO	125 Cash		499.58	PTXPE Pre-Tax P.	CA	152.01	California SI	CA	152.01	California SI	152.01	California SI	2599.64	0.00	CA	0.00
98	Regular	85.50	2252.07		CASDI		CA SDI - Err	CASUI	27.52	California SI	27.52	California SI	2751.65	0.00	California SI	0.00
26.3400	Rate				FITW		Federal Inco	MED-R	236.79	MED-R	236.79	Medicare - E	2599.64	39.90		39.90
					MED		Medicare		39.89		39.89					
	<b>Total Earnings</b>	<b>85.50</b>	<b>2751.65</b>	<b>Total Deductions</b>		<b>152.01</b>	<b>Total Employee Taxes</b>		<b>365.55</b>	<b>Total Employer Taxes</b>		<b>39.90</b>		<b>39.90</b>		<b>2751.65</b>

**Department: (30)Special Enforcement Team Total**

Code	Earning	Hours	Amount	Deduction	Code	Amount	Tax	Code	Amount	Tax	Code	Amount	Taxable	Amount	Taxable	Amount
125CO	125 Cash		1137.93	457B EE	CA	50.00	California SI	CA	50.00	California SI	50.00	California SI	7817.38	0.00	CA	0.00
1	Regular	242.00	6639.92	PTAXI Pre-Tax P.	CASDI	238.22	CA SDI - Err	CASUI	83.63	California SI	83.63	California SI	8363.62	0.00	California SI	0.00
	Sick	19.00	585.77	PTXPE Pre-Tax P.	FITW	258.02	Federal Inco	MED-R	685.50	MED-R	685.50	Medicare - E	7817.38	121.27		121.27
	Rate				MED		Medicare		121.27	SS-R	121.27	OASDI - Err	8363.62	0.00		0.00
	<b>Total Earnings</b>	<b>261.00</b>	<b>8363.62</b>	<b>Total Deductions</b>		<b>546.24</b>	<b>Total Employee Taxes</b>		<b>1154.56</b>	<b>Total Employer Taxes</b>		<b>168.84</b>		<b>168.84</b>		<b>8363.62</b>

**Report Total**

Code	Earning	Hours	Amount	Deduction	Code	Amount	Tax	Code	Amount	Tax	Code	Amount	Taxable	Amount	Taxable	Amount
125CO	125 Cash		2260.98	457B EE	CA	172.04	California SI	CA	172.04	California SI	172.04	California SI	21724.16	0.00	CA	0.00
3	Auto	419.50	75.00	PTAXI Pre-Tax P.	CASDI	660.29	CA SDI - Err	CASUI	232.13	California SI	232.13	California SI	2473.15	0.00	California SI	0.00
	Regular	19.00	20292.14	PTXPE Pre-Tax P.	FITW	657.40	Federal Inco	MED-R	2403.40	MED-R	2403.40	Medicare - E	23213.89	153.34		153.34
	Sick	19.00	585.77		MED		Medicare		336.59	SS-R	336.59	OASDI - Err	23213.89	336.60		336.60
	Rate				SS		OASDI		0.00		0.00		1514.46	0.00		0.00
	<b>Total Earnings</b>	<b>438.50</b>	<b>23213.89</b>	<b>Total Deductions</b>		<b>1489.73</b>	<b>Total Employee Taxes</b>		<b>3880.47</b>	<b>Total Employer Taxes</b>		<b>489.94</b>		<b>489.94</b>		<b>23213.89</b>

*Chris Mann, City Manager*

*10-2-19*  
Date

## Credit Card Review



**U S BANK Statement dated 10/7/19**

<b>ITEM #</b>	<b>CREDITOR</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>	<b>ACCOUNT</b>
1	Adobe	Monthly subscription for Sauseda	\$ 14.99	10-310-6210
2	Microsoft	Microsoft 365 Monthly Fee	\$ 401.21	10-310-6210
3	City of Canyon Lake Service	Charge from Payroc to test payment system	\$ 2.00	10-310-6210
4	City of Canyon Lake	Charge from Payroc to test payment system	\$ 8.00	10-310-6210
5	Arlo Technologies	Monthly Camera Service - City Hall	\$ 9.99	10-550-6610
6	Jon's Flags & Poles	New Flag for City Hall	\$ 103.31	10-310-6210
7	Tommy's Express	Car Wash for City Vehicles	\$ 74.97	10-520-6415
8	CKO Istockphoto	Images for Veterans Day	\$ 92.00	10-100-6830
9	Michael Stores	Council Meeting Supplies	\$ 28.78	10-310-6210
10	Fast Signs	Banners for Veterans Day	\$ 280.37	10-100-6830
11	Amazon	Fire Inspector Enforcement Department Book	\$ 151.46	10-520-6220
12	Canyon Lake Property Owners	Lunch Meeting (Mann & Blankenship) Economic Development	\$ 34.02	10-310-6510
13	The Canyon Cowboy	Lunch Meeting (Mann & Blankenship) Economic Development	\$ 37.14	10-310-6510
14	Canyon Lake Property Owners	Economic Development Roundtable (Mann)	\$ 78.00	10-310-6510
15	PayPal	City Manager Attendance at California City Management Foundation Seminar	\$ 500.00	10-310-6510
16	The League of California	2020 City Managers Conference Registration	\$ 725.00	10-310-6510
17	Southwest Earlybird	League of California City Managers Conference Travel	\$ 25.00	10-310-6510
18	Southwest Earlybird	League of California City Managers Conference Travel	\$ 25.00	10-310-6510
19	Southwest	League of California City Managers Conference Travel	\$ 226.96	10-310-6510
20	Eagles Mark	Council Recognition Gavel & Name Plate	\$ 61.99	10-100-6220
21	Target	Water for Admin Office	\$ 29.56	10-310-6210
22	Target	Soda for Admin Office	\$ 19.53	10-310-6210
23	Sams Club	Soda for Admin Office	\$ 24.53	10-310-6210
24	Etsy.com	Council Name Plates for Admin Office	\$ 54.48	10-100-6220
25	City Clerks Association	City Clerks Class Registration - Athenian Dialogue Taft	\$ 75.00	10-320-6710
26	City Clerks Association	City Clerks Class Registration - Athenian Dialogue Taft	\$ 75.00	10-320-6710
27	Wal-Mart	Boat Cushion & Air Horn for New Boat	\$ 16.05	10-310-8003
28	Amazon	Wood Adjustable Literature Organizer - Council Mailboxes	\$ 57.95	10-100-6220
29	Campworld	Boat Supplies - Fire Extinguisher, Life Jackets, etc.	\$ 330.96	10-310-8003
30	The League of California	City Clerks New Law & Election Seminar	\$ 500.00	10-320-6510
31	Costco Gas	Fuel for Yukon	\$ 81.00	10-320-6510
32	Amazon	Wide Single Face Satin Ribbon for Proclamations	\$ 10.90	10-320-6220
		Late Fee	\$ -	10-310-6965
			<b>\$ 4,155.15</b>	
		<b>Account Breakdown</b>		
	City Council Dept. Expense	10-100-6220	\$ 174.42	
	Council Meeting/Travel Expense	10-100-6510		
	Council Special Dept. Expense	10-100-6520		
	Promotion and Advertising	10-100-6830	\$ 372.37	
	City Manager Office Expense	10-310-6210	\$ 631.91	
	Conference/Meeting/Travel Expense	10-310-6510	\$ 1,651.12	
	City Manager Software	10-310-6530		
	City Manager Dept. Expense	10-310-6220		
	City Manager Membership	10-310-6520		
	Professional/Specialized Services	10-310-6610		
	City Manager Replacement Boat	10-310-8003	\$ 347.01	
	City Manager Computer	10-310-8010		
	City Clerk Departmental Expense	10-320-6220	\$ 10.90	
	City Clerk Conference/Meeting/Travel Expense	10-320-6510	\$ 581.00	
	City Clerk Dues	10-320-6520		
	Professional/Specialized Services	10-320-6610		
	City Clerk Training and Education	10-320-6710	\$ 150.00	
	Planning Services	10-350-6616		
	Building Dept Expense	10-360-6220		
	Fire Station Expenses	10-420-6210		
	Emergency Preparedness Supplies	10-425-6215		
	Code Enforcement Supplies	10-520-6210		
	Special Enforcement Misc Expense	10-520-6220	\$ 151.46	
	Code Enforcement Vehicle Equipment	10-520-6410		
	Vehicle Maintenance	10-520-6415	\$ 74.97	
	Code Enforcement Membership Dues	10-520-6520		
	Code Enforcement Training	10-520-6710		
	Building & Facilities Maintenance	10-550-6610	\$ 9.99	
			<b>\$ 4,155.15</b>	
			Check Figure \$ -	

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



Reporting

Manage Reports

Payroll Schedule

Out-of-Class Validation

Member Requests

Health Reconciliation

Retirement Appointr

Name: City of Canyon Lake

CalPERS ID: 3813045770



Your request for payment has been accepted

- To generate the employer payment report, please click the print button. [Print](#)
- If you need to contact us with questions regarding this payment, please have your Payment Confirmation Number for faster access.
- Your payment will reflect as paid in myCalPERS if your payroll has successfully posted. Once your payment is processed any credits will roll over to the same type of receivable in the next month, after your payroll has been processed.
- Your payment may take longer to post, depending upon your Financial Institution.



Total Payment Amount: \$969.94

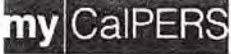


1001418181	10/02/2019	100000015807622	Health PA Billing - PERS	EFT - Debit	Citizens Business Bank -5402	\$969.94
------------	------------	-----------------	--------------------------	-------------	------------------------------	----------

© Copyright 2019 CalPERS | [Conditions of Use](#) | [Accessibility](#)

Build: v8.3 Baseline: 190916\_143726\_v8.3\_int.6769 UID: 318

CM



[Home](#) | [Profile](#) | [Reporting](#) | [Personal Information](#) | [Education](#) | [Pension Myself](#) | [Other Organizations](#)

[Manage Reports](#) | [Billing and Payments](#) | [Payroll Schedule](#) | [Out-of-Class Validation](#) | [Member Requests](#) | [Health Reconciliation](#) | [Retirement Appoint](#)

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

**Payment Request Acceptance**

**Your request for payment has been accepted**

- **To generate the employer payment report, please click the print button.**      [Print](#)
- If you need to contact us with questions regarding this payment, please have your Payment Confirmation Number for faster access.
- Your payment will reflect as paid in myCalPERS if your payroll has successfully posted. Once your payment is processed any credits will roll over to the same type of receivable in the next month, after your payroll has been processed.
- Your payment may take longer to post, depending upon your Financial Institution.

**Payment Setup Total**

**Total Payment Amount:** \$2,911.07

**Payment Summary**

Payment Confirmation Number	Payment Authorization Date	Receivable ID	Receivable Description	Payment Method	Payment Account Nickname	Selected Payment Amount
1001424373	10/10/2019	100000015766546	Employer Contribution, Classic, 1684, CalPERS, 09/16/2019 - 09/30/2019	EFT - Debit	Citizens Business Bank -5402	\$1,573.38
1001424374	10/10/2019	100000015766595	Employer Contribution, PEPR, 26189, CalPERS, 09/16/2019 - 09/30/2019	EFT - Debit	Citizens Business Bank -5402	\$1,337.69

© Copyright 2019 CalPERS | [Conditions of Use](#) | [Accessibility](#)

Build: v8.3    Baseline: 190916\_143726\_v8.3\_Int.6769    **UID: 318**

5269



[Home](#) | [Profile](#) | [Reporting](#) | [Person Information](#) | [Education](#) | [Pension Navigator](#) | [Other Organizations](#)

[Manage Reports](#) | [Billing and Payments](#) | [Payroll Schedule](#) | [Out-of-Class Validation](#) | [Member Requests](#) | [Health Reconciliation](#) | [Retirement Appoint](#)

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

**Payment Request Acceptance**

**Your request for payment has been accepted**

- **To generate the employer payment report, please click the print button.**      [Print](#)
- If you need to contact us with questions regarding this payment, please have your Payment Confirmation Number for faster access.
- Your payment will reflect as paid in myCalPERS if your payroll has successfully posted. Once your payment is processed any credits will roll over to the same type of receivable in the next month, after your payroll has been processed.
- Your payment may take longer to post, depending upon your Financial Institution.

**Payment Setup Total**

**Total Payment Amount:** \$2,924.55

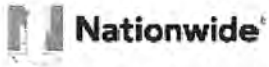
**Payment Summary**

Payment Confirmation Number	Payment Authorization Date	Receivable ID	Receivable Description	Payment Method	Payment Account Nickname	Selected Payment Amount
1001427482	10/16/2019	100000015801816	Employer Contribution, Classic, 1684, CalPERS, 10/01/2019 - 10/15/2019	EFT - Debit	Citizens Business Bank -5402	\$1,564.25
1001427483	10/16/2019	100000015801858	Employer Contribution, PEPR, 26189, CalPERS, 10/01/2019 - 10/15/2019	EFT - Debit	Citizens Business Bank -5402	\$1,360.30

© Copyright 2019 CalPERS | [Conditions of Use](#) | [Accessibility](#)

Build: v8.3 Baseline: 190916\_143726\_v8.3\_Int.6769 **UID: 318**

*CM*



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.

F VM

Plan Name: **CITY OF CANYON LAKE 457**

Plan Number: **0035273001**

Payroll Center: **CITY OF CANYON LAKE**

Payroll Center Number: **001**

### Payroll Received for Salary Reduction

Submission date: **10/10/2019**

Submission time: **08:23 PM**

Pay period end date: **09/30/2019**

Payment method: **Debit ACH**

Bank routing number: **122234149**

Bank account number: **245125402**

Contributions payment amount: **\$232.00**

Contributions count: **2**

Draft date: **10/14/2019**

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](#).



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.

*(Handwritten initials)*

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: **10/10/2019**

Submission time: **08:24 PM**

Pay period end date: **09/30/2019**

Payment method: **Debit ACH**

Bank routing number: **122234149**

Bank account number: **245125402**

Contributions payment amount: **\$98.23**

Contributions count: **1**

Draft date: **10/14/2019**

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](#).

## Investment Reports



# CITIZENSTRUST

PO Box 2549  
Rancho Cucamonga, CA 91729-2549  
Return Service Requested

00000079 MCB1000101119147588 01 000000 50 005



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

RECEIVED

OCT 23 2019

BY: \_\_\_\_\_

STATEMENT FOR THE PERIOD FROM 09/01/2019 TO 09/30/2019  
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  
 Rancho Cucamonga, CA 91729-2549  
 Return Service Requested



## Account Statement

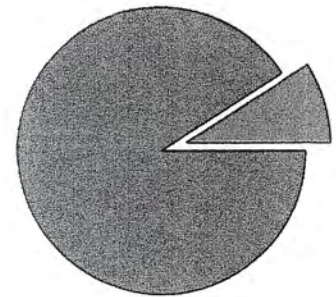
Account Number: **1035003119**  
 September 01, 2019 To September 30, 2019

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

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

### Investment Portfolio Summary

Market Value As Of	09/01/2019	09/30/2019	% Of Account
 CASH & CASH EQUIVALENTS	68,654.36	256,017.08	9.3%
 FIXED INCOME	2,649,535.80	2,508,389.20	90.7%
<b>Total</b>	<b>2,718,190.16</b>	<b>2,764,406.28</b>	<b>100.0%</b>



### Activity Summary

	This Period	Year To Date	Realized Capital Gains / Losses	
			This Period	Year To Date
Beginning Market Value	2,718,190.16	2,651,935.13		
Income	7,049.12	42,377.61	Long Term	411.03
Asset Activity	180,313.60	93,407.63	Short Term	10.00
Fees	0.00	5,808.22	Total Gains / Losses	421.03
Cash Management	187,362.72	129,977.02		494.86
Change In Market Value	46,216.12	112,471.10		
Ending Market Value	2,764,406.28	2,764,406.28		

# Account Statement

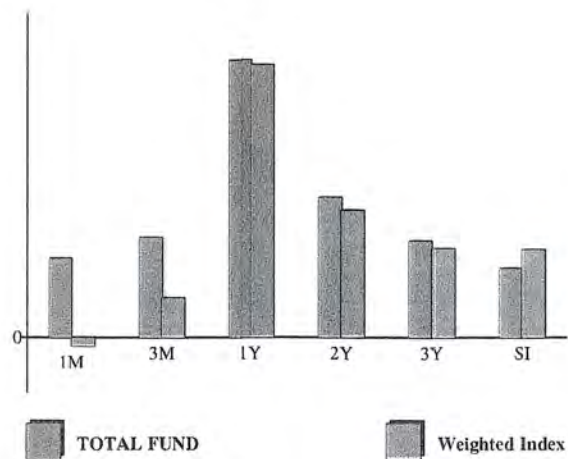
Account Number: **1035003119**

September 01, 2019 To September 30, 2019

## Performance Summary - Total Returns

	Market Value	1 Month	3 Months	1 Year	2 Years	3 Years	Since Inception 03/01/2010
TOTAL FUND	2,776,477	1.63	2.06	5.72	2.89	1.99	1.42
Return On Indexes Fixed GT (95% FX / 5% C)		0.18	0.81	5.62	2.62	1.83	1.81

Return Comparison



PAST RESULTS ARE NOT INDICATIVE OF FUTURE INVESTMENT RESULTS. FUND DATA IS ON A TRADE DATE BASIS. PERFORMANCE RESULTS ARE GROSS OF MANAGEMENT FEES. RETURNS FOR PERIODS LONGER THAN ONE YEAR ARE ANNUALIZED. MARKET VALUE DOES NOT INCLUDE ACCRUED INCOME.

### Portfolio Statement

Quantity	Description	Market Value	Cost Basis
<b>Cash &amp; Cash Equivalents</b>			
Cash Equivalents			
Unclassified			
256,017.080	31607A703 FIDELITY GOVERNMENT PORTFOLIO	256,017.08	256,017.08
	Total Unclassified	256,017.08	256,017.08
Total	Cash Equivalents	256,017.08	256,017.08
<b>Total</b>	<b>Cash &amp; Cash Equivalents</b>	<b>256,017.08</b>	<b>256,017.08</b>
<b>Fixed Income</b>			
Taxable			
75,000.000	05531FAU7 BB&T CORPORATION DTD 06/29/15 CALL 2.625% 06/29/2020-2020	75,264.75	75,111.61
100,000.000	05580ACZ5 BMW BANK BANK NORTH AMERICA DTD 09/30/15 MEDIUM-TERM CD 2.2% 09/30/2020	100,447.00	99,980.00
100,000.000	14042RAR2 CAPITAL ONE NA MEDIUM-TERM CD DTD 10/07/2015 2.2% 10/07/2020	100,453.00	99,615.00
100,000.000	24422ERE1 JOHN DEERE CAPITAL CORP SERIES MTN DTD 07/12/2011 3.9% 07/12/2021	103,350.00	104,166.82
100,000.000	29266NS32 ENERBANK USA DTD 10/16/2015 MEDIUM-TERM CD 1.75% 10/16/2020	99,948.00	100,000.00
70,000.000	3130A1CE6 FEDERAL HOME LOAN DTD 03/27/14 2% 12/27/2019	70,023.80	70,116.62
100,000.000	3130A6NA1 FEDERAL HOME LOAN DTD 10/29/15 CALL 1.4% 10/29/2019-2016	99,965.00	100,000.00
50,000.000	3130A8EN9 FEDERAL HOME LOAN BANK DTD 06/14/16 CALL 1.64% 06/14/2021-2016	49,630.00	50,000.00
100,000.000	3130A8NT6 FEDERAL HOME LOAN DTD 07/13/16 CALL 1.48% 07/13/2021-2017	99,367.00	100,000.00
140,000.000	3130ABJW7 FEDERAL HOME LOAN BANK DTD 6/6/2017 CALL 2.55% 06/27/2024-2019	140,001.40	99,986.00
100,000.000	3130AGYB5 FEDERAL HOME LOAN BANK DTD 8/27/2019 CALL 2.05% 08/27/2021-2019	99,726.00	100,000.00

# Account Statement

Account Number: **1035003119**

September 01, 2019 To September 30, 2019

## Portfolio Statement ( Continued )

Quantity	Description	Market Value	Cost Basis
Taxable			
200,000.000	3130AH4N0 FEDERAL HOME LOAN BANK DTD 9/19/2019 CALL 2.02% 09/18/2020-2019	200,010.00	200,000.00
100,000.000	3133EFZ91 FEDERAL FARM CREDIT BANK DTD 04/12/16 CALL 1.62% 04/12/2021-2017	99,329.00	99,909.00
50,000.000	3134GAHK3 FREDDIE MAC DTD 09/30/16 CALL 1.6% 09/30/2021-2016	49,781.50	49,967.50
100,000.000	3134GAZR8 FREDDIE MAC DTD 12/30/2016 CALL 2.05% 12/30/2021-2017	100,037.00	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	100,028.00	100,000.00
120,000.000	3134GT4Q3 FREDDIE MAC DTD 09/06/19 CALL 2.15% 09/06/2022-2019	119,998.80	119,976.00
100,000.000	3134GTWT6 FREDDIE MAC DTD 07/01/19 CALL 2.55% 07/01/2024-2019	100,000.00	100,000.00
50,000.000	3136G1C98 FANNIE MAE DTD 02/05/13 1.42% 02/05/2020	49,913.00	50,077.34
100,000.000	3136G3J30 FANNIE MAE DTD 07/28/16 CALL 1.6% 07/28/2021-2016	99,804.00	100,000.00
100,000.000	3136G3VG7 FANNIE MAE DTD 06/29/16 CALL 1.5% 09/29/2020-2016	99,632.00	100,000.00
100,000.000	3136G3XZ3 FANNIE MAE DTD 07/28/16 CALL 1.5% 07/28/2021-2016	99,419.00	100,000.00
100,000.000	3136G4EV1 FANNIE MAE DTD 10/28/16 CALL 1.625% 10/28/2021-2017	99,794.00	99,959.00
24,895.310	31398R7H2 FANNIE MAE SERIES 2010-M4 CLASS A3 DTD 07/01/10 3.819% 06/25/2020	25,077.95	26,637.98
200,000.000	69353REW4 PNC BANK NA DTD 04/29/16 CALL 2.15% 04/29/2021-2021	200,334.00	201,644.19
25,000.000	713448BN7 PEPSICO INC DTD 01/14/10 4.5% 01/15/2020	27,055.00	25,345.46
Total	Taxable	2,508,289.20	2,472,417.83

### Portfolio Statement ( Continued )

Quantity	Description	Market Value	Cost Basis
<b>Fixed Income</b>			
Total	Fixed Income	2,508,389.20	2,472,492.52
<b>Miscellaneous</b>			
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
<b>Grand Total Assets</b>		<b>2,764,406.28</b>	<b>2,728,509.60</b>

### Account Activity Summary

	Total Cash	Cost Basis Excluding Cash	Market Value Including Cash
<b>Balances Beginning Of Period</b>	0.00	2,721,039.45	2,732,154.62
Prior Accruals			13,964.46-
Unrealized Appreciation This Period			45,795.09
Current Accruals			11,300.08
Asset Activity	180,313.60	179,892.57-	180,313.60
Cash Management	187,362.72-	187,362.72	187,362.72-
Income	7,049.12	0.00	7,049.12
Realized Gain/loss			421.03
Non Cash Asset Changes			
<b>Balances End Of Period</b>	<b>0.00</b>	<b>2,728,509.60</b>	<b>2,775,706.36</b>

### Transaction Statement

Date	Quantity	Description	Transaction Type	Cash	Cost Basis
09/01/19		Beginning Balance		0.00	2,721,039.45
<b>Income</b>					
Interest					
09/03/19		31607A703 FIDELITY GOVERNMENT PORTFOLIO 313380FB8	INTEREST RCVD	268.59	
09/13/19		FEDERAL HOME LOAN BANK DTD 08/09/12 1.375% 09/13/2019 29266NS32	INTEREST RCVD	687.50	
09/16/19		ENERBANK USA DTD 10/16/2015 MEDIUM-TERM CD 1.75% 10/16/2020 3134GTTL7	INTEREST RCVD	148.63	
09/17/19		FREDDIE MAC DTD 06/17/19 CALL 2.35% 06/17/2021-2019	INTEREST RCVD	587.50	

# Account Statement

Account Number: **1035003119**

September 01, 2019 To September 30, 2019

## Transaction Statement ( Continued )

Date	Quantity	Description	Transaction Type	Cash	Cost Basis
09/17/19		3134GTUV3 FREDDIE MAC DTD 6/17/2019 CALL 2.38% 06/17/2021-2019	INTEREST RCVD	1,190.00	
09/19/19		3133EKRS7 FEDERAL FARM CREDIT BANK DTD 06/19/19 CALL 2.3% 06/19/2020-2019	INTEREST RCVD	287.50	
09/23/19		3134GT4Q3 FREDDIE MAC DTD 09/06/19 CALL 2.15% 09/06/2022-2019	ACCRUED INT	121.83-	
09/25/19		31398R7H2 FANNIE MAE SERIES 2010-M4 CLASS A3 DTD 07/01/10 3.819% 06/25/2020	INTEREST RCVD	80.11	
09/27/19		3134GSYQ2 FREDDIE MAC DTD 9/27/2018 CALL 3% 09/27/2021-2019	INTEREST RCVD	2,250.00	
09/27/19		3130ABJW7 FEDERAL HOME LOAN BANK DTD 6/6/2017 CALL 2.55% 06/27/2024-2019	ACCRUED INT	587.92-	
09/30/19		3136G3VG7 FANNIE MAE DTD 06/29/16 CALL 1.5% 09/29/2020-2016	INTEREST RCVD	750.00	
09/30/19		05580ACZ5 BMW BANK BANK NORTH AMERICA DTD 09/30/15 MEDIUM-TERM CD 2.2% 09/30/2020	INTEREST RCVD	1,109.04	
09/30/19		3134GAHK3 FREDDIE MAC DTD 09/30/16 CALL 1.6% 09/30/2021-2016	INTEREST RCVD	400.00	
Total Interest				7,649.12	0.00
Total Income				7,649.12	0.00
Asset Activity					
Assets Purchased					
09/19/19	200,000.000	3130AH4N0 FEDERAL HOME LOAN BANK DTD 9/19/2019 CALL 2.02% 09/18/2020-2019	BUY	200,000.00-	200,000.00
09/23/19	120,000.000	3134GT4Q3 FREDDIE MAC DTD 09/06/19 CALL 2.15% 09/06/2022-2019	BUY	119,976.00-	119,976.00
09/27/19	140,000.000	3130ABJW7 FEDERAL HOME LOAN BANK DTD 6/6/2017 CALL 2.55% 06/27/2024-2019	BUY	99,986.00-	99,986.00
Total Assets Purchased				419,962.00-	419,962.00
Assets Sold					
09/17/19	100,000.000-	3134GTTL7 FREDDIE MAC DTD 06/17/19 CALL 2.35% 06/17/2021-2019	REDEEMED	100,000.00	99,990.00-
09/17/19	200,000.000-	3134GTUV3 FREDDIE MAC DTD 6/17/2019 CALL 2.38% 06/17/2021-2019	REDEEMED	200,000.00	200,000.00-
09/19/19	50,000.000-	3133EKRS7 FEDERAL FARM CREDIT BANK DTD 06/19/19 CALL 2.3% 06/19/2020-2019	REDEEMED	50,000.00	50,000.00-

### Transaction Statement ( Continued )

Date	Quantity	Description	Transaction Type	Cash	Cost Basis
09/25/19	275.600-	31398R7H2 FANNIE MAE SERIES 2010-M4 CLASS A3 DTD 07/01/10 3.819% 06/25/2020	NOTE AND MTG PMT	275.60	294.89-
09/27/19	150,000.000-	3134GSYQ2 FREDDIE MAC DTD 9/27/2018 CALL 3% 09/27/2021-2019	REDEEMED	150,000.00	149,902.50-
Total Assets Sold				500,275.60	500,187.39-
Maturities					
09/13/19	100,000.000-	313380FB8 FEDERAL HOME LOAN BANK DTD 08/09/12 1.375% 09/13/2019	MATURITY	100,000.00	99,667.18-
Total Maturities				100,000.00	99,667.18-
<b>Total Asset Activity</b>				<b>180,313.60</b>	<b>179,892.57-</b>
Cash Management					
09/30/19	187,362.720	31607A703 NET CASH MANAGEMENT	NET CASH MGMT	187,362.72-	187,362.72
<b>Total Cash Management</b>				<b>187,362.72-</b>	<b>187,362.72</b>
09/30/19		<b>Ending Balance</b>		<b>0.00</b>	<b>2,728,509.60</b>

### Disclosure

DISCLOSURE: CitizensTrust may receive research and benefits from Brokers/Dealers which may be considered compensation. Upon request we will disclose details. Please contact your Relationship Manager if you have any questions.



## Utility User Tax Revenue



City of Canyon Lake  
Utility Tased Summary by Service Period  
FY 2019/2020

	July	August	September	October	November	December	January	February	March	April	May	June
<b>Electric</b>												
Calpine Energy Solutions	14.50	12.91	13.15									
Constellation New Energy, Inc	54.65	77.86	76.76									
Just Energy Solutions, Inc.	-	-	101.14									
Southwestern California Edison	34,026.87	50,772.75	46,620.29									
<b>Water</b>												
EMWD	1,958.96	2,412.77	2,318.39									
EWAG	23,598.44	26,995.13	29,025.01									
<b>Solid Waste</b>												
CRS												
CRS/Roll												
<b>Sewer</b>												
<b>Gas</b>												
The Company	153.74	150.15										
Xcel Energy, LLC	-	-										
<b>Telecom</b>												
Arkada Inc. c/o Arkadin, Inc.	14.48	15.17	7.27									
AT&T Corp	17.05	21.50	11.86									
Comcast Communications Company, LLC	0.64	0.64	0.80									
Comcast Services, Inc. - EBB Connect, LLC		0.04	0.04									
Comcast Solutions, Inc. - EBB Jitterbug	26.03	24.23	31.15									
Compliance Solutions, Inc. - GreatCall, Inc. dba Jitterbug	13.83	12.96	12.94									
Compliance Solutions, Inc. - dba Opex	0.28											
Compliance Solutions, Inc. - dba Opex	1.52	0.97	0.69									
Compliance Solutions, Inc. - Matrix Telecom, Inc.	1.79	1.79	1.79									
Compliance Solutions, Inc. - Phone.com Inc.	-	-	-									
Compliance Solutions, Inc. - Utility Telecom Group, LLC	-	-	-									
Compliance Solutions, Inc. - Google North America dba Google FI	0.53	0.31	0.43									
Compliance Solutions, Inc. - Google North America dba Google FI	4.74	2.75	3.83									
Compliance Solutions, Inc. - Total Holdings, Inc.	-	-	-									
Consumer Cellular, Inc.	94.15	94.58	93.02									
Cricket Wireless LLC	5.19	5.09	5.65									
Flash Wireless, LLC c/o Avalara, Inc. (FKA Etax Services)	-	-	-									
Frontier California Inc. (Split)	1,450.97	1,396.48	1,386.18									
Frontier Communications of America	212.69	210.85	204.19									
Granite Telecommunications LLC	-	-	-									
iWireless	-	-	-									
ITalk Global Communications	0.40	0.40	0.40									
InReach, Inc. c/o Avalara, Inc. (FKA Etax Services)	0.99	2.48	2.00									
Level 3 Communications LLC	45.09	44.94	45.57									
Los Angeles SMSA Limited Partnership	3,027.27	2,953.51	2,979.39									
MCI Communications Services, Inc.	-	-	-									
MCI Metro Access Transmission Services Corp	-	-	-									
Metro PCS California, LLC	17.50	17.31	17.33									
Mitel Cloud Services, Inc.	6.40	8.99	8.99									
New Cellular Wireless PCS LLC	1,765.63	1,479.93	1,387.39									
Nuso, LLC	1.64	1.64	1.64									
OnStar, Inc.	13.73	14.96	8.23									
Opex Communications, Inc.	9.40	10.99	11.72									
Pacific Bell Telephone Company - AIRT	0.31	0.30	0.30									
PNG Telecommunications Inc. c/o Avalara, Inc. (FKA Etax Services)	4.65	5.43	5.52									
Ready Wireless LLC	-	-	-									
Republic Wireless, Inc.	0.69	0.69	0.69									
Spectrotel, Inc.	-	-	-									
Spectrum Mobile, LLC	11.94	21.74	14.37									
Spok, Inc.	-	-	-									
SprintCom, Inc.	10.16	12.79	12.96									
Sprint Communications	-	-	-									
Sprint Spectrum LP	757.58	676.05	655.63									
Sprint Telephony PCS, LP	-	-	-									
Sprint Telephony PCS, LP CA Prepaid	-	-	-									
Star2star Communications	10.20	10.20	10.20									
T-Mobile USA, Inc.	332.87	364.41	359.49									
T-Mobile West LLC	3.87	3.87	3.87									
TWC Digital Phone LLC	69.67	103.06	103.06									
US Office, Inc. - Avalara, Inc.	-	-	-									
US Pacific Corp.	-	-	-									
US Telephone, Inc.	-	-	-									
Utah Telecom Group, LLC	-	-	-									
Verizon Long Distance, LLC	69.70	67.05	62.88									
Verizon Mobile USA LP	42.83	42.68	42.37									
Verizon American c/o Avalara, Inc.	30.46	33.08	30.72									
Verizon Business Solutions, Inc. c/o Avalara, Inc.	-	-	-									
<b>Video Users</b>												
AT&T Corp (Split)	2,400.36	2,273.55	2,274.71									
Frontier California Inc. (Split)	-	-	-									
Verizon California, Inc.	1,183.88	1,216.66	1,101.20									
Time Warner Cable Info Services (CA) LLC	33.69	33.69	67.38									
Time Warner Cable Business LLC	802.95	746.51	755.80									
DirecTV LLC	-	-	-									
<b>Total</b>	<b>\$ 72,304.91</b>	<b>\$ 92,353.79</b>	<b>\$ 89,858.19</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>



**MINUTES  
SPECIAL MEETING OF THE  
CANYON LAKE CITY COUNCIL  
Wednesday, October 2, 2019  
Open Session – 5:00 p.m.**

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

**OPEN SESSION – 5:00 p.m.**

**CALL TO ORDER**

Mayor Ehrenkranz called the meeting to order at 5:05 p.m.

**FLAG SALUTE**

Flag Salute was led by Dennis Pitts

**CITY COUNCIL ROLL CALL**

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

Absent:

**APPROVAL OF CITY COUNCIL AGENDA**

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

**Motion carried 4-0, with Councilmember Bonner, Mayor Pro Tem Castillo, Councilmember Smith, and Mayor Ehrenkranz voting aye.**

**PUBLIC COMMENTS**

There were no public comments.

**BUSINESS ITEMS**

- (1) City Council Applicant Interviews - Interview the Applicants recommended by the Ad Hoc Committee

The following applicants were interviewed by the City Council:

- Larry Greene

- (2) Appointment to Fill City Council Vacancy - Select a Qualified Applicant to fill the City Council Vacancy for the term expiring in December 2020

**Motion and second by Councilmembers Smith/Mayor Pro Tem Castillo to appoint Larry Greene to fill the vacancy on the City Council.**

**Motion carried 4-0, with Councilmembers Bonner, Mayor Pro Tem Castillo, Councilmember Smith, and Mayor Ehrenkranz voting aye.**

- (3) Oath of Office – Swearing in of Newly Appointed Councilmember

Terry Gessinger administered the Ceremonial Oath of Office to newly appointed Councilmember Larry Greene.

### **ADJOURNMENT**

Mayor Ehrenkranz adjourned the meeting at 5:14 p.m.

Respectfully submitted,

---

Ana V. Sauseda, Deputy City Clerk

**MINUTES  
REGULAR MEETING OF THE  
CANYON LAKE CITY COUNCIL  
Wednesday, October 2, 2019**

**Closed Session – 5:30 p.m.  
City Hall Administration Building  
31526 Railroad Canyon Road, Suite 5  
Canyon Lake, CA 92587**

**CALL TO ORDER**

Mayor Ehrenkranz called the meeting to order at 5:31 p.m.

**CITY COUNCIL ROLL CALL**

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

Absent:

**PUBLIC COMMENTS**

There were no public comments.

**CLOSED SESSION**

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

- A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION -  
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section  
54956.9 - 1 case

**Open Session – 6:30 p.m.  
City Hall Council Chamber  
31516 Railroad Canyon Road  
Canyon Lake, CA 92587**

**CALL OPEN SESSION TO ORDER**

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

**INVOCATION**

Invocation was led by John Hollenbeck

## **FLAG SALUTE**

Flag Salute was led by Alison Burrafato

## **ROLL CALL**

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

Absent:

## **CLOSED SESSION REPORT**

Attorney Steven Graham stated there was nothing to report out of closed session.

## **APPROVAL OF THE CITY COUNCIL AGENDA**

**Motion and second by Councilmember Greene/Smith to approve the agenda.**

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

## **CEREMONIAL MATTERS**

*Presentations, Awards, Proclamations, Announcements*

- Chamber of Commerce Announcement

Jim Randle gave an update on events that occurred since the last Council meeting and upcoming Chamber events.

- Proclamation in Honor of Sparrow Marlene Marie Greene

Mayor Ehrenkranz presented Councilmember Larry Greene with a Proclamation to honor his late wife, Sparrow Marlene Marie Greene.

## **PUBLIC SAFETY UPDATE**

- ❖ Sheriff

Lieutenant Sims gave an update on the statistics and answered questions from the Council.

- ❖ Fire

Representatives from the Fire Department were not present. Mayor Pro Tem Castillo had several questions and stated she would email them to the City Manager.

- ❖ AMR

Representatives from the AMR were not present.

❖ Animal Friends of the Valleys

Representatives from Animal Friends of the Valleys were not present

❖ Special/Code Enforcement

Gina Dickson, Special/Code Enforcement Supervisor, gave a brief update and answered questions from the Council.

City Manager Mann addressed Councilmember Bonner's concerns regarding the lack of reports from the Property Owner's Association and the Emergency Preparedness Committee.

City Manager Mann also addressed Councilmember Bonner's concerns regarding additional costs to the City by requesting that outside agencies provide their statistics at City Council Meetings.

**PUBLIC COMMENT**

The following members of the public spoke:

- Darcy Burke
- Travis Montgomery
- Ms. Miller
- Jack Wamsley

**CONSENT CALENDAR**

- (1) Waive Full Reading, Read all Ordinances by Title Only
- (2) Resolution - Adoption of Resolution No. 2019-35, Approving Claims and Demands of the City
- (3) Minutes - Approval of City Council Minutes
  - September 4, 2019
- (4) Second Reading of Ordinance No. 186 - An Ordinance of the City Council of the City of Canyon Lake Amending Canyon Lake Municipal Chapter 2.40 regarding Holidays observed by the City
- (5) Second Reading of Ordinance No. 187 - An Ordinance of the City Council of the City of Canyon Lake Establishing a Voluntary Emergency Medical Services Subscription Program Fee and Emergency Medical Services Fee
- (6) Resolution - Approval of Resolution No. 2019-36, Re-establishing City Council Committees, Committee Functions, and Setting Committee Meeting Dates and Times

Mayor Ehrenkranz requested that Item 5 be pulled for separate discussion.

**Motion and second by Mayor Ehrenkranz/Councilmember Smith to approve the Consent Calendar with the exception of Item 5.**

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

**PULLED CONSENT CALENDAR ITEMS**

Consent Calendar Item 5 was pulled for discussion.

Attorney Graham gave an overview of the program and discussed of the program's highlights.

The Council presented their question and discussed the program.

Direction was given to Attorney Graham to revise the Ordinance and bring it back for second reading at the next regularly scheduled Council meeting.

Attorney Graham explained the importance of approving the Ordinance prior to conducting a fee study.

The following members of the public spoke:

- John Zaitz
- Travis Montgomery
- Nancy Horton
- Jack Wamsley

Councilmember Smith clarified that this would now be considered the first reading. All changes would be applied to the Ordinance which would then be brought back for second reading at the November 6<sup>th</sup> Council meeting.

Councilmember Greene left the dais at 8:06 p.m.

Mayor Ehrenkranz called for a recess at 8:08 p.m.

Councilmember Greene returned to the dais at 8:10 p.m.

The meeting reconvened at 8:20 p.m.

Attorney Graham recommended the following wording for the motion:

Motion to amend the draft Ordinance No. 187 and bring it back for second reading and adoption at the next regularly scheduled meeting of the City Council with the following amendments:

- Amend the eligible participants to include the POA
- Amend the EMS response fee to be plural so that it clarifies that fees will change based on the level of service provided

- Amend the new subscription language to allow proration for new residents of the City of Canyon Lake
- Include three boiler plate additional Ordinance language which includes an environmental determination, severability clause, and that the City Clerk is required to publish the Ordinance as required by state law.

Councilmember Smith accepted Attorney Graham’s recommended language for the motion and added that this item be brought back for second reading as a business item instead of a consent calendar item.

**Motion and second by Councilmembers Smith/Bonner.**

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

**BUSINESS ITEMS**

- (7) CDBG - Authorization to Terminate Service Agreement with Inland Valley Habitat for Humanity and Reallocate Previously Approved Fiscal Year 16/17 & 17/18 Community Development Block Grant Funds towards the City’s ADA Accessibility Project

**Motion and second by Councilmember Greene/ Mayor Pro Tem Castillo to approve Item 7.**

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

- (8) CDBG - Consideration of Approving Fiscal Year 2020 / 2021 Community Development Block Grant (CDBG) Project and Allocation for Public Service Agencies

**Motion and second by Councilmembers Bonner/Greene to approve Item 8.**

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

- (9) Ordinance - Introduction and First Reading of Ordinance No. 185 - An Ordinance of the City Council of the City of Canyon Lake Adding Section 2.01.140 to the Canyon Lake Municipal Code regarding filling City Councilmember Vacancies

**Motion and second by Councilmembers Greene/Smith to approve Item 9.**

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

- (10) Discussion of Minutes Format - Proposed Revision to the Format of City Council and Committee Meeting Minutes

**Motion and second by Councilmembers Bonner/Smith to approve Item 10.**

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

**PUBLIC HEARINGS**

- (11) HOUSING ELEMENT – Approval of Resolution No. 2019-37, Approving the General Plan Amendment (GPA 19-51) amending the City of Canyon Lake Housing Element for the 5th Cycle, Years 2013 to 2021

- Public Hearing Opened  
The Public Hearing was opened at 8:43 p.m.
  
- Staff Presentation  
Jim Morrissey, City Planner, presented the item.
  
- Questions to Staff by City Council  
There were none.
  
- Testimony by Proponents  
There were none.
  
- Testimony by Opponents  
The following members of the public spoke:
  - Jack Wamsley
  - Anthony Kim
  - Ms. Miller
  - Nancy Horton
  
- Response by Proponents  
There were none.
  
- Public Hearing Closed  
The Public Hearing was closed at 9:13 p.m.
  
- Discussion by City Council  
There was discussion regarding the consequences should the Council choose to not approve the item.

- Action by City Council

**Motion and second by Councilmembers Greene/Smith to Approve Item 10.**

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

Attorney Graham left the dais at 9:29 p.m. and returned at 9:30 p.m.

**CITY MANAGER COMMENTS**

City Manager Mann discussed the fire code enforcement program and stated that City Enforcement staff would be attending a training in which they would become certified Fire Marshalls. He discussed adding residential rentals to the Business License program beginning in January, digitizing files, and RFP for IT services, and the inventory of all City assets. He stated that the City had been working closely with the economic development consultant and gave an overview of the items he was working on. He discussed attending the WRCOG Technical Advisory Committee Meeting and the Southwest Communities Financing Authority Executive Management Committee Meeting.

Councilmember Bonner left the dais at 9:33 p.m. and returned at 9:35 p.m.

**COMMITTEE AND COUNCIL REPORTS/COMMENTS**

- **MAYOR PRO TEM CASTILLO**

Mayor Pro Tem Castillo discussed the upcoming LESJWA Education and Outreach meeting and the League of Cities Annual Conference.

- **COUNCILMEMBER BONNER**

Councilmember Bonner stated that he attended the City of Menifee's State of the City. He discussed attending the RCTC meeting. Lastly, he stated that the upcoming roundtable meeting will be held as normal, but the location is yet to be determined.

- **COUNCILMEMBER GREENE**

There were no comments.

- **COUNCILMEMBER SMITH**

Councilmember Smith stated that RCA got a new Chairwoman from the City of Wildomar. He discussed his recent appointment to the Transportation Committee on SCAG.

- **MAYOR EHRENKRANZ**

Mayor Ehrenkranz read a letter he had received from the Canyon Lake Community of Golfers.

Councilmember Smith discussed the Finance & Planning Committee meeting held earlier that day and stated that the City was currently running on a surplus of \$220,000.00. City Manager Mann elaborated on the topic.

**ADJOURNMENT**

Mayor Ehrenkranz adjourned the meeting at 9:45 p.m.

Respectfully submitted,

---

Ana V. Sauseda,  
Deputy City Clerk

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

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Chris Mann, City Manager *CM*

**BY:** Mike Borja, Administrative Services Manager

**DATE:** November 6, 2019

**SUBJECT:** Approval of Resolution 2019-39 Authorizing the Reallocation of Fiscal Year 2016/2017 & 2017/2018 Community Development Block Grant (CDBG) Funds to the City's ADA Accessibility Project

---

**Recommendation**

It is recommended that the City Council direct city staff to reallocate FY16/17 and FY17/18 Community Development Block Grant (CDBG) funds towards the City's ADA Accessibility Project.

**Background**

With City Council approving the reallocation of FY16/17 and FY17/18 CDBG funds towards the City's ADA Accessibility Project at the October 2, 2019 City Council meeting, in order for County EDA to add the City's ADA Accessibility Project as an amendment to County EDA's current Action Plan, County EDA requires a resolution from City Council to present to the Board of Supervisors.

**Budget (or Fiscal) Impact**

No fiscal impact to the City's General fund. Reallocation of funds occurs with the County EDA's office.

**Attachments**

1. Resolution 2019-39



# **ATTACHMENT 1**



**RESOLUTION NO. 2019-39**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANYON LAKE, CALIFORNIA, AUTHORIZING THE REALLOCATION OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FROM FISCAL YEAR 2016/17 & 2017/2018 TO THE CITY'S ADA ACCESSIBILITY PROJECT**

**WHEREAS**, the City of Canyon Lake receives an annual allocation of Community Development Block Grant (CDBG) funds from the Riverside County Economic Development Agency (EDA); and

**WHEREAS**, City Council has approved over the last several years to allocate CDBG funds towards the City's Home Repair Program and to be administered by Inland Valley Habitat for Humanity; and

**WHEREAS**, the City of Canyon Lake has a total remaining CDBG balance of \$25,748 from FY2016/2017 and FY 2017/2018 due to the inactivity of the City's Home Repair Program; and

**WHEREAS**, on October 2, 2019 the City Council authorized the reallocation of the remaining CDBG fund balance towards the City's ADA Accessibility Project.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CANYON LAKE DOES RESOLVE AS FOLLOWS:**

**SECTION 1.** 100% of the City's FY16/17 and FY17/18 CDBG remaining funds, which total approximately \$25,748, will be reallocated to the City's ADA Accessibility Project.

**SECTION 2.** That in the event the total CDBG reallocation is more or less than anticipated, the City Manager is authorized and directed to increase or reduce the approximate amounts of funding based on the percentages set forth above.

**SECTION 3.** That the Deputy City Clerk is authorized to submit the required applications for funding for the approved project to Riverside County Economic Development Agency for further review.

**SECTION 4.** That the City Manager is authorized to execute documents, including supplemental agreements, with Riverside County, necessary to carry out the intent of this resolution.

\\

\\

\\

\\

**SECTION 5.** That the Deputy City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

**PASSED, APPROVED AND ADOPTED** this 6<sup>th</sup> day of November, 2019.

---

Jordan Ehrenkranz, Mayor

Attest:

---

Ana V. Sauseda, Deputy City Clerk

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

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Chris Mann, City Manager *CM*

**BY:** Jim Morrissey, City Planner

**DATE:** November 6, 2019

**SUBJECT:** Approval of Resolution No. 2019-40, Approving SB 2 Planning Grant for Housing Element Related Actions

**Recommendation:**

It is recommended that the City Council approve Resolution No. 2019-40, authorizing application for, and receipt of, SB 2 planning grants program funds.

**BACKGROUND:**

The State has established a Planning Grant Program to provide funding and technical assistance to all local governments in California to help prepare, adopt, and implement plans and process improvements that streamline housing approvals and accelerate housing production. The Planning Grant Program is generally referred to as Senate Bill 2, which was one of 15 housing related bills signed by the governor. Grant funding levels are based upon population and are not competitive. The amount of funding set for Canyon Lake is \$160,000.00.

The types of eligible activities include:

- Updates to general plans, community plans, specific plans, local planning related to implementation of sustainable communities' strategies, or local coastal plans;
- Updates to zoning ordinances;
- Environmental analyses that eliminate the need for project-specific review; and
- Local process improvements that improve and expedite local planning.

Funding is intended to help cities and counties:

- Accelerate housing production
- Streamline the approval of housing development affordable to owner and renter households at all income levels
- Facilitate housing affordability, particularly for lower- and moderate-income households
- Promote development consistent with the State Planning Priorities
- Ensure geographic equity in the distribution and expenditure of the funds

The State Department of Housing and Community Development (HCD), in coordination with the Governor's Office of Planning and Research, is working with a team led by PlaceWorks, Inc. to provide technical assistance to applicants throughout the application period.

### **Housing Element Status**

The City of Canyon Lake has prepared an update to its current General Plan Housing Element to meet the requirements of the 5<sup>th</sup> Cycle Housing Element, Years 2014 to 2021. Due to the delay in preparing this document the City must also prepare a mid-term Housing Element to demonstrate that it has implemented programs contained within the Housing Element, as if the Element had been adopted in a timely manner.

### **DISCUSSION:**

#### **SB 2 Compliance**

City Staff has been in contact with staff from HCD and PlaceWorks to discuss whether the City could apply for SB 2 funding. Eligibility for SB 2 funding is predicated upon having an updated Housing Element, which for the City of Canyon Lake would not occur until later next year once the mid-term Element is adopted. Since the deadline for submittal of the grant applications is November 30, 2019, the City would be ineligible for funding.

Based upon preliminary discussions with PlaceWorks and HCD Staff, the City was informed that the time frame for adoption of Housing Element programs in the Spring of 2020, as provided in the recently adopted Housing Element, was too late for HCD to feel comfortable supporting funding under the Grant. As such, City Staff accelerated the time frames requiring City Council action on the proposed mid-term Element and Zoning Ordinance Amendments on February 5, 2020, rather than March 5, 2020 and March 31, 2020, respectively. The latest schedule is attached for your review.

#### **Analysis**

Staff proposes to utilize SB 2 funding to prepare documentation related to the Village Overlay Zone. This documentation can vary and is partially dependent upon developer interest in the site. For example, if developer interest is extensive the following actions could occur:

- Approval of a general plan amendment/zone change to modify area land use regulations.
- Adoption of a specific plan to identify design criteria for the property to address its particular physical needs and site characteristics, using text and graphic depictions.
- Approval of a site-specific development plan delineating the location of buildings, landscaping, and parking.
- Completion of necessary environmental documentation.
- Developer funding of required studies and Staff time.

If developer interest is limited, Staff would prepare limited portions of these items, depending upon the circumstance. Staff is in the process of meeting with developers to gauge their interest.

### **Grant Proposal**

Staff requests flexibility in the preparation of the scope of work to be submitted as part of the funding. As noted above, this scope of work would be tailored to reflect current interest in the project site. Staff does not intend to obligate the City to undertake actions that would not be useful in the long-term, but rather reflect actions that incrementally improve the potential for generating future housing. For example, land use changes and/or environmental studies that set the stage for future development activity would further the potential for housing.

### **FISCAL IMPACT:**

None at this time. The intent of obtaining grant funding is not to utilize City revenues. However, the total costs for the ultimate scope of work is not known at this time.

### **ATTACHMENTS:**

1. Updated Schedule for Mid-Term Housing Element actions
2. Resolution No. 2019-40



# **ATTACHMENT 1**



**City of Canyon Lake  
Initial and Mid-Term Housing Element Schedule**

October 2, 2019	City Council Adoption of Initial Housing Element
October 9, 2019	Transmittal to HCD of Initial Housing Element
November 6, 2019	City Council approval of SB 2 Planning Grant Resolution City Council approval of SB 2 Planning Grant Outline
November 11, 2019	HCD Letter RE Initial Housing Element Received by City
November 11, 2019	Completion of <i>Program #12</i> Reasonable Accommodation Program Completion of <i>Program #13</i> Housing and Social Services Information and Referral Directory
December 18, 2019	Completion of Program #3 Canyon Lake Village Overlay Zone
December 27, 2019	ZOA Initial Study filed with State
January 8, 2020	Community Workshop – Mid-Term Housing Element
January 24, 2020	Public Hearing Notice on Zoning Ordinance Amendments Public Hearing Notice on Draft Mid-Term Housing Element
February 5, 2020	City Council approval (1 <sup>st</sup> reading) of Zoning Ordinance Amendments:  <i>Program #9</i> : ADU Ordinance and JADU Ordinance  <i>Program #17</i> : Omnibus Zoning Ordinance Amendments Program  <ul style="list-style-type: none"> <li>✓ Mixed Use Zone</li> <li>✓ Ensure that factory built housing is permitted in all zones that permit residential land uses</li> <li>✓ Employee housing in all zones that permit residential and agricultural uses</li> <li>✓ Supportive and transitional housing to be permitted by right pursuant to AB 2162 in all zones that permit residential land uses</li> <li>✓ Remove the 300 foot spacing requirement for emergency shelters</li> <li>✓ Permitting group homes for 7 or more persons by conditional use permit</li> </ul> City Council Review of <i>Draft</i> Mid-Term Housing Element; Authorize Transmittal to HCD
February 10, 2020	Transmittal to HCD of <i>Draft</i> Mid-Term Housing Element
March 4, 2020	City Council approval of Program #2 General Plan Annual Progress Report City Council approval of Program #5 Housing Element Annual Progress Report
April 10, 2020	End of HCD 60-day review period of <i>Draft</i> Mid-Term Housing Element

May 6, 2020

City Council adoption of *Final* Mid-Term Housing Element

June 10, 2020

HCD Review Letter on *Final* Mid-Term Housing Element

## **ATTACHMENT 2**



**RESOLUTION NO. 2019-40**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANYON LAKE, CALIFORNIA, AUTHORIZING APPLICATION FOR, AND RECEIPT OF, SB 2 PLANNING GRANTS PROGRAM FUNDS**

**WHEREAS**, the State of California, Department of Housing and Community Development (Department) has issued a Notice of Funding Availability (NOFA) dated March 28, 2019, for its Planning Grants Program (PGP); and

**WHEREAS**, the City of Canyon Lake desires to submit a project application for the PGP program to accelerate the production of housing and will submit a 2019 PGP grant application as described in the Planning Grants Program NOFA and SB 2 Planning Grants Program Guidelines released by the Department for the PGP Program; and

**WHEREAS**, the Department is authorized to provide up to \$123 million under the SB 2 Planning Grants Program from the Building Homes and Jobs Trust Fund for assistance to Counties (as described in Health and Safety Code section 50470 et seq. (Chapter 364, Statutes of 2017 (SB 2)) related to the PGP Program.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CANYON LAKE DOES RESOLVE AS FOLLOWS:**

**SECTION 1.** The City Council is hereby authorized and directed to apply for and submit to the Department the 2019 Planning Grants Program application in the amount of \$160,000.

**SECTION 2.** In connection with the PGP grant, if the application is approved by the Department, the City Manager is authorized to enter into, execute, and deliver a State of California Agreement (Standard Agreement) for the amount of \$160,000, and any and all other documents required or deemed necessary or appropriate to evidence and secure the PGP grant, the City's obligations related thereto, and all amendments thereto (collectively, the "PGP Grant Documents").

**SECTION 3.** The City shall be subject to the terms and conditions as specified in the Standard Agreement, the SB 2 Planning Grants Program Guidelines, and any applicable PGP guidelines published by the Department. Funds are to be used for allowable expenditures as specifically identified in the Standard Agreement. The application in full is incorporated as part of the Standard Agreement. Any and all activities funded, information provided, and timelines represented in the application will be enforceable through the executed Standard Agreement. The City Council hereby agrees to use the funds for eligible uses in the manner presented in the application as approved by the Department and in accordance with the Planning Grants NOFA, the Planning Grants Program Guidelines, and 2019 Planning Grants Program Application.

\\

\\

\

**SECTION 4.** The City Manager is authorized to execute the City of Canyon Lake Planning Grants Program application, the PGP Grant Documents, and any amendments thereto, on behalf of the City as required by the Department for receipt of the PGP Grant.

**PASSED, APPROVED AND ADOPTED** this 6<sup>th</sup> day of November, 2019.

---

Jordan Ehrenkranz, Mayor

ATTEST:

---

Ana V. Sauseda, Deputy City Clerk

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

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Chris Mann, City Manager *CM*

**BY:** Martin Haeberle, Building Official

**DATE:** November 6, 2019

**SUBJECT:** Introduction and First Reading of Ordinance No. 189, An Ordinance of The City Council of The City of Canyon Lake California Amending Chapter 8.02 of The Canyon Lake Municipal Code, Adopting By Reference The 2019 Editions of The California Codes (Including But Not Limited To The Green Building Code) And Related Model Codes With Appendices And Amendments Thereto; Introduction and First Reading of Ordinance No. 190, an Ordinance of the City Council of the City of Canyon Lake Adopting the 2019 California Fire Code as Amended as Chapter 8.12 of the Canyon Lake Municipal Code and Repealing Ordinance No. 170

**Recommendation:**

That the Council:

1. Approve the Introduction and first reading of ordinance no. 189, an ordinance of the City Council of the City of Canyon Lake California amending Chapter 8.02 of the Canyon Lake Municipal Code, adopting by reference the 2019 editions of the California codes (including but not limited to the green building code) and related model codes with appendices and amendments thereto.
2. Approve the Introduction and First Reading of Ordinance No. 190, an Ordinance of the City Council of the City of Canyon Lake Adopting the 2019 California Fire Code as Amended as Chapter 8.12 of the Canyon Lake Municipal Code and Repealing Ordinance No. 170
3. Direct the City Clerk to notice and schedule a public hearing for second reading and adoption at the next regularly scheduled City Council Meeting on December 4, 2019.

**Background:**

The State's Health and Safety Code requires local governments to adopt the most recent editions of the model codes related to construction. The construction Codes include: the California Building, Residential, Green Building Standards, Plumbing, Mechanical, Fire, Electrical and the International Property Maintenance Codes. If the City Council approves

Ordinance No. 189 and Ordinance No. 190, the most recent editions of the Construction Codes with the applicable amendments will be in effect within the City of Canyon Lake as required by State law.

The State's Health and Safety Code (Section 17958) mandates that the California Building Standards Commission adopt and publish the California Building Standards Code (Title 24 California Code of Regulations) every three years. The 2019 Edition of the California Code of Regulations Title 24, which incorporates the below-listed model codes, becomes effective on January 1, 2020.

The list below identifies the model codes upon which the 2019 Title 24 is based:

California Building Standards Code	Reference Model
2019 California Building Code (ICC)	2018 International Building Code
2019 California Residential Code (ICC)	2018 International Residential Code
2019 California Green Building Standards Code	Reference Model
2019 California Plumbing Code (IAPMO)	2018 Uniform Plumbing Code
2019 California Building Standards Code	Reference Model
2019 California Mechanical Code (IAPMO)	2018 Uniform Mechanical Code
2019 California Electrical Code (NFPA)	2017 National Electrical Code
2012 International Property Maintenance Code	

The Construction Codes proposed for adoption by reference with amendments include the following:

2019 California Building Code  
2019 California Residential Code  
2019 California Green Building Standards Code  
2019 California Plumbing Code  
2019 California Mechanical Code  
2019 California Energy Code  
2019 California Fire Code  
2018 International Property Maintenance Code

**Fiscal Impact:**

No fiscal Impact

**Attachments:**

1. Ordinance No. 189
2. Ordinance No. 190

# **ATTACHMENT 1**



**ORDINANCE NO. 189**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CANYON LAKE, CALIFORNIA, AMENDING CHAPTER 8.02 OF THE CANYON LAKE MUNICIPAL CODE, ADOPTING BY REFERENCE THE 2019 EDITIONS OF THE CALIFORNIA CODES (INCLUDING BUT NOT LIMITED TO THE GREEN BUILDING CODE) AND RELATED MODEL CODES WITH APPENDICES AND AMENDMENTS THERETO**

**WHEREAS**, pursuant to Government Code Section 50022.1 et seq., the City of Canyon Lake, California (“City”) may adopt by reference the 2019 Editions of the California Codes as provided in Titles 24 and 25 of the California Code of Regulations and other codes, including, without limitation, the Green Building Code; and

**WHEREAS**, the California Building Standards Commission recently adopted the 2019 Editions of the California Codes; and

**WHEREAS**, the City desires to adopt the California Codes; and

**WHEREAS**, the City held a public hearing on December 4, 2019, at which time all interested persons had the opportunity to appear and be heard on the matter of adopting the Codes as amended herein; and

**WHEREAS**, all legal prerequisites to the adoption of this Ordinance have occurred.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CANYON LAKE DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1.** Chapter 8.02 of the Canyon Lake Municipal Code is amended in its entirety to read as follows:

Chapter 8.02  
Adoption of California Building Standards Codes

Section  
8.02.010 Construction Codes Adopted  
8.02.020 Exceptions

**8.02.010 Construction Codes Adopted.**

For the of prescribing regulations for erecting, construction, enlargement, <sup>[[ ]</sup>alteration, repair, improving, removal, conversion, demolition, occupancy, equipment use, height, and area of buildings and structures, the following construction codes subject to the modifications set forth in this Chapter, are hereby adopted: the California Building Code, 2019 Edition, including Chapter 1 Division II, and appendix J based on the 2018 International Building Code published by the International Code Council; the California Residential Code, 2019 Edition including appendixes J and V, based on the 2018 International Residential Code as published by the International Code

Council; except as stated in this Section or as amended below in this Chapter 8.12, all of the provisions and appendices of the 2019 California Fire Code, based on the 2018 International Fire Code published by the International Code Council, inclusive of all of the inclusions and exclusions set for in each chapter's matrix, are hereby adopted and shall apply to the Canyon Lake. In addition, the following provisions that are excluded in the 2019 California Fire Code are hereby adopted - Chapter 1, Division II of the California Fire Code is hereby adopted, except that Section 103.2 and 109.3 are not adopted, and Chapters 3, 25, and Sections 403.12, 503, 510.2, and 1103.2 are adopted; the California Green Building Standards Code, 2019 Edition; the California Plumbing Code 2019 Edition, based on the 2018 Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials; the California Mechanical Code, 2016 Edition, based on the 2018 Uniform Mechanical Code as published by the International Association of Plumbing and Mechanical Officials; the California Electrical Code, 2019 Edition, based on the 2017 National Electrical Code as published by the National Fire Protection Association; the International Property Maintenance Code, 2018 Edition, as published by the International Code Council; the Uniform Code For The Abatement of Dangerous Buildings, 1997 Edition, as published by the International Code Council.

The provisions of these Construction Codes as amended by this chapter shall constitute the Building Regulations of the City of Canyon Lake. Where the California Code of Regulations and the California Building Standards Codes differ from any sections of the Construction Codes, State regulations shall prevail over the Construction Codes.

### **8.02.020 Exceptions**

Exemptions from permit requirements of this Code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this Code or any other laws or ordinances of this jurisdiction. A permit shall not be required for masonry or concrete fences or retaining walls not over three feet high.

**SECTION 2.** Effective Date. This ordinance shall take effect January 1, 2020.

**PASSED APPROVED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Jordan Ehrenkranz, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Ana V. Sauseda, Deputy City Clerk

\_\_\_\_\_  
Steven Graham, City Attorney

## **ATTACHMENT 2**



## ORDINANCE NO. 190

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CANYON LAKE, CALIFORNIA, ADOPTING THE 2019 CALIFORNIA FIRE CODE AS AMENDED AS CHAPTER 8.12 OF THE CANYON LAKE MUNICIPAL CODE AND REPEALING ORDINANCE NO. 170**

**THE CITY COUNCIL OF THE CITY OF CANYON LAKE DOES HEREBY ORDAIN AS FOLLOWS:**

### **SECTION 1. FINDINGS.**

A. Every three years the State of California adopts a new California Fire Code, as part of the California Building Standards Code, which becomes effective 180 days after publication by the California Building Standards Commission.

B. That Code has been published and adopted, as amended, by the California Building Standards Commission into the California Code of Regulations as Title 24, Part 9, entitled the California Fire Code.

C. Under State law, the City of Canyon Lake may establish more restrictive standards reasonably necessary to provide fire protection for life and property because of local climatic, geological or topographical conditions.

D. The City of Canyon Lake may establish more restrictive standards reasonably necessary to provide fire protection for life and property because of local climatic, geological or topographical conditions.

#### 1. Climatic Conditions:

The City of Canyon Lake is located in Southern California and is subject to high temperatures, high velocity wind conditions and extended periods with little to no precipitation. These dry climatic conditions and high winds cause drying of vegetation and building materials and contribute to rapid spread of fires leading to a need for increased levels of protection.

After many years of drought there are times when significant rainfall can affect the City. The runoff from this rainfall can cause flooding and mudslides putting lives and property at risk and causing emergency response delays.

#### 2. Topographical Conditions:

Traffic and circulation congestion, along with limited access routes to the area, contribute to increased response times to emergencies. These conditions increase

response times and makes it necessary to require additional life safety requirements to protect lives and property.

3. Geological Conditions:

The City of Canyon Lake is located in an area of substantial seismic activity. Several faults, including the San Andreas, San Jacinto, and Elsinore Fault, are located near the City. These faults are expected to have a major impact on the City of Canyon Lake and pose a threat to lives and property. Damage to building construction, bridges, gas lines, water and sewer lines would have a catastrophic impact on the community and City resources would be taxed beyond capabilities.

California Health and Safety Code Sections 17958.7 and 18941.5 require that the modification or change be expressly marked and identified as to which each finding refers. Therefore the City Council finds that the following table sets forth the 2019 California Fire Code sections that have been modified and the associated local climatic, geological and/or topographical conditions described above supporting the modification.

2019 Section	Code	Title/Subject	Findings
101.1		Title	Administrative
102.5		Application of Residential Code	1, 2 & 3
102.10		Conflicting provisions	Administrative
103.2		Appointment	Administrative
104.1.1		General	Administrative
104.12		Authority to close hazardous fire areas	Administrative
105.6		Required operational permits	1, 2 & 3
105.6.4		Carnivals, fairs and special events	1 & 2
105.6.52		Fireworks display	1 & 2
105.6.53		General use permit	1, 2, & 3
106.1		Fees	Administrative
106.6		Cost recovery	Administrative
108.7		Occupant count	Administrative
109.1		Board of Appeals	Administrative
110.4		Violation penalties	1, 2 & 3
112.4		Failure to comply	1, 2 & 3
202		Definitions	1, 2, & 3
307.6		Outdoor fires	Administrative
503.2.1		Dimensions	Administrative
503.2.2		Authority	Administrative
503.6.1		Automatic Opener	Administrative
503.7		Loading areas and passenger drop-off areas	Administrative
507.5.7		Fire hydrants size and outlets	1 & 2
507.5.8		Fire hydrant marker	1, 2 & 3

508.1	General	1, 2 & 3
508.1.1	Location and access	1, 2 & 3
508.1.3	Size	1, 2 & 3
508.1.6	Required features	1, 2 & 3
508.1.8	Fire command enter identification	1, 2 & 3
509.2.1	Minimum clearances	1 & 2
605.10.1.2	Manual operation	1 & 2
903.2	Where required	1, 2 & 3
903.5.3	Hydraulically calculated systems	1 & 2
3204.2.1	Minimum requirements for client leased or occupant owned warehouse	Administrative
4904.3	High Fire Severity Zones maps	1, 2, & 3
5608.2	Firing	1 & 2
Appendix B	Fire-flow requirements for buildings	1, 2 & 3
Appendix C	Fire hydrant locations and distribution	1, 2 & 3

E. The additional requirements included herein are necessary to properly protect the health, safety and welfare of the residents and workers of the City of Canyon Lake.

F. Revenue shortages make it difficult to locate additional fire stations and provide staffing sufficient to control fires in single and multi-story retail, commercial and industrial buildings, making enhanced built in protection necessary.

G. The purpose of this ordinance is to adopt the 2019 California Fire Code, California Code of Regulations, Title 24, Part 9, as amended, to govern the safeguarding of life and property from fire, explosion hazards and hazardous conditions and to regulate the issuance of permits and collection of fees.

H. This ordinance is adopted pursuant to Health and Safety Code Sections 17958 and 17958.7 which allow city adoption of modifications or changes to the California Fire Code that are reasonably necessary because of local climatic, geological and topographical conditions.

I. The sections of the California Fire Code may be referred to by the same number used in said published compilation preceded by the words “City of Canyon Lake Fire Code Section” or “California Fire Code Section” or “Fire Code Section.”

J. Notwithstanding the provisions of this ordinance, the City of Canyon Lake reserves the right to determine the extent and level of its fire services.

**SECTION 2. PURPOSE AND AUTHORITY.** The purpose of this Ordinance is to adopt by reference the 2019 edition of the California Fire Code, Title 24 – Part 9, of the California Code of Regulations subject to the definitions, clarifications, and the amendments set forth in this Ordinance. The Purpose of this Ordinance is also to provide minimum requirements and standards for the protection of public safety, health, property and welfare of the City of Canyon Lake. This Ordinance is adopted under the authority of Government Code subsection 50022.2 and Health and Safety Code Section 18941.5.

**SECTION 3. CEQA.** No further environmental review is required under the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The proposed change repeals and replaces the California Fire Code in the Canyon Lake Municipal Code. Because this action does not have the potential to result in individually or cumulatively significant effects on the environment, this Municipal Code amendment is exempt from review under CEQA. Therefore, this change is not subject to CEQA review at this time under the General Rule and no further environmental review is necessary.

**SECTION 4.** Chapter 8.12 of the Canyon Lake Municipal Code is repealed in its entirety and readopted to read as follows:

Chapter 8.12

Adoption of California Fire Code, as amended

Section	
8.12.010	Adoption.
8.12.020	Title.
8.12.030	Applicability.
8.12.040	Conflicting Provisions.
8.12.050	Department of Fire Prevention.
8.12.060	General Authority and Responsibilities.
8.12.070	Authority of Fire Chief to Close Hazardous Fire Areas.
8.12.080	Permits.
8.12.090	Carnivals, Fairs, and Special Events.
8.12.100	Fireworks Display.
8.12.110	General Use Permit.
8.12.120	Fees.
8.12.130	Cost Recovery.
8.12.140	Maintenance.
8.12.150	Board of Appeals.
8.12.160	Violations.
8.12.170	Stop Work Order.
8.12.180	Definitions.
8.12.190	Outdoor Fires.
8.12.200	Fire Apparatus Access Roads.
8.12.210	Fire Protection Water Supplies.
8.12.220	Fire Command Center.
8.12.230	Fire Protection and Utility Equipment Identification and Access.
8.12.240	Mechanical Refrigeration.
8.12.250	Automatic Sprinkler Systems.
8.12.260	Designation of High-Piled Storage Areas.
8.12.270	Fire Hazard Severity Zones.
8.12.280	Fireworks Display.
8.12.290	Appendix B.

8.12.300 Appendix C.

**8.12.010 Adoption.**

The City hereby adopts in its entirety, as amended by this Chapter and for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, the 2019 California Fire Code, Title 24, California Code of Regulations (the "Fire Code"). The Code is on file with the Chief Building Official of the City of Canyon Lake. Nothing in this Chapter shall supersede or negate Riverside County Fire Department Standards, Policies, and /or Procedures.

**8.12.020 Title.**

Section 101.1 of the California Fire Code is amended to read as follows:

101.1 Title. These regulations shall be known as the Fire Code of the City of Canyon Lake, hereinafter referred to as "this code."

**8.12.030 Applicability.**

Section 102.5 of the California Fire Code is amended as follows:

102.5 Application of residential code. Where structures are designed and constructed in accordance with the California Residential Code, the provisions of this code shall apply as follows:

1. Construction and design provisions of this code pertaining to the exterior of the structure shall apply including, but not limited to, premises identification, fire apparatus access and water supplies. Where interior or exterior systems or devices are installed, construction permits required by Section 105.7 of this code shall apply.
2. Administrative, operational and maintenance provisions of this code shall apply.
3. Automatic fire sprinkler system requirements of this code shall apply to detached accessory buildings 3,600 square feet or greater in accordance with Section 903.2. The provisions contained in Section 903.2.18 of the California Fire Code or Section R309.6 of the California Residential Code may be used for the design of the automatic fire sprinkler system for detached private garages.

**8.12.040 Conflicting Provisions.**

Section 102.10 of the California Fire Code is amended as follows:

102.10 Conflicting provisions.

Where there is a conflict between a general requirement and a specific requirement, the building official shall decide which requirement meets the general intent of this code.

**8.12.050 Department of Fire Prevention.**

Section 103.2 of the California Fire Code is amended as follows:

103.2 Appointment.

The fire code official shall be appointed by the chief appointing authority of the jurisdiction; and the fire code official shall serve until removed or replaced.

**8.12.060 General Authority and Responsibilities.**

Section 104.1.1 is added to Section 104.1 of the California Fire Code to read as follows:

104.1.1 Authority.

1. The following persons are hereby authorized to interpret and enforce the provisions of this code and to make arrests and issue citations as authorized by law:
  - 1.1. The Unit Chief, Peace Officers and Public Officers of the California Department of Forestry and Fire Protection.
  - 1.2. The Fire Chief, Peace Officers and Public Officers of the Riverside County Fire Department.
  - 1.3. The Riverside County Sheriff and any deputy sheriff.
  - 1.4. The Police Chief and any police officer of any city served by the Riverside County Fire Department.
  - 1.5. Officers of the California Highway Patrol.
  - 1.6. Code Officers of the City of Canyon Lake Code Enforcement Department.
  - 1.7. Peace Officers of the California Department of Parks and Recreation.
  - 1.8. The law enforcement officer of the Federal Bureau of Land Management.

**8.12.070 Authority of Fire Chief to Close Hazardous Fire Areas.**

Section 104.12 is added to Section 104 of the California Fire Code to read as follows:

104.12 Authority of the Fire Chief to close hazardous fire areas.

Except upon National Forest Land, the Fire Chief is authorized to determine and announce the closure of any hazardous fire area or portion thereof. Any closure by the Fire Chief for a period

of more than fifteen (15) calendar days must be approved by the Riverside County Board of Supervisors and/or the City Council within fifteen (15) calendar days of the Fire Chief's original order of closure. Upon such closure, no person shall go in or be upon any hazardous fire area, except upon the public roadways and inhabited areas. During such closure, the Fire Chief shall erect and maintain at all entrances to the closed area sufficient signs giving notice of closure. This section shall not prohibit residents or owners of private property within any closed area, or their invitees, from going in or being upon their lands. This section shall not apply to any entry, in the course of duty, by a peace officer, duly authorized public officer or fire department personnel. For the purpose of this section, "hazardous fire area" shall mean public or private land that is covered with grass, grain, brush or forest and situated in a location that makes suppression difficult resulting in great damage. Such areas are designated on Hazardous Fire Area maps filed with the City of Canyon Lake and the Riverside County Fire Department.

**8.12.080 Permits.**

Section 105.6 of the California Fire Code is amended to read as follows:

105.6 Required operational permits.

The fire code official is authorized to issue operational permits for the operations set forth in Sections 105.6.1 through 105.6.53.

**8.12.090 Carnivals, Fairs, and Special Events.**

Section 105.6.4 of the California Fire Code is amended to read as follows:

105.6.4 Carnivals, fairs, and special events.

An operational permit is required to conduct a carnival, fair, or special event. A detailed plan must be submitted, and an operational permit issued, to conduct a carnival, fair, or special event.

**8.12.100 Fireworks Display.**

Section 105.6.52 of the California Fire Code is added and reads as follows:

105.6.52 Fireworks Display.

A permit is required to conduct a public or private firework display in the City of Canyon Lake.

**8.12.110 General Use Permit.**

Section 105.6.53 of the California Fire Code is added and reads as follows:

105.6.53 General Use Permit.

A General Use Permit shall be required for any activity or operation not specifically described in this section, which in the judgement of the fire code official is likely to produce conditions hazardous to life or property.

**8.12.120 Fees.**

Section 106.1 of the California Fire Code is amended to read as follows:

106.1 Fees.

For each and every permit issued (or amended) pursuant to this code, there shall be paid to the City of Canyon Lake, a fee in such amount as established by resolution of the Canyon Lake City Council. Failure to pay such fees shall be cause for revocation of the permit.

**8.12.130 Cost Recovery.**

Section 106.6 of the California Fire Code is added and reads as follows:

106.6 Cost Recovery.

Fire suppression, investigation, rescue, emergency medical care, and property damage are recoverable in accordance with the Health and Safety Code.

**8.12.140 Maintenance.**

Section 108.7 of the California Fire Code is added and reads as follows:

108.7 Occupant Count.

The supervisor of each place of assembly shall have an effective system to maintain a count of the number of occupants present in order to keep the number at or below the allowable occupant load. If the fire code official determines at any time that an accurate count of occupants is not being maintained, the occupancy shall be cleared to obtain an accurate count.

**8.12.150 Board of Appeals.**

Section 109.1 of the California Fire Code is deleted in its entirety and replaced with the following:

109.1 Board of appeals established.

The Board of Appeals shall be the City Manager. If he or she determines an outside board is needed, he or she shall designate an outside hearing officer to hear the appeal. The Fire Code Official shall be notified of any appeal and the Fire Code Official or designee shall be in attendance at the appeal hearing. Depending on the subject of the appeal, specialized expertise may be

solicited, at the expense of the applicant, for the purpose of providing input to the Board of Appeals.

**8.12.160      Violations.**

Section 110.4 of the California Fire Code is amended to read as follows:

110.4 Violation penalties.

Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$1,000 dollars or by imprisonment not exceeding 180 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

**8.12.170      Stop Work Order.**

Section 112.4 of the California Fire Code is amended to read as follows:

112.4 Failure to comply.

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be in violation of this Code and be subject to citations and/or penalties in amounts as determined by the City Council.

**8.12.180      Definitions.**

The following definition of “Fire Hazard” is added to Section 202 of the California Fire Code and reads as follows:

“FIRE HAZARD” Anything or act which increases or could cause an increase of the hazard or menace of fire to a greater degree than that customarily recognized as normal by persons in the public service regularly engaged in preventing, suppressing or extinguishing fire or anything or act which could obstruct, delay, hinder or interfere with the operations of the fire department or the egress of occupants in the event of fire.

**8.12.190      Outdoor Fires.**

Section 307.6 of the California Fire Code is added and reads as follows:

307.6 Outdoor fires.

Outdoor, open burning and recreational fires shall not be built, ignited or maintained when the following conditions exist:

- 1. Predicted sustained winds exceed 8 MPH at the ground level, or a red flag condition has been declared.
- 2. A person age 18 or over is not present at all times to watch and tend such fire.
- 3. A public announcement is made that open burning is prohibited.
- 4. A viable water source or approved means of extinguishment is not immediately available.

Exception. Occupied one and two-family dwellings where such fires are built in a permanent or portable barbeque, outdoor fireplace, or grill and are a minimum of 15 feet (9144mm) from any combustible material or structure. Permanent barbecues, portable barbecues, outdoor fireplaces or grills shall not be used for the disposal of rubbish, trash, or combustible waste material.

**8.12.200 Fire Apparatus Access Roads.**

Section 503.2.1 of the California Fire Code is amended to read as follows:

503.2.1 Dimensions.

Fire apparatus access roads shall have an unobstructed width of not less than 24 feet (7315 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm), For additional requirements or alternatives refer to most current version of applicable Riverside County Fire Department Standards and Policies.

Section 503.2.2 of the California Fire Code is amended to read as follows:

503.2.2 Authority.

The fire code official, or his/her designee, shall have the authority to designate fire apparatus access roads and fire lanes and to modify the minimum fire lane access widths for fire or rescue operations

Section 503.6.1 of the California Fire Code is added and reads as follows:

503.6.1 Automatic Opener.

New motorized gates shall be provided with means to be automatically opened remotely by emergency vehicles in accordance with the current version of applicable Riverside County Fire Department Standards and Policies.

Exception: Gates serving individual one and two-family dwelling parcels.

Section 503.7 of the California Fire Code is added and reads as follows:

503.7 Loading areas and passenger drop-off areas.

On private properties, where fire apparatus access roads are utilized for loading or unloading, or utilized for passenger drop-off or pick-up, an additional eight (8) feet of width shall be added to the minimum required width for the fire apparatus access road.

**8.12.210 Fire Protection Water Supplies.**

Section 507.5.7 of the California Fire Code is added and reads as follows:

507.5.7 Fire Hydrant size and outlets.

As determined by the fire code official, or in accordance with the current version of applicable Riverside County Fire Department Standards and Policies, fire hydrant sizes and outlets shall be based on the following:

1. Residential Standard – one (1) four (4) inch outlet and one (1) two and one-half (2 ½) inch outlet.
2. Super Hydrant Standard – one (1) four (4) inch outlet and two (2) two and one-half (2 ½) inch outlet.
3. Super Hydrant Enhanced – two (2) four (4) inch outlets and one (1) two and one-half (2 ½) inch outlet.

Section 507.5.8 of the California Fire Code is added and reads as follows:

507.5.8 Fire hydrant marker. Fire hydrant locations shall be visually indicated in accordance with City of Canyon Lake regulations, and in accordance with the current version of applicable Riverside County Fire Department Standards and Policies. Any hydrant marker damaged or removed during the course of street construction or repair shall be immediately replaced by the contractor, developer, or person responsible for removal or damage.

**8.12.220 Fire Command Center.**

Section 508.1 of the California Fire Code is amended to read as follows:

508.1 General.

Where required by other sections of this code and in all buildings classified as high-rise buildings by the California Building Code, in buildings greater than 300,000 square feet in area, and in Group I-2 occupancies having occupied floors located more than 75 feet above the lowest

level of fire department vehicle access a fire command center for fire department operations shall be provided and comply with Sections 508.1.1 through 508.1.8.

Section 508.1.1 of the California Fire Code is amended to read as follows:

508.1.1 Location and access.

The fire command center shall be located adjacent to the main lobby and shall be accessible from fire department vehicular access or as approved by the fire code official or designee. The room shall have direct access from the building exterior at the lowest level of fire department access.

Section 508.1.3 of the California Fire Code is amended to read as follows:

508.1.3 Size. The fire command center shall be not less than 0.015 percent of the total building area of the facility served or 200 square feet (19 m<sup>2</sup>) in area, whichever is greater, with a minimum dimension of 0.7 times the square root of the room area or 10 feet (3048 mm), whichever is greater.

Section 508.1.6 of the California Fire Code is amended to add the following exception:

508.1.6 Required features.

Exception: A fire command center solely required because a building is greater than 300,000 square feet in area shall comply with NFPA 72 and contain the features set forth in Subsection 508.1.6, items 1, 2, 3, 4, 6, 9, 11, 15, 16, 17, 18 and 19 shall be required when such building contains systems or functions related to these features.

Section 508.1.8 of the California Fire Code is added and reads as follows:

508.1.8 Fire command center identification. The fire command center shall be identified by a permanent easily visible sign stating "Fire Dept. Command Center," located on the door to the fire command center.

#### **8.12.230 Fire Protection and Utility Equipment Identification and Access.**

Section 509.2.1 of the California Fire Code is added to read as follows:

509.2.1 Minimum clearances.

A 3-foot (914 mm) clear space shall be maintained around the circumference of exterior fire protection system control valves, or any other exterior fire protection system component that may require immediate access, except as otherwise required or approved.

\\

**8.12.240 Mechanical Refrigeration.**

Section 605.10.1.2 of the California Fire Code is amended to read as follows:

605.10.1.2 Manual operation.

When required by the fire code official or the Riverside County Fire Department, automatic crossover valves shall be capable of manual operation. The manual valves shall be located in an approved location immediately outside of the machinery room in a secure metal box or equivalent and marked as Emergency Controls.

**8.12.250 Automatic Sprinkler Systems.**

Section 903.2 of the California Fire Code is amended to read as follows:

903.2 Where required.

In all new buildings and structures which are 3,600 square feet or greater, an approved automatic sprinkler system shall be provided regardless of occupancy classification. Where the Sections 903.2.1 – 903.2.19 of the California Fire Code require more restrictive requirements than those listed below, the more restrictive requirements shall take precedence.

Exception: Unless required elsewhere in this code or the California Building Code, automatic fire sprinkler systems shall not be required for the following:

1. Detached Group U occupancies used for agricultural or livestock purposes, less than 5,500 square feet, and having setback distances of 50 feet or more from the property line and other buildings.
2. Detached non-combustible equestrian arena shade canopies that are open on all sides and used for riding only – no commercial, assembly or storage uses.
3. Detached fabric or non-combustible shade structures that are open on all sides and used to shade playground equipment, temporary storage of vehicles and dining areas with no cooking.
4. Detached Group U occupancy greenhouses less than 5,00 square feet.
5. Where determined by the fire code official or the Riverside County Fire Department, that no major life safety hazard exists, and the fuel load does not pose a significant threat to firefighter safety or to other structure or property, automatic fire sprinkles may be exempted.

One and two-family dwellings shall have an automatic fire sprinkler system regardless of square footage in accordance with the California Residential Code. Fire sprinkler systems shall be

installed in mobile homes, manufactured homes and multifamily manufactured homes with two dwelling units in accordance with Title 25 of the California Code of Regulations.

The following exceptions in the California Fire Code shall not be allowed:

- a. Exception in Section 903.2.3
- b. Exception 2 in Section 903.2.11.3

Section 903.3.5.3 of the California Fire Code is added and reads as follows:

903.3.5.3 Hydraulically calculated systems. The design of hydraulically calculated fire sprinkler systems shall not exceed 90% of the water supply capacity.

#### **8.12.260 Designation of High-Piled Storage Areas.**

Section 3204.2.1 of the California Fire Code is added and reads as follows:

3204.2.1 Minimum requirements for client leased or occupant owned warehouses.

Designs of an automatic sprinkler system for client leased or occupant owned buildings containing high pile storage shall be based on the requirements of NFPA 13. The responsible fire protection engineer shall perform a survey of the building to determine commodity classification, storage configuration, building height and other information related to the development of an appropriate sprinkler system design. The fire protection engineer shall also make reasonable efforts to meet the building owner or operator to understand seasonal or customer related fluctuations to the stored commodities, storage height, and configuration. The sprinkler design shall be based on the most demanding requirements determined through the onsite survey and discussions with the building owner or operator. The technical report shall describe the basis for determining the commodity and sprinkler design selection, how the commodities will be isolated or separated, and include referenced design document(s), including NFPA 13 or the current applicable factory mutual data sheets. If a specific fire test is used as the basis of design, a copy of the fire test report shall be provided at the time of plan review.

#### **8.12.270 Fire Hazard Severity Zones.**

Section 4904.3 of the California Fire Code is added and reads as follows:

4904.3 High Fire Severity Zone Maps.

In accordance with Government Code Section 51175 through 51189, Very High Fire Hazard Severity Zones are designated as shown on a map titled Very High Fire Hazard Severity Zones, dated December 24, 2009 and retained on file at the office of the fire code official or the Riverside County Fire Department, which supersedes other maps previously adopted designating high fire hazard areas. Any updated maps which are adopted by the City of Canyon Lake will be automatically replace the 2009 maps.

**8.12.280 Fireworks Display.**

Section 5608.2 of the California Fire Code is added and reads as follows:

5608.2 Firing.

All fireworks displays shall be electrically fired.

**8.12.290 Appendix B.**

Appendix B, Table 105.2 of the California Fire Code is amended to read as follows:

<b>AUTOMATIC SPRINKLER SYSTEM (Design Standard)</b>	<b>MINIMUM FIRE FLOW (gallons per minute)</b>	<b>FLOW DURATION (hours)</b>
No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2)
Section 903.3.1.1 California Fire Code	50% of the value in Table B105.1(2)	Duration in Table B105.1(2) at the reduced flow rate
Section 903.3.1.2 of the California Fire Code	50% of the value in Table B105.1(2)b	Duration in Table B105.1(2) at the reduced flow rate

**For SI: 1 gallon per minute = 3.785 L/m.**

- a. The reduced fire-flow shall be not less than 1,000 gallons per minute.
- b. The reduced fire-flow shall be not less than 1,500 gallons per minute.

**8.12.300 Appendix C.**

Section C103.1 of the California Fire Code is amended to read as follows:

C103.1 Hydrant spacing.

Fire apparatus access roads and public streets providing required access to buildings in accordance with Section 503 of the California Fire Code shall be provided with one or more fire hydrants, as determined by Section C102.1. Where more than one fire hydrant is required, the distance between required fire hydrants shall be in accordance with Sections C103.2 and C103.3. Fire Hydrants shall be provided at street intersections.

\\  
\\  
\\  
\\  
\\

**SECTION 5. EFFECTIVE DATE.** This ordinance shall take effect thirty (30) days after its adoption.

**PASSED APPROVED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Jordan Ehrenkranz, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Ana V. Sauseda, Deputy City Clerk

\_\_\_\_\_  
Steven Graham, City Attorney

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

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Chris Mann, City Manager *CM*

**BY:** Gina Dickson, Enforcement Supervisor

**DATE:** November 6, 2019

**SUBJECT:** Approval of Resolution No. 2019-41, Establishing the City of Canyon Lake's Special/Code Enforcement Department Equipment Policy

---

**Recommendation**

It is recommended that Council approve Resolution No. 2019-41, establishing the City of Canyon Lake's Enforcement Department Equipment Policy.

**Background**

Code Enforcement and Special Enforcement Officer routinely patrol areas within the City limits, specifically the hills and rough terrain of the BLM Lands. This area is not easily accessible by our local law enforcement officers as the patrol vehicles are not equipped with necessary suspension and gear allowing for a timely response should our enforcement officers encounter a potentially aggressive, uncooperative person(s) who are frequently under the influence of drugs and alcohol. During what may begin as a simple and routine contact there is constant potential for escalation without warning.

Based on recent events or contacts out in the field combined with recent State Legislation changes, it has been suggested that our enforcement department implement and upgrade our officer safety tactics and put into place visual deterrent measures with added safety equipment.

The enforcement department staff are requesting that the City Council implement the policy pertaining to Use, Maintenance and Training for safety equipment such as protective body armor, (OC) Pepper Spray and Conducted Energy Device often referred to as the TASER®.

**Fiscal Impact**

Fiscal Impact: Cost of Body Armor, purchase of holsters, OC Spray and TASER devices to include Training:

Body Armor	\$375.00 each
OC SPRAY	\$20.00 each
TASER	\$449.99 each

Training Cost unknown at the time of writing, attempting to obtain training from Riverside County Sheriff's Office.

**Attachments**

1. Special/Code Enforcement Department Equipment Policy
2. Resolution No. 2019-41

# **ATTACHMENT 1**





## **ENFORCEMENT DEPARTMENT EQUIPMENT POLICY**

---

### **PURPOSE AND SCOPE**

The purpose of this policy is to provide Code Enforcement officers and Special Enforcement officers with guidelines for the proper use of special enforcement and code enforcement issued equipment. This policy provides guidelines for the issuance and use of body armor, pepper spray and TASER devices.

### **POLICY**

It is the policy of the City of Canyon Lake to maximize officer safety through the use of protective equipment in combination with prescribed safety procedures. While body armor, pepper spray and the conducted energy device provides a significant level of protection, they are not a substitute for the observance of officer safety procedures. The TASER® device is intended to control a violent or potentially violent individual, while minimizing the risk of serious injury. The appropriate use of such a device should result in reduced risk of serious injuries to officers and suspects.

### **ISSUANCE OF EQUIPMENT**

The enforcement supervisor shall ensure that equipment is issued to all enforcement officers when the officer begins service at the City of Canyon Lake and that, when issued, the equipment meets or exceeds the standards of the industry regulating such equipment. The enforcement supervisor shall establish an equipment replacement schedule and ensure that replacement is issued pursuant to the schedule or whenever the equipment piece becomes worn, damaged or expired to the point that its effectiveness or functionality has been compromised.

### **USE OF SOFT BODY ARMOR**

Generally, the use of body armor is required subject to the following:

- a) Enforcement officers shall only wear agency-approved body armor.
- b) Enforcement officers shall wear body armor anytime they are in a situation where they could reasonably be expected to take enforcement action.
- c) Enforcement officers may be excused from wearing body armor when they are functioning primarily in an administrative or support capacity and could not reasonably be expected to take enforcement action and/or they anticipate the need for extra safety precautions.

### **INSPECTIONS OF BODY ARMOR**

Supervisors should ensure that body armor is worn and maintained in accordance with this policy through routine observation and periodic documented inspections. Annual inspections of body armor should be conducted by an authorized designee for fit, cleanliness, and signs of damage, abuse and wear.

## **CARE AND MAINTENANCE OF SOFT BODY ARMOR**

Soft body armor should never be stored for any period in an area where environmental conditions (e.g., temperature, light, humidity) are not reasonably controlled (e.g., normal ambient room temperature/humidity conditions), such as in automobiles or automobile trunks. Soft body armor should be cared for and cleaned pursuant to the manufacturer's care instructions provided with the soft body armor. The instructions can be found on labels located on the external surface of each ballistic panel. The carrier should also have a label that contains care instructions. Failure to follow these instructions may damage the ballistic performance capabilities of the armor. If care instructions for the soft body armor cannot be located, contact the manufacturer to request care instructions. Soft body armor should not be exposed to any cleaning agents or methods not specifically recommended by the manufacturer, as noted on the armor panel label. Soft body armor should be replaced in accordance with the manufacturer's recommended replacement schedule.

## **USE, ISSUANCE AND CARRYING CONDUCTED ENERGY DEVICES**

Only members who have successfully completed department-approved training may be issued and carry the TASER device. TASER devices are issued for use while employed as a special enforcement or code enforcement officer with the city. Enforcement officers shall only use the TASER device and cartridges that have been issued by the Department. Enforcement officers who have been issued the TASER device shall wear the device in an approved holster on their person.

- (a) All TASER devices shall be clearly and distinctly marked,
- (b) Whenever practicable, officers should carry two or more cartridges on their person when carrying the TASER device.
- (c) Officers shall be responsible for ensuring that their issued TASER device is properly maintained and in good working order.

## **VERBAL AND VISUAL WARNINGS**

A verbal warning of the intended use of the TASER device should precede its application, unless it would otherwise endanger the safety of others or when it is not practicable due to the circumstances. The purpose of the warning is to:

- (a) Provide the individual with a reasonable opportunity to voluntarily comply or
- (b) Provide others and individuals with a warning that the TASER device may be deployed. The aiming laser should never be intentionally directed into the eyes of another as it may permanently impair his/her vision. The fact that a verbal or other warning was given or the reasons it was not given shall be documented by the officer deploying the TASER device in the related report.

## **USE OF THE CONDUCTED ENERGY DEVICE**

The TASER device has limitations and restrictions requiring consideration before its use. The TASER device should only be used when its operator can safely approach the subject within the operational range of the device.

## **APPLICATION OF THE CONDUCTED ENERGY DEVICE**

The TASER device may be used in any of the following circumstances:

- (a) when the circumstances perceived by the officer at the time indicate that such application is reasonably necessary to remain safe and free from physical harm
- (b) The subject has demonstrated, by words or action, an intention to be violent or to physically attack, and reasonably appears to present the potential to harm officers, him/herself or others.

## **SPECIAL DEPLOYMENT CONSIDERATIONS**

The use of the TASER device on certain individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the officer, the subject or others, and the enforcement officer reasonably believes that the need to control the individual outweighs the risk of using the device. This includes:

- (a) Individuals who are known to be pregnant.
- (b) Elderly individuals or obvious juveniles.
- (c) Individuals with obviously low body mass.
- (d) Individuals who are handcuffed or otherwise restrained.
- (e) Individuals who have been recently sprayed with a flammable chemical agent or who are otherwise in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) or pepper spray.
- (f) Individuals whose position or activity may result in collateral injury (e.g., falls from height, operating vehicles).

## **TARGETING CONSIDERATIONS**

Reasonable efforts should be made to target lower center mass and avoid the head, neck, chest and groin. If the dynamics of a situation or officer safety do not permit the officer to limit the application of the TASER device probes to a precise target area, officers should monitor the condition of the subject if one or more probes strikes the head, neck, chest or groin until the subject is examined by paramedics or other medical personnel.

## **DANGEROUS ANIMALS**

The TASER device may be deployed against an animal as part of a plan to deal with a potentially dangerous animal, such as a dog, if the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

## **NO OFF-DUTY CONSIDERATIONS**

Enforcement Officers are not authorized to carry department TASER devices while off-duty. Enforcement Officers shall ensure that TASER devices are secured within the department at City Hall, within City vehicles or any other area under their control, in a manner that will keep the device inaccessible to others.

## **USE DOCUMENTATION**

Officers shall document all (OC) pepper spray or TASER device discharges in the related crime report and the TASER device report form. Notification shall also be made to a supervisor. Unintentional discharges, pointing the device at a person, laser activation and arcing the device will also be documented on the report form and may result in termination of such employee.

## **USE DISCHARGE FORM**

Items that shall be included in the discharge report form are:

- (a) The type of equipment used with the brand of the device and cartridge or batch and if needed cartridge serial number.
- (b) Date, time and location of the incident.
- (c) Whether any display, laser or arc deterred a subject and gained compliance.

If the TASER was used,

- (d) The number of TASER device activations, the duration of each cycle, the duration between activations, and (as best as can be determined) the duration that the subject received applications.
- (e) The range at which the TASER device was used.
- (f) The type of mode used (probe or drive-stun).
- (g) Location of any probe impact.
- (h) Location of contact in drive-stun mode.
- (i) Description of where missed probes went.
- (j) Whether medical care was provided to the subject.
- (k) Whether the subject sustained any injuries.
- (l) Whether any officers sustained any injuries.

The Training Manager should periodically analyze the report forms to identify trends, including deterrence and effectiveness. The Training Manager should also conduct audits of data downloads and reconcile TASER device report forms with recorded activations.

## **REPORTS**

The enforcement officer should include the following in the arrest or crime report:

- (a) Identification of all personnel deploying pepper spray or firing TASER devices
- (b) Identification of all witnesses
- (c) Medical care provided to the subject
- (d) Observations of the subject's physical and physiological actions
- (e) Any known or suspected drug use, intoxication or other medical problems.

## **MEDICAL TREATMENT**

Used TASER device probes shall be treated as a sharps biohazard, like a used hypodermic needle, and handled appropriately. Universal precautions should be taken. All persons who have been struck by TASER device probes or who have been subjected to the electric discharge of the device shall be medically assessed prior to booking.

## **TRAINING**

Personnel who are authorized to carry pepper spray or the TASER device shall be permitted to do so only after successfully completing the initial department-approved training. Proficiency training for personnel who have been issued TASER devices should occur bi-annually. A reassessment of an officer's knowledge and/or practical skill may be required at any time if deemed appropriate by the Training Manager. All training and proficiency for TASER devices will be documented in the officer's training file. The Training Manager is responsible for ensuring that all members who carry TASER devices have received initial and Bi-annual proficiency training.

The Training Manager should ensure that all training includes:

- (a) A review of this policy,
- (b) Target area considerations, to include techniques or options to reduce the unintentional application of probes near the head, neck, chest and groin and
- (c) Restraint techniques that do not impair respiration following the application of the TASER device.

## **SUPERVISOR RESPONSIBILITIES**

The department supervisor shall monitor technological advances in the body armor industry for any appropriate changes to Department approved body armor and provide training that educates officers about the safety benefits of wearing body armor.

Whenever possible, supervisors shall respond to calls when they reasonably believe there is a likelihood pepper spray, or the TASER device may be used. A supervisor should respond to all incidents where the equipment or device was deployed or discharged. A supervisor should review each incident where a person has been exposed to an activation of the spray or TASER device. If the TASER device was used, the onboard memory should be downloaded through the data port by a supervisor or Sargent and saved with the related arrest/crime report. Photographs of probe sites should be taken, and witnesses interviewed by sworn law enforcement staff.



## **ATTACHMENT 2**



**RESOLUTION NO. 2019-41**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANYON LAKE, CALIFORNIA, ESTABLISHING THE CITY OF CANYON LAKE'S SPECIAL/CODE ENFORCEMENT DEPARTMENT EQUIPMENT POLICY**

**WHEREAS**, the City of Canyon Lake ("City") desires to formally approve and adopt a comprehensive policy pertaining to assigned equipment for Special | Code Enforcement Officers in the field; and

**WHEREAS**, there is a need to adopt and formalize a policy addressing the Special | Code Enforcement equipment assigned, worn and used while performing the duties and functions assigned; and

**WHEREAS**, the City desires to implement and acknowledge the City of Canyon Lake Policy and Procedures for Use, Maintenance and Training for such safety equipment issued to staff.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CANYON LAKE DOES RESOLVE AS FOLLOWS:**

**Section 1.** The City Council of the City of Canyon Lake hereby adopts the City of Canyon Lake's Special/Code Enforcement Department Equipment Policy attached hereto as Exhibit A to this Resolution.

**Section 2.** The City Council hereby authorizes the City Manager or his designee to take all actions necessary to carry out the Special/Code Enforcement Department Equipment Policy.

**PASSED, APPROVED, AND ADOPTED** on this 6th day of November, 2019.

\_\_\_\_\_  
Jordan Ehrenkranz, Mayor

ATTEST:

\_\_\_\_\_  
Ana V. Sauseda, Deputy City Clerk



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

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Chris Mann, City Manager *CM*

**BY:** Steven Graham, City Attorney

**DATE:** November 6, 2019

**SUBJECT:** Approval of Resolution No. 2019-42, Adopting Rules of Procedure for Council Meetings and Related Functions and Activities

---

**Recommendation**

It is recommended that the City Council adopt Resolution No. 2019-42, adopting rules of procedure for Council meetings and related functions and activities.

**Background**

The Canyon Lake Municipal Code provides that the City Council shall adopt by resolution rules of procedure to govern the conduct of its meetings. When not in conflict with the Canyon Lake Municipal Code, the Constitution or laws of the State of California, including California Government Code Section 54950, *et seq.* (the “Brown Act”), the Rules of Procedure govern the proceedings of the City Council. The Rules of Procedure adopted by the City on its incorporation under Resolution 1990-22 were most recently updated under Resolution No. 2015-36.

The City Manager and City Attorney have reviewed the Rules of Procedure and bring the following recommended amendments to the City Council for discussion and possible adoption. The significant changes are summarized below and a redline comparing the proposed language to the language of Resolution 2015-36 is included in the backup to this staff report.

SECTION	REVISION DESCRIPTION
1.1	Revised to state the current days, times, and location of City Council meetings.
1.3	Added references to specific statutes requiring more than a simple majority of those Councilmembers present to act.
2.1.4	Revised language to allow Presiding Officer, without objection of the City Council, to take items out of order on the agenda for the efficient conduct of the meeting when appropriate.

2.2	Revised to require delivery and posting of agenda in a manner consistent with state law.
2.5	Revised language regarding closing the public hearing.
2.6	Revised language related to Public Comments to address concern regarding when the appropriate time for the public to comment on Consent Calendar items is to occur.
2.8	Revised language clarifying how items may be added to a future agenda.
3.1	Revised language regarding appointment of temporary Presiding Officer.
4.10	Revised to adopt Rosenberg's Rules of Order (attached) as guidelines for Council. Rosenberg's Rules of Order are recommended by the League of California Cities as an accessible alternative to the relatively dense and overly technical Robert's Rules of Order.
5.1	Added language clarifying requirement that public speakers must turn in a speaker slip, be called by the City Clerk, and recognized by the Presiding Officer to speak.
5.3	Revised language to clarify that public comments may not be made after the public comment portion of an item has closed, without the consent of a majority of the Council.
10	Revised language to remove lists of committees and authorize the City Council to establish committees by resolution.

**Fiscal Impact**

No fiscal impact at this time.

**Attachments**

1. Resolution No. 2019-42
2. Redline
3. Rosenberg's Rules of Order

# ATTACHMENT 1



**RESOLUTION NO. 2019-42**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANYON LAKE, CALIFORNIA, RESCINDING RESOLUTION 2015-36 AND ADOPTING RULES OF PROCEDURE FOR COUNCIL MEETINGS AND RELATED FUNCTIONS AND ACTIVITIES**

**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 procedures and therefore wishes to update such procedures and adopt a new resolution.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CANYON LAKE DOES RESOLVE AS FOLLOWS:**

**SECTION 1. RULES OF PROCEDURE**

The Rules of Procedure for City Council meetings and related functions and activities are hereby adopted, to read as follows:

**RULES OF PROCEDURE**

**PURPOSE:** The purpose and intent of the City Council in adopting these rules shall be to provide guidelines relating to the conduct of the public business by or on behalf of the City Council or its Committees, and in the event of any noncompliance with or violation of any provision herein, such will not be deemed to affect the validity of any action taken, unless otherwise specifically provided by law. These procedures are intended to comply with and are governed by the Ralph M. Brown Act, Government Code Section 54950 et seq. (the "Brown Act").

**1. MEETINGS**

**1.1 REGULAR MEETING:**

The City Council of the City of Canyon Lake shall hold regular meetings in the Council Chamber located at City Hall, on the first Wednesday of each month. Open Session shall begin at 6:30 p.m. When the day for a regular meeting falls on a legal holiday, the Council, at the preceding meeting, shall determine the time and date of any rescheduled meeting. The Council may cancel a meeting in the same manner as the agenda is posted. Any regular meeting may be adjourned to a time, place, and date certain, as long as that date is before the next regular meeting. Otherwise, once adjourned, the meeting may not be reconvened. Closed Session shall be scheduled to occur in the City Administration Offices prior to Open Session with sufficient time to discuss the matters under consideration by the City Council

## 1.2 MEETINGS GOVERNED BY BROWN ACT

All meetings of the City Council shall be governed by the provisions of the Ralph M. Brown Act (Govt. Code Section 54950 *et seq.*) as those may be revised from time to time (the "Brown Act").

## 1.3 QUORUM:

Unless otherwise provided for by the Municipal Code or state law, a majority of the Council shall be sufficient to do business and motions may be passed 2-1 if only 3 Councilmembers attend. (*See Civ. Code, § 15*). The following matters require three affirmative votes: a) adoption of ordinances, b) resolutions granting franchises, and c) orders for payment of money. (*See Gov. Code, § 36936*). Other actions may have additional requirements under state law, including: General plans (3 votes - Gov. Code, § 65356), Specific plans (3 votes - Gov. Code, § 65453), Urgency ordinances (4 votes - Gov. Code, § 36937(b)), and Resolutions of Necessity (4 votes - Code of Civ. Proc., §§ 1245.220, 1245.240).

### 1.3.1 Legally Required Participation:

If a majority of the Council shall be disqualified to vote on a matter by reason of actual or apparent conflict of interest, the Council shall select by lot or other means of random selection, or by such other impartial and equitable means as the Council shall determine, that number of its disqualified members which, when added to the members eligible to vote, shall constitute a quorum. Those members may vote but not discuss.

## 2. AGENDA PROCEDURES

### 2.1 AGENDA:

2.1.1 The Order of Business of each meeting shall be as contained in the Agenda prepared by the City Clerk. The Agenda shall be a numbered listing by topic of the subjects which shall be taken up for consideration in that order. (When a Special Agenda is needed, items will be listed only as needed but the order will be maintained.) Special meetings that fall on the same day as a regular meeting may be shown on the same agenda.

2.1.2 In respect to, Councilmember Comments, each Councilmember is expected to limit such comments to a total of three minutes.

2.1.3 Except as specifically noticed for a different time, the first public hearing on the agenda at a regular meeting of the City Council shall commence at 6:30 p.m., or as soon thereafter as the City Council may conveniently hear the matter.

2.1.4 The Presiding Officer, without objection of a majority of the City Council, may take items out of the order prescribed above to facilitate the efficient conduct of the meeting. Items may be added only as allowed by the Brown Act.

2.2 DELIVERY OF AGENDA:

The Agenda for each regular meeting of the Council shall be delivered to the Members of the Council and made available to the public at least 72 hours prior to a regular meeting. Agendas shall be posted on the bulletin board outside City Hall and at such other places within the City as the Council has designated for posting notices of Council meetings. Any items for a regular meeting not available for distribution with the agenda shall be made available to the public at City Hall and on the City website as soon as provided to the City Council, or at the meeting if only available then.

2.3 ROLL CALL:

Before proceeding with the business of the Council, the City Clerk shall call the roll of the Councilmembers and the names of those present shall be entered in the minutes. The order of roll call shall be alphabetical with the Mayor called last.

2.4 APPROVAL OF MINUTES:

Unless requested by a majority of the City Council, minutes of the previous meeting may be approved on the consent calendar without public reading if the clerk has previously furnished each Councilmember with a copy thereof.

2.5 PUBLIC HEARINGS:

Generally, public hearings, other than those of a quasi-judicial nature, shall be conducted in the following order:

Hearing opened by Mayor  
Staff presentation  
Questions of Staff by Council  
Testimony by applicants, owners or proponents  
Testimony by opponents  
Rebuttal by applicants, owners or proponents  
Hearing closed by Mayor  
Questions by Council  
Discussion by Council  
Action by Council

Questions or comments from the public shall be limited to the subject under consideration. Depending upon the extent of the agenda, and the number of persons desiring to speak on an issue, the Mayor may at the beginning of the hearing limit testimony from the public to five (5) minutes. Any person may speak for a longer period of time, upon approval of the City Council, when this is deemed necessary in such cases as when a person is speaking as a representative of a group or has graphic or slide presentations requiring more time or when necessary for due process. Graphics or slide presentations must be provided to City staff at least 2 days prior to the meeting date.

Quasi-judicial hearings shall be conducted in accordance with the principles of due process, and the city attorney shall advise the City Council in this regard.

At any public hearing before the City Council, testimony of witnesses under oath may be requested by the Council.

#### 2.6 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 the agenda, is asked to complete a "Speaker Request Form" available on the back counter in the Council Chambers. The completed form is to be submitted to the City Clerk prior to an individual being heard by the City Council. The City Council may impose a three (3) minute limitation upon each person. Any person commenting on an agenda item will be heard at the time that particular item is scheduled on the agenda. Any person commenting on an item on the Consent Calendar will be heard prior to the approval of the Consent Calendar. The Brown Act does not allow the City Council to discuss matters not on the agenda, therefore, in response to any person addressing the City Council on items not on the agenda, 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.

#### 2.7 CONSENT AGENDA:

Items of routine nature, and non-controversial, shall be placed on the consent agenda. All items may be approved by one blanket motion upon unanimous consent without discussion, unless prior to, or following review of, the consent agenda, any Councilmember requests that any item be withdrawn from the consent agenda for separate consideration. However, any Councilmember may abstain from voting on any consent agenda item without requesting its removal from the consent agenda, and the City Clerk shall be instructed to record such abstentions in the minutes.

2.8 PLACEMENT OF ITEMS ON CITY COUNCIL AGENDA BY COUNCIL MEMBERS:

The City Manager is responsible for creating and processing the agenda and agenda materials for City Council Meetings. The Mayor or any Council Member may provide a written request for an item/issue to be placed on a City Council agenda directly to the City Manager, who will then schedule the item for a future agenda. Should extraordinary staff time be required to address any item submitted by the Mayor or Council Members, the City Manager may place the item on a future Council agenda for discussion and direction from the entire City Council.

2.9 CLOSED SESSION REPORTING:

A report on Closed Session actions shall be provided as required by Government Code Section 54957. I.

3. PRESIDING OFFICER

3.1 PRESIDING OFFICER:

The Mayor shall be the "Presiding Officer" at all meetings of the Council. In the absence of the Mayor, the Mayor Pro Tem shall preside. In the absence of both the Mayor and the Mayor Pro Tem, the Council shall elect a temporary presiding officer to serve until the arrival of the Mayor or Mayor Pro Tem or until adjournment.

In accordance with Government Code Section 36801, the Council shall meet after each general municipal election, and at the December City Council Meeting of non-election years and choose one of its members as mayor and one as mayor pro tem. Each selection shall be by three or more affirmative votes, and a failure to achieve such total of affirmative votes shall be deemed a selection of the incumbent(s) to remain in office. Each person so selected shall serve until a successor is chosen (at any time) by three or more affirmative votes.

3.2 CALL TO ORDER:

The meeting of the Council shall be called to order by the Mayor or, in his/her absence, by the Mayor Pro Tem. In the absence of both the Mayor and the Mayor Pro Tem, the meeting shall be called to order by the City Clerk, whereupon the City Clerk shall immediately call for the selection of a temporary Presiding Officer by the remainder of the Council.

3.3 PARTICIPATION OF PRESIDING OFFICER:

The Presiding Officer may move, second, and debate from the Chair, subject only to such

limitations of debate as are imposed on all Councilmembers, and he/she shall not be deprived of any of the rights and privileges of a Councilmember by reason of his/her acting as Presiding Officer. However, the Presiding Officer is primarily responsible for the conduct of the meeting.

If he/she desires to personally engage in extended debate on questions before the Council, he/she should consider turning the Chair over to another member.

#### 3.4 QUESTION TO BE STATED:

The Presiding Officer or City Clerk shall verbally restate each question immediately prior to calling for the vote. Following the vote, the Presiding Officer or City Clerk shall verbally announce whether the question carried or was defeated. The Presiding Officer may also publicly state the effect of the vote for the benefit of the audience before proceeding to the next item of business.

#### 3.5 SIGNING OF DOCUMENTS:

The Mayor, or Mayor Pro Tem, in the absence of the Mayor, shall sign ordinances and resolutions adopted by the City Council. The City Clerk, or Assistant City Clerk, shall attest to the signature of the Mayor or Mayor Pro Tem.

#### 3.6 MAINTENANCE OF ORDER:

The Mayor or Presiding Officer is responsible for the maintenance of order and decorum at all times. No person is allowed to speak who has not first been recognized by the Presiding Officer. All questions and remarks shall be addressed to the Presiding Officer.

### 4. RULES, DECORUM, AND ORDER:

#### 4.1 POINTS OF ORDER:

The Presiding Officer shall determine all Points of Order subject to the right of any member to appeal to the Council. If any appeal is taken, the question shall be, "Shall the decision of the Presiding Officer be sustained?" in which event a majority vote shall govern and conclusively determine such question of order.

#### 4.2 DECORUM AND ORDER -COUNCILMEMBERS:

- (a) Any Councilmember desiring to speak shall address the Chair and, upon recognition by the Presiding Officer, shall confine himself/herself to the question under debate.

- (b) A Councilmember desiring to question the staff shall address his/her question to the city manager or city attorney, in appropriate cases, who shall be entitled either to answer the inquiry himself/herself or to designate some member of his/her staff for that purpose.
- (c) A Councilmember, once recognized, shall not be interrupted while speaking unless called to order by the Presiding Officer; unless a Point of Order is raised by another Councilmember; or unless the speaker chooses to yield to questions from another Councilmember.
- (d) Any Councilmember called to order while he/she is speaking shall cease speaking immediately until the question of order is determined. If ruled to be in order, he/she shall be permitted to proceed. If ruled to be not in order, he/she shall remain silent or shall alter his/her remarks so as to comply with rules of the Council.
- (e) Councilmembers shall accord the utmost courtesy to each other, to City employees, and to the public appearing before the Council and shall refrain at all times from rude and derogatory remarks, reflections as to integrity, abusive comments and statements as to motives and personalities.
- (f) Any Councilmember may move to require the Presiding Officer to enforce the rules and the affirmative vote of a majority of the Council shall require the Presiding Officer to so act.

#### 4.3 DECORUM AND ORDER -EMPLOYEES:

Members of the administrative staff and employees of the City shall observe the same rules of procedure and decorum applicable to members of the Council. The city manager shall insure that all City employees observe such decorum. Any staff members, including the city manager, desiring to address the Council or members of the public shall first be recognized by the Presiding Officer. All remarks shall be addressed to the Presiding Officer and not to any one individual Councilmember or member of the public.

#### 4.4 DECORUM AND ORDER -PUBLIC:

Members of the public attending Council meetings shall observe the same rules or order and decorum applicable to the Council. Any person making intentionally irrelevant or disruptive remarks or who becomes disruptive, obscene or needlessly repetitious while addressing the Council or while attending the Council meeting may be removed from the room if the sergeant-of-arms if so directed by the Presiding Officer, and such person may be barred from further audience before the Council. Unauthorized remarks from the audience, stamping of feet, whistles, clapping, yells and similar demonstrations shall not

be permitted by the Presiding Officer, who may direct the sergeant-of-arms to remove such offenders from the room. Aggravated cases shall be prosecuted on appropriate complaint signed by the Presiding Officer.

#### 4.5 ENFORCEMENT OF DECORUM:

The head of the City's police agency or his/her designee shall be ex-officio sergeant-of-arms of the Council. He/she shall carry out all orders and instructions given him/her by the Presiding Officer for the purpose of maintaining order and decorum in the Council Chambers. Upon instructions from the Presiding Officer, it shall be the duty of the sergeant- of-arms or his/her representative to eject any person from the Council Chambers or place him/her under arrest or both.

As set forth in Government Code Section 54957.9, in the event that any meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the members of the Council may order the meeting room cleared and continue in session. Only matters appearing on the agenda may be considered in such a session. Duly accredited representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this section. Nothing in this section shall prohibit the Council from establishing a procedure for readmitting an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting.

#### 4.6 PERSONAL PRIVILEGE:

The right of a member to address the Council on a question of personal privilege shall be limited to cases in which his/her integrity, character, or motives are assailed, questioned or impugned.

#### 4.7 CODE OF CONDUCT

Consistent with the provisions of this Resolution, the City Council has adopted the Code of Conduct attached and incorporated here as Exhibit A.

#### 4.8 LIMITATION OF DEBATE:

No Councilmember normally should speak more than once upon anyone subject until every other member choosing to speak thereon has spoken. No Councilmember shall speak for a longer time than three (3) minutes each time he/she has the floor, without the approval of a majority vote of the Council.

#### 4.9 DISSENTS, PROTESTS, AND COMMENTS:

Any member shall have the right to express dissent from or protest to or comment upon any action of the Council and have the reason entered in the minutes. If such dissent, protest or comment is desired to be entered in the minutes, this should be made clear by language such as, "I would like the minutes to show that I am opposed to this action for the following reasons ... "

#### 4.10 PROCEDURES IN ABSENCE OF RULES:

In the absence of a rule herein to govern a point or procedure, Rosenberg's Rules of Order, shall be used as a guide.

#### 4.11 RULINGS OF CHAIR FINAL UNLESS OVERRULED:

In presiding over Council meetings, the Mayor, Mayor Pro Tem or temporary Presiding Officer, shall decide all questions of interpretation of these rules, points of order or other questions of procedure requiring rulings. Any such decision or ruling shall be final unless overridden or suspended by a majority vote of the Councilmembers present and voting, and shall be binding and legally effective (even though clearly erroneous) for purposes of the matter under consideration.

#### 4.12 ACTIONS NOT INVALIDATED:

Failure to strictly comply with these Rules of Procedure shall not necessarily invalidate any action taken by the City Council.

### 5. ADDRESSING THE COUNCIL

#### 5.1 MANNER OF ADDRESSING THE COUNCIL:

All persons desiring to address the Council shall submit a speaker slip to the City Clerk. A speaker slip must be submitted to the City Clerk before the portion of the agenda containing the item the public speaker wishes to address (i.e., Consent Calendar, Business Items, Public Hearings) is called by the Presiding Officer. When the Presiding Officer invites public comment for an item, the City Clerk shall identify the speakers that have submitted requests to speak. As each speaker is called, the speaker shall proceed to the podium and wait to be recognized by the Presiding Officer. After being recognized, a speaker should state their name and address for the record. All remarks and questions shall be addressed to the Presiding Officer and not to any individual Councilmember, staff member or other person. During a public hearing, all remarks shall be limited to the subject under consideration. No person shall enter into any discussion without being recognized by the Presiding Officer. Notwithstanding the above, a person shall not be required to provide their name or address as a condition of speaking.

Each member of the public desiring to address the Council shall have a reasonable time, not to exceed three (3) minutes, to make their comments. Notwithstanding the preceding, any member of the public desiring to provide public testimony at a public hearing shall have a reasonable amount of time, not to exceed five (5) minutes, to provide testimony.

#### 5.2 ADDRESSING THE COUNCIL AFTER PUBLIC COMMENT:

After public comments have concluded for an item, or after a public hearing has been closed, no member of the public shall address the Council without first securing permission by a majority vote of the Council.

#### 5.3 LIMITATIONS REGARDING PUBLIC COMMENTS AND REPORTS:

The making of oral communications to the Council by any member of the public shall be subject to the following limitations:

5.3.1 At any time, before or after the oral communication is commenced, the Presiding Officer may, if he/she deems it preferable, direct that the communication be made instead either to the City Manager or other appropriate staff member during regular business hours, or in writing for subsequent submittal to Councilmembers, pursuant to Section 5.4.

5.3.2 The Presiding Officer may limit the total time for public comments per meeting.

#### 5.4 WRITTEN CORRESPONDENCE:

The City Manager is authorized to receive and open all mail addressed to the Council as a whole and give it immediate attention to the end that all administrative business referred to in said communications and not necessarily requiring Council action, may be disposed of between Council meetings. A copy of such communication shall be sent to each Councilmember marked "Information Only".

Any communication relating to a matter pending, or to be brought before the City Council shall be included in the agenda packet for the meeting at which such item is to be considered.

Letters of appeal from administrative or commission decisions shall be processed under applicable provisions of the Municipal Code, or other ordinances.

Copies of all other communications sent to the Council will be transmitted to them.

5.5 PERSONS AUTHORIZED TO BE WITHIN PLATFORM:

No person except City officials shall be permitted within the platform area in front of the Council table without the invitation or consent of the Presiding Officer.

6. MOTIONS

6.1 PROCESSING OF MOTIONS:

When a motion is made and seconded, it shall be stated by the Presiding Officer before debate. A motion so stated shall not be withdrawn by the mover without the consent of the person seconding it.

6.2 MOTIONS OUT OF ORDER:

The Presiding Officer may at any time, by majority consent of the Council, permit a member to introduce an ordinance, resolution, or motion out of the regular agenda order.

6.3 DIVISION OF QUESTION:

If the question contains two or more divisionable propositions, the Presiding Officer may, and upon request of a Member shall, divide the same.

6.4 PRECEDENCE OF MOTIONS:

When a motion is before the Council, no other motion shall be entertained except the following, which shall have precedence in the following order:

- a. Adjourn
- b. Fix hour of adjournment
- c. Table
- d. Limit or terminate discussion
- e. Substitute
- f. Reconsider
- g. Amend
- h. Postpone

6.5 MOTION TO ADJOURN: (not debatable)

A motion to adjourn shall be in order at any time, except as follows:

- a. When repeated without intervening business or discussion.
- b. When made as an interruption of a Member while speaking.
- c. When discussion has been ended, and vote on motion is pending, and
- d. While a vote is being taken.

A motion to adjourn "to another time" shall be debatable only as to the time to which the meeting is adjourned.

6.6 MOTION TO FIX HOUR OF ADJOURNMENT:

Such a motion shall be to set a definite time at which to adjourn and shall be undebatable and shall be unamendable except by unanimous vote.

6.7 MOTION TO TABLE:

A motion to table shall be used to temporarily by-pass the subject. A motion to table shall be undebatable and shall preclude all amendments or debate of the subject under consideration. If the motion shall prevail, the matter may be "taken from the table" at any time prior to the end of the next regular meeting.

6.8 MOTION TO LIMIT OR TERMINATE DISCUSSION:

Such a motion shall be used to limit or close debate on, or further amendment to, the main motion and shall be undebatable. If the motion fails, debate shall be reopened; if the motion passes, a vote shall be taken on the main motion.

6.9 MOTION TO AMEND:

A motion to amend shall be debatable only as to the amendment. A motion to amend an amendment shall be in order, but a motion to amend an amendment to an amendment shall not be in order. An amendment modifying the intention of a motion shall be in order, but an amendment relating to a different matter shall not be in order. A substitute motion on the same subject shall be acceptable and voted on before a vote on the amendment. Amendments shall be voted first, then the main motion as amended.

6.10 MOTION TO CONTINUE:

Motions to continue to a definite time shall be amendable and debatable as to propriety of postponement and time set.

7. VOTING PROCEDURE

7.1 VOTING PROCEDURE:

In acting upon every motion, the vote shall be taken by voice or roll call or any other method by which the vote of each Councilmember present can be clearly ascertained. The vote on each motion shall then be entered in full upon the record. The order of voting shall

be alphabetical with the Mayor voting last. The City Clerk shall call the names of all members seated when a roll call vote is ordered or required. Members shall respond 'aye', 'no' or 'abstain', provided that when a vote is collectively taken by voice or when a method of voting other than by voice or roll call is used, any Councilmember not audibly and clearly responding 'no' or 'abstain' or otherwise registering an objection shall have his/her vote recorded as 'aye'.

#### 7.2 ROLL CALL VOTING:

Every ordinance and any resolution or orders for franchises or payments of money require three affirmative votes. A roll call vote shall be used for these changes. Any other question before the Council shall not require a roll call vote unless demanded by any member. Any Member may change his/her vote before the next order of business.

#### 7.3 FAILURE TO VOTE:

Every Councilmember should vote unless disqualified for cause. A Councilmember who abstains shall, for purpose of the time under consideration, be considered as if absent.

#### 7.4 RECONSIDERATION:

Any Councilmember who voted with the majority may move a reconsideration of any action at the same meeting. After a motion for reconsideration has once been acted upon, no other motion for reconsideration thereof shall be made without unanimous consent of the Council.

#### 7.5 TIE VOTES:

Tie votes shall be lost motions. When all Councilmembers are present, a tie vote on whether to grant an appeal from official action shall be considered a denial of such appeal, unless the Council takes other action to further consider the matter. If a tie vote results at a time when less than all members of the Council are present, the matter shall automatically be continued to the agenda of the next regular meeting of the Council, unless otherwise ordered by the Council.

### 8. RESOLUTIONS

#### 8.1 DEFINITIONS:

As a rule of thumb, it can be said that legislative acts of the City Council (usually a role of public conduct for long-term application) are taken by ordinance, whereas more routine business and administrative matters (usually more temporary and transitory in nature) are accomplished by "resolutions". The term "resolution" in its general sense will denote any

action taken affirmatively via a vote of the Council, other than one taken by ordinance. As used in this City, however, three terms are in general use to denote such (non-ordinance) actions: "resolution", "minute order", and "motion" (thereafter recorded by minute entry). Technically, all three are equally as legally effective and binding; they just vary in the formality of respective memorialization. The most formal is referred to locally as a "resolution". This, in addition to being referenced in the minutes, will be recorded by a separate document, numbered in sequence and preserved in a separate set of books. Such "resolutions" are used in this City for various reasons, such as when specifically required by law, when needed as a separate evidentiary document to be transmitted to another governmental agency, or where the frequency of future reference back to its contents warrants a separate document (with the additional "whereas" explanatory material it often recites) to facilities such as future reference and research.

A "minute order" as used locally denotes a separate document which is also maintained in a separate set of books, under a system of sequential numbering, and is referenced in the minutes; however, the "minute order" is drafted far more briefly than a "resolution" and is distinguished from a mere minute entry only by the need, in general, to have a separate document to facilitate certain administrative processes to which it pertains.

The "motion" (assuming it was one which passed) is a Council action which is recorded simply by an item entry in the minutes of the meeting at which it was accomplished, and no separate document is made to memorialize it.

## 8.2 RESOLUTIONS PREPARED IN ADVANCE:

Where a resolution has been prepared in advance, the procedure shall be: Motion, second, discussion, vote pursuant to methods prescribed in Section 7.1, and result declared. It shall not be necessary to read a resolution in full or by title except to identify it. Any Member may require that the resolution be read in full.

## 8.3 RESOLUTIONS NOT PREPARED IN ADVANCE:

Where a resolution has not been prepared in advance, the procedure shall be to instruct the city manager or city attorney to prepare a resolution for presentation at the next Council meeting.

# 9. ORDINANCES

## 9.1 INTRODUCTION AND ADOPTION OF ORDINANCES:

Ordinances shall not be passed within five (5) days of their introduction, nor at other than a regular meeting or at an adjourned regular meeting. However, an urgency ordinance may be passed immediately upon introduction and either at a regular or special meeting. Except

when, after reading the title, further reading is waived by regular motion adopted by unanimous vote of the Councilmembers present, all ordinances shall be read in full either at the time of introduction or passage. When ordinances, other than urgency ordinances, are altered after introduction, they shall be passed only at a regular or at an adjourned regular meeting held at least five (5) days after alteration.

Corrections of typographical or clerical errors are not alterations within the meaning of this Section.

#### 9.2 EFFECTIVE DATE:

All ordinances, except as provided in Section 36937 of the Government Code, shall take effect thirty (30) days after adoption, but may be made operative at such later date as may be designated in the ordinance.

#### 9.3 PUBLISHING:

It shall be the duty of the City Clerk to post or publish all ordinances in accordance with Section 36933 of the Government Code within fifteen (15) days after adoption.

#### 9.4 URGENCY ORDINANCES:

All urgency ordinances must receive four (4) affirmative votes to be adopted and to become effective immediately. If such an ordinance fails to receive a 4/5ths majority, it may thereafter be considered and passed in the same manner as regular ordinances.

### 10.0 STANDING COMMITTEES

Standing and ad-hoc committees may be established by resolution of the City Council.

### 11. USE OF CITY PROPERTY

#### 11.1 Use of City Stationery and Business Cards

11.1.1 City letterhead shall be used by the Mayor and Councilmembers for official City business but shall not be used for personal or political purposes. In general, such documents are considered public, all other Councilmembers shall be copied, and a copy shall be provided to the City Clerk.

11.1.2 Business cards shall contain the Councilmember's name, title, City Hall address and telephone number; home and/or business numbers are option, but business names and addresses shall not be used.

11.2 Use of City Seal and Logo

The City logo and seal shall not be used without the prior consent of the City Council by majority vote.

11.3 Representing the City's Official Position

11.3.1 In order for a Councilmember to use City letterhead or otherwise represent the City's position, he or she must obtain Council permission for such position.

11.3.2 Councilmembers shall not use their titles or city property (including business cards or letterhead) to take an action which could be construed by an objective, reasonable person as creating the appearance of 1) City support for a position which has not been approved by Council action; 2) using public office for personal gain; 3) giving preferential treatment to any person or group; 4) impeding governmental responsiveness or efficiency.

11.3.3 No Councilmember shall use city time, staff, property, facilities, equipment or supplies for his/her private gain, except for incidental use allowed under Govt. Code Section 8314.

11.3.4 A Council Member shall not direct staff, nor the City Manager, to initiate any action or prepare any report that is significant in nature, or initiates any project or study, without the prior approval of a majority of the City Council, except when the City Manager deems the issue to be of a high priority with an immediate need, in which case the City Manager may take action to prepare a report to be placed on an agenda for the review and consideration of the City Council in its entirety.

**PASSED, APPROVED, AND ADOPTED** on this 6th day of November, 2019.

\_\_\_\_\_  
Jordan Ehrenkranz, Mayor

ATTEST:

\_\_\_\_\_  
Ana V. Sauseda, Deputy City Clerk



## CODE OF CONDUCT FOR CANYON LAKE CITY COUNCIL

---

The Canyon Lake City Council commits itself to ethical, fair, businesslike, transparent and lawful conduct, including proper use of authority and decorum, as to the community and each other. In order to build and maintain effective relationships, council members shall maintain a system of communication and interaction that, at the very least, is based on common courtesy. The end goal is to develop mutual respect and trust.

Accordingly, council members shall:

- Be prepared for meetings by reading the agenda packet in advance, and taking the initiative to ask staff questions for clarification
- Identify and deal with conflicts of interest before the meeting
- Be on time
- Speak to the issues, be germane and brief, while allowing a free exchange of ideas
- Be civil to each other, staff and the public (criticize privately, praise publicly)
- Communicate openly and honestly
- Accept people's differences
- Share information and knowledge by reporting on meetings attended and keep comments to under three minutes if possible
- Refrain from criticizing staff in public
- Allow members who disagree with a vote, to explain why, if the member chooses to do so
- Represent the City positively
- If desired, use iPad or similar device for agenda packet only
- Attend assigned internal and external committee meetings and provide notification to staff if unable to attend

Council Members shall not:

- Interrupt other council members when they have the floor
- Have side bar conversations
- Use personal electronic devices (e.g., cell phones, computers) for personal business during meetings
- Personally, attack other council members, staff or the public
- Embarrass each other or the organization
- Intentionally mislead or misinform each other
- Maintain hidden agendas
- Undermine majority decisions of the Council
- Assume personal responsibility for resolving operational problems or complaints
- Engage in any private business or self-interest gained by access to the City's resources, business partners or "inside" information

### CONFLICT OF INTEREST

Council members and staff are expected to avoid conflicts of interest. A conflict of interest is deemed to exist when a council member or staff member is confronted with an issue in which there may be a personal or pecuniary interest, or a circumstance that could render the individual unable to devote complete loyalty and singleness of purpose to the City.



## **ATTACHMENT 2**



**RESOLUTION NO. 2019-42**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANYON LAKE, CALIFORNIA, RESCINDING RESOLUTION 2015-36 AND ADOPTING RULES OF PROCEDURE FOR COUNCIL MEETINGS AND RELATED FUNCTIONS AND ACTIVITIES**

**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 procedures and therefore wishes to update such procedures and adopting a new resolution.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CANYON LAKE DOES RESOLVE AS FOLLOWS:**

**SECTION 1. RULES OF PROCEDURE**

The Rules of Procedure for City Council meetings and related functions and activities are hereby adopted, to read as follows:

PURPOSE: The purpose and intent of the City Council in adopting these rules shall be to provide guidelines relating to the conduct of the public business by or on behalf of the City Council or its Committees, and in the event of any noncompliance with or violation of any provision herein, such will not be deemed to affect the validity of any action taken, unless otherwise specifically provided by law. These procedures are intended to comply with and are governed by the Ralph M. Brown Act, Government Code Section 54950 et seq. (the "Brown Act").

**I. MEETINGS**

**I.1 REGULAR MEETING:**

The City Council of the City of Canyon Lake shall hold regular meetings in the ~~place specified in the Municipal Code~~Council Chambers located at City Hall, on the first Wednesday of each month. ~~Closed Session shall begin at 5:30 p.m. and~~ Open Session shall begin at 6:30 p.m. When the day for a regular meeting falls on a legal holiday, the Council, at the preceding meeting, shall determine the time and date of any rescheduled meeting. The Council may cancel a meeting in the same manner as the agenda is posted. Any regular meeting may be adjourned to a time, place, and date certain, as long as that date is before the next regular meeting. Otherwise, once adjourned, the meeting may not be reconvened. Closed Session shall be scheduled to occur in the City Administration Offices prior to Open Session with sufficient time to discuss the matters under consideration by the City Council

## 1.2 MEETINGS GOVERNED BY BROWN ACT

All meetings of the City Council shall be governed by the provisions of the Ralph M. Brown Act (Govt. Code Section 54950 *et seq.*) as those may be revised from time to time (the "Brown Act").

## 1.3 QUORUM:

Unless otherwise provided for ~~in~~ by the Municipal Code or state law, a majority of the Council shall be sufficient to do business and motions may be passed 2-1 if only 3 Councilmembers attend. (See Civ. Code, § 15). The following matters, ~~however,~~ require three affirmative votes: a) adoption of ordinances, b) resolutions granting franchises, and c) orders for payment of money. (See Gov. Code, § 36936). Other actions may have additional requirements under state law, including: General plans (3 votes - Gov. Code, § 65356), Specific plans (3 votes - Gov. Code, § 65453), Urgency ordinances (4 votes - Gov. Code, § 36937(b)), and Resolutions of Necessity (4 votes - Code of Civ. Proc., §§ 1245.220, 1245.240).

### 1.3.1 Legally Required Participation:

If a majority of the Council shall be disqualified to vote on a matter by reason of actual or apparent conflict of interest, the Council shall select by lot or other means of random selection, or by such other impartial and equitable means as the Council shall determine, that number of its disqualified members which, when added to the members eligible to vote, shall constitute a quorum. Those members may vote but not discuss.

## 2. AGENDA PROCEDURES

### 2.1 AGENDA:

2.1.1 The Order of Business of each meeting shall be as contained in the Agenda prepared by the City Clerk. The Agenda shall be a numbered listing by topic of the subjects which shall be taken up for consideration in that order. (When a Special Agenda is needed, items will be listed only as needed but the order will be maintained.) Special meetings that fall on the same day as a regular meeting may be shown on the same agenda.

2.1.2 In respect to, Councilmember Comments, each Councilmember is expected to limit such comments to a total of three minutes.

2.1.3 Except as specifically noticed for a different time, the first public hearing on the agenda at a regular meeting of the City Council shall commence at 6:30 p.m..

or as soon thereafter as the City Council may conveniently hear the matter.

2.1.4 ~~The Presiding Officer, without objection of a majority of the City Council, may take items~~ ~~Except with majority consent of the Council, items may not be taken~~ out of the order prescribed above to facilitate the efficient conduct of the meeting. Items may be added only as allowed by the Brown Act.

## 2.2 DELIVERY OF AGENDA:

~~Barring insurmountable difficulties, the~~ The Agenda for each regular meeting of the Council, ~~and reports and other documentation related thereto,~~ shall be delivered to the Members of the Council and made available to the public ~~on the Friday preceding the Wednesday meeting to which it pertains~~ at least 72 hours prior to a regular meeting. Agendas shall be posted on the bulletin board outside ~~the administrative offices of the City~~ City Hal and at such other places within the City as the Council has designated for posting notices of Council meetings. Any items for a regular meeting not available for distribution with the agenda shall be made available to the public at City Hall and on the City website as soon as provided to the City Council, or at the meeting if only available then.

## 2.3 ROLL CALL:

Before proceeding with the business of the Council, the City Clerk shall call the roll of the Councilmembers and the names of those present shall be entered in the minutes. The order of roll call shall be alphabetical with the Mayor called last.

## 2.4 APPROVAL OF MINUTES:

Unless requested by a majority of the City Council, minutes of the previous meeting may be approved on the consent calendar without public reading if the clerk has previously furnished each Councilmember with a copy thereof.

## 2.5 PUBLIC HEARINGS:

Generally, public hearings, other than those of a quasi-judicial nature, shall be conducted in the following order:

- Hearing opened by Mayor
- Staff presentation
- Questions of Staff by Council
- Testimony by applicants, owners or proponents
- Testimony by opponents
- Rebuttal by applicants, owners or proponents

~~If desired, hearing closed~~ Hearing closed by Mayor

Questions by Council

Discussion by Council

Action by Council

Questions or comments from the public shall be limited to the subject under consideration. Depending upon the extent of the agenda, and the number of persons desiring to speak on an issue, the Mayor may at the beginning of the hearing limit testimony from the public to five (5) minutes. Any person may speak for a longer period of time, upon approval of the City Council, when this is deemed necessary in such cases as when a person is speaking as a representative of a group or has graphic or slide presentations requiring more time or when necessary for due process. Graphics or slide presentations must be provided to City staff at least 2 days prior to the meeting date.

Quasi-judicial hearings shall be conducted in accordance with the principles of due process, and the city attorney shall advise the City Council in this regard.

At any public hearing before the City Council, testimony of witnesses under oath may be requested by the Council.

## 2.6 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 the agenda, is asked to complete a "Speaker Request Form" available on the back counter in the Council Chambers. The completed form is to be submitted to the City Clerk prior to an individual being heard by the City Council. The City Council may impose a three (3) minute limitation upon each person. ~~If you are~~ Any person commenting on an agenda item, ~~your comments~~ will be heard at the time that particular item is scheduled on the agenda. Any person commenting on an item on the Consent Calendar will be heard prior to the approval of the Consent Calendar. The Brown Act does not allow the City Council to discuss matters not on the agenda, therefore, in response to ~~If you are~~ any person 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.

## 2.7 CONSENT AGENDA:

Items of routine nature, and non-controversial, shall be placed on the consent agenda. All items may be approved by one blanket motion upon unanimous consent without discussion, unless prior to, or following review of, the consent agenda, any Councilmember requests that any item be withdrawn from the consent agenda for separate consideration. However, any Councilmember may abstain from voting on any consent agenda item without

requesting its removal from the consent agenda, and the City Clerk shall be instructed to record such abstentions in the minutes.

## 2.8 PLACEMENT OF ITEMS ON CITY COUNCIL AGENDA BY COUNCIL MEMBERS:

The City Manager is responsible for creating and processing the agenda and agenda materials for City Council Meetings. The Mayor or any Council Member may provide a written request for an item/issue to be placed on a City Council agenda directly to the City Manager, who will then schedule the item for a future agenda. Should extraordinary staff time be required to address any item submitted by the Mayor or Council Members, the City Manager may place the item on a future Council agenda for discussion and direction from the entire City Council. ~~Council Members shall limit requests for items/issues to be agendized to 3 items/issues per meeting.~~

## 2.9 CLOSED SESSION REPORTING:

A report on Closed Session actions shall be provided as required by Government Code Section 54957. I.

## 3. PRESIDING OFFICER

### 3.1 PRESIDING OFFICER:

The Mayor shall be the "Presiding Officer" at all meetings of the Council. In the absence of the Mayor, the Mayor Pro Tem shall preside. In the absence of both the Mayor and the Mayor Pro Tem, the Council shall elect a temporary presiding officer to serve until the arrival of the Mayor or Mayor Pro Tem or until adjournment.

In accordance with Government Code Section 36801, the Council shall meet after each general municipal election, and at the December City Council Meeting of non-election years, and choose one of its members as mayor and one as mayor pro tem. Each selection shall be by three or more affirmative votes, and a failure to achieve such total of affirmative votes shall be deemed a selection of the incumbent(s) to remain in office. Each person so selected shall serve until a successor is chosen (at any time) by three or more affirmative votes.

### 3.2 CALL TO ORDER:

The meeting of the Council shall be called to order by the Mayor or, in his/her absence, by the Mayor Pro Tem. In the absence of both the Mayor and the Mayor Pro Tem, the meeting shall be called to order by the City Clerk, whereupon the City Clerk shall immediately call for the selection of a temporary Presiding Officer by the remainder of the Council.

### 3.3 PARTICIPATION OF PRESIDING OFFICER:

The Presiding Officer may move, second, and debate from the Chair, subject only to such limitations of debate as are imposed on all Councilmembers, and he/she shall not be deprived of any of the rights and privileges of a Councilmember by reason of his/her acting as Presiding Officer. However, the Presiding Officer is primarily responsible for the conduct of the meeting.

If he/she desires to personally engage in extended debate on questions before the Council, he/she should consider turning the Chair over to another member.

### 3.4 QUESTION TO BE STATED:

The Presiding Officer or City Clerk shall verbally restate each question immediately prior to calling for the vote. Following the vote, the Presiding Officer or City Clerk shall verbally announce whether the question carried or was defeated. The Presiding Officer may also publicly state the effect of the vote for the benefit of the audience before proceeding to the next item of business.

### 3.5 SIGNING OF DOCUMENTS:

The Mayor, or Mayor Pro Tem, in the absence of the Mayor, shall sign ordinances and resolutions adopted by the City Council. The City Clerk, or Assistant City Clerk, shall attest to the signature of the Mayor or Mayor Pro Tem.

### 3.6 MAINTENANCE OF ORDER:

The Mayor or Presiding Officer is responsible for the maintenance of order and decorum at all times. No person is allowed to speak who has not first been recognized by the Chair/Presiding Officer. All questions and remarks shall be addressed to the Chair/Presiding Officer.

## 4. RULES, DECORUM, AND ORDER:

### 4.1 POINTS OF ORDER:

The Presiding Officer shall determine all Points of Order subject to the right of any member to appeal to the Council. If any appeal is taken, the question shall be, "Shall the decision of the Presiding Officer be sustained?" in which event a majority vote shall govern and conclusively determine such question of order.

### 4.2 DECORUM AND ORDER -COUNCILMEMBERS:

- (a) Any Councilmember desiring to speak shall address the Chair and, upon recognition by the Presiding Officer, shall confine himself/herself to the question under debate.
- (b) A Councilmember desiring to question the staff shall address his/her question to the city manager or city attorney, in appropriate cases, who shall be entitled either to answer the inquiry himself/herself or to designate some member of his/her staff for that purpose.
- (c) A Councilmember, once recognized, shall not be interrupted while speaking unless called to order by the Presiding Officer; unless a Point of Order is raised by another Councilmember; or unless the speaker chooses to yield to questions from another Councilmember.
- (d) Any Councilmember called to order while he/she is speaking shall cease speaking immediately until the question of order is determined. If ruled to be in order, he/she shall be permitted to proceed. If ruled to be not in order, he/she shall remain silent or shall alter his/her remarks so as to comply with rules of the Council.
- (e) Councilmembers shall accord the utmost courtesy to each other, to City employees, and to the public appearing before the Council and shall refrain at all times from rude and derogatory remarks, reflections as to integrity, abusive comments and statements as to motives and personalities.
- (f) Any Councilmember may move to require the Presiding Officer to enforce the rules and the affirmative vote of a majority of the Council shall require the Presiding Officer to so act.

#### 4.3 DECORUM AND ORDER -EMPLOYEES:

Members of the administrative staff and employees of the City shall observe the same rules of procedure and decorum applicable to members of the Council. The city manager shall insure that all City employees observe such decorum. Any staff members, including the city manager, desiring to address the Council or members of the public shall first be recognized by the ~~Chair~~Presiding Officer. All remarks shall be addressed to the ~~Chair~~Presiding Officer and not to any one individual Councilmember or member of the public.

#### 4.4 DECORUM AND ORDER -PUBLIC:

Members of the public attending Council meetings shall observe the same rules or order and decorum applicable to the Council. Any person making intentionally irrelevant or

disruptive remarks or who becomes disruptive, obscene or needlessly repetitious while addressing the Council or while attending the Council meeting may be removed from the room if the sergeant-of-arms if so directed by the Presiding Officer, and such person may be barred from further audience before the Council. Unauthorized remarks from the audience, stamping of feet, whistles, clapping, yells and similar demonstrations shall not be permitted by the Presiding Officer, who may direct the sergeant-of-arms to remove such offenders from the room. Aggravated cases shall be prosecuted on appropriate complaint signed by the Presiding Officer.

#### 4.5 ENFORCEMENT OF DECORUM:

The head of the City's police agency or his/her designee shall be ex-officio sergeant-of-arms of the Council. He/she shall carry out all orders and instructions given him/her by the Presiding Officer for the purpose of maintaining order and decorum in the Council Chambers. Upon instructions from the Presiding Officer, it shall be the duty of the sergeant- of-arms or his/her representative to eject any person from the Council Chambers or place him/her under arrest or both.

As set forth in Government Code Section 54957.9, in the event that any meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the members of the Council may order the meeting room cleared and continue in session. Only matters appearing on the agenda may be considered in such a session. Duly accredited representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this section. Nothing in this section shall prohibit the Council from establishing a procedure for readmitting an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting.

#### 4.6 PERSONAL PRIVILEGE:

The right of a member to address the Council on a question of personal privilege shall be limited to cases in which his/her integrity, character, or motives are assailed, questioned or impugned.

#### 4.7 CODE OF CONDUCT

Consistent with the provisions of this Resolution, the City Council has adopted the Code of Conduct attached and incorporated here as Exhibit A.

#### 4.8 LIMITATION OF DEBATE:

No Councilmember normally should speak more than once upon anyone subject until every

other member choosing to speak thereon has spoken. No Councilmember shall speak for a longer time than three (3) minutes each time he/she has the floor, without the approval of a majority vote of the Council.

#### 4.9 DISSENTS, PROTESTS, AND COMMENTS:

Any member shall have the right to express dissent from or protest to or comment upon any action of the Council and have the reason entered in the minutes. If such dissent, protest or comment is desired to be entered in the minutes, this should be made clear by language such as, "I would like the minutes to show that I am opposed to this action for the following reasons ... "

#### 4.10 PROCEDURES IN ABSENCE OF RULES:

In the absence of a rule herein to govern a point or procedure, ~~Robert's Rules of Order, Newly Revised~~Rosenberg's Rules of Order, shall be used as a guide.

#### 4.11 RULINGS OF CHAIR FINAL UNLESS OVERRULED:

In presiding over Council meetings, the Mayor, Mayor Pro Tem or temporary Presiding Officer, shall decide all questions of interpretation of these rules, points of order or other questions of procedure requiring rulings. Any such decision or ruling shall be final unless overridden or suspended by a majority vote of the Councilmembers present and voting, and shall be binding and legally effective (even though clearly erroneous) for purposes of the matter under consideration.

#### 4.12 ACTIONS NOT INVALIDATED:

Failure to strictly comply with these Rules of Procedure shall not necessarily invalidate any action taken by the City Council.

### 5. ADDRESSING THE COUNCIL

#### 5.1 MANNER OF ADDRESSING THE COUNCIL:

All persons desiring to address the Council shall submit a speaker slip to the City Clerk. A speaker slip must be submitted to the City Clerk before the portion of the agenda containing the item the public speaker wishes to address (i.e., Consent Calendar, Business Items, Public Hearings) is called by the Presiding Officer. When the Presiding Officer invites public comment for an item, the City Clerk shall identify the speakers that have submitted requests to speak. As each speaker is called, the speaker shall proceed to the podium and wait to be recognized by the Presiding Officer. After being recognized, a speaker should state their name and address for the record. All remarks and questions shall be addressed

~~to the Presiding Officer and not to any individual Councilmember, staff member or other person. During a public hearing, all remarks shall be limited to the subject under consideration. No person shall enter into any discussion without being recognized by the Presiding Officer. Notwithstanding the above, a person shall not be required to provide their name or address as a condition of speaking. Any member of the public desiring to address the Council shall proceed to the podium and wait to be recognized by the Presiding Officer. After being recognized, he/she is asked to state his/her name and address for the record.~~

~~Each member of the public desiring to address the Council shall have a reasonable time, not to exceed three (3) minutes, to make their comments. Notwithstanding the preceding, any member of the public desiring to provide public testimony at a public hearing shall have a reasonable amount of time, not to exceed five (5) minutes, to provide testimony.~~

~~All remarks and questions shall be addressed to the Chair and not to any individual Councilmember, staff member or other person. During a public hearing, all remarks shall be limited to the subject under consideration. No person shall enter into any discussion without being recognized by the Presiding Officer.~~

## 5.2 ADDRESSING THE COUNCIL AFTER ~~THE MOTION IS MADE~~PUBLIC COMMENT:

~~After public comments have concluded for an item, or after a public hearing has been closed, no member of the public shall address the Council without first securing permission by a majority vote of the Council. After a motion has been made no member of the public shall address the Council without first being recognized by the Presiding Officer.~~

## 5.3 LIMITATIONS REGARDING PUBLIC COMMENTS AND REPORTS:

The making of oral communications to the Council by any member of the public ~~during the "Public Comments" portions of the agenda~~ shall be subject to the following limitations:

5.3.1 At any time, before or after the oral communication is commenced, the Presiding Officer may, if he/she deems it preferable, direct that the communication be made instead either to the City Manager or other appropriate staff member during regular business hours, or in writing for subsequent submittal to Councilmembers, pursuant to Section 5.54.

5.3.2 The Presiding Officer may limit the total time for public comments ~~for half~~

~~an hour~~ per meeting.

#### 5.4 WRITTEN CORRESPONDENCE:

The City Manager is authorized to receive and open all mail addressed to the Council as a whole and give it immediate attention to the end that all administrative business referred to in said communications and not necessarily requiring Council action, may be disposed of between Council meetings. A copy of such communication shall be sent to each Councilmember marked "Information Only".

Any communication relating to a matter pending, or to be brought before the City Council shall be included in the agenda packet for the meeting at which such item is to be considered.

Letters of appeal from administrative or commission decisions shall be processed under applicable provisions of the Municipal Code, or other ordinances.

Copies of all other communications sent to the Council will be transmitted to them.

#### 5.5 PERSONS AUTHORIZED TO BE WITHIN PLATFORM:

No person except City officials shall be permitted within the platform area in front of the Council table without the invitation or consent of the Presiding Officer.

### 6. MOTIONS

#### 6.1 PROCESSING OF MOTIONS:

When a motion is made and seconded, it shall be stated by the Presiding Officer before debate. A motion so stated shall not be withdrawn by the mover without the consent of the person seconding it.

#### 6.2 MOTIONS OUT OF ORDER:

The Presiding Officer may at any time, by majority consent of the Council, permit a member to introduce an ordinance, resolution, or motion out of the regular agenda order.

#### 6.3 DIVISION OF QUESTION:

If the question contains two or more divisionable propositions, the Presiding Officer may, and upon request of a Member shall, divide the same.

#### 6.4 PRECEDENCE OF MOTIONS:

When a motion is before the Council, no other motion shall be entertained except the following, which shall have precedence in the following order:

- a. Adjourn
- b. Fix hour of adjournment
- c. Table
- d. Limit or terminate discussion
- e. Substitute
- f. Reconsider
- g. Amend
- h. Postpone

6.5 MOTION TO ADJOURN: (not debatable)

A motion to adjourn shall be in order at any time, except as follows:

- a. When repeated without intervening business or discussion.
- b. When made as an interruption of a Member while speaking.
- c. When discussion has been ended, and vote on motion is pending, and
- d. While a vote is being taken.

A motion to adjourn "to another time" shall be debatable only as to the time to which the meeting is adjourned.

6.6 MOTION TO FIX HOUR OF ADJOURNMENT:

Such a motion shall be to set a definite time at which to adjourn and shall be undebatable and shall be unamendable except by unanimous vote.

6.7 MOTION TO TABLE:

A motion to table shall be used to temporarily by-pass the subject. A motion to table shall be undebatable and shall preclude all amendments or debate of the subject under consideration. If the motion shall prevail, the matter may be "taken from the table" at any time prior to the end of the next regular meeting.

6.8 MOTION TO LIMIT OR TERMINATE DISCUSSION:

Such a motion shall be used to limit or close debate on, or further amendment to, the main motion and shall be undebatable. If the motion fails, debate shall be reopened; if the motion passes, a vote shall be taken on the main motion.

6.9 MOTION TO AMEND:

A motion to amend shall be debatable only as to the amendment. A motion to amend an amendment shall be in order, but a motion to amend an amendment to an amendment shall not be in order. An amendment modifying the intention of a motion shall be in order, but an amendment relating to a different matter shall not be in order. A substitute motion on the same subject shall be acceptable, and voted on before a vote on the amendment. Amendments shall be voted first, then the main motion as amended.

6.10 MOTION TO CONTINUE:

Motions to continue to a definite time shall be amendable and debatable as to propriety of postponement and time set.

7. VOTING PROCEDURE

7.1 VOTING PROCEDURE:

In acting upon every motion, the vote shall be taken by voice or roll call or any other method by which the vote of each Councilmember present can be clearly ascertained. The vote on each motion shall then be entered in full upon the record. The order of voting shall be alphabetical with the Mayor voting last. The City Clerk shall call the names of all members seated when a roll call vote is ordered or required. Members shall respond 'aye', 'no' or 'abstain', provided that when a vote is collectively taken by voice or when a method of voting other than by voice or roll call is used, any Councilmember not audibly and clearly responding 'no' or 'abstain' or otherwise registering an objection shall have his/her vote recorded as 'aye'.

7.2 ROLL CALL VOTING:

Every ordinance and any resolution or orders for franchises or payments of money require three affirmative votes. A roll call vote shall be used for these changes. Any other question before the Council shall not require a roll call vote unless demanded by any member. Any Member may change his/her vote before the next order of business.

7.3 FAILURE TO VOTE:

Every Councilmember should vote unless disqualified for cause. A Councilmember who abstains shall, for purpose of the time under consideration, be considered as if absent.

7.4 RECONSIDERATION:

Any Councilmember who voted with the majority may move a reconsideration of any

action at the same meeting. After a motion for reconsideration has once been acted upon, no other motion for reconsideration thereof shall be made without unanimous consent of the Council.

#### 7.5 TIE VOTES:

Tie votes shall be lost motions. When all Councilmembers are present, a tie vote on whether to grant an appeal from official action shall be considered a denial of such appeal, unless the Council takes other action to further consider the matter. If a tie vote results at a time when less than all members of the Council are present, the matter shall automatically be continued to the agenda of the next regular meeting of the Council, unless otherwise ordered by the Council.

### 8. RESOLUTIONS

#### 8.1 DEFINITIONS:

As a rule of thumb, it can be said that legislative acts of the City Council (usually a role of public conduct for long-term application) are taken by ordinance, whereas more routine business and administrative matters (usually more temporary and transitory in nature) are accomplished by "resolutions". The term "resolution" in its general sense will denote any action taken affirmatively via a vote of the Council, other than one taken by ordinance. As used in this City, however, three terms are in general use to denote such (non-ordinance) actions: "resolution", "minute order", and "motion" (thereafter recorded by minute entry). Technically, all three are equally as legally effective and binding; they just vary in the formality of respective memorialization. The most formal is referred to locally as a "resolution". This, in addition to being referenced in the minutes, will be recorded by a separate document, numbered in sequence and preserved in a separate set of books. Such "resolutions" are used in this City for various reasons, such as when specifically required by law, when needed as a separate evidentiary document to be transmitted to another governmental agency, or where the frequency of future reference back to its contents warrants a separate document (with the additional "whereas" explanatory material it often recites) to facilities such as future reference and research.

A "minute order" as used locally denotes a separate document which is also maintained in a separate set of books, under a system of sequential numbering, and is referenced in the minutes; however, the "minute order" is drafted far more briefly than a "resolution" and is distinguished from a mere minute entry only by the need, in general, to have a separate document to facilitate certain administrative processes to which it pertains.

The "motion" (assuming it was one which passed) is a Council action which is recorded simply by an item entry in the minutes of the meeting at which it was accomplished, and no separate document is made to memorialize it.

8.2 RESOLUTIONS PREPARED IN ADVANCE:

Where a resolution has been prepared in advance, the procedure shall be: Motion, second, discussion, vote pursuant to methods prescribed in Section 7.1, and result declared. It shall not be necessary to read a resolution in full or by title except to identify it. Any Member may require that the resolution be read in full.

8.3 RESOLUTIONS NOT PREPARED IN ADVANCE:

Where a resolution has not been prepared in advance, the procedure shall be to instruct the city manager or city attorney to prepare a resolution for presentation at the next Council meeting.

9. ORDINANCES

9.1 INTRODUCTION AND ADOPTION OF ORDINANCES:

Ordinances shall not be passed within five (5) days of their introduction, nor at other than a regular meeting or at an adjourned regular meeting. However, an urgency ordinance may be passed immediately upon introduction and either at a regular or special meeting. Except when, after reading the title, further reading is waived by regular motion adopted by unanimous vote of the Councilmembers present, all ordinances shall be read in full either at the time of introduction or passage. When ordinances, other than urgency ordinances, are altered after introduction, they shall be passed only at a regular or at an adjourned regular meeting held at least five (5) days after alteration.

Corrections of typographical or clerical errors are not alterations within the meaning of this Section.

9.2 EFFECTIVE DATE:

All ordinances, except as provided in Section 36937 of the Government Code, shall take effect thirty (30) days after adoption, but may be made operative at such later date as may be designated in the ordinance.

9.3 PUBLISHING:

It shall be the duty of the City Clerk to post or publish all ordinances in accordance with Section 36933 of the Government Code within fifteen (15) days after adoption.

9.4 URGENCY ORDINANCES:

All urgency ordinances must receive four (4) affirmative votes to be adopted and to become effective immediately. If such an ordinance fails to receive a 4/5ths majority, it may thereafter be considered and passed in the same manner as regular ordinances.

## 10.0 STANDING COMMITTEES

~~Standing and ad-hoc committees may be established by resolution of the City Council. 10.1 ADMINISTRATION AND FINANCE COMMITTEE:~~

~~There shall be a standing committee of the City Council known as the Administration and Finance Committee. The Committee shall consist of two members who shall be Councilmembers appointed by the City Council. The Administration and Finance Committee shall study matters related to the administrative and financial policies of the City, revenues and expenditures, and those duties as prescribed in the Canyon Lake Municipal Code or assigned by the City Council and shall make recommendations to the Council.~~

### ~~10.2 PLANNING COMMITTEE:~~

~~There shall be a standing committee of the City Council known as the Planning Committee. The Committee shall consist of two members who shall be Councilmembers appointed by the City Council. The Planning Committee shall study matters relating to planning, land use, and other duties referred to it by the City Council, and shall make recommendations to the Council.~~

### ~~10.3 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.~~

### ~~10.4 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.~~

### ~~10.5 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.~~

#### ~~10.6—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.~~

#### ~~10.7—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.~~

#### ~~10.8—FIRE DEPARTMENT START-UP COMMITTEE~~

~~There shall be a standing committee of the City Council known as the Fire Department Start-up Committee. The Committee shall consist of two members who shall be Councilmembers appointed by the City Council. The Fire Department Start-up Committee shall study matters relating to the staffing levels, personnel benefits, policies, procedures, equipment, and budgeting of starting a municipal fire department, exploring alternative options, and related matters referred to it by the City Council, and shall make recommendations to the Council.~~

## 11. USE OF CITY PROPERTY

### 11.1 Use of City Stationery and Business Cards

11.1.1 City letterhead shall be used by the Mayor and Councilmembers for official City business but shall not be used for personal or political purposes. In general, such documents are considered public, all other Councilmembers shall be copied, and a copy shall be provided to the City Clerk.

11.1.2 Business cards shall contain the Councilmember's name, title, City Hall

address and telephone number; home and/or business numbers are option but business names and addresses shall not be used.

## 11.2 Use of City Seal and Logo

The City logo and seal shall not be used without the prior consent of the City Council by majority vote.

## 11.3 Representing the City's Official Position

11.3.1 In order for a Councilmember to use City letterhead or otherwise represent the City's position, he or she must obtain Council permission for such position.

11.3.2 Councilmembers shall not use their titles or city property (including business cards or letterhead) to take an action which could be construed by an objective, reasonable person as creating the appearance of 1) City support for a position which has not been approved by Council action; 2) using public office for personal gain; 3) giving preferential treatment to any person or group; 4) impeding governmental responsiveness or efficiency.

11.3.3 No Councilmember shall use city time, staff, property, facilities, equipment or supplies for his/her private gain, except for incidental use allowed under Govt. Code Section 8314.

11.3.4 A Council Member shall not direct staff, nor the City Manager, to initiate any action or prepare any report that is significant in nature, or initiates any project or study, without the prior approval of a majority of the City Council, except when the City Manager deems the issue to be of a high priority with an immediate need, in which case the City Manager may take action to prepare a report to be placed on an agenda for the review and consideration of the City Council in its entirety.

**PASSED, APPROVED, AND ADOPTED** on this 6th day of November, 2019.

\_\_\_\_\_  
Jordan Ehrenkranz, Mayor

ATTEST:

\_\_\_\_\_  
Ana V. Sauseda, Deputy City Clerk



## CODE OF CONDUCT FOR CANYON LAKE CITY COUNCIL

---

The Canyon Lake City Council commits itself to ethical, fair, businesslike, transparent and lawful conduct, including proper use of authority and decorum, as to the community and each other. In order to build and maintain effective relationships, council members shall maintain a system of communication and interaction that, at the very least, is based on common courtesy. The end goal is to develop mutual respect and trust.

Accordingly, council members shall:

- Be prepared for meetings by reading the agenda packet in advance, and taking the initiative to ask staff questions for clarification
- Identify and deal with conflicts of interest before the meeting
- Be on time
- Speak to the issues, be germane and brief, while allowing a free exchange of ideas
- Be civil to each other, staff and the public (criticize privately, praise publicly)
- Communicate openly and honestly
- Accept people's differences
- Share information and knowledge by reporting on meetings attended and keep comments to under three minutes if possible
- Refrain from criticizing staff in public
- Allow members who disagree with a vote, to explain why, if the member chooses to do so
- Represent the City positively
- If desired, use iPad or similar device for agenda packet only
- Attend assigned internal and external committee meetings and provide notification to staff if unable to attend

Council Members shall not:

- Interrupt other council members when they have the floor
- Have side bar conversations
- Use personal electronic devices (e.g., cell phones, computers) for personal business during meetings
- Personally, attack other council members, staff or the public
- Embarrass each other or the organization
- Intentionally mislead or misinform each other
- Maintain hidden agendas
- Undermine majority decisions of the Council
- Assume personal responsibility for resolving operational problems or complaints
- Engage in any private business or self-interest gained by access to the City's resources, business partners or "inside" information

### CONFLICT OF INTEREST

Council members and staff are expected to avoid conflicts of interest. A conflict of interest is deemed to exist when a council member or staff member is confronted with an issue in which there may be a personal or pecuniary interest, or a circumstance that could render the individual unable to devote complete loyalty and singleness of purpose to the City.



## **ATTACHMENT 3**





# Rosenberg's Rules of Order

REVISED 2011

*Simple Rules of Parliamentary Procedure for the 21st Century*

*By Judge Dave Rosenberg*



## MISSION AND CORE BELIEFS

To expand and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.

## VISION

To be recognized and respected as the leading advocate for the common interests of California's cities.

### About the League of California Cities

Established in 1898, the League of California Cities is a member organization that represents California's incorporated cities. The League strives to protect the local authority and autonomy of city government and help California's cities effectively serve their residents. In addition to advocating on cities' behalf at the state capitol, the League provides its members with professional development programs and information resources, conducts education conferences and research, and publishes Western City magazine.

*© 2011 League of California Cities. All rights reserved.*

### ABOUT THE AUTHOR

Dave Rosenberg is a Superior Court Judge in Yolo County. He has served as presiding judge of his court, and as presiding judge of the Superior Court Appellate Division. He also has served as chair of the Trial Court Presiding Judges Advisory Committee (the committee composed of all 58 California presiding judges) and as an advisory member of the California Judicial Council. Prior to his appointment to the bench, Rosenberg was member of the Yolo County Board of Supervisors, where he served two terms as chair. Rosenberg also served on the Davis City Council, including two terms as mayor. He has served on the senior staff of two governors, and worked for 19 years in private law practice. Rosenberg has served as a member and chair of numerous state, regional and local boards. Rosenberg chaired the California State Lottery Commission, the California Victim Compensation and Government Claims Board, the Yolo-Sonoma Air Quality Management District, the Yolo County Economic Development Commission, and the Yolo County Criminal Justice Cabinet. For many years, he has taught classes on parliamentary procedure and has served as parliamentarian for large and small bodies.



## TABLE OF CONTENTS

About the Author .....	ii
Introduction .....	2
Establishing a Quorum .....	2
The Role of the Chair .....	2
The Basic Format for an Agenda Item Discussion .....	2
Motions in General .....	3
The Three Basic Motions .....	3
Multiple Motions Before the Body .....	4
To Debate or Not to Debate .....	4
Majority and Super-Majority Votes .....	5
Counting Votes .....	5
The Motion to Reconsider .....	6
Courtesy and Decorum .....	7
Special Notes About Public Input .....	7

## INTRODUCTION

---

The rules of procedure at meetings should be simple enough for most people to understand. Unfortunately, that has not always been the case. Virtually all clubs, associations, boards, councils and bodies follow a set of rules — *Robert's Rules of Order* — which are embodied in a small, but complex, book. Virtually no one I know has actually read this book cover to cover. Worse yet, the book was written for another time and for another purpose. If one is chairing or running a parliament, then *Robert's Rules of Order* is a dandy and quite useful handbook for procedure in that complex setting. On the other hand, if one is running a meeting of say, a five-member body with a few members of the public in attendance, a simplified version of the rules of parliamentary procedure is in order.

Hence, the birth of *Rosenberg's Rules of Order*.

What follows is my version of the rules of parliamentary procedure, based on my decades of experience chairing meetings in state and local government. These rules have been simplified for the smaller bodies we chair or in which we participate, slimmed down for the 21st Century, yet retaining the basic tenets of order to which we have grown accustomed. Interestingly enough, *Rosenberg's Rules* has found a welcoming audience. Hundreds of cities, counties, special districts, committees, boards, commissions, neighborhood associations and private corporations and companies have adopted *Rosenberg's Rules* in lieu of *Robert's Rules* because they have found them practical, logical, simple, easy to learn and user friendly.

This treatise on modern parliamentary procedure is built on a foundation supported by the following four pillars:

1. **Rules should establish order** The first purpose of rules of parliamentary procedure is to establish a framework for the orderly conduct of meetings.
2. **Rules should be clear** Simple rules lead to wider understanding and participation. Complex rules create two classes: those who understand and participate; and those who do not fully understand and do not fully participate.
3. **Rules should be user friendly** That is, the rules must be simple enough that the public is invited into the body and feels that it has participated in the process.
4. **Rules should enforce the will of the majority while protecting the rights of the minority** The ultimate purpose of rules of procedure is to encourage discussion and to facilitate decision making by the body. In a democracy, majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself, but not dominate, while fully participating in the process.

### Establishing a Quorum

The starting point for a meeting is the establishment of a quorum. A quorum is defined as the minimum number of members of the body who must be present at a meeting for business to be legally transacted. The default rule is that a quorum is one more than half the body. For example, in a five-member body a quorum is three. When the body has three members present, it can legally transact business. If the body has less than a quorum of members present, it cannot legally transact business. And even if the body has a quorum to begin the meeting, the body can lose the quorum during the meeting when a member departs (or even when a member leaves the dais). When that occurs the body loses its ability to transact business until and unless a quorum is reestablished.

The default rule, identified above, however, gives way to a specific rule of the body that establishes a quorum. For example, the rules of a particular five-member body may indicate that a quorum is four members for that particular body. The body must follow the rules it has established for its quorum. In the absence of such a specific rule, the quorum is one more than half the members of the body.

### The Role of the Chair

While all members of the body should know and understand the rules of parliamentary procedure, it is the chair of the body who is charged with applying the rules of conduct of the meeting. The chair should be well versed in those rules. For all intents and purposes, the chair makes the final ruling on the rules every time the chair states an action. In fact, all decisions by the chair are final unless overruled by the body itself.

Since the chair runs the conduct of the meeting, it is usual courtesy for the chair to play a less active role in the debate and discussion than other members of the body. This does not mean that the chair should not participate in the debate or discussion. To the contrary, as a member of the body, the chair has the full right to participate in the debate, discussion and decision-making of the body. What the chair should do, however, is strive to be the last to speak at the discussion and debate stage. The chair should not make or second a motion unless the chair is convinced that no other member of the body will do so at that point in time.

### The Basic Format for an Agenda Item Discussion

Formal meetings normally have a written, often published agenda. Informal meetings may have only an oral or understood agenda. In either case, the meeting is governed by the agenda and the agenda constitutes the body's agreed-upon roadmap for the meeting. Each agenda item can be handled by the chair in the following basic format:

*First*, the chair should clearly announce the agenda item number and should clearly state what the agenda item subject is. The chair should then announce the format (which follows) that will be followed in considering the agenda item.

*Second*, following that agenda format, the chair should invite the appropriate person or persons to report on the item, including any recommendation that they might have. The appropriate person or persons may be the chair, a member of the body, a staff person, or a committee chair charged with providing input on the agenda item.

*Third*, the chair should ask members of the body if they have any technical questions of clarification. At this point, members of the body may ask clarifying questions to the person or persons who reported on the item, and that person or persons should be given time to respond.

*Fourth*, the chair should invite public comments, or if appropriate at a formal meeting, should open the public meeting for public input. If numerous members of the public indicate a desire to speak to the subject, the chair may limit the time of public speakers. At the conclusion of the public comments, the chair should announce that public input has concluded (or the public hearing, as the case may be, is closed).

*Fifth*, the chair should invite a motion. The chair should announce the name of the member of the body who makes the motion.

*Sixth*, the chair should determine if any member of the body wishes to second the motion. The chair should announce the name of the member of the body who seconds the motion. It is normally good practice for a motion to require a second before proceeding to ensure that it is not just one member of the body who is interested in a particular approach. However, a second is not an absolute requirement, and the chair can proceed with consideration and vote on a motion even when there is no second. This is a matter left to the discretion of the chair.

*Seventh*, if the motion is made and seconded, the chair should make sure everyone understands the motion.

This is done in one of three ways:

1. The chair can ask the maker of the motion to repeat it;
2. The chair can repeat the motion; or
3. The chair can ask the secretary or the clerk of the body to repeat the motion.

*Eighth*, the chair should now invite discussion of the motion by the body. If there is no desired discussion, or after the discussion has ended, the chair should announce that the body will vote on the motion. If there has been no discussion or very brief discussion, then the vote on the motion should proceed immediately and there is no need to repeat the motion. If there has been substantial discussion, then it is normally best to make sure everyone understands the motion by repeating it.

*Ninth*, the chair takes a vote. Simply asking for the “ayes” and then asking for the “nays” normally does this. If members of the body do not vote, then they “abstain.” Unless the rules of the body provide otherwise (or unless a super majority is required as delineated later in these rules), then a simple majority (as defined in law or the rules of the body as delineated later in these rules) determines whether the motion passes or is defeated.

*Tenth*, the chair should announce the result of the vote and what action (if any) the body has taken. In announcing the result, the chair should indicate the names of the members of the body, if any, who voted in the minority on the motion. This announcement might take the following form: “The motion passes by a vote of 3-2, with Smith and Jones dissenting. We have passed the motion requiring a 10-day notice for all future meetings of this body.”

## Motions in General

Motions are the vehicles for decision making by a body. It is usually best to have a motion before the body prior to commencing discussion of an agenda item. This helps the body focus.

Motions are made in a simple two-step process. First, the chair should recognize the member of the body. Second, the member of the body makes a motion by preceding the member’s desired approach with the words “I move ...”

A typical motion might be: “I move that we give a 10-day notice in the future for all our meetings.”

The chair usually initiates the motion in one of three ways:

1. **Inviting the members of the body to make a motion** for example, “A motion at this time would be in order.”
2. **Suggesting a motion to the members of the body**. “A motion would be in order that we give a 10-day notice in the future for all our meetings.”
3. **Making the motion**. As noted, the chair has every right as a member of the body to make a motion, but should normally do so only if the chair wishes to make a motion on an item but is convinced that no other member of the body is willing to step forward to do so at a particular time.

## The Three Basic Motions

There are three motions that are the most common and recur often at meetings:

**The basic motion** The basic motion is the one that puts forward a decision for the body’s consideration. A basic motion might be: “I move that we create a five-member committee to plan and put on our annual fundraiser.”

**The motion to amend.** If a member wants to change a basic motion that is before the body, they would move to amend it. A motion to amend might be: "I move that we amend the motion to have a 10-member committee." A motion to amend takes the basic motion that is before the body and seeks to change it in some way.

**The substitute motion.** If a member wants to completely do away with the basic motion that is before the body, and put a new motion before the body, they would move a substitute motion. A substitute motion might be: "I move a substitute motion that we cancel the annual fundraiser this year."

"Motions to amend" and "substitute motions" are often confused, but they are quite different, and their effect (if passed) is quite different. A motion to amend seeks to retain the basic motion on the floor, but modify it in some way. A substitute motion seeks to throw out the basic motion on the floor, and substitute a new and different motion for it. The decision as to whether a motion is really a "motion to amend" or a "substitute motion" is left to the chair. So if a member makes what that member calls a "motion to amend," but the chair determines that it is really a "substitute motion," then the chair's designation governs.

A "friendly amendment" is a practical parliamentary tool that is simple, informal, saves time and avoids bogging a meeting down with numerous formal motions. It works in the following way: In the discussion on a pending motion, it may appear that a change to the motion is desirable or may win support for the motion from some members. When that happens, a member who has the floor may simply say, "I want to suggest a friendly amendment to the motion." The member suggests the friendly amendment, and if the maker and the person who seconded the motion pending on the floor accepts the friendly amendment, that now becomes the pending motion on the floor. If either the maker or the person who seconded rejects the proposed friendly amendment, then the proposer can formally move to amend.

### Multiple Motions Before the Body

There can be up to three motions on the floor at the same time. The chair can reject a fourth motion until the chair has dealt with the three that are on the floor and has resolved them. This rule has practical value. More than three motions on the floor at any given time is confusing and unwieldy for almost everyone, including the chair.

When there are two or three motions on the floor (after motions and seconds) at the same time, the vote should proceed *first* on the *last* motion that is made. For example, assume the first motion is a basic "motion to have a five-member committee to plan and put on our annual fundraiser." During the discussion of this motion, a member might make a second motion to "amend the main motion to have a 10-member committee, not a five-member committee to plan and put on our annual fundraiser." And perhaps, during that discussion, a member makes yet a third motion as a "substitute motion that we not have an annual fundraiser this year." The proper procedure would be as follows:

**First,** the chair would deal with the *third* (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion *passed*, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be completed on the passage by the body of the third motion (the substitute motion). No vote would be taken on the first or second motions.

**Second,** if the substitute motion *failed*, the chair would then deal with the second (now the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment (should the committee be five or 10 members). If the motion to amend *passed*, the chair would then move to consider the main motion (the first motion) as *amended*. If the motion to amend *failed*, the chair would then move to consider the main motion (the first motion) in its original format, not amended.

**Third,** the chair would now deal with the first motion that was placed on the floor. The original motion would either be in its original format (five-member committee), or if *amended*, would be in its amended format (10-member committee). The question on the floor for discussion and decision would be whether a committee should plan and put on the annual fundraiser.

### To Debate or Not to Debate

The basic rule of motions is that they are subject to discussion and debate. Accordingly, basic motions, motions to amend, and substitute motions are all eligible, each in their turn, for full discussion before and by the body. The debate can continue as long as members of the body wish to discuss an item, subject to the decision of the chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the body to move on. The following motions are not debatable (that is, when the following motions are made and seconded, the chair must immediately call for a vote of the body without debate on the motion):

**Motion to adjourn.** This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting. It requires a simple majority vote.

**Motion to recess.** This motion, if passed, requires the body to immediately take a recess. Normally, the chair determines the length of the recess which may be a few minutes or an hour. It requires a simple majority vote.

**Motion to fix the time to adjourn.** This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: "I move we adjourn this meeting at midnight." It requires a simple majority vote.

**Motion to table.** This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on “hold.” The motion can contain a specific time in which the item can come back to the body. “I move we table this item until our regular meeting in October.” Or the motion can contain no specific time for the return of the item, in which case a motion to take the item off the table and bring it back to the body will have to be taken at a future meeting. A motion to table an item (or to bring it back to the body) requires a simple majority vote.

**Motion to limit debate.** The most common form of this motion is to say, “I move the previous question” or “I move the question” or “I call the question” or sometimes someone simply shouts out “question.” As a practical matter, when a member calls out one of these phrases, the chair can expedite matters by treating it as a “request” rather than as a formal motion. The chair can simply inquire of the body, “any further discussion?” If no one wishes to have further discussion, then the chair can go right to the pending motion that is on the floor. However, if even one person wishes to discuss the pending motion further, then at that point, the chair should treat the call for the “question” as a formal motion, and proceed to it.

When a member of the body makes such a motion (“I move the previous question”), the member is really saying: “I’ve had enough debate. Let’s get on with the vote.” When such a motion is made, the chair should ask for a second, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a two-thirds vote of the body.

**NOTE:** A motion to limit debate could include a time limit. For example: “I move we limit debate on this agenda item to 15 minutes.” Even in this format, the motion to limit debate requires a two-thirds vote of the body. A similar motion is a *motion to object to consideration of an item*. This motion is not debatable, and if passed, precludes the body from even considering an item on the agenda. It also requires a two-thirds vote.

### Majority and Super Majority Votes

In a democracy, a simple majority vote determines a question. A tie vote means the motion fails. So in a seven-member body, a vote of 4-3 passes the motion. A vote of 3-3 with one abstention means the motion fails. If one member is absent and the vote is 3-3, the motion still fails.

All motions require a simple majority, but there are a few exceptions. The exceptions come up when the body is taking an action which effectively cuts off the ability of a minority of the body to take an action or discuss an item. These extraordinary motions require a two-thirds majority (a super majority) to pass:

**Motion to limit debate.** Whether a member says, “I move the previous question,” or “I move the question,” or “I call the question,” or “I move to limit debate,” it all amounts to an attempt to cut off the ability of the minority to discuss an item, and it requires a two-thirds vote to pass.

**Motion to close nominations.** When choosing officers of the body (such as the chair), nominations are in order either from a nominating committee or from the floor of the body. A motion to close nominations effectively cuts off the right of the minority to nominate officers and it requires a two-thirds vote to pass.

**Motion to object to the consideration of a question.** Normally, such a motion is unnecessary since the objectionable item can be tabled or defeated straight up. However, when members of a body do not even want an item on the agenda to be considered, then such a motion is in order. It is not debatable, and it requires a two-thirds vote to pass.

**Motion to suspend the rules.** This motion is debatable, but requires a two-thirds vote to pass. If the body has its own rules of order, conduct or procedure, this motion allows the body to suspend the rules for a particular purpose. For example, the body (a private club) might have a rule prohibiting the attendance at meetings by non-club members. A motion to suspend the rules would be in order to allow a non-club member to attend a meeting of the club on a particular date or on a particular agenda item.

### Counting Votes

The matter of counting votes starts simple, but can become complicated.

Usually, it’s pretty easy to determine whether a particular motion passed or whether it was defeated. If a simple majority vote is needed to pass a motion, then one vote more than 50 percent of the body is required. For example, in a five-member body, if the vote is three in favor and two opposed, the motion passes. If it is two in favor and three opposed, the motion is defeated.

If a two-thirds majority vote is needed to pass a motion, then how many affirmative votes are required? The simple rule of thumb is to count the “no” votes and double that count to determine how many “yes” votes are needed to pass a particular motion. For example, in a seven-member body, if two members vote “no” then the “yes” vote of at least four members is required to achieve a two-thirds majority vote to pass the motion.

What about tie votes? In the event of a tie, the motion always fails since an affirmative vote is required to pass any motion. For example, in a five-member body, if the vote is two in favor and two opposed, with one member absent, the motion is defeated.

Vote counting starts to become complicated when members vote “abstain” or in the case of a written ballot, cast a blank (or unreadable) ballot. Do these votes count, and if so, how does one count them? The starting point is always to check the statutes.

In California, for example, for an action of a board of supervisors to be valid and binding, the action must be approved by a majority of the board. (California Government Code Section 25005.) Typically, this means three of the five members of the board must vote affirmatively in favor of the action. A vote of 2-1 would not be sufficient. A vote of 3-0 with two abstentions would be sufficient. In general law cities in

California, as another example, resolutions or orders for the payment of money and all ordinances require a recorded vote of the total members of the city council. (California Government Code Section 36936.) Cities with charters may prescribe their own vote requirements. Local elected officials are always well-advised to consult with their local agency counsel on how state law may affect the vote count.

After consulting state statutes, step number two is to check the rules of the body. If the rules of the body say that you count votes of "those present" then you treat abstentions one way. However, if the rules of the body say that you count the votes of those "present and voting," then you treat abstentions a different way. And if the rules of the body are silent on the subject, then the general rule of thumb (and default rule) is that you count all votes that are "present and voting."

Accordingly, under the "present and voting" system, you would **NOT** count abstention votes on the motion. Members who abstain are counted for purposes of determining quorum (they are "present"), but you treat the abstention votes on the motion as if they did not exist (they are not "voting"). On the other hand, if the rules of the body specifically say that you count votes of those "present" then you **DO** count abstention votes both in establishing the quorum and on the motion. In this event, the abstention votes act just like "no" votes.

*How does this work in practice?  
Here are a few examples.*

Assume that a five-member city council is voting on a motion that requires a simple majority vote to pass, and assume further that the body has no specific rule on counting votes. Accordingly, the default rule kicks in and we count all votes of members that are "present and voting." If the vote on the motion is 3-2, the motion passes. If the motion is 2-2 with one abstention, the motion fails.

Assume a five-member city council voting on a motion that requires a two-thirds majority vote to pass, and further assume that the body has no specific rule on counting votes. Again, the default rule applies. If the vote is 3-2, the motion fails for lack of a two-thirds majority. If the vote is 4-1, the motion passes with a clear two-thirds majority. A vote of three "yes," one "no" and one "abstain" also results in passage of the motion. Once again, the abstention is counted only for the purpose of determining quorum, but on the actual vote on the motion, it is as if the abstention vote never existed — so an effective 3-1 vote is clearly a two-thirds majority vote.

Now, change the scenario slightly. Assume the same five-member city council voting on a motion that requires a two-thirds majority vote to pass, but now assume that the body **DOES** have a specific rule requiring a two-thirds vote of members "present." Under this specific rule, we must count the members present not only for quorum but also for the motion. In this scenario, any abstention has the same force and effect as if it were a "no" vote. Accordingly, if the votes were three "yes," one "no" and one "abstain," then the motion fails. The abstention in this case is treated like a "no" vote and effective vote of 3-2 is not enough to pass two-thirds majority muster.

Now, exactly how does a member cast an "abstention" vote?

Any time a member votes "abstain" or says, "I abstain," that is an abstention. However, if a member votes "present" that is also treated as an abstention (the member is essentially saying, "Count me for purposes of a quorum, but my vote on the issue is abstain.") In fact, any manifestation of intention not to vote either "yes" or "no" on the pending motion may be treated by the chair as an abstention. If written ballots are cast, a blank or unreadable ballot is counted as an abstention as well.

Can a member vote "absent" or "count me as absent?" Interesting question. The ruling on this is up to the chair. The better approach is for the chair to count this as if the member had left his/her chair and is actually "absent." That, of course, affects the quorum. However, the chair may also treat this as a vote to abstain, particularly if the person does not actually leave the dais.

### The Motion to Reconsider

There is a special and unique motion that requires a bit of explanation all by itself; the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate and a vote, there must be some closure to the issue. And so, after a vote is taken, the matter is deemed closed, subject only to reopening if a proper motion to consider is made and passed.

A motion to reconsider requires a majority vote to pass like other garden-variety motions, but there are two special rules that apply only to the motion to reconsider.

First, is the matter of timing. A motion to reconsider must be made at the meeting where the item was first voted upon. A motion to reconsider made at a later time is untimely. (The body, however, can always vote to suspend the rules and, by a two-thirds majority, allow a motion to reconsider to be made at another time.)

Second, a motion to reconsider may be made only by certain members of the body. Accordingly, a motion to reconsider may be made only by a member who voted in the majority on the original motion. If such a member has a change of heart, he or she may make the motion to reconsider (any other member of the body — including a member who voted in the minority on the original motion — may second the motion). If a member who voted in the minority seeks to make the motion to reconsider, it must be ruled out of order. The purpose of this rule is finality. If a member of minority could make a motion to reconsider, then the item could be brought back to the body again and again, which would defeat the purpose of finality.

If the motion to reconsider passes, then the original matter is back before the body, and a new original motion is in order. The matter may be discussed and debated as if it were on the floor for the first time.

## Courtesy and Decorum

The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly and with full participation. At the same time, it is up to the chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every speaker to be first recognized by the chair before proceeding to speak.

The chair should always ensure that debate and discussion of an agenda item focuses on the item and the policy in question, not the personalities of the members of the body. Debate on policy is healthy, debate on personalities is not. The chair has the right to cut off discussion that is too personal, is too loud, or is too crude.

Debate and discussion should be focused, but free and open. In the interest of time, the chair may, however, limit the time allotted to speakers, including members of the body.

Can a member of the body interrupt the speaker? The general rule is "no." There are, however, exceptions. A speaker may be interrupted for the following reasons:

**Privilege.** The proper interruption would be, "point of privilege." The chair would then ask the interrupter to "state your point." Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person's ability to hear.

**Order.** The proper interruption would be, "point of order." Again, the chair would ask the interrupter to "state your point." Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

**Appeal.** If the chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair. If the motion is seconded, and after debate, if it passes by a simple majority vote, then the ruling of the chair is deemed reversed.

**Call for orders of the day.** This is simply another way of saying, "return to the agenda." If a member believes that the body has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the chair discovers that the agenda has not been followed, the chair simply reminds the body to return to the agenda item properly before them. If the chair fails to do so, the chair's determination may be appealed.

**Withdraw a motion.** During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the chair may ask the person who seconded the motion if he or she wishes to make the motion, and any other member may make the motion if properly recognized.

## Special Notes About Public Input

The rules outlined above will help make meetings very public-friendly. But in addition, and particularly for the chair, it is wise to remember three special rules that apply to each agenda item:

**Rule One:** Tell the public what the body will be doing.

**Rule Two:** Keep the public informed while the body is doing it.

**Rule Three:** When the body has acted, tell the public what the body did.




1400 K Street, Sacramento, CA 95814  
(916) 658-8200 | Fax (916) 658-8240  
[www.cacities.org](http://www.cacities.org)

To order additional copies of this publication, call (916) 658-8200.

\$10

© 2011 League of California Cities. All rights reserved.

 Printed on recycled paper.

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

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Chris Mann, City Manager *CM*

**BY:** Steven Graham, City Attorney

**DATE:** November 6, 2019

**SUBJECT:** Second Reading and Adoption of Ordinance No. 187, An Ordinance of the City Council of the City of Canyon Lake Establishing a Voluntary Emergency Medical Services Subscription Program Fee

**Recommendation**

It is recommended that the City Council adopt Ordinance No. 187, an Ordinance of the City Council of the City of Canyon Lake establishing a voluntary emergency medical services subscription program fee.

**Background**

After the passage of Proposition 13 in 1978, and subsequent Proposition 218 in 1996, new requirements were established on cities limiting revenue growth for such entities. While both Propositions 13 and 218 remain beneficial to long-term Canyon Lake residents, the impact on the City and its ability to provide public safety services has been severe, especially as the costs rise with the City's contracted providers of public safety services. Because property taxes are limited to a fixed percentage of the purchase price of property (with a small annual rate of increase, when warranted), and because certain new fees need a super-majority vote of the residents, it has become increasingly difficult to provide a high level of service with available sources of revenue.

The City's costs of providing fire and emergency medical services have increased 79% in the past five years under the City's contract with the County of Riverside. The budgeted amount for services went from \$1,262,969 for Fiscal year 2014-2015 to \$2,259,064 for Fiscal year 2019-20. Those costs are for manning the same single engine at the same single fire station. The primary funding source for the provision of public safety services is through an ad valorem property tax (the tax that is based on the value of the property, subject to Proposition 13) and a separate parcel tax on residential and business properties throughout the city. Because of the limited ability of the city to increase revenue from those sources, the ability of the City to respond to the rising costs of providing services through the County is difficult.

The proposed ordinance establishes an EMS Subscription Program under which the City Council may set fees to recover the costs of providing Emergency Medical Services with the least impact

to residents of Canyon Lake. If approved, City staff will begin the process of that will allow the City Council to set a voluntary EMS Subscription Program Fee for residents that will act as a supplemental insurance policy. The subscription will allow residents to receive Emergency Medical Services from the City and its designated contractors without incurring any further expenses. Businesses could enroll to cover their employees. It is anticipated that the business fee will establish a sliding scale based on the number of employees. The ordinance also will allow the City Council to set a fee that will be paid by recipients of Emergency Medical Services who are not enrolled in the EMS Subscription Program.

If the ordinance is adopted, City staff will begin the process of calculating appropriate rates that will have to be publicly noticed and adopted by the City Council. City staff will also discuss plans for public outreach and administration of the program.

### **Summary of Amendments Made at First Reading on October 2, 2019**

Section 3.44.020(b) – Added the Canyon Lake Property Owners Association as an Eligible Participant.

Section 3.44.030(e) – Now allows EMS Subscription Fee to be prorated for new residents.

Section 3.44.040(b) – Added language allowing for the EMS Fee to be split into two separate fees, one for BLS and one for ALS, if established by the City Council.

Additional Sections: Added severability, CEQA, and publication sections.

### **Fiscal Impact**

No fiscal impact at this time.

### **Attachments**

1. Ordinance No. 187

# **ATTACHMENT 1**



**ORDINANCE NO. 187**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CANYON LAKE, CALIFORNIA, ESTABLISHING AN EMERGENCY MEDICAL SERVICES SUBSCRIPTION PROGRAM AND EMERGENCY MEDICAL SERVICES RESPONSE FEE**

**WHEREAS**, the City of Canyon Lake provides first-class Emergency Medical Services a contract with the County of Riverside, which provides timely and efficient Emergency Medical Services to Canyon Lake’s residents and visitors; and

**WHEREAS**, the number of calls for Emergency Medical Services has increased dramatically; and

**WHEREAS**, the City of Canyon Lake is operating under significant budgetary limitations as a result of California’s ongoing public fiscal crisis; and

**WHEREAS**, the high volume of calls for Emergency Medical Services represents a significant drain on the finances of the City, and could jeopardize the City’s ability to continue provide first-class Emergency Medical Services; and

**WHEREAS**, the provisions of first-class Emergency Medical Services, with modem equipment and sufficient numbers of trained professional personnel, is essential for the protection of the health, safety, and welfare of Canyon Lake’s residents and visitors; and

**WHEREAS**, the City Council has determined that recovery of certain costs incurred in responding to calls for Emergency Medical Services is essential for the continued provision of Emergency Medical Services with a modem, professional, and first-class public safety operation; and

**WHEREAS**, based on a survey of similar cities that have implemented such programs, the City Council finds that such a program would be a valuable resource for the residents and business owners.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CANYON LAKE, CALIFORNIA DOES ORDAIN AS FOLLOWS:**

**Section 1.** Chapter 3.44 shall be added to the Canyon Lake Municipal Code to read as follows:

**CHAPTER 3.44: EMERGENCY MEDICAL SERVICES SUBSCRIPTION PROGRAM**

- Section 3.44.010 Purpose.**
- Section 3.44.020 Emergency Medical Services Subscription Program Established.**
- Section 3.44.030 Participation in Emergency Medical Services Subscription Program.**
- Section 3.44.040 Emergency Medical Services Response Fee.**
- Section 3.44.050 Collection.**

**Section 3.44.010 Purpose.**

The Emergency Medical Services Subscription Program, Emergency Medical Services Subscription Program Fee and Emergency Medical Services Fee have been established by the City of Canyon Lake to for those reasons enumerated in Ordinance No. 187.

**Section 3.44.020 Emergency Medical Services Subscription Program Established.**

- (a) The City of Canyon Lake hereby establishes an Emergency Medical Services Subscription Program (“EMS Program”) consistent with the provisions of this Chapter.
- (b) The EMS Program shall be open to all persons in possession, charge or control of any residential premises within the City of Canyon Lake, permanent residents, and any business with a physical location in, and possessing a business license issued by, the City of Canyon Lake, including the Canyon Lake Property Owners Association (collectively, “Eligible Participants”). Eligibility may be established through current utility billing records, rent receipts, or other forms of identification which clearly reflect residency, property ownership, or a business location within the City.
- (c) A subscription to the EMS Program will cover the Eligible Participant and all permanent residents at the Eligible Participant’s residential premises (“Covered Persons”), regardless of the location where the Emergency Medical Services are rendered within the City. For business subscribers, Covered Persons under an EMS Program subscription will include all employees at the business address or employees who are elsewhere in Canyon Lake in the course of their duties. A business subscriber’s EMS Program subscription will not cover customers or other visitors to the premises of the business.
- (d) Each Eligible Participant subscribed to the EMS Program shall pay an annual EMS Program Subscription Fee (“EMS Program Fee”) as established by resolution of the City Council, which amount may be adjusted periodically by the City Council in the same manner. Any EMS Program Fee owing by an Eligible Participant which remains unpaid may be collected by the City as provided in Section 3.44.050.

**Section 3.44.030 Participation in Emergency Medical Services Subscription Program.**

- (a) All Eligible Participants within the City of Canyon Lake who receive residential solid waste collection service pursuant to Chapter 6.01 shall be automatically subscribed in the EMS Program on June 30<sup>th</sup> of each year for the upcoming fiscal year (July 1<sup>st</sup> through June 30<sup>th</sup> of the following calendar year) at the residential property where they receive solid waste collection service. The EMS Program Fee authorized pursuant to this Chapter owing prospectively on June 30<sup>th</sup> of each year for the upcoming fiscal year (July 1<sup>st</sup> through June 30<sup>th</sup> of the following calendar year) may be collected on the property tax roll by the City as provided Section 3.44.050.
- (b) Participation in the EMS Program is voluntary. Any Eligible Participant subscribed pursuant to Subsection (a) above may decline to participate in the EMS Program for the upcoming fiscal year by submitting written notice to the City Clerk beginning on May 1<sup>st</sup>

and continuing until the conclusion of the City Council public hearing described in Section 3.44.050 below. The Eligible Participant declining to participate shall then not be subscribed to the EMS Program for the upcoming fiscal year (July 1<sup>st</sup> through June 30<sup>th</sup> of the following calendar year). No processing fee or charge will be assessed for declining to participate in the EMS Program.

- (c) Eligible Participants which are not businesses and who do not receive solid waste collection service from the City of Canyon Lake may join the EMS Program for the upcoming fiscal year (July 1<sup>st</sup> through June 30<sup>th</sup> of the following calendar year) during the enrollment period between May 1st and June 30th of each year by paying the annual EMS Program Fee.
- (d) Any Eligible Participant that is not enrolled in the current fiscal year's EMS Program may join the EMS Program at any time by submitting a written request to the City Clerk to join the EMS Program upon payment of the full annual fee plus a processing charge as may be set by the City Council by resolution from time to time. The effective enrollment date shall be the date payment is made, and enrollment shall run through the end of the current fiscal year. Coverage under the EMS Program will not predate the effective enrollment date and the EMS Program Fee shall not be prorated.
- (e) New residents of the City may join the EMS Program within 30 days of the actual date upon which their residency in the City commences upon payment of the full annual fee without a processing charge. The EMS Program Fee will be prorated. The effective enrollment date shall be the date payment is made, and enrollment shall run through the end of the fiscal year. Any subscriber who leaves the City prior to the end of the fiscal year for which they are subscribed shall not be eligible for a refund of any portion of the EMS Program Fee.
- (f) Eligible Participants, which are businesses, may also join the EMS Program. For a business to subscribe to the EMS Program, a representative of the business must contact the City to inform the City of how many employees the business has and request enrollment in the EMS Program. If there is a change in the number of employees claimed by the business, the business shall immediately inform the City for recalculation of the EMS Program Fee. The City reserves the right to require verification of the number of employees claimed by any business subscriber. New businesses of the City may join the EMS Program within 30 days of the actual date upon which their business opens in the City upon payment of the full annual fee without a processing charge. The EMS Program Fee will not be prorated. The effective enrollment date shall be the date payment is made, and enrollment shall run through the end of the fiscal year. Any business who leaves the City or goes out of business prior to the end of the fiscal year for which they are subscribed shall not be eligible for a refund of any portion of the EMS Program Fee.
- (g) The EMS Program Fee shall be civil debt owing the City from the Eligible Participants.

∥

∥

**Section 3.44.040      Emergency Medical Services Response Fee.**

- (a) The City shall charge an Emergency Medical Services Response Fee (“EMS Fee”) to any person receiving Emergency Medical Services or any Eligible Participant who is not subscribed to the EMS Program and for which Emergency Medical Services were provided to a Covered Person that would have been covered had the Eligible Participant subscribed to the EMS Program. The EMS Fee shall also be charged when the patient refuses Emergency Medical Services when a call was made at his or her request or by any person within the patient’s household or business. The EMS Fee shall not be charged to any person refusing treatment where the call for Emergency Medical Services was not made at his or her request or was made by a person who is not within the patient’s household or business.
- (b) The EMS Fee shall be established by resolution of the City Council and may be adjusted periodically by the City Council in the same manner. The City Council may elect to establish separate fees for Basic Life Support and Advanced Life Support services.
- (c) In exceptional or unusual circumstances, the City Manager or their designee may elect not to charge an otherwise applicable EMS Fee. “Exceptional or unusual circumstances” include, but are not limited to, the following: (i) cases in which the patient dies before EMS personnel arrive; or (ii) cases in which the patient dies while EMS personnel are providing emergency medical services. The City Manager or their designee shall also waive the EMS Fee for any patient who demonstrates that the combined gross income of all members of the patient’s residence is less than the amount established for Riverside County by the United States Department of Housing and Urban Development for low income or very low-income families for the applicable household size. The income exemption limit provided herein shall be revised annually by the City to conform to the most current low income and very low-income limits for Riverside County for applicable household sizes, as determined by the United States Department of Housing and Urban Development (HUD) with regard to the Public Housing and Section 8 Program. The City Manager or their designee may not waive an otherwise applicable EMS Fee by virtue of a patient’s relationship or friendship with any City official or employee, or by virtue of a patient’s employment by the City if the service received occurs while the City employee is off duty/not working. The City Manager or their designee shall create a written record for each instance in which an EMS Fee is waived, documenting the circumstances involved and the reason for the EMS Fee waiver. Each such record shall be maintained by the City for a period of at least five (5) years.
- (d) The EMS Fee shall be a civil debt owing the City. A penalty maybe charged for late payment should any person fail, refuse or neglect to pay a collection bill within 30 days after the bill is sent. Any delinquent EMS Fee owing by an Eligible Participant which remains unpaid as of April 1st of any year may be collected by the City as provided in Section 3.44.050 along with administrative charges and penalties.

//

//

**Section 3.44.050 Collection.**

- (a) Annually, on or before June 1st of each year, the City shall cause a written report to be prepared and filed with the City Clerk describing EMS Program Fees and EMS Fees to be placed on the tax rolls for real property. The report shall describe the real property for each Eligible Participant that has been subscribed to the EMS Program pursuant to Section 3.44.030(a) above and the EMS Program Fee for the upcoming fiscal year. The report shall also describe the real property for each Eligible Participant who declined to participate in the EMS Program and for which delinquent EMS Fees existed after April 1<sup>st</sup>. The report will contain both prospective EMS Program Fees and delinquent EMS Fees and charges which may be placed on the tax rolls for residential and nonresidential property.
- (b) The City Council shall fix a time, date and place for a hearing on the report and any objections or protests thereto.
- (c) The City Manager shall cause written notice of such hearing to be mailed to the Eligible Participants appearing on the report not less than 15 days prior to the date of the hearing.
- (d) At the hearing, the City Council shall hear any objections or protests from those appearing on the report to be assessed for EMS Program Fees or delinquent EMS Fees and may make such revisions or corrections to the report as it deems just, after which, by resolution, the report may be confirmed. The City Clerk shall file the report with the County of Riverside before August 10 of each year.
- (e) The fees set forth in the report as confirmed shall constitute special assessments against the respective parcels of land of the Eligible Participants and are a lien on the property for such fees plus any administrative costs or late charges. A certified copy of the confirmed report shall be filed with the County of Riverside for amounts of the respective parcels of land as they appear on the current assessment roll.
- (f) The lien created attaches upon recordation, in the office of the County recorder, of a certified copy of the resolution of confirmation. The assessment maybe collected at the same time and subject to the same procedures, including sale in case of delinquency, as 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 attaches 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.
- (g) As used in this Chapter, “debt owing to the City” shall mean the amount of any unpaid fee imposed on a person pursuant to the provisions of this Chapter. The term includes all amounts encompassed in the foregoing notwithstanding the separate or additional classification of such amount that may be set forth in the applicable provision of the

Chapter. The term includes all interest, accruals, administrative fees, fees including attorney's fees, penalties, and/or costs of collection associated with the original amount. Any debt owing to the City is subject to recovery using any procedure for debt collection permitted by law. The procedures set forth in this Chapter are in addition to and not in derogation of any other provision for collection of a debt owing to the City. The City Manager may contract for the services of a collection agency to recover amounts due as a debt owing to the City. If the election is made to use a collection agency, such use shall be consistent with the provisions set forth herein. Employment of a collection agency shall not include the services of a licensed attorney and shall not include participation in any court proceeding by the collection agency on behalf of the City except with the prior written approval of the City Attorney. Prior to transfer of the account to a collection agency, the City Manager or their designee shall notify the debtor in writing, at the address of record, that the alleged debt owing to the City will be turned over for private collection unless the account is paid or appealed within a designated time period. Assignment or other legal transfer of the rights in an account to the collection agency may be made by the City Manager with the approval of the City Attorney. No debt owing to the City shall be transferred to a collection agency if the account has been contested.

**Section 2. Severability.**

If any provision, section, paragraph, sentence or word of this Ordinance is determined or declared invalid by any final court action in a court of competent jurisdiction or if the application of any provision, section, paragraph, sentence or word of this Ordinance is inapplicable to a specific situation by reason of any preemptive state or federal legislation or regulation, the remaining provisions, sections, paragraphs, sentences or words of this Ordinance shall remain in full force and effect.

**Section 3. CEQA.**

The City Council finds that this Ordinance is exempt from the California Environmental Quality Act under CEQA Guidelines 15061(b)(3) because there is no possibility that this Ordinance may have a significant effect on the environment.

**Section 4. City Clerk.**

The City Clerk shall publish this Ordinance as required by state law.

∥

∥

∥

∥

∥

**Section 5.    Effective Date**

This Ordinance shall be effective thirty (30) days from the date of its adoption.

**PASSED APPROVED AND ADOPTED** this 6th day of November, 2019.

\_\_\_\_\_  
Jordan Ehrenkranz, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Ana Sauseda, Deputy City Clerk

\_\_\_\_\_  
Steven Graham, City Attorney



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

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Chris Mann, City Manager *CM*

**BY:** Ana V. Sauseda, Deputy City Clerk

**DATE:** November 6, 2019

**SUBJECT:** Approval of Resolution No. 2019-43, Formally Adopting the City of Canyon Lake's Military Banner Program Policy and Guidelines

---

**Recommendation:**

It is recommended that the City Council approve Resolution No. 2019-43, formally adopting the City of Canyon Lake's Military Banner Policy

**Background:**

The City of Canyon Lake's current Military Banner Program was established on October 1, 2014 and designated the Veterans Day Committee to oversee the program. The program was designed to recognize, support, and express appreciation and gratitude to those individuals currently serving in the United States Military Armed Forces.

Since the policy was created, a number of concerns have surfaced which resulted in a complete revision of the policy. Staff changed the application, policy and guidelines, and is proposing a new military banner design. A sample banner will be presented to the Council at this meeting.

It is also recommended that the City Council authorize the City Clerk's Office to oversee the Military Banner Program on a day to day basis. The City Clerk's Office will oversee the review and approval of all applications and arrange for the production and installation of the banners.

**Budget (or Fiscal) Impact:**

Military Banners will be produced with private funds.

**Attachments:**

1. Resolution No. 2019-43
2. City of Canyon Lake Military Banner Program Policy & Guidelines
3. City of Canyon Lake Military Banner Program Application



# **ATTACHMENT 1**



RESOLUTION NO. 2019-43

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANYON LAKE, CALIFORNIA, FORMALLY APPROVING AND ADOPTING THE CITY OF CANYON LAKE'S MILITARY BANNER PROGRAM POLICY AND GUIDELINES**

**WHEREAS**, the City of Canyon Lake ("City") desires to formally approve a comprehensive policy to effectively administer and manage the Military Banner Program Policy and Guidelines; and

**WHEREAS**, there is a need to formalize the policies regarding the Military Banner Program; and

**WHEREAS**, the City desires to approve and adopt the City of Canyon Lake's Military Banner Program Policy and Guidelines in order to promote the community's quality of life and enrich the aesthetic and visual appearance of the City of Canyon Lake.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CANYON LAKE DOES RESOLVE AS FOLLOWS:**

**Section 1.** The City Council of the City of Canyon Lake hereby adopts the City of Canyon Lake's Military Banner Program Policy and Guidelines attached hereto as Exhibit A to this Resolution.

**Section 2.** The City Council hereby authorizes the City Manager or his designee to take all actions necessary to carry out the Military Banner Program and Policy and Guidelines.

**PASSED, APPROVED, AND ADOPTED** on this 6th day of November, 2019.

\_\_\_\_\_  
Jordan Ehrenkranz, Mayor

ATTEST:

\_\_\_\_\_  
Ana V. Sauseda, Deputy City Clerk



## **ATTACHMENT 2**





# City of Canyon Lake Military Banner Program Policy & Guidelines

*A Salute to All our Men and Women in Uniform. Thank you for your Service!*



The Military Banner Program is to be used for the benefit of recognizing those who are currently serving or who have served in the United States Armed Forces and pay tribute to our veterans and deceased veterans. It is the purpose of this policy to articulate regulations pertaining to the circumstances, character, location, and other standards under which the City will permit the use of streetlight poles to display Military Banners that have a direct and substantial civic and/or community benefit and enrich the aesthetic and visual appearance of City of Canyon Lake's thoroughfares. The display of the Military Banners will contribute to the community's quality of life which lend a special character to the City of Canyon Lake.

The City Clerk's Office shall manage the Military Banner Program and the City shall have sole authority to approve the installation of banners meeting the requirements as stated in these guidelines for this program.

## **ELIGIBILITY**

Honorees must meet the following requirements:

1. Supply verification of Military Status (Military ID or DD 214 form).  
To verify military status, please visit:
  - Department of Defense website: <http://www.defense.gov/>
  - Veterans Service Records website: <http://www.archives.gov/veterans/military-service-records/>
2. Current City of Canyon Lake resident; OR an immediate family member of a City of Canyon Lake resident (immediate family would include a wife or husband, son or daughter, grandson or granddaughter, son-in-law or daughter-in-law). Residency subject to verification.

## **BANNER DESIGN, CONTENT, AND SPECIFICATIONS**

1. The banner design is approved by the Veteran's Day Ad Hoc Committee and shall be used as the template for all banners produced through this program.
2. The text of a banner must list the name of the person, service branch and logo, and name of sponsor.
3. All banners shall conform to the specifications established by the City and vendor.

4. City Staff may add wind vents and/or banner safety cable to each banner to help prolong the life of the banner.

### **APPLICATION PROCESS**

The banner applications and guidelines can be obtained from the City of Canyon Lake's website at [www.cityofcanyonlake.org](http://www.cityofcanyonlake.org) or you may contact the Deputy City Clerk at (951) 244-8547 or by e-mail at [asauseda@cityofcanyonlake.com](mailto:asauseda@cityofcanyonlake.com) to have the application and guidelines emailed to you.

Applications will also be available in the City Hall lobby, located at 31516 Railroad Canyon Road, Canyon Lake, CA 92587.

1. Applications should be submitted to the Deputy City Clerk, at the Administration Office for processing.
2. Completed applications will include the name of serviceperson, branch of service, photo, contact information of applicant, and a form of identification in order to verify City of Canyon Lake Residency.
  - Photograph. A 5x7 or larger color photograph must be provided. The photograph must be of the serviceperson in uniform. Photograph must be of good quality and will not be returned.
3. Fee for new applications/banners is \$200.
  - Fee may be amended due to rising costs or to meet the demands of the program.
4. Once the application has been processed, the City will create the banner. Only one banner per serviceperson is allowed.
5. Once the banner has been produced, City staff shall contact the applicant to confirm the location of the pole and schedule the installation of the banner.

### **BANNER LOCATION / POLE SELECTION**

Banner Locations/Pole selection shall be limited to posts that work well for the program, which may limit the use of City streetlights/signal lights. The City will not remove or trim trees to accommodate banners. The City recommends that banners be installed in the same direction as the light extension of the installation pole.

1. Installation and removal of banners are at the City's discretion.
2. The applicant may request the general location where they would like the banner displayed within the City of Canyon Lake boundaries. However, the City shall make the final determination of the banner location.
3. Banner will not be displayed at any location which threatens the safety of those installing the banner.
4. The City is not responsible for replacing banners that are lost, stolen, damaged, or destroyed due to age, vandalism, or any acts of nature including high winds.

### **INSTALLATION OF BANNER**

1. Completed applications submitted between October and March will be installed during the April/May installation period (by Memorial Day), and completed applications submitted between April and September will be installed during the October/November installation period (by Veteran's Day).

2. Prior to the installation of banners, the City Council will hold two (2) Special Council Meetings per year which will be scheduled based on the number of applicants received per year. Families will be encouraged to attend said scheduled Special Council Meeting to view their sponsored banner and take photos before installation.
3. Cancellation of Installation by City – In cases of extreme weather, the City reserves the right to cancel installation that are scheduled that day. Installations will be rescheduled based on availability.

#### **AFTER INSTALLATION**

1. Once produced and installed, banners shall remain the property of the City until removed and presented to the family or requestor.
2. Once banners are installed, they will be displayed for a maximum of two (2) years or until banners begin to show deterioration.
3. The City will conduct periodic inspections; however, the City shall not be responsible for banners that may be damaged due to extreme weather elements or other unforeseen events but will endeavor to repair and rehang banners as time and condition permits.
4. At the end of the two (2) year display period, City staff will contact the family and/or applicant to arrange for pick up within 30 days of banner removal. Any banners unclaimed after this time will become the property of the City and/or disposed of and the pole location will be released.

#### **REPLACEMENT AND / OR RELOCATION**

1. Replacement banners are available at a reduced price of \$150 as long as the replacement takes place within the two-year period. This would apply to banners being replaced due to severe damage from extreme weather elements and/or change in banner type such as Active, Veteran, and Memorial.
2. A relocation fee of \$120 will be assessed when a banner is moved to a different location once installed, at the request of the applicant.



## **ATTACHMENT 3**





## City of Canyon Lake Military Banner Program Application

HONOREE DESCRIPTION			
Honoree Name (Last, First, M.I.) <i>please print clearly:</i>			
<b>Branch of U.S. Military Service</b> (Check one)	<input type="checkbox"/> U.S. Army	<input type="checkbox"/> U.S. Coast Guard	<input type="checkbox"/> U.S. Navy
	<input type="checkbox"/> U.S. Air Force	<input type="checkbox"/> U.S. Marine Corps	
<b>Banner Title for Honoree</b> (Check One)	<input type="checkbox"/> Active Duty	<input type="checkbox"/> Veteran	<input type="checkbox"/> Memorial
<b>Is the Honoree a City of Canyon Lake Resident?</b> (Check one)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
If answered "No", please name which relative is a City of Canyon Lake Resident (Last, First M.I.):			

APPLICANT CONTACT INFORMATION	
Contact Person:	Contact Person's Relationship to Honoree:
Street Address:	
City, State, Zip Code:	
Phone Number:	Email Address:
<b>Please clearly state the Sponsor Name to appear on the Banner:</b>	

BANNER INFORMATION	
<b>Banner Fee</b> (Check one)	<input type="checkbox"/> New Banner (\$200) <input type="checkbox"/> Replacement Banner (\$150)
<b>Requested Banner Location</b> (Include cross streets and plan to provide photos of exact location if needed):	
<b>Alternate Banner Location</b> (Include cross streets and plan to provide photos of exact location if needed)	

**PLEASE ATTACH TO THE APPLICATION:**

- Official military photo (5"x7" or larger). *Please note photo will not be returned*
- Verification of military status (Military ID or DD 214 form)
- Proof of City of Canyon Lake residency (from either the Honoree or the Sponsor of Honoree)

**AGREEMENT:**

I/We agree to abide by the City of Canyon Lake, Hometown Heroes Military Banner Program Policy & Guidelines, including:

- Installation and removal of banners at the City's discretion
- That banners will be displayed for a maximum of two (2) years or until the banners begin to show deterioration
- That at the end of the two (2) year display period, City staff will contact the family and/or applicant to arrange for pick up from the community services department within 30 days of banner removal. Any banners unclaimed after this time will become the property of the City and/or be disposed of and the pole location will be released.

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

FOR OFFICE USE ONLY		
Date Received/Initials _____	<input type="checkbox"/> Applicant Contacted	Installation Date: _____
Document Checklist:	<input type="checkbox"/> Verbiage Approved	Banner Location: _____
<input type="checkbox"/> Honoree Photo <input type="checkbox"/> Military Status Verif.	<input type="checkbox"/> E-mailed to Electric	Pole #: _____ Banner #: _____
<input type="checkbox"/> Residency Verif. <input type="checkbox"/> Paid Fees	<input type="checkbox"/> Location Approved	Banner Removal Date: _____
<input type="checkbox"/> Location Photos <input type="checkbox"/> Banner Ordered	<input type="checkbox"/> Installation Date Approved	<input type="checkbox"/> Banner Removed
Additional Notes/Reason for Removal:	Ceremony Invitation/Map/Timeline Required? Y / N	<input type="checkbox"/> Banner Returned



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

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Chris Mann, City Manager *CM*

**DATE:** November 6, 2019

**SUBJECT:** Approval of Resolution No. 2019-44, Authorizing the City Manager to Enter the City into an Agreement with Seven Other Cities to Assess the Feasibility of Establishing a Police Services Joint Powers Authority

---

**Recommendation**

That the City Council adopt Resolution 2019-44, authorizing the City Manager to enter the City into an agreement with seven other cities to assess the feasibility of establishing a police services joint powers authority, and authorizing a budget adjustment in the amount of \$15,804 to cover the City's share of the study costs.

**Background**

In April 2017, a study was completed by Matrix Consulting Group which analyzed the feasibility of nine cities joining together to form a joint powers authority (JPA) for the purpose of providing police services. The nine cities which participate in that study were Coachella, Jurupa Valley, Lake Elsinore, Menifee, Moreno Valley, Perris, San Jacinto, Temecula and Wildomar. Although the analysis concluded that forming a police services JPA could be a highly cost effective way of providing a high level of service, and recommended that the cities proceed with the process of establishing a regional JPA law enforcement agency, the cities involved in the study chose not to move forward at that time.

In recent months there has been renewed interest among seven of the original nine cities in taking another look at the possibility of forming a police services JPA. The Cities of Jurupa Valley, Lake Elsinore, Moreno Valley, Palm Desert, San Jacinto, Temecula and Wildomar have solicited a proposal from Citygate Associates to conduct a four to six-month study that will assess the feasibility of a multi-city police services JPA. This study will be designed to identify cost saving opportunities by leveraging a renewed partnership with the Riverside County Sheriff's Department, and conversely by creating a staffing model for a stand-alone police department. More details about the study can be found in the Citygate proposal, which is attached.

In a recent meeting between the City Managers of Canyon Lake and Lake Elsinore, it was suggested that Canyon Lake consider joining the study. As Canyon Lake General Fund revenue has struggled to keep pace with rapidly increasing public safety costs, the City has been actively exploring potential alternatives for providing these much-needed services. Whether or not the City

ultimately decides to join a JPA that might result from these studies, the data resulting from the analysis could be of significant benefit to the City as we evaluate options for the future.

The total not-to-exceed cost of the contract is \$126,432. Canyon Lake's share of this cost would be \$15,804. The City of Lake Elsinore will be considering the contract with Citygate at their November 12<sup>th</sup> City Council meeting. Should they approve the contract, they will pay Citygate directly and then bill each participating city for its share.

Staff recommends that Canyon Lake join with the seven other cities in evaluating our options for providing quality police services at a price that is sustainable.

**Fiscal Impact**

Approval of this item will require a General Fund budget adjustment in the amount of \$15,804.

**Attachments**

1. Proposal from Citygate Associates, LLC
2. Resolution No. 2019-44

# **ATTACHMENT 1**





600 Coolidge Drive Suite 150 • Folsom, CA 95630 • PH 916-458-5100 • FAX 916-983-2090

October 11, 2019

Brendan Rafferty  
Fiscal Officer  
City of Lake Elsinore  
[brafferty@lake-elsinore.org](mailto:brafferty@lake-elsinore.org)

Robert Johnson  
City Manager  
City of San Jacinto – City Manager’s Department  
[rjohnson@sanjacintoca.gov](mailto:rjohnson@sanjacintoca.gov)

**RE: REVISED PROPOSAL TO ASSESS THE FEASIBILITY TO ESTABLISH UP TO A SEVEN-CITY POLICE SERVICES JOINT POWERS AUTHORITY**

Dear Mr. Rafferty:

In response to your written request and a follow-up phone call, Citygate Associates, LLC is pleased to submit this summary proposal to begin incremental assessment work on the envisioned multi-city police services Joint Powers Authority (JPA).

***PROJECT METHODS***

---

As requested, Citygate’s team will:

- ◆ Compare at a high level the now dated Matrix report against the current policing plan in the cities.
- ◆ Meet with the Sheriff’s command staff to:
  - Obtain information on current deployment and special services delivered.
  - Discuss the risks to be protected and any necessary near-term changes.
  - Obtain, to the extent possible, the current Sheriff’s contract costing itemizations below the contract total price, to include direct and indirect charges for all lines of service, the regional cost sharing of services such as dispatch, and finally the cost allocation methodology to different sized cities.

- Discuss, early in the project with the Sheriff's team, the possibilities of city cost control and/or new, less costly partnership services a new employer city JPA could offer to support sworn deputy services.
- ◆ Prepare a macro cost analysis of what a likely initial JPA could cost for personnel vs. the Sheriff's cost projections. As offered by the city partners, Citygate would coach city staff in using and expanding their already partially built data on the cost of assumptions.
- ◆ The personnel, operating costs, and capital costs models will be built jointly with city staffs so that after the study, if the project goes to implementation, staff will be able to keep the models updated as final costs become known and then become the first operating budget models.
- ◆ Conduct a detailed summary mid-project briefing in person and via PowerPoint of our initial findings and likely feasible recommendations going forward.
- ◆ Based on feedback from the mid-project assessment, continue to assist the cities in working with the Sheriff's staff on cost control options, or if so directed, prepare an executive-summary-level written report and PowerPoint briefing of the results of Citygate's assessment and recommended next study and/or implementation steps for the partners to consider.
- ◆ On-site meetings will include:
  - One meeting with the JPA project administrative committee from each of the cities involved.
  - Two meetings with Sheriff's staff.
  - One multi-agency mid-project briefing.
  - One multi-city "adjourned workshop" with all the elected officials to brief them on the project report.
  - As an option, up to three meetings with the city and Sheriff teams to gain contract cost control modifications and discuss strategies.
  - Up to seven separate meetings for individual city council briefings are possible at an added time-and-materials cost. Doing so would likely be expensive and is only recommended if critically necessary. Given the time frame ahead and not knowing how many city meetings are possible, on back-to-back nights, pricing at this point is speculative and is not included in our proposed cost.



## Project Duration

This initial assessment phase project outlined above will take approximately four to six months to complete. The time frame is dependent on timely Sheriff's cooperation and the ability of city staff to turn around work they agree to perform.

## PROJECT FEES

Our charges are based on actual time spent by our consultants at their established billing rates, plus reimbursable expenses incurred in conjunction with travel, printing, clerical, and support services related to the engagement. Our travel, as needed for out-of-area consultants, is budgeted at Southwest Airline's full fares and average local hotel rates. If advanced planning allows, lower fares will be used. In either event, the partners only pay the actual out-of-pocket expenses.

We will undertake this study for a not-to-exceed total cost based on our proposed project approach and schedule as presented in the following table. Any additional work outside the approach described in this proposal, as mutually agreed to in writing as a change order, will be billed at the hourly rate of the respective consultant(s), including any reimbursable expenses plus a five percent administrative fee.

### Project Cost Summary

Project Element	Consulting Fees of Project Team	Administration (5% of Hourly Fees)	Reimbursable Expenses	Total Citygate Project Amount
Core Project	\$83,995	\$4,200	\$10,347	<b>\$98,542</b>
Optional – Three Meetings with Cities and Sheriff	\$21,160	\$1,058	\$5,672	<b>\$27,890</b>
<b>Total with Option</b>	<b>\$105,155</b>	<b>\$5,258</b>	<b>\$16,019</b>	<b>\$126,432</b>

This cost proposal reflects our best effort to be responsive to the partners' needs for this project, as we understand them, at a reasonable cost. If our proposed scope of work and/or cost is not in alignment with the partners' needs or expectations, we are open to discussing modifications to our proposed scope of work and associated costs.

The price quoted is effective for 45 days from the date of receipt of this proposal and includes the written product deliverables as identified in our project Work Plan.



### Standard Hourly Billing Rates

Classification	Hourly Rate	Consultant
Citygate President	\$225	David DeRoos
Public Safety Principal, JPA Feasibility Specialist, and Project Manager	\$250	Stewart Gary
Police Services Principal	\$210	Jim Davis
Police Services Senior Associate	\$195	Gary Elliot
City Management Specialist	\$195	Jane Chambers
Fiscal Specialist	\$195	Andy Green
Statistical, GIS, and Operational Analysis Associate	\$175	Eric Lind
Report Project Administrator	\$125	Various
Administrative Support	\$95	Various

### Billing Schedule

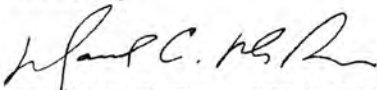
We will bill monthly for time, reimbursable expenses incurred at actual costs (travel), plus a five percent (5%) administration charge in lieu of individual charges for copies, phone, etc. Our invoices are payable within thirty (30) days. Citygate's billing terms are net thirty (30) days plus two percent (2%) for day thirty-one (31) and two percent (2%) per month thereafter. Our practice is to send both our monthly status report and invoice electronically. Once we are selected for this project, we will request the email for the appropriate recipients of the electronic documents. Hard copies of these documents will be provided only upon request. We prefer to receive payment via ACH Transfer, if available.

We request that ten percent (10%) of the project cost be advanced at the execution of the contract, to be used to offset our start-up costs. This advance will be credited to our last invoice.

\* \* \*

Citygate's team of specialists would be honored to be of service to the partners' police services JPA assessment. As President of the firm, I am authorized to execute a binding contract on behalf of Citygate Associates, LLC. Please feel free to contact me at our headquarters office, located in Folsom, California, at (916) 458-5100, extension 101, or via email at [ddeeroos@citygateassociates.com](mailto:ddeeroos@citygateassociates.com) if you wish further information.

Sincerely,



David C. DeRoos, MPA, CMC, President

cc: Project Team



## **ATTACHMENT 2**



**RESOLUTION NO. 2019-44**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANYON LAKE, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO ENTER THE CITY INTO AN AGREEMENT WITH SEVEN OTHER CITIES TO ASSESS THE FEASIBILITY OF ESTABLISHING A POLICE SERVICES JOINT POWERS AUTHORITY**

**WHEREAS**, in April 2017, a study was completed by Matrix Consulting Group which analyzed the feasibility of nine cities joining together to form a joint powers authority (JPA) for the purpose of providing police services; and

**WHEREAS**, the cities involved in the study chose not to move forward at that time however, in recent months, there has been renewed interest among seven of the original cities in having Citygate Associates conduct a feasibility study regarding the formation of a multi-agency police services JPA; and

**WHEREAS**, the City of Canyon Lake desires to join the study as the data resulting from the analysis could be of significant benefit to the City of Canyon Lake as we evaluate options for the future.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CANYON LAKE DOES RESOLVE AS FOLLOWS:**

**SECTION 1.** The City Council authorizes General Fund expenditures in an amount not to exceed \$15,804 for the City of Canyon Lake to participate in the feasibility study referenced above.

**SECTION 2.** The City Council authorizes the City Manager to take such actions and execute such documents as may be necessary to effectuate the City's participation in the feasibility study, including, but not limited to a budget adjustment in an amount not to exceed \$15,804 dollars, and the execution of any agreements with the participating agencies, if such agreements are approved as to form by the City Attorney.

**SECTION 3.** This Resolution takes effect immediately.

**PASSED, APPROVED, AND ADOPTED** on this 6th day of November, 2019.

\_\_\_\_\_  
Jordan Ehrenkranz, Mayor

ATTEST:

\_\_\_\_\_  
Ana V. Sauseda, Deputy City Clerk



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

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Chris Mann, City Manager *CM*

**DATE:** November 6, 2019

**SUBJECT:** Introduction and First Reading of Ordinance No. 188, an Ordinance of the City Council of the City of Canyon Lake Amending Chapters 2.04 and 2.08 of the Municipal Code related to the Positions of City Clerk and City Treasurer

---

**Recommendation**

Staff recommends the Introduction and First Reading of Ordinance No. 188, an Ordinance of the City Council of the City of Canyon Lake Amending Chapters 2.04 and 2.08 of the Municipal Code related to the Positions of City Clerk and City Treasurer.

**Background**

The City's Municipal Code currently requires that the positions of City Clerk and City Treasurer be appointed directly by the City Council. By adopting Ordinance 188, the City Council vests that appointing power in the City Manager. This change better reflects current city practices, in which all City staff other than the City Attorney report to the City Manager, and the City Manager and the City Attorney report directly to the City Council.

Currently, the City Manager has been appointed by the City Council to hold the positions of City Clerk and City Treasurer. Under Ordinance 188, the City Manager would retain the positions of City Clerk and City Treasurer unless one or both of those roles are delegated to another individual through appointment by the City Manager.

At the current time, the City employs a Deputy City Clerk to perform much of the day-to-day functions of the City Clerk's office. It is anticipated that the individual who currently serves in the Deputy City Clerk role will soon achieve certifications qualifying her to serve as a City Clerk. Once these certifications are received, it is the intention of the City Manager to appoint this individual to serve as the City Clerk.

**Fiscal Impact**

None.

**Attachments**

1. Ordinance No. 188



# **ATTACHMENT 1**



**ORDINANCE NO. 188**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CANYON LAKE,  
CALIFORNIA, AMENDING CHAPTERS 2.04 AND 2.08 OF THE MUNICIPAL  
CODE RELATED TO THE POSITIONS OF CITY CLERK AND CITY TREASURER**

**WHEREAS**, the City of Canyon Lake is served by an appointed City Clerk and City Treasurer;  
and,

**WHEREAS**, pursuant to Government Code Section 34856, the City Council may vest the  
appointing power in the City Manager.

**NOW, THEREFORE**, the City Council of the City of Canyon Lake, California does ordain as  
follows:

**Section 1.** Section 2.04.060, subsection (b) of the Canyon Lake Municipal Code is hereby  
amended to read as follows:

“(b) Except as provided for in subsection (c), appoint, remove, promote and demote any and all  
officers and employees of the City, except elective officers and the City Attorney, subject to all  
applicable personnel rules and regulations which may be adopted by the City Council. Under  
Government Code Section 34856, this power includes the authority to appoint, remove, promote  
and demote the City Clerk and City Treasurer and any deputies as may be necessary for the  
efficient discharge of the duties of those offices;”

**Section 2.** Section 2.04.080 of the Canyon Lake Municipal Code is hereby amended read as  
follows:

**“2.04.080 Departmental cooperation.**

It shall be the duty of all subordinate officers and the City Attorney to assist the City Manager in  
administering the affairs of the City efficiently, economically and harmoniously.”

**Section 3.** Section 2.08.010 of the Canyon Lake Municipal Code is hereby amended read as  
follows:

**“2.08.010 Office created--Term.**

The office of the City Clerk is created and established. Pursuant to Government Code Section  
34856, the City Manager shall have the power to appoint and remove the City Clerk as well as  
any deputies as may be necessary for the efficient discharge of the duties of the office.”

**Section 4.** Section 2.08.020 of the Canyon Lake Municipal Code is hereby repealed.

**Section 5.** Section 2.08.030, subsection (f) of the Canyon Lake Municipal Code is hereby  
amended to read as follows:

“(f) Prepare the Council agendas under the direction of the City Manager;”

**Section 6.** Section 2.08.030, subsection (l) of the Canyon Lake Municipal Code is hereby amended to read as follows:

“(1) Perform such other duties consistent with this Code as may be required of the City Clerk by the City Manager.”

**Section 7.** Section 2.08.040 of the Canyon Lake Municipal Code is hereby repealed.

**Section 8.** Severability.

If any provision, section, paragraph, sentence or word of this Ordinance is determined or declared invalid by any final court action in a court of competent jurisdiction or if the application of any provision, section, paragraph, sentence or word of this Ordinance is inapplicable to a specific situation by reason of any preemptive state or federal legislation or regulation, the remaining provisions, sections, paragraphs, sentences or words of this Ordinance shall remain in full force and effect.

**Section 9.** Effective Date.

This Ordinance shall become effective 30 days from the date of its adoption.

**PASSED APPROVED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Jordan Ehrenkranz, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Ana V. Sauseda, Deputy City Clerk

\_\_\_\_\_  
Steven Graham, City Attorney

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

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Chris Mann, City Manager *CM*

**DATE:** November 6, 2019

**SUBJECT:** Single-Family Residential Rental Registration, Inspection and Crime-Free Rental Housing Program

---

**Recommendation**

That the City Council discuss a draft ordinance which would establish a Single-Family Residential Rental Registration, Inspection and Crime-Free Rental Housing Program.

**Background**

This ordinance would essentially add single-family residential rentals to the City's existing business license program.

Currently, the City does not track which properties are occupied by renters. In an attempt to be responsive to community concerns regarding illegal activity and nuisance behaviors that sometimes come with rental properties, staff is suggesting that the City consider implementing a program to register and inspect single-family residential rentals and to require a crime-free lease addendum, obligating renters to agree to live a "crime free lifestyle." This program is similar to that of a number of cities in the region. In particular, this draft ordinance most closely resembles that of the City of Eastvale.

Rental homes are generally believed to be responsible for a disproportionate share of code enforcement and police calls for service. Illegal activity and nuisance behaviors interfere with the health, safety, quality of life, quiet enjoyment and general welfare of those residing near rental homes, and may contribute to a decline in the value of surrounding properties. Existing state and local laws have not sufficiently encouraged landlords, particularly absentee landlords, to take reasonable steps to ensure their properties are safe and decent. This ordinance would establish a program to encourage the upkeep of all single-family rental properties for the public health, safety, and welfare of the residents of Canyon Lake.

It is anticipated that this program would not require the adoption by the City Council of any new fees. Rather, existing business license and inspection fees would be applied in order to defray the costs of the program.

This draft ordinance is being brought to the Council for discussion only at this point. Staff intends to incorporate any feedback given by the Council and bring the item back for consideration at the December 4<sup>th</sup>, 2019 City Council meeting.

**Fiscal Impact**

It is anticipated that the revenue generated from business licensing and inspections will cover the costs of this program.

**Attachments**

1. Ordinance No. XXX

# **ATTACHMENT 1**



**ORDINANCE NO. XXX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CANYON LAKE, CALIFORNIA ADDING CHAPTER XXX TO TITLE XXX OF THE CANYON LAKE MUNICIPAL CODE ESTABLISHING A SINGLE-FAMILY RESIDENTIAL RENTAL REGISTRATION, INSPECTION AND CRIME-FREE RENTAL HOUSING PROGRAM**

**WHEREAS**, rental homes are responsible for a disproportionate share of code enforcement and police calls for service that necessitates a disproportionate expenditure of public funds for such properties; and

**WHEREAS**, the City Council hereby determines that illegal activity in the City interferes with the health, safety, quality of life, quiet enjoyment and general welfare of the individuals residing near rental homes and may contribute to a decline in the value of surrounding properties; and

**WHEREAS**, existing state and local laws have not sufficiently encouraged landlords, particularly absentee landlords, to take reasonable and proactive steps to abate these conditions and to ensure their premises are safe and decent; and

**WHEREAS**, it is necessary to implement a “Single-Family Residential Rental Registration, Inspection and Crime-Free Rental Housing Program” to alleviate these problems and improve living conditions for renters and protect the general welfare of individuals in affected neighborhoods; and

**WHEREAS**, the City Council has determined that it is necessary to defray the cost of the Single-Family Residential Rental Registration, Inspection And Crime-Free Rental Housing Program through the imposition of regulatory fees which may be set from time to time by Resolution of the City Council to cover the actual costs of implementing and enforcing the program; and

**WHEREAS**, the rental and letting of housing is a business and it is necessary and proper to regulate such a business to ensure there is safe and decent housing for persons of all income levels; and

**WHEREAS**, through the adoption of this Chapter, the City will implement a new program that is rationally related to encourage upkeep of all single-family rental property for the public health, safety, and welfare of the residents of the City of Canyon Lake.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CANYON LAKE DOES ORDAIN AS FOLLOWS:**

**SECTION 1. Incorporation.** All of the foregoing Recitals are true and correct, and the City Council so finds and determines. The Recitals set forth above are incorporated herein, are made findings and determinations of the City Council and are made an operative part of this Ordinance. The findings above are hereby incorporated herein.

**SECTION 2. Chapter XX.XX** is added to the Canyon Lake Municipal Code to read as follows:

**“SINGLE-FAMILY RENTAL PROPERTY REGISTRATION,  
INSPECTION AND CRIME- FREE RENTAL HOUSING  
PROGRAM**

Sections:

- XX.XX.010 – Purpose.
- XX.XX.020 – Definitions.
- XX.XX.030 – Compliance with Applicable Laws and Regulations.
- XX.XX.040 – Rebuttable Presumption.
- XX.XX.050 – Local contact representative.
- XX.XX.060 – Residential Rental Registration Program.
- XX.XX.070 – Inspections.
- XX.XX.080 – Inspection Fees.
- XX.XX.090 – Appeals.
- XX.XX.100 – Self-Certification Program.
- XX.XX.110 – Retention of completed Self-Certification Forms.
- XX.XX.120 – Complaint-Based Inspections.
- XX.XX.130 – Voluntary Inspection Requests.
- XX.XX.140 – Enforcement.

**Section XX.XX.010. Purpose.**

The purpose of this Chapter is to identify Single-Family Residential Rental Dwelling Units in the City of Canyon Lake, to ensure that such units afford tenants a safe and decent place to dwell, and to require rental housing with substandard conditions to meet and maintain minimum building and housing code standards, exterior maintenance standards, and to reduce criminal activity. The City Council has determined that requiring that all Single-Family Residential Rental Dwelling Units be registered with the City and inspected, and requiring that landlords use a Crime-Free Rental Housing Addendum, serves these legitimate governmental interests.

**Section XX.XX.020 – Definitions.**

For the purposes of this Chapter, certain words and phrases used in this Chapter are defined as follows:

“Applicable Laws” means and includes all federal, state and local statutes, ordinances and regulations that pertain to the condition, habitability and safety of Dwelling Units and residential property. Applicable Laws include, but are not limited to, the State Housing Law (California Health & Safety Code, Sections 17910 *et. seq.*), (California Health and Safety Code, Sections 11570 *et. seq.*), and the Canyon Lake Municipal Code, including but not limited to Title 8 (Building and Construction), and Title 9 (Planning and Zoning).

“Building Official” means an individual(s) who is designated by the City Manager to conduct

inspections under the provisions of this Chapter.

“City” means the City of Canyon Lake and its respective departments thereof.

“Code Enforcement Officer” means an individual(s) who is designated by the City Manager to enforce Applicable Laws.

“Crime Free Lease Addendum” means the lease addendum described in Section XX.XX.050.

“Fair Housing Laws” means the federal Fair Housing Act, as amended, (42 U.S.C. Sec. 3601 et seq.), the California Fair Housing and Employment Act (Government Code Sec. 12900 et seq.), and the Unruh Civil Rights Act (Civil Code Sec. 51).

“Local property management company” shall mean an entity that is responsible for the day-to-day maintenance, upkeep and security of the property and is operated by a person who is licensed with the California Department of Real Estate as a real estate broker.

“Local property manager” shall mean a person who is responsible for the day-to-day maintenance, upkeep, and security of the property. The local property manager may be the owner of the property.

“Occupant” or “Tenant” means any person who occupies a rental property, whether as a tenant or permittee of the Owner.

“Owner” or “Property Owner” means a single individual, partnership or joint venture or any entity that has any kind of ownership interest in a rental property whether as an individual, partner, joint venture, stock owner, or ownership interest in some other capacity or the owner’s designee, which may include a local management company. If more than one person or an entity owns the subject real property, owner or property owner refers to each person or entity holding any kind of ownership interest in the property, and the property owners’ obligations in this Chapter are joint and several as to each property owner. Owner shall also mean any person having legal title to real property, including all individuals shown as owners on the last equalized assessment roll of the Riverside County Assessor’s Office, or an Owner's Authorized Representative.

“Single-Family Residential Rental Property,” “Rental Property” or “Residential Rental Dwelling Unit” means a dwelling unit as defined in the City Planning and Zoning Code, in a single structure, and is occupied or for occupancy by a person(s) other than the owner of the unit and includes the premises on which said rental property is situated and any common areas, including but not limited to parking lots, driveways, landscaping, accessory structures, fences, walls, swimming pools, hot tubs, and spas. For the purpose of this Chapter, the following types of dwelling units or facilities are not considered single-family rental residential rental property:

- (a) Multi-family dwelling housing units as defined in the City Planning and Zoning Code;
- (b) Hotels or motels;

(c) Accommodations in any hospital, extended care facility, residential care facility, convalescent home, nonprofit home for the aged, or dormitory that is owned and operated by an education institution;

(d) Mobile home parks.

“This Code” means the City of Canyon Lake Municipal Code.

**Section XX.XX.030 – Compliance with Applicable Laws and Regulations.**

Nothing in this Chapter shall be construed to:

1. Excuse, waive, limit, or modify any requirements or obligations in the Applicable Laws;
2. Limit any right of the City to investigate and abate nuisances or to enforce any provisions of the Applicable Laws or any other provision of law; or
3. Conflict with any rights or obligations under the Fair Housing Laws or the Americans with Disabilities Act, as amended.

**Section XX.XX.040 – Rebuttable Presumption.**

For the purpose of this Chapter, if the owner of record has not filed for the homeowner’s property tax exemption for a property, it shall be a rebuttable presumption that the property is a rental property. This presumption can be rebutted by the owner of record providing reasonable documentation to the City that the property is owner occupied or is not being used for rental income.

**Section XX.XX.050 – Local contact representative.**

- (a) For purposes of this Chapter, all Owners of Residential Rental Property shall designate a local contact representative with full authority to act on behalf of the Owner for all purposes under this Chapter, including the acceptance of service of all notices from the City. The owner of Residential Rental Property may act as the local contact representative.
- (b) A local contact representative must establish and maintain, at all times, a local telephone number and a residence or business address within 50 miles of Canyon Lake City Hall. A local contact representative shall be accessible by the City through that local telephone number 24 hours/7 days a week.

**XX.XX.060 – Residential Rental Registration Program.**

- (a) **Registration Required.** As a condition of exercising the privilege of renting or leasing a Rental Property to any person and/or entity, the Owner of the Residential Rental Property shall register with the City for a Business Registration Certificate in conformance with all requirements of the Business Registration regulations identified under Chapter 5.01 of this

Code.

- (b) **Contents of Registration and Payment of Fees.** The Registration form shall contain all of the information required under Section 5.01.040 of Chapter 5.01 of this Code and shall be accompanied by payment of the registration fee set forth in Chapter 5.01, the inspection fee required under Section XX.XX.080 and a certification, signed by the Owner, that he or she will comply with and enforce the Crime-Free Lease Addendum required by this Section XX.XX.060.
- (c) **Non-Transferrable.** Registration pursuant to this Chapter is non-transferrable to a new Owner of the Residential Rental Dwelling Unit(s).
- (d) **Failure to Register.** If the Owner of Residential Rental Dwelling(s) fails to register or reregister such units in compliance with this Chapter, the City Manager or their designee shall abate the nuisance by registering or re-registering said units in the name of the owner and set a date and time for initial inspection of said units, and shall send written notification to the Owner that the property has been so registered, advising of the date and time set for inspection, accompanied with a bill for the costs of abating the nuisance by registration/processing fee and the total initial inspection fee for each unit, and include information on the self-certification program.
- (e) **Revocation.** Registration for a Residential Rental Dwelling Unit may be revoked if the City determines that the Owner has violated paragraph (b) of this Section or has failed to pay any required registration, inspection, and/or re-inspection fees, or if the Residential Rental Dwelling Unit has been cited by a City or County employee for, or received written notice from a City or County employee of, a violation of the Applicable Laws, and the Owner has failed to remedy such violation within the period of time specified in the citation or written notice. The City shall provide written notice of the revocation to the Owner, which is appealable pursuant to Section XX.XX.080.
- (f) **New Occupant.** The Owner of a Residential Rental Dwelling Unit shall notify the City in writing whenever a new occupant takes possession of the dwelling on forms determined by the City.
- (g) **Crime-Free Lease Addendum.** The Owner of a Residential Rental Dwelling Unit shall include a Crime-Free Lease Addendum in substantially the following form in all rental agreements and leases executed after March 1, 2020.

#### CRIME - FREE LEASE ADDENDUM

In consideration of the execution or renewal of this lease of the dwelling unit identified in the lease, Owner and Resident agree as follows:

1. Resident, any members of the resident's household or a guest or other person affiliated with the resident agree to live a "crime free lifestyle" and shall not engage in criminal activity, including drug related criminal activity, on or off the said premises. "Drug-related criminal

activity” means the illegal manufacture, sale, distribution, use, or possession with intent to manufacture, sell, distribute, or use of a controlled substance (as defined in § 102 of the CONTROLLED SUBSTANCE ACT (21 U.S.C. 802).

2. Resident, any member of the resident's household or a guest or other person affiliated with the resident shall not engage in any act intended to facilitate criminal activity, including drug-related criminal activity, on or off the said premises.

3. Resident, any member of the resident’s household or a guest or other person, whether or not affiliated with the resident shall not permit the dwelling unit to be used for, or to facilitate criminal activity, including drug-related criminal activity.

4. Resident, any member of the resident’s household or a guest, or other person affiliated with the resident shall not engage in the unlawful manufacturing, selling, using, storing, keeping, or giving of a controlled substance as defined in Health and Safety Code § 11350, et seq, at any locations, whether on or off the dwelling unit premises or otherwise.

5. Resident, any member of the resident's household or a guest, or other person affiliated with the resident shall not engage in any illegal activity, including: prostitution as defined in Penal Code § 647(b); criminal street gang activity, as defined in Penal Code § 186.20 et, seq; assault and battery, as prohibited in Penal Code § 240; burglary, as prohibited in Penal Code § 459; the unlawful use and discharge of firearms, as prohibited in Penal Code§ 245; sexual offenses, as prohibited in Penal Code 245; sexual offenses, as prohibited in Penal Code§§ 269 and 288.

6. Resident, any member of the resident's household or a guest, or other person affiliated with the resident shall not engage in any nuisance activity as defined in Civil Code§ 3479 and/or any condition declared and deemed by the City Council of the City of Canyon Lake to constitute a nuisance, or any violation of the Canyon Lake Municipal Code

7. VIOLATION OF THE ABOVE PROVISIONS SHALL BE A MATERIAL AND IRREPARABLE VIOLATION OF THE LEASE AND GOOD CAUSE FOR IMMEDIATE TERMINATION OF TENANCY. A single violation of any of the provisions of this added addendum shall be deemed a serious violation and a material and irreparable non-compliance. It is understood that a single violation shall be good cause for termination of the lease. Unless otherwise provided by law, proof of violation shall not require criminal conviction, but shall be a preponderance of the evidence.

8. In case of conflict between the provisions of this addendum and any other provisions of the lease, the provisions of this addendum shall govern.

9. This lease addendum is incorporated in the lease executed or renewed this day between Owner and Resident.

**XX.XX.070 – Inspections.**

(a) **Annual Inspections.** All Residential Rental property located in the City shall be subject to

an annual inspection for compliance with Applicable Laws. The anniversary date for annual inspections shall be calculated from the date the Owner received the first Residential Rental Registration pursuant to Chapter 5.01 of this Code.

(b) **Inspection Upon Tenancy Change.** All Residential Rental property shall be subject to a Re-Inspection upon any change in occupants at the property notwithstanding the fact that the property may be subject to the Self-Certification Program or have already undergone an annual inspection.

(c) **Notice of Inspection and Procedures.**

1. After receiving a completed Residential Rental Registration from an Owner or upon receiving notice that a new occupant has taken possession of the dwelling, the City will conduct an exterior and interior inspection of the Residential Rental Dwelling Unit to identify violations of the Applicable Laws.
2. The notice of inspection shall provide a minimum of 14-days' notice. Notice shall be mailed to the Owner, the local contact representative at their last known address, and occupant. In the case of multiple owners of the same property, notice to any one of the property owners is sufficient notice.
3. In the event an Owner, local contact representative or tenant in possession of the property refuses to allow access to conduct the inspection, the City Attorney may use all legal remedies permitted by law to cause an inspection to take place.
4. Should the City be unable to obtain the consent of the Owner, a local property management company or occupant of the Residential Rental Dwelling Unit to conduct an inspection, the City shall withhold or revoke the Owner's Residential Rental Registration until inspection is finalized.

(d) City Code Enforcement Officers and/or the Building Official will be responsible for conducting the inspections authorized by this Section. The City may request that other City departments and/or Riverside County enforcement agencies participate in the inspection process.

(e) After completion of the inspection, the City shall send a written report of the inspection to the Owner. The report shall contain:

1. An itemization of any violations of the Applicable Laws identified during the inspection;
2. The period of time for correcting each of the identified violations;
3. A statement that the City will re-inspect the Residential Rental Dwelling Unit on the day after the period of time for correction;

4. The Re-inspection Fee shall be listed with the Re-inspection date and time accompanied by the date to which the said fee is due; and
  5. A statement that if the violations are not corrected within the period of time for correction the City will not issue the Residential Rental Registration Certificate and the City may pursue legal action as authorized under this Chapter to abate such violations.
  6. If no violations are found as a result of the inspection, the inspection report shall state, "No violations found on the date of inspection", and the City shall issue the Residential Rental Registration Certificate to the Owner.
- (f) Annual inspections under this Section XX.XX.070 shall be conducted prior to renewal of the Business Registration Certificate required under Chapter 5.01.

**Section XX.XX.080 – Inspection Fees.**

- (a) Fees for the administration and enforcement of the regulatory program established by this Chapter shall be set by resolution of the City Council and shall not exceed the City's actual cost of providing the services. Fees shall include, without limitation, an initial inspection fee, a re-inspection fee, and a fee to file an appeal. Owners are also subject to the Business Registration fees set forth in Chapter 5.01 of this Code.
- (b) The Owner of a Residential Rental Dwelling Unit shall pay an annual inspection fee to the City sufficient to pay the costs of the City's annual inspection pursuant to this Chapter.
- (c) Owners qualified for the Self-Certification Program under Section XX.XX.100 shall pay the annual Inspection fee the first year of participation. If an Owner is removed from the Self-Certification Program, he/she shall become subject to annual inspections and annual inspection fees.

**Section XX.XX.090 – Appeals.**

- (a) Any recipient of an administrative citation may contest the citation by the procedures set forth in Chapter 11.26 of this Code.
- (b) Any party to an administrative citation hearing may appeal from an adverse ruling in accordance with the procedures Chapter 11.26 of this Code.

**Section XX.XX.100 – Self-Certification Program.**

- (a) Well-maintained rental property with no outstanding violations of any Applicable Laws may qualify to participate in the Self-Certification Program. Qualifying properties will not be subject to annual inspections; provided that conditions of the rental property do not deteriorate during that time to the point where the rental property would no longer meet eligibility standards for the Self-Certification Program.

- (b) To qualify for the Self-Certification Program, a property owner must:
1. Complete the Self-Certification Program application packet provided by the City; and
  2. Pay the annual inspection fee and any other fees required by this Chapter; and
  3. Conduct a self-inspection of all exterior and interior site conditions of each rental property or properties for compliance with the requirements of the Self-Certification form provided by the City; and
  4. Immediately make any repairs to the Residential Rental unit(s) that are necessary to achieve compliance with the requirements of the Self-Certification form; and
  5. Complete the Self-Certification form and certify that conditions at the rental property or properties meet the exterior and interior standards listed on the Self-Certification form.
  6. Return the completed Self-Certification form to the City.
- (c) Upon receipt of a completed Self-Certification form the City shall perform an inspection of the rental property. If the City determines that the property is qualified to participate in the Self-Certification Program a certificate of compliance will be issued and the property owner will not be subject to the annual inspection requirement thereafter. The Owner shall provide a copy of the Self-Certification Program certificate of compliance to the occupants of the corresponding Residential Rental property unit. Recertification in the Self-Certification Program shall be required every year for each Residential Rental Unit.
- (d) If the City determines that the property is not eligible to participate in the Self-Certification Program, then the residential rental property shall be subject to inspection and the property owner shall be assessed the annual inspection fee as well as any other applicable fees.
- (e) The City may, from time to time, randomly subject properties in the Self-Certification Program to an annual inspection under Section XX.XX.070 to ensure compliance with the program.
- (f) At all times, the City shall retain the authority to investigate and address any violation of Applicable Laws.
- (g) Any property owner that fails to maintain a rental property to meet all of the standards listed on the Self-Certification Program's checklist, or is found to have caused to allow conditions, identified in the Crime-Free Addendum to exist, shall immediately be removed from the Self-Certification Program and become subject to annual inspections.
- (h) It is unlawful for any person to knowingly make a false statement of fact or knowingly omit any information that is required on the Self-Certification form.

**Section XX.XX.110 – Retention of completed Self-Certification Forms.**

- (a) The property's local contact representative shall retain all certificate(s) of compliance for at least three (3) years from the date the certificate of compliance was issued by the City.
- (b) The local contact representative shall produce all certificate(s) of compliance to the City Manager or their designee upon request.

**Section XX.XX.120 – Complaint-Based Inspections.**

Nothing contained in this Chapter shall prevent or restrict the City's authority to inspect any rental property in response to a complaint alleging code violations or violations of Applicable Laws and to pursue all remedies permissible under this Code or Applicable Laws.

**Section XX.XX.130 – Voluntary Inspection Requests.**

Nothing contained in this Chapter shall be construed to prohibit a property owner or occupant from voluntarily requesting an inspection pursuant to this Chapter to determine whether the rental property complies with Applicable Laws.

**Section XX.XX.140 – Enforcement.**

- (a) **Violations Identified During Inspection.** If, after a report of inspection is issued pursuant to Section XX.XX.070(d), the Owner fails to correct a violation of the Applicable Laws identified in the report of inspection within the time allowed, the City may issue an administrative citation pursuant to Chapter 11.26 of this Code or may take any other action authorized by law to enforce the provisions of this Code, including, without limitation, a petition to the Superior Court for the appointment of a receiver over the property.
- (b) **Failure to Pay Fees.** Should an Owner fail to timely pay the annual inspection fee or any re-inspection fee, the City is authorized to recover it, plus accrued interest and penalties, utilizing any remedies authorized by law.
- (c) **Strict Liability.** Violations of this Chapter shall be treated as a strict liability offense regardless of intent. Any person, firm and/or corporation that violates any portion of this Chapter shall be subject to prosecution under this Chapter, Chapter 11.26, and/or Section 11570 et. seq. of the California Health and Safety Code (Drug Abatement).
- (d) **Revenue and Taxation Code.** The City may also utilize the provisions of the Revenue and Taxation Code Section 24436.5 to encourage the elimination of substandard conditions in rental housing. The City is also authorized to bring an action under the Business and Professions Code for unfair business practices.
- (e) **Attorneys' Fees.** In an action, administrative proceeding, or special proceeding to abate a violation of this Chapter, the prevailing party may recover Attorneys' fees pursuant to Government Code Section 38773.5. Recovery of Attorneys' fees is limited to those

individual actions or proceedings in which the City elects, at the initiation of that individual action or proceeding, to seek recovery of its own Attorneys' fees. An award of Attorneys' fees to a prevailing party shall not exceed the amount of reasonable Attorneys' fees incurred by the City in an action, administrative proceeding, or special proceeding.

**SECTION 3. Severability.**

If any provision, section, paragraph, sentence or word of this Ordinance is determined or declared invalid by any final court action in a court of competent jurisdiction or if the application of any provision, section, paragraph, sentence or word of this Ordinance is inapplicable to a specific situation by reason of any preemptive state or federal legislation or regulation, the remaining provisions, sections, paragraphs, sentences or words of this Ordinance shall remain in full force and effect.

**SECTION 4. CEQA Exemption.**

The adoption of this Ordinance and the implementation of the regulatory programs of this Ordinance do not require further review under the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15301, in view of the fact that the regulatory programs are hereby enacted, apply to existing structures and buildings and are intended to provide for continuous and appropriate maintenance and protection of such structures and buildings for so long as the structures and buildings may remain unoccupied or vacant.

**SECTION 5. Effective Date.**

This Ordinance shall become effective 30 days from the date of its adoption.

**PASSED APPROVED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Jordan Ehrenkranz, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Ana V. Sauseda, Deputy City Clerk

\_\_\_\_\_  
Steven Graham, City Attorney



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

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Chris Mann, City Manager *CM*

**BY:** Mike Borja, Administrative Services Manager

**DATE:** November 6, 2019

**SUBJECT:** Award of Construction Contract for Railroad Canyon Road Wrought Iron Fence Repair Project Phase II – Bid No. 2019-01

---

**Recommendation**

It is recommended that City Council adopt the plans and specifications for the Railroad Canyon Road Wrought Iron Fence Repair Project (Phase II) and award the contract to AB Fence Company Inc.

**Background**

On October 17, 2019, one bid was submitted and revealed via Active Bidder for the City's Railroad Canyon Road Wrought Iron Fence Repair (Phase II) Project. The bid was submitted by AB Fence Company Inc. for the amount of \$161,444.

This project will rehabilitate the existing wrought iron fencing along both sides of Railroad Canyon Road, between Canyon Lake Drive South and Skylink Drive. Part of the project requires full removal and replacement of rusted-out fencing panels and part of the project requires removal of rust and re-painting the existing panels.

The project is funded by the State's SB-1 Road Maintenance and Rehabilitation Account (California Gas Tax which was approved by the Governor on April 28, 2017). The City received \$203,396 from the State's SB-1 Road Maintenance and Rehabilitation Account in FY 18/19 and it is anticipated that the City will receive an additional \$195,000 for FY 19/20, which will provide adequate funding for this project.

Staff recommends Council to adopt the plans and specifications, award the project to AB Fence Company, and authorize a construction contingency of 20%.

**Fiscal Impact**

The City's SB-1 Road Maintenance and Rehabilitation Account identifies adequate funds to complete the project including 20% contingency.

**Attachments**

1. Project Exhibits
2. Bid Results
3. SB-1 Road Repair and Accountability Act Resolution No. 2019-16
4. Service Agreement with AB Fence Company Inc.

# ATTACHMENT 1



# CITY OF CANYON LAKE RAILROAD CANYON ROAD WROUGHT IRON FENCE REPAIR (PHASE II) PROJECT



**CITY OF CANYON LAKE  
RAILROAD CANYON ROAD WROUGHT IRON FENCE REPAIR (PHASE II) PROJECT**

**SECTION A**

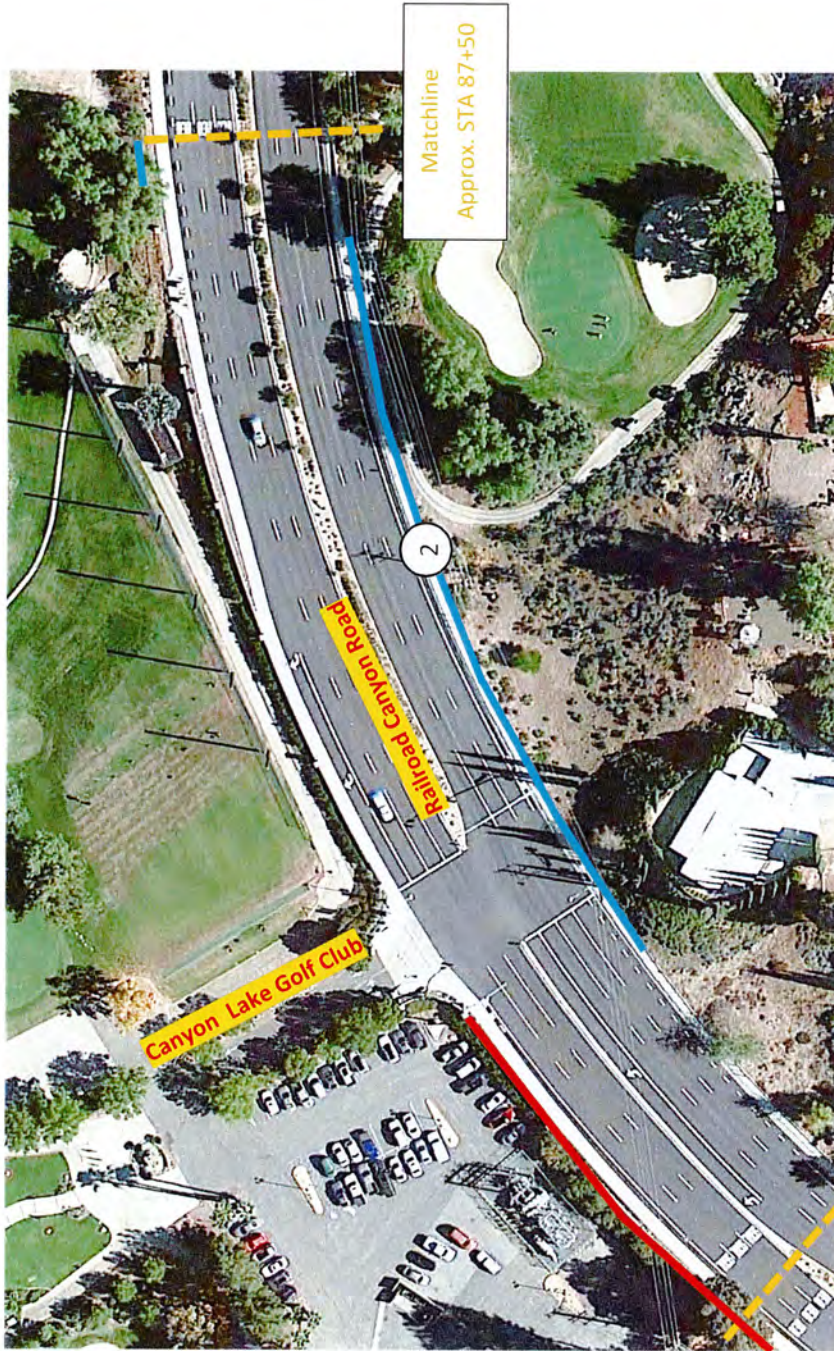


- Remove rust, prime, and paint existing fencing (includes posts)
- Remove and replace existing fencing panel & paint posts
- ① Remove and replace existing fence post and 1 fence panel



**CITY OF CANYON LAKE  
RAILROAD CANYON ROAD WROUGHT IRON FENCE REPAIR (PHASE II) PROJECT**

**SECTION B**



Matchline  
Approx. STA 80+50

Matchline  
Approx. STA 87+50

- Remove rust, prime, and paint existing fencing (includes posts)
- Remove and replace existing fencing panel & paint posts
- ② Remove and replace existing gate (Both 4' Panels)



**CITY OF CANYON LAKE  
RAILROAD CANYON ROAD WROUGHT IRON FENCE REPAIR (PHASE II) PROJECT**

**SECTION C**



Matchline  
Approx. STA 87+50

Approx. STA 94+00

- Remove rust, prime, and paint existing fencing (includes posts)
- Remove and replace existing fencing panel & paint posts



## **ATTACHMENT 2**



**Apparent Low Bidder**

AB FENCE COMPANY  
1440 BEAUMONT AVE SUITE A2 #324  
BEAUMONT GA 32223  
[Show Subcontractors](#) [Hide Line Items](#)

**Phone**

8447070007

**Bid Amount**

\$161,444

**Railroad Canyon Road Wrought Iron Fence Repair Phase II**

*Bid Schedule*

			UM	QTY	Price	Item Total
1	1	Prepare Traffic Control Plans and Provide All Traffic Control Devices and Equipment for Required Lane Closure	LS	1	\$15,000	\$15,000
2	2	Remove and Dispose of Existing Steel Fencing	LF	520	\$17.5	\$9,100
3	3	Furnish, Assemble and Install 3-Rail Steel Fencing with Ring Ornamentation	LF	520	\$239.32	\$124,446.4
4	4	Remove Rust From Existing Fencing (Panels & Post), Prime, and Paint	LF	1,100	\$7	\$7,700
5	5	Remove and Replace Fence Post	EA	1	\$757.6	\$757.6
6	6	Remove and Replace Gate (both 4' Panels)	EA	1	\$2,440	\$2,440
7	7	Install Temporary Fencing Where Existing Fencing is Removed	LS	1	\$2,000	\$2,000
						<b>Sub total:</b> \$161,444
						<b>Project total:</b> \$161,444
						<b>Grand total:</b> \$161,444

**Bidder**

AB FENCE COMPANY  
1440 BEAUMONT AVE SUITE A2 #324  
BEAUMONT GA 32223  
[View Subcontractors](#) [View Line Items](#)

**Phone**

8447070007

**Bid Amount**

\$161,444

**Incomplete Submissions**

**Phone**

**Bid Amount**

[Close](#)



## **ATTACHMENT 3**



**RESOLUTION NO. 2019-16**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANYON LAKE, CALIFORNIA, TO ADOPT A LIST OF PROJECTS FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT**

**WHEREAS**, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and Signed into law by the Governor in April 2017 in order to address the significant multi-modal transportation funding shortfalls statewide; and

**WHEREAS**, SB 1 includes accountability and transparency provisions that will ensure the residents of our City are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year; and

**WHEREAS**, the City must adopt a list of all projects proposed to receive funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1 by resolution, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and

**WHEREAS**, the City, will receive an estimated \$195,000 in RMRA funding in Fiscal Year 2019-20 from SB 1; and

**WHEREAS**, the City has undergone a robust public process to ensure public input into our City's Capital Improvement Plan and transportation priorities; and

**WHEREAS**, the City evaluated the health and safety of infrastructure related items to develop the SB 1 project list to ensure revenues are being used on the most high-priority and cost-effective projects that also meet the community's priorities for transportation investment; and

**WHEREAS**, the funding from SB 1 will help the City maintain and rehabilitate Railroad Canyon Road and infrastructure throughout the City this year and in future years; and

**WHEREAS**, the 2016 California Statewide Local Streets and Roads Needs Assessment found that the City's streets and roads are in a good condition and this revenue will help us increase the overall quality of our road system and over the next decade will bring our streets and roads into an excellent condition; and

**WHEREAS**, the average motorist pays more than \$700 a year in added repair costs for their vehicle, just because of the poor condition of our roads however, a recent study by the American Road and Transportation Builders Association (ARTBA) found transportation improvements from SB 1 will bring annual savings of nearly \$300 per household; and

**WHEREAS**, without revenue from SB 1, the City, would have otherwise been deferring projects throughout the community; and

**WHEREAS**, if the Legislature and Governor failed to act, city streets and county roads would have continued to deteriorate, having many and varied negative impacts on our community; and

**WHEREAS**, cities and counties own and operate more than 81 percent of streets and roads in California, and from the moment we open our front door to drive to work, bike to school, or walk to the bus station, people are dependent upon a safe, reliable local transportation network; and

**WHEREAS**, modernizing the local street and road system provides well-paying construction jobs and boosts local economies; and

**WHEREAS**, the local street and road system is also critical for farm to market needs, interconnectivity, multimodal needs, and commerce; and

**WHEREAS**, police, fire, and emergency medical services all need safe reliable roads to react quickly to emergency calls and a few minutes of delay can be a matter of life and death; and

**WHEREAS**, maintaining and preserving the local street and road system in good condition will reduce drive times and traffic congestion, improve bicycle safety, and make the pedestrian experience safer and more appealing, which leads to reduce vehicle emissions helping the State achieve its air quality and greenhouse gas emissions reductions goals; and

**WHEREAS**, restoring roads before they fail also reduces construction time which results in less air pollution from heavy equipment and less water pollution from site run-off; and

**WHEREAS**, the SB 1 project list and overall investment in our local streets and roads infrastructure with a focus on basic maintenance and safety, investing in complete streets infrastructure, and using cutting-edge technology, materials and practices, will have significant positive co-benefits statewide.


**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CANYON LAKE RESOLVES AND ORDERS AS FOLLOWS:**

1. The foregoing recitals are true and correct.
2. The City of Canyon Lake is adopting the following list of projects planned to be funded in fiscal year 2019-20 with Road Maintenance and Rehabilitation Account revenues:


W  
W  
W  
W

Project Name	Project Description	Project Location	Estimated Completion Date		Estimated Useful Life (# of Yr)	
			Pre-Construction (mm/yyyy)	Construction (mm/yyyy)	Min	Max
Sound Wall Repairs	Repair various areas of the Railroad Canyon Rd. sound wall	Railroad Canyon Road – westbound from Sorrel Lane to Towne Center Drive South	11/2019	12/2019	10	15
Phase II & III Wrought Iron Fence Replacement	Remove and replace existing wrought iron safety fencing	Railroad Canyon Road – between Canyon Lake Drive South and Sky Link Drive – south and north side	08/2019	12/2019	10	15

PASSED, APPROVED, AND ADOPTED this 5<sup>th</sup> day of June 2019.

  
 Jordan Ehrenkranz, Mayor Pro Tem

Attest:

  
 Ana V. Sauseda, Deputy City Clerk

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


I, Ana V. Sauseda, 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. 2019-16 adopted by the City Council of the City of Canyon Lake, California, at a Regular Meeting thereof, held on June 5, 2019, by the following vote:

AYES: Councilmember Bonner, Councilmember Castillo, Councilmember Smith, Mayor Pro Tem Ehrenkranz

NOES:

ABSTAIN:

ABSENT: Mayor Greene



---

Ana V. Sauseda, Deputy City Clerk

## **ATTACHMENT 4**



**CITY OF CANYON LAKE**  
**PUBLIC WORKS AGREEMENT NO. 2019-01**

---

**RAILROAD CANYON ROAD WROUGHT IRON FENCE REPAIR – PHASE II**

This Contract and Agreement, is made and effective this \_\_\_\_ day of \_\_\_\_\_ 2019, by and between the City of Canyon Lake, a California general law City ("CITY"), located at 31516 Railroad Canyon Road, Canyon Lake, CA 92587, and AB FENCE COMPANY, INC. ("CONTRACTOR").

**WITNESSETH:**

**WHEREAS**, CITY desires to hire a company to provide column repair services pursuant to CITY specifications and duly developed, prepared and implemented a bid for such work; and

**WHEREAS**, CONTRACTOR submitted the lowest responsive and responsible bid for such services indicating that it has the requisite personnel and experience, and is capable of providing the deliverables for as the CITY as set out in the PROPOSAL FOR RAILROAD CANYON ROAD WROUGHT IRON FENCE REPAIR – PHASE II;

**NOW, THEREFORE**, it is mutually understood and agreed by CITY and CONTRACTOR as follows:

**ARTICLE 1.**  
**COMPELETE AGREEMENT**

A. The complete Agreement shall consist of the following component parts: This Agreement, and Amendments, if any; the Notice Inviting Bids; the Bid Terms and Conditions and Instructions to Bidders; the signed Bid Proposal, the Subcontractor List if a portion of the work is to be performed by a subcontractor, the non-collusion Affidavit, the accepted CONTRACTOR's bid, dated NOVEMBER 6, 2019, including all attached documents; the required bond(s) fully executed, if any; each of the component parts of the bid documents; and the addenda, if any. Agreement between CITY and CONTRACTOR and the said other documents are as fully a part of this Agreement as if hereto attached or herein repeated.

This instrument and the other documents mentioned above in this Article 1 constitute the complete and exclusive statement of the term(s) and condition(s) of the Agreement between CITY and CONTRACTOR and it supersedes all prior representations, understandings, and communications. The invalidity in whole or in part of any term or condition of this Agreement shall not affect the validity of other term(s) or condition(s).

B. In the event of any discrepancy between or among the portions of the Agreement Documents, the following shall take precedence: (a) Change Orders/ Amendments/ Modifications; (b) this Agreement; (c) the accepted CONTRACTOR's proposal; (d) Addenda, if any; and (e) the solicitation, if any.

C. CITY's failure to insist in any one or more instances upon CONTRACTOR's performance of any term(s) or condition(s) of this Agreement shall not be construed as a waiver or relinquishment of CITY's right to such performance or to future performance of such term(s) or condition(s) and CONTRACTOR's obligation in respect thereto shall continue in full force and effect. Changes to any portion of this Agreement shall not be binding upon CITY except when specifically authorized by signed written amendment to this Agreement issued in accordance with the provisions of this Agreement.

**CITY OF CANYON LAKE**  
**PUBLIC WORKS AGREEMENT NO. 2019-01**

---

**RAILROAD CANYON ROAD WROUGHT IRON FENCE REPAIR – PHASE II**

**ARTICLE 2.**  
**SCOPE OF WORK**

A. CONTRACTOR shall provide all labor, materials, equipment, and services required to perform the Statement of Work attached hereto as the RAILROAD CANYON ROAD WROUGHT IRON FENCE REPAIR – PHASE II and incorporated herein by this reference.

Furthermore, CONTRACTOR shall perform the Statement of Work in accordance with the Bid Sheet attached hereto as RAILROAD CANYON ROAD WROUGHT IRON FENCE REPAIR – PHASE II and incorporated herein by this reference

B. All services and equipment shall be provided at the times and places designated by the CITY.

**ARTICLE 3.**  
**TERM**

This contract shall commence on December 2, 2019 and end on or before January 30, 2020. City has the option of extending the contract after this date, based on the performance of the Contractor. All work shall commence immediately upon receiving a written Notice to Proceed from the CITY.

**ARTICLE 4.**  
**MAXIMUM OBLIGATION**

Notwithstanding any provisions of this Agreement to the contrary, CITY and CONTRACTOR mutually agree that CITY's maximum cumulative payment obligation hereunder (including but not limited to obligation for CONTRACTOR's costs and profit), shall be ONE HUNDRED SIXTY ONE THOUSAND FOUR HUNDRED FORTY FOUR dollars (\$161,444) for the Scope of Work which shall include all amounts payable to CONTRACTOR for its labor, subcontracts, leases, materials, equipment, the deliverables, and costs arising from CONTRACTOR's performance of this Agreement. CONTRACTOR exceeds the maximum cumulative amount at its own risk and expense

**ARTICLE 5.**  
**PAYMENT**

A. For CONTRACTOR's full and complete performance of its obligations under this Agreement, and subject to the maximum cumulative payment obligation provisions set forth in Article 4 below, CITY shall pay CONTRACTOR for work satisfactorily completed in accordance with **the terms of the contract.**

B. **Monthly Payment** CITY shall make payments based on invoices received for services satisfactorily performed

This Agreement is subject to the provisions of Article 1.7 (commencing at Section 20104.50) of Division 2 Part 3, Chapter 1 of the Public Contract Code regarding prompt payment of contractors by local governments. Article 1.7 mandates certain procedures for the payment of undisputed and properly submitted payment requests within 30 days after receipt, for the review

**CITY OF CANYON LAKE**  
**PUBLIC WORKS AGREEMENT NO. 2019-01**

---

**RAILROAD CANYON ROAD WROUGHT IRON FENCE REPAIR – PHASE II**

of payment requests, for notice to CONTRACTOR of improper payment requests, and provides for the payment of interest on progress payment requests that are not timely made in accordance with that Article. This agreement hereby incorporates the provisions of Article 1.7 as though fully set forth herein

A deduction of five percent (5%) shall be made from the estimated value of the work done and fifty percent (50%) of the value of the materials so estimated to have been furnished and delivered and unused, and from the remainder there shall be further deducted any amounts due the City from the Contractor for supplies or materials furnished or services rendered and any other amounts that may be due the City under the terms of the contract. From the balance thus determined shall be deducted the amount of all previous payments and the remainder shall constitute the progress estimate for that month.

Public Contract Code Section 22300 permits the substitution of securities for any monies withheld by a public agency to ensure performance under a contract, at the request and expense of the CONTRACTOR.

**ARTICLE 6.**  
**PREVAILING WAGES**

Wage rates for this Project shall be in accordance with the "General Wage Determination Made By the Director of Industrial Relations Pursuant To California Labor Code Part 7, Chapter 1, Article 2. Sections 1770, 1773 and 1773.1", for Riverside County. Wage rates shall conform to those posted at the CITY offices and the Project site.

The following Labor Code sections are hereby referenced and made a part of this Agreement:

- |                           |  |
|---------------------------|--|
| 1. Section 1773.8         | Travel and Subsistence Pay                               |
| 2. Section 1774           | Prevailing Wage Requirement                              |
| 3. Section 1775           | Penalty for Failure to Comply with Prevailing Wage Rates |
| 4. Section 1776           | Payroll Records  |
| 5. Section 1777.4         | Apprenticeship Requirements                              |
| 6. Section 1777.5         | Apprenticeship Requirements                              |
| 7. Sections 1810 and 1811 | Working Hour Restrictions                                |
| 8. Section 1813           | Penalty for Failure to Pay Overtime                      |
| 9. Section 1815           | Overtime Rate Requirement                                |

**ARTICLE 7.**  
**CONTRACTOR'S LICENSE**

At the time of commencing work and throughout the Project duration, CONTRACTOR shall be in possession of a valid California State Contractor's License, applicable building license and certifications as listed below:

- o City of Canyon Lake Business License



**CITY OF CANYON LAKE**  
**PUBLIC WORKS AGREEMENT NO. 2019-01**

---

**RAILROAD CANYON ROAD WROUGHT IRON FENCE REPAIR – PHASE II**

**ARTICLE 10.**  
**INDEPENDENT CONTRACTOR**

CONTRACTOR's relationship to CITY in the performance of this Agreement is that of an independent contractor. CONTRACTOR's personnel performing services under this Agreement shall at all times be under CONTRACTOR's exclusive direction and control and shall be considered exclusively to be employees of CONTRACTOR and not employees of CITY. CONTRACTOR shall pay all wages, salaries and other amounts due its employees in connection with this Agreement and shall be responsible for all reports and obligations respecting them, such as social security, income tax withholding, unemployment compensation, workers' compensation and similar matters

**ARTICLE 11.**  
**INSURANCE**

The bidder shall not commence work under this contract until it has secured all insurance and bonds required nor shall it allow any subcontractor to commence work on this contract until all similar insurance and bonds required of the subcontractor have been obtained. All insurance issued in compliance with this section shall be issued in the form, and be an insurer or insurers, satisfactory to and first approved by the CITY in writing.

Without limiting Contractor's indemnification of CITY, and prior to commencement of Work, Contractor shall obtain, provide and maintain at its own expense during the term of this Agreement, policies of insurance of the type and amounts described below, and in a form satisfactory to CITY.

**General liability insurance.** Contractor shall maintain commercial general liability insurance with coverage at least as broad as Insurance Services Office form CG 00 01, in an amount not less than \$1,000,000 per occurrence, \$2,000,000 general aggregate, for bodily injury, personal injury, and property damage, including without limitation, blanket contractual liability, and a \$2,000,000 completed operations aggregate.

**Automobile liability insurance.** Contractor shall maintain automobile insurance at least as broad as Insurance Services Office form CA 00 01 covering bodily injury and property damage for all activities of the Contractor arising out of or in connection with Work to be performed under this Agreement, including coverage for any owned, hired, non-owned or rented vehicles, in an amount not less than \$1,000,000 combined single limit for each accident.

**Umbrella or excess liability insurance.** Contractor shall obtain and maintain an umbrella or excess liability insurance policy with limits of not less than \$4,000,000 that will provide bodily injury, personal injury and property damage liability coverage at least as broad as the primary coverages set forth above, including commercial general liability and employer's liability. Such policy or policies shall include the following terms and conditions:

**CITY OF CANYON LAKE**  
**PUBLIC WORKS AGREEMENT NO. 2019-01**

---

**RAILROAD CANYON ROAD WROUGHT IRON FENCE REPAIR – PHASE II**

- A drop-down feature requiring the policy to respond in the event that any primary insurance that would otherwise have applied proves to be uncollectable in whole or in part for any reason;
- Pay on behalf of wording as opposed to reimbursement;
- Concurrency of effective dates with primary policies; and
- Policies shall "follow form" to the underlying primary policies.
- Insured under primary policies shall also be insureds under the umbrella or excess policies.

**Workers' compensation insurance.** Contractor shall maintain Workers' Compensation Insurance (Statutory Limits) and Employer's Liability Insurance (with limits of at least \$1,000,000) for Contractor's employees in accordance with the laws of the State of California, Section 3700 of the Labor Code. In addition, Contractor shall require each subcontractor to similarly maintain Workers' Compensation Insurance and Employer's Liability Insurance in accordance with the laws of the State of California, Section 3700 for all of the subcontractor's employees.

Contractor shall submit to CITY, along with the certificate of insurance, a Waiver of Subrogation endorsement in favor of CITY and their officers, officials, agents, employees and authorized volunteers.

**Other provisions or requirements:**

**Proof of insurance.** Contractor shall provide certificates of insurance to CITY as evidence of the insurance coverage required herein, along with a waiver of subrogation endorsement for workers' compensation. Insurance certificates and endorsement must be approved by CITY prior to commencement of performance. Current certification of insurance shall be kept on file with CITY at all times during the term of this contract. CITY reserves the right to require complete, certified copies of all required insurance policies, at any time.

**Duration of coverage.** Contractor shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property, which may arise from or in connection with the performance of the Work hereunder by Contractor, their agents, representatives, employees or subcontractors. Contractor must maintain general liability and umbrella or excess liability insurance for as long as there is a statutory exposure to completed operations claims. CITY and its officers, officials, employees, and agents shall continue as additional insureds under such policies.

**CITY's rights of enforcement.** In the event any policy of insurance required under this Agreement does not comply with these requirements or is canceled and not replaced, CITY has the right but not the duty to obtain the insurance it deems necessary and any premium paid by CITY will be promptly reimbursed by Contractor or CITY will withhold amounts sufficient to pay premium from Contractor payments. In the alternative, CITY may cancel this Agreement.

**CITY OF CANYON LAKE**  
**PUBLIC WORKS AGREEMENT NO. 2019-01**

---

**RAILROAD CANYON ROAD WROUGHT IRON FENCE REPAIR – PHASE II**

**Acceptable insurers.** All insurance policies shall be issued by an insurance company currently authorized by the Insurance Commissioner to transact business of insurance in the State of California, with an assigned policyholders' Rating of A- (or higher) and Financial Size Category Class VII (or larger) in accordance with the latest edition of Best's Key Rating Guide, unless otherwise approved by the CITY's risk manager.

**Waiver of subrogation.** All insurance coverage maintained or procured pursuant to this agreement shall be endorsed to waive subrogation against CITY, its elected or appointed officers, agents, officials, employees and volunteers or shall specifically allow Contractor or others providing insurance evidence in compliance with these specifications to waive their right of recovery prior to a loss. Contractor hereby waives its own right of recovery against CITY and shall require similar written express waivers and insurance clauses from each of its sub-consultants.

**Enforcement of contract provisions (non estoppel).** Contractor acknowledges and agrees that any actual or alleged failure on the part of the CITY to inform Contractor of non-compliance with any requirement imposes no additional obligations on the CITY nor does it waive any rights hereunder.

**Requirements not limiting.** Requirements of specific coverage features, or limits contained in this Section are not intended as a limitation on coverage, limits or other requirements, or a waiver of any coverage normally provided by any insurance. Specific reference to a given coverage feature is for purposes of clarification only as it pertains to a given issue and is not intended by any party or insured to be all inclusive, or to the exclusion of other coverage, or a waiver of any type.

**Notice of cancellation.** Contractor agrees to oblige its insurance agent or broker and insurers to provide to CITY with a thirty (30) day notice of cancellation (except for nonpayment for which a ten (10) day notice is required) or nonrenewal of coverage for each required coverage.

**Additional insured status.** General liability policies shall provide or be endorsed to provide that CITY and their officers, officials, employees, agents and authorized volunteers shall be additional insureds under such policies. This provision shall also apply to any excess liability policies.

**CITY's right to revise requirements.** The CITY reserves the right at any time during the term of the contract to change the amounts and types of insurance required by giving the Contractor a ninety (90)-day advance written notice of such change. If such change results in substantial additional cost to the Contractor, the CITY and Contractor may renegotiate Contractor's compensation.

**Self-insured retentions.** Any self-insured retentions must be declared to and approved by CITY. CITY reserves the right to require that self-insured retentions be eliminated, lowered, or replaced by a deductible. Self-insurance will not be considered to comply with these specifications unless approved by CITY.

**CITY OF CANYON LAKE**  
**PUBLIC WORKS AGREEMENT NO. 2019-01**

---

**RAILROAD CANYON ROAD WROUGHT IRON FENCE REPAIR – PHASE II**

**Timely notice of claims.** Contractor shall give CITY prompt and timely notice of claims made or suits instituted that arise out of or result from Contractor's performance under this Agreement, and that involve or may involve coverage under any of the required liability policies.

**Additional insurance.** Contractor shall also procure and maintain, at its own cost and expense, any additional kinds of insurance, which in its own judgment may be necessary for its proper protection and prosecution of the Work.

Contractor agrees to provide immediate notice to CITY of any claim or loss against contractor that includes CITY as a defendant. CITY assumes no obligation or liability by such notice but has the right (but not the duty) to monitor the handling of any such claim or claims if they are likely to involve CITY. In the event of any loss that is not insured due to the failure of to comply with these requirements, Contractor agrees to be personally responsible for any and all losses, claims, suits, damages, defense obligations and liability of any kind attributed to the CITY, or the CITY's employees as a result of such failure.

Contractor agrees not to attempt to avoid its defense and indemnity obligations to CITY and its employees, agents, officials and servants by using as a defense contractor's statutory immunity under workers' compensation and similar statutes.

Contractor agrees to have its coverage endorsed so that all coverage limits required pursuant to this requirement are available separately for each and every location at which contractor conducts operations of any type on behalf of CITY. Contractor warrants that these limits will not be reduced or exhausted except for losses attributable to those specific locations and not by losses attributable to any other operations of contractor.

Contractor agrees to ensure that coverage provided to meet these requirements is applicable separately to each insured and that there will be no cross-liability exclusions that preclude coverage for suits between contractor and CITY or between CITY and any party associated with CITY or its employees.

For purposes of insurance coverage only, this Agreement will be deemed to have been executed immediately upon any party hereto taking any steps that can be deemed to be in furtherance of or towards, performance of this Agreement.

Contractor agrees that upon request, all agreements with subcontractors or others with whom contractor contracts with on behalf of CITY will be submitted to CITY for review. Contractor acknowledges that such contracts or Agreements may require modification if the insurance requirements do not reflect the requirements herein. Failure of CITY to request copies of such agreement will not impose any liability on CITY, or its employees.

If contractor is a Limited Liability Company, general liability coverage must be amended so that the Limited Liability Company and its Managers, Affiliates, employees, agents and other persons necessary or incidental to its operation are insured

**CITY OF CANYON LAKE**  
**PUBLIC WORKS AGREEMENT NO. 2019-01**

---

**RAILROAD CANYON ROAD WROUGHT IRON FENCE REPAIR – PHASE II**

**ARTICLE 12.**  
**CHANGES**

By written notice or order, CITY may, from time to time, order work suspension or make changes in the general scope of this Agreement, including, but not limited to, the services furnished to CITY by CONTRACTOR as described in the Scope of Work. If any such work suspension or change causes an increase or decrease in the price of this Agreement or in the time required for its performance, CONTRACTOR shall promptly notify CITY thereof and assert its claim for adjustment within ten (10) days after the change or work suspension is ordered, and an equitable adjustment shall be negotiated. However, nothing in this clause shall excuse CONTRACTOR from proceeding immediately with the agreement as changed.

**ARTICLE 13.**

**CONTRACTOR CLAIMS OF \$375,000 OR LESS**

Claims by the CONTRACTOR relating to the Project for (a) a time extension; (b) money or damages arising from work done by, or on behalf of, the CONTRACTOR on the Project for which payment is not expressly provided for or to which the CONTRACTOR is not otherwise entitled; or (c) an amount that is disputed by the CITY, with a value of Three Hundred Seventy Five Thousand Dollars and 00/100 (\$375,000.00) or less, are subject to the claims procedures set forth in California Public Contract Code Sections 20104, et seq., except as otherwise provided in this Contract and California Public Contract Code Sections 20104 through 20104.6, incorporated by reference. Notwithstanding, statutory Govt. Code Claims procedures apply to any dispute that remains unresolved or to amounts in excess of this limit.

Effective January 1, 2017, the provisions of Public Contract Code Section 9204 govern claims by the CONTRACTOR to the CITY. The provisions of Section 9204 are attached as **Exhibit A** and included by reference.

**ARTICLE 14.**  
**TERMINATION**

A. **Termination Prior to Expiration of Term** CITY reserves the right to terminate this Agreement at any time, with or without cause, upon ninety (90) days' written notice to CONTRACTOR. Upon receipt of any notice of termination, pursuant to this Section, CONTRACTOR shall immediately cease all services hereunder except such as may be specifically approved by the Contract Officer. CONTRACTOR shall be entitled to compensation for all services rendered prior to receipt of the notice of termination and for any services authorized by the Contract Officer thereafter in accordance with the Schedule of Compensation or such as may be approved by the Contract Officer.

B. **Termination for Default of CONTRACTOR** If termination is due to the failure of CONTRACTOR to fulfill its obligations under this Agreement, CITY may take over work and prosecute the same to completion by contract or otherwise, and CONTRACTOR shall be liable to the extent that the total cost for completion of the services required hereunder exceeds the compensation stipulated for the purpose of setoff or partial payment of the amounts owed to the CITY.

**CITY OF CANYON LAKE**  
**PUBLIC WORKS AGREEMENT NO. 2019-01**

---

**RAILROAD CANYON ROAD WROUGHT IRON FENCE REPAIR – PHASE II**

ARTICLE 15.  
INDEMNITY, DEFENSE AND HOLD HARMLESS AGREEMENT

In addition to any other indemnification provisions of the Contract Documents, and specifically indemnifications for hazardous materials, Contractor shall indemnify, defend with legal counsel approved by CITY, and hold harmless CITY and its officers, officials, employees and volunteers from and against all liability, loss, damage, expense, cost (including without limitation reasonable legal counsel fees, expert fees and all other costs and fees of litigation) of every nature arising out of or in connection with Contractor's negligence, recklessness or willful misconduct in the performance of work hereunder or its failure to comply with any of its obligations contained in this agreement, except such loss or damage which is caused by the sole or active negligence or willful misconduct of the CITY. Should conflict of interest principles preclude a single legal counsel from representing both CITY and Contractor, or should CITY otherwise find Contractor's legal counsel unacceptable, then Contractor shall reimburse the CITY its costs of defense, including without limitation reasonable legal counsels fees, expert fees and all other costs and fees of litigation. The Contractor shall promptly pay any final judgment rendered against the CITY (and its officers, officials, employees and volunteers) with respect to claims determined by a trier of fact to have been the result of the Contractor's negligent, reckless or wrongful performance. It is expressly understood and agreed that the foregoing provisions are intended to be as broad and inclusive as is permitted by the law of the State of California and will survive termination of this Agreement.

Contractor obligations under this section apply regardless of whether or not such claim, charge, damage, demand, action, proceeding, loss, stop notice, cost, expense, judgment, civil fine or penalty, or liability was caused in part or contributed to by an Indemnitee. However, without affecting the rights of CITY under any provision of this agreement, Contractor shall not be required to indemnify and hold harmless CITY for liability attributable to the active negligence of CITY, provided such active negligence is determined by agreement between the parties or by the findings of a court of competent jurisdiction. In instances where CITY is shown to have been actively negligent and where CITY active negligence accounts for only a percentage of the liability involved, the obligation of Contractor will be for that entire portion or percentage of liability not attributable to the active negligence of CITY.

The obligations of Contractor under this or any other provision of this agreement will not be limited by the provisions of any workers' compensation act or similar act. Contractor expressly waives its statutory immunity under such statutes or laws as to CITY, its employees and officials.

Contractor agrees to obtain executed indemnity agreements with provisions identical to those set forth here in this section from each and every subcontractor, sub-tier contractor or any other person or entity involved by, for, with or on behalf of contractor in the performance or subject matter of this agreement. In the event contractor fails to obtain such indemnity obligations from others as required here, contractor agrees to be fully responsible according to the terms of this section.

Failure of CITY to monitor compliance with these requirements imposes no additional obligations on CITY and will in no way act as a waiver of any rights hereunder. This obligation to indemnify and defend CITY as set forth herein is binding on the successors, assigns, or heirs of Contractor and shall survive the termination of this agreement or this section.

**CITY OF CANYON LAKE  
PUBLIC WORKS AGREEMENT NO. 2019-01**

---

**RAILROAD CANYON ROAD WROUGHT IRON FENCE REPAIR – PHASE II**

**ARTICLE 16.  
ASSIGNMENT AND SUBCONTRACTING**

Neither this Agreement nor any interest herein nor claim hereunder may be assigned by CONTRACTOR either voluntarily or by operation of law, nor may all or any part of this Agreement be subcontracted by CONTRACTOR, without the prior written consent of CITY. Consent by CITY shall not be deemed to relieve CONTRACTOR of its obligations to comply fully with all terms and conditions of this Agreement.

**ARTICLE 17.  
RECORD AUDIT**

Under California Government Code, Section 8546.7, if the amount of public funds expended under this Agreement exceeds ten thousand dollars (\$10,000), any records or documents of both the CITY and the CONTRACTOR shall be subject to examination, audit, and/or copying at any time during regular business hours by the Auditor General for a period of three (3) years after final payment, upon oral or written request of the CITY.

**ARTICLE 18.  
CONTRACTOR'S FAILURE TO PROCURE COMPLETION OF PROJECT**

In the event CONTRACTOR fails to furnish tools, equipment, or labor in the necessary quantity or quality, or fails to prosecute the work or any part thereof contemplated by this Agreement in a diligent and workmanlike manner, and if the CONTRACTOR for a period of three (3) calendar days after receipt of written demand from CITY or its designated representative to do so, fails to furnish tools, equipment, or labor in the necessary quantity or quality, and to prosecute its work and all parts thereof in a diligent and workmanlike manner, or after commencing to do so within said three (3) calendar days, fails to continue to do so; then the CITY may exclude the CONTRACTOR from the premises or any portion thereof, and take possession of said premises or any portion thereof, together with all material and equipment thereon, and may complete the work contemplated by this Agreement or any portion of said work, either by furnishing the tools, equipment, labor or material necessary, or by letting the unfinished portion of said work, or the portion taken over by the CITY to another contractor or by a combination of such methods. In any event, the procuring of the completion of said work, or the portion thereof taken over by the CITY, shall be a charge against the CONTRACTOR, and may be deducted from any money due or becoming due to CONTRACTOR from the CITY, or the CONTRACTOR shall pay the CITY the amount of said charge, or the portion thereof unsatisfied. The sureties provided for under this Agreement shall become liable for payment should CONTRACTOR fail to pay in full any said cost incurred by the CITY.

**ARTICLE 19.  
SUBSURFACE HAZARDOUS MATERIALS**

A. In the event trenches or other excavations extend deeper than four (4) feet below the surface the CONTRACTOR shall promptly and before the following conditions are disturbed, notify the CITY in writing of any

**CITY OF CANYON LAKE**  
**PUBLIC WORKS AGREEMENT NO. 2019-01**

---

**RAILROAD CANYON ROAD WROUGHT IRON FENCE REPAIR – PHASE II**

1. Material that the CONTRACTOR believes may be material that is hazardous waste, as defined in Section 25117 of the Health and Safety Code that is required to be removed to a Class I, Class II or Class III disposal site in accordance with the provisions of existing law.
2. Subsurface or latent physical conditions at the site differing from those indicated.
3. Unknown physical conditions at the site of any unusual nature, different materially from those ordinarily encountered and generally recognized as inherent in the Work or the character provided for in the CONTRACT.

B. Upon receipt of said notification the CITY will investigate the conditions, and if it finds that the conditions do materially so differ, or do involve hazardous waste, and cause a decrease or increase in the CONTRACTOR's cost of or the time required for performance of any part of the work, the CITY will issue a change order under the procedures described in the General Conditions.

C. In the event that a dispute arises between the CITY and the CONTRACTOR whether the conditions materially differ or involve hazardous waste or cause a decrease or increase in the CONTRACTOR's cost of or time required for performance of any part of the work, the CONTRACTOR shall not be excused from any scheduled completion date provided for by the Agreement but shall proceed with all work to be performed under the Agreement. The CONTRACTOR shall retain any and all rights provided either by Agreement or by law that pertain to the resolution of disputes and protests between the contracting parties.

**ARTICLE 20.**

**PROVISIONS REQUIRED BY LAW**

Each and every provision of law and clause required by law to be inserted in this Agreement shall be deemed to be inserted herein and the Agreement shall be read and enforced as though it were included herein, and if through mistake or otherwise any such provision is not inserted, or is not currently inserted, then upon application of either party the Agreement shall forthwith be physically amended to make such insertion or correction. No waiver of any term or condition of this Agreement shall be a continuing waiver thereof.

**ARTICLE 21.**

**LEGAL PROVISIONS**

- A. **Governing Law.** The laws of the State of California shall govern this agreement.
- B. **Compliance with applicable laws.** CONTRACTOR and any subcontractor shall comply with all applicable local, state, and federal laws and regulations applicable to the performance of the work hereunder.
- C. **Attorneys' Fees.** If either party to this Agreement brings any action, including an action for declaratory relief to enforce or interpret the provision of this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees in addition to any other relief to which that party may be entitled. The court may set such fees in the same action or in a separate action brought for that purpose.

**CITY OF CANYON LAKE  
PUBLIC WORKS AGREEMENT NO. 2019-01**

---

**RAILROAD CANYON ROAD WROUGHT IRON FENCE REPAIR – PHASE II**

D. **Venue.** In the event that either party brings any action against the other under this Agreement the parties agree that trial of such action shall be vested exclusively in Riverside County

E. **Severability.** If a court of competent jurisdiction finds or rules that any provision of this Agreement is invalid, void, or unenforceable, the provisions of this Agreement not so adjudged shall remain in full force and effect. The invalidity in whole or in part of any provision of this Agreement shall not void or affect the validity of any other provision of this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed on the respective dates set forth opposite their signatures.

CITY OF CANYON LAKE

CONTRACTOR

Date: \_\_\_\_\_

Date: \_\_\_\_\_

By: **CHRIS MANN, City Manager**

By: **AB FENCE COMPANY, INC., Contractor**

**CITY OF CANYON LAKE**  
**PUBLIC WORKS AGREEMENT NO. 2019-01**

---

**RAILROAD CANYON ROAD WROUGHT IRON FENCE REPAIR – PHASE II**

EXHIBIT A

Public Contract Code Section 9204:

- (a) The Legislature finds and declares that it is in the best interests of the state and its citizens to ensure that all construction business performed on a public works project in the state that is complete and not in dispute is paid in full and in a timely manner.
- (b) Notwithstanding any other law, including, but not limited to, Article 7.1 (commencing with Section 10240) of Chapter 1 of Part 2, Chapter 10 (commencing with Section 19100) of Part 2, and Article 1.5 (commencing with Section 20104) of Chapter 1 of Part 3, this section shall apply to any claim by a contractor in connection with a public works project.
- (c) For purposes of this section:
  - (1) "Claim" means a separate demand by a contractor sent by registered mail or certified mail with return receipt requested, for one or more of the following:
    - (A) A time extension, including, without limitation, for relief from damages or penalties for delay assessed by a public entity under a contract for a public works project.
    - (B) Payment by the public entity of money or damages arising from work done by or on behalf of, the contractor pursuant to the contract for a public works project and payment for which is not otherwise expressly provided or to which the claimant is not otherwise entitled,
    - (C) Payment of an amount that is disputed by the public entity.
  - (2) "Contractor" means any type of contractor within the meaning of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code who has entered into a direct contract with a public entity for a public works project.
  - (3) (A) "Public entity" means, without limitation, except as provided in subparagraph (B) a state agency, department, office, division, bureau, board, or commission, the California State University, the University of California, a city, including a charter city, county, including a charter county, city and county, including a charter city and county, CITY, special CITY, public authority, political subdivision, public corporation, or nonprofit transit corporation wholly owned by a public agency and formed to carry out the purposes of the public agency.
  - (B) "Public entity" shall not include the following:
    - (i) The Department of Water Resources as to any project under the jurisdiction of that department.
    - (ii) The Department of Transportation as to any project under the jurisdiction of that department.
    - (iii) The Department of Parks and Recreation as to any project under the jurisdiction of that department.

**CITY OF CANYON LAKE**  
**PUBLIC WORKS AGREEMENT NO. 2019-01**

---

**RAILROAD CANYON ROAD WROUGHT IRON FENCE REPAIR – PHASE II**

- (iv) The Department of Corrections and Rehabilitation with respect to any project under its jurisdiction pursuant to Chapter 11 (commencing with Section 7000) of Title 7 of Part 3 of the Penal Code
- (v) The Military Department as to any project under the jurisdiction of that department.
- (vi) The Department of General Services as to all other projects.
- (vii) The High-Speed Rail Authority.
- (4) "Public works project" means the erection, construction, alteration, repair, or improvement of any public structure, building, road, or other public improvement of any kind.
- (5) "Subcontractor" means any type of contractor within the meaning of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code who either is in direct contract with a contractor or is a lower tier subcontractor
- (d) (1) (A) Upon receipt of a claim pursuant to this section, the public entity to which the claim applies shall conduct a reasonable review of the claim and, within a period not to exceed 45 days shall provide the claimant a written statement identifying what portion of the claim is disputed and what portion is undisputed. Upon receipt of a claim, a public entity and a contractor may, by mutual agreement, extend the time period provided in this subdivision.
- (B) The claimant shall furnish reasonable documentation to support the claim.
- (C) If the public entity needs approval from its governing body to provide the claimant a written statement identifying the disputed portion and the undisputed portion of the claim, and the governing body does not meet within the 45 days or within the mutually agreed to extension of time following receipt of a claim sent by registered mail or certified mail, return receipt requested, the public entity shall have up to three days following the next duly publicly noticed meeting of the governing body after the 45-day period or extension, expires to provide the claimant a written statement identifying the disputed portion and the undisputed portion
- (D) Any payment due on an undisputed portion of the claim shall be processed and made within 60 days after the public entity issues its written statement. If the public entity fails to issue a written statement, paragraph (3) shall apply.
- (2) (A) If the claimant disputes the public entity's written response, or if the public entity fails to respond to a claim issued pursuant to this section within the time prescribed, the claimant may demand in writing an informal conference to meet and confer for settlement of the issues in dispute. Upon receipt of a demand in writing sent by registered mail or certified mail, return receipt requested, the public entity shall schedule a meet and confer conference within 30 days for settlement of the dispute
- (B) Within 10 business days following the conclusion of the meet and confer conference, if the claim or any portion of the claim remains in dispute, the public entity shall provide the claimant a written statement identifying the portion of the claim that remains in dispute and the portion that is undisputed. Any payment due on an undisputed portion of the claim

**CITY OF CANYON LAKE**  
**PUBLIC WORKS AGREEMENT NO. 2019-01**

---

**RAILROAD CANYON ROAD WROUGHT IRON FENCE REPAIR – PHASE II**

shall be processed and made within 60 days after the public entity issues its written statement. Any disputed portion of the claim, as identified by the contractor in writing, shall be submitted to nonbinding mediation, with the public entity and the claimant sharing the associated costs equally. The public entity and claimant shall mutually agree to a mediator within 10 business days after the disputed portion of the claim has been identified in writing. If the parties cannot agree upon a mediator, each party shall select a mediator and those mediators shall select a qualified neutral third party to mediate with regard to the disputed portion of the claim. Each party shall bear the fees and costs charged by its respective mediator in connection with the selection of the neutral mediator. If mediation is unsuccessful, the parts of the claim remaining in dispute shall be subject to applicable procedures outside this section.

- (C) For purposes of this section, mediation includes any nonbinding process, including, but not limited to, neutral evaluation or a dispute review board, in which an independent third party or board assists the parties in dispute resolution through negotiation or by issuance of an evaluation. Any mediation utilized shall conform to the timeframes in this section.
  - (D) Unless otherwise agreed to by the public entity and the contractor in writing, the mediation conducted pursuant to this section shall excuse any further obligation under Section 20104.4 to mediate after litigation has been commenced.
  - (E) This section does not preclude a public entity from requiring arbitration of disputes under private arbitration or the Public Works Contract Arbitration Program, if mediation under this section does not resolve the parties' dispute.
- (3) Failure by the public entity to respond to a claim from a contractor within the time periods described in this subdivision or to otherwise meet the time requirements of this section shall result in the claim being deemed rejected in its entirety. A claim that is denied by reason of the public entity's failure to have responded to a claim, or its failure to otherwise meet the time requirements of this section, shall not constitute an adverse finding with regard to the merits of the claim or the responsibility or qualifications of the claimant.
- (4) Amounts not paid in a timely manner as required by this section shall bear interest at 7 percent per annum.
- (5) If a subcontractor or a lower tier subcontractor lacks legal standing to assert a claim against a public entity because privity of contract does not exist, the contractor may present to the public entity a claim on behalf of a subcontractor or lower tier subcontractor. A subcontractor may request in writing, either on his or her own behalf or on behalf of a lower tier subcontractor, that the contractor present a claim for work which was performed by the subcontractor or by a lower tier subcontractor on behalf of the subcontractor. The subcontractor requesting that the claim be presented to the public entity shall furnish reasonable documentation to support the claim. Within 45 days of receipt of this written request, the contractor shall notify the subcontractor in writing as to whether the contractor presented the claim to the public entity and, if the original contractor did not present the claim, provide the subcontractor with a statement of the reasons for not having done so.

**CITY OF CANYON LAKE**  
**PUBLIC WORKS AGREEMENT NO. 2019-01**

---

**RAILROAD CANYON ROAD WROUGHT IRON FENCE REPAIR – PHASE II**

- (e) The text of this section or a summary of it shall be set forth in the plans or specifications for any public works project that may give rise to a claim under this section
- (f) A waiver of the rights granted by this section is void and contrary to public policy, provided however, that (1) upon receipt of a claim, the parties may mutually agree to waive, in writing, mediation and proceed directly to the commencement of a civil action or binding arbitration, as applicable; and (2) a public entity may prescribe reasonable change order claim, and dispute resolution procedures and requirements in addition to the provisions of this section, so long as the contractual provisions do not conflict with or otherwise impair the timeframes and procedures set forth in this section
- (g) This section applies to contracts entered into on or after January 1, 2017
- (h) Nothing in this section shall impose liability upon a public entity that makes loans or grants available through a competitive application process, for the failure of an awardee to meet its contractual obligations.
- (i) This section shall remain in effect only until January 1, 2020, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2020, deletes or extends that date



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

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Chris Mann, City Manager *CM*

**BY:** Mike A. Borja, Administrative Services Manager

**DATE:** November 6, 2019

**SUBJECT:** Award of Service Agreement with Syntech Group for Information Technology Support Services

---

**Recommendation**

It is recommended that the City Council authorizes the City Manager to enter into a service agreement and award Syntech Group for the City's Information Technology Support Services.

**Background**

The day to day operations of the City are very dependent upon technology. In order to minimize staff downtime, and in order to make City processes more efficient and reliable, it is vital that technology be up to date to today's standards and maintained in an efficient working manner. The City's current service contract with Synoptek has expired and is under a month to month service at this time. With the lack of a formal contract in place, and in conjunction with unsatisfactory customer support from the current service provider, prompted the issuance of a Request for Proposals (RFP) for new IT Support Services.

On September 30, 2019, the City issued the RFP for Information Technology Support Services. The RFP was distributed via email to local tech firms that had online contact information, posted on the City's BIDS & RFPS webpage, and was advertised in two local publications, the Friday Flyer and the Press Enterprise, with a deadline for responses of October 21, 2019 at 3:00 p.m.

A total of seven RFP's were received by the City. Of the seven, three IT firms met the preferred pricing, which included offering reasonable monthly rates, hourly rates for projects outside their normal scope of work, mark-up cost on hardware purchases, and described the level of customer support service that the City was looking for.

After reviewing the proposals and conducting an interview with each of the selected firms, it's the recommendation of staff that the City move forward with contracting with Syntech Group for the City's IT Support Services. In addition to providing unlimited onsite visits per month, Syntech Group provides the lowest monthly cost and the lowest mark-up cost on purchases of hardware.

These savings are crucial when the City eventually transitions its physical servers to a cloud-based or virtual server.

The following is a comparison of the three selected proposals:

	<b>Syntech Group</b>	<b>Apex Technology</b>	<b>JR-Tech</b>
<b>Unlimited Help Desk Support</b> (Remote and On-site)	Yes	Yes	Yes
<b>Off-site System Monitoring</b>	Yes	Yes	Yes
<b>System Maintenance</b>	Yes	Yes	Yes
<b>System Updates</b>	Yes	Yes	Yes
<b>Vendor Management</b>	Yes	Yes	Yes
<b>Strategic Planning</b> (long-term)	Yes	Yes	Yes
<b>Hourly Rate</b> (Business Hours Outside Scope of Services)	\$150 per hr.	\$110-\$155 per hr.	\$150 per hr.
<b>Hourly Rate</b> (Emergency After- Hour Response)	\$225 per hr.	Included	\$300 per hr.
<b>Mark-up on Purchases</b>	2-5%	10%	30%
<b>Initial Start-up Fees</b>	\$1,850	\$2,375	\$2,625 - \$7875
<b>On-going Monthly Fees</b>	\$1,260.18	\$2,198	\$2,218
<b>Total Cost for First Year</b> (Includes the one-time initial start-up fee)	\$16,972.16	\$28,751	\$29,241 - \$34,491

### **Budget (or Fiscal) Impact**

The total cost for the first year includes the initial start-up fee, as indicated in the comparison chart. The year after, the total annual cost reduces by \$1,850, to a total annual cost of \$15,122 per year. That is an annual savings of approximately \$16,078 under the current contract with Synoptek.

### **Attachments**

1. Request for Proposals 2019-01
2. Proposal from Syntech Group

# **ATTACHMENT 1**



**REQUEST FOR PROPOSAL  
FOR  
INFORMATION TECHNOLOGY  
SUPPORT SERVICES  
RFP NO. 2019-01**



**PREPARED BY:  
Administrative Services Manager  
City of Canyon Lake**

**BID OPENING  
3:00 P.M., October 21, 2019**

**Release Date: September 30, 2019  
Response Due By: October 21, 2019**

# **Request for Proposal Information Technology Support Services**

**The City of Canyon Lake wishes to contract for professional Information Technology Support Services.**

Proposals due: **October 21, 2019 @ 3:00 p.m.**

Proposals should be mailed to:

**City of Canyon Lake  
Attn: City Clerk's Office  
31516 Railroad Canyon Road  
Canyon Lake, CA 92587**

## **I. INTRODUCTION**

The City of Canyon Lake, incorporated on December 1, 1990, is primarily a gated community of approximately 11,000 residents in Southwest Riverside County, bordered by Meniffee to the east and Lake Elsinore to the west. More than 95% of the residents are members of a Property Owners Association (POA) that include a lake, golf course, campground, equestrian center, multiple level playing sports fields, lodge, country club, parks and beaches.

Organizational interests/responsibilities of the lake are different. The Lake Elsinore Valley Municipal Water District owns the water. The Canyon Lake POA leases the water surface. The City has a strong interest in water quality utilizing governmental agencies that complement the best water management principles.

The City is a contract city for public safety (police and fire), engineering, planning and building services. Public safety has long been a premier goal and objective, and the City is proud to be one of the safest cities in Southern California. Fire services are currently being reassessed due to financial constraints.

The City Council consists of five members elected at-large to four-year terms. Annually the City Council selects one of its members to serve as Mayor and another as Mayor Pro Tem.

## **II. PROJECT OVERVIEW AND OBJECTIVES**

The City of Canyon Lake requests time and material proposals from individuals or firms with qualified and related experience in Information Technology Services.

To contract with the City of Canyon Lake, applicants must be an established legal entity, which includes possessing a Federal Tax Identification Number, as required by the IRS regulations and all necessary state requirements.

The successful contractor will be on call to provide technical assistance and system administration to the City and provide general professional services on an as-needed basis primarily during normal business hours: Monday – Thursday from 7:30 a.m. to 5:30 p.m. Vendor must guarantee a 1-hour response time or less for emergency situations at all hours. The chosen vendor will work closely with the Administrative Services Manager.

The successful contractor would also be required to obtain a City business license at the initial cost of \$161 for the first calendar year, with a \$130 renewal fee each calendar year after.

### III. EXISTING INFORMATION TECHNOLOGY INFRASTRUCTURE

#### Hardware

- (1) Laptop
- (16) Computers
- (3) Desktop Printers
- (2) Network Printers
- (2) Servers
- (1) RingCentral Polycom VVX450 Phone System

#### Systems

The City currently uses Microsoft SQL and uses Hosted Exchange Services for email services. Desktops are currently using Windows 7 Professional (2 computers) and Windows 10 Professional (14 computers) with Microsoft Office 365 Business. All desktops are networked in City Hall.

### IV. SCOPE OF SERVICES TO BE PROVIDED *(All services to be provided upon request of the City)*

1. **Initial Assessment:** With the assistance of City Staff, compile an inventory of all information technology related assets, assess system assets and make recommendations for improved city-wide IT system performance.
2. **Desktop Application Support:** Perform basic support functions including installation of PC's, laptops, printers, and software; diagnosing and correcting desktop application problems, configuring laptops and desktops for standard applications, identifying and correcting hardware problems, and performing advanced trouble shooting. Assist designated City personnel with hardware and software purchases as necessary.
3. **Server Administration Services:** Manage computer network and associated hardware, software, communications, and operating system necessary for the quality, security, performance, availability, recoverability, and reliability of the system. Ensure scheduled preventative maintenance for equipment is promptly performed. Develop back-up plans and procedural documentation. Support of specialized software programs of the City as it relates to the server(s) and related hardware. Management of user logins and security. Coordinate repair and maintenance work with contracted repair vendors and ensure repairs are conducted in a timely fashion.
4. **Network Administration Services:** Scope of activity includes all City network equipment including switches, firewalls, routers, and other security devices. The scope may also include

primary installation and maintenance of printers, network copiers/scanners, etc. as deemed necessary. Monitor network performance and capacity management services.

5. **Security:** Maintenance of virus/malware detection and spam reduction programs on City servers, email and all other City computers and laptops. Perform security audits as requested and notify City personnel immediately of suspected breaches of security.
6. **Strategic Planning:** Provide technical leadership for server technology issues. Make recommendations for future purchasing and technology needs. Install new servers, software and hardware, and transfer data when required.
7. **Cloud Server Migration & Management:** Perform the process of migrating the City's local data, applications, and other elements of the City's physical network, to a cloud computing environment, for the purpose of hosting and managing the City's applications and data in the most effective, performance, and secured IT environment possible.

## V. REQUIREMENTS FOR PROPOSER & PROPOSAL

Proposals are due **no later than October 21, 2019 at 3:00 p.m.**

Proposals submitted after the deadline will not be considered. Faxed and emailed submittals will not be accepted.

The written proposal shall include one original (unbound) and 3 paper copies. The complete bid package, including all attachments and requisite copies, should be sealed and marked "**Proposal for Information Technology Support Services**" and delivered to the City Clerk's Office at City Hall, 31516 Railroad Canyon Road, Canyon Lake, CA 92587, **no later than October 21, 2019 at 3:00 p.m.**

The following information shall be required of all RFP submittals:

### **Part 1.**

1. **Letter of Transmittal:** This letter is not intended to be a summary of the proposal itself. The letter of transmittal must contain the following statements and information:
  - Company name, address and telephone number(s) of the firm submitting the proposal.
  - Name, title, address, email address, and telephone number of the person or persons to contact who are authorized to represent the firm and to whom correspondence should be directed.
  - Federal and state taxpayer identification numbers of the firm.
  - Briefly state your understanding of the services to be performed and make a positive commitment to provide the services as specified.
  - The letter must be signed by a corporate officer or other individual who is legally authorized to bind the applicant to both its proposal and cost schedule.
  - Statement which indicates "proposal and cost schedule shall be valid and binding for one-hundred twenty (120) days following the proposal due date and will become part of the contract that is negotiated with the City".

2. **General Vendor Information/Experience:** Please provide the following information:
  - Length of time in business.
  - Length of time in business of providing the specifically proposed services.
  - Total number of clients.
  - Total number of public sector clients.
  - Number of full-time personnel in consulting, installation, training, technical support, purchasing, and administrative support.
  - Location of headquarters and any field offices.
  - Location of office which would primarily serve this account.
  - Describe how your firm is positioned to provide the services proposed and provide a history of experience on providing similar support.
  
3. **Approach to Providing Proposed Services:** Please provide the following information:
  - Describe your approach to providing the proposed services and on-going support.
  - Identify names of principals and key personnel who will actually provide the information technology services. Summarize the experience and technological expertise of these staff members. Describe the roles and responsibilities that each individual will have.
  
4. **Support Services:** Please answer the following questions:
  - Is there help desk support available?
  - When is the support available? (Indicate the days and times in Pacific Standard Time)
  - How are charges for support structured, documented, and tracked?
  - Do you provide a toll-free support number?
  - Please describe your escalation process, including: Initial problem identification, triage for priority and severity of the problem, steps for resolving problem escalation when a solution is not forthcoming, or an implemented solution is unsatisfactory, and final authority regarding conflicts.
  - Indicated your response time goal and your statistics regarding meeting that goal.
  
5. **Disclosures:** If your company has had a contract terminated for default during the past five (5) years, all such incidents must be described. Termination for default is defined as notice to stop performance due to the vendor's nonperformance or poor performance; and the issue was either litigated or not, and such litigation determined the vendor to be in default. If default occurred, list complete name, address and telephone number of the party. If no such terminations for default have been experienced by the vendor in the past five (5) years, declare that. The City will evaluate the facts and may, at its sole discretion, reject the vendor's proposal if the facts discovered indicate that completion of a contract resulting from this RFP may be jeopardized by selection of this vendor.
  
6. **Additional Services:** Describe any services offered by your company beyond the scope of this proposal that may be of interest to the City.
  
7. **Proposal Summary:** Briefly summarize your proposal and include any other pertinent information that may help the City determine your overall qualifications.
  
8. **References:** Please identify three customer references from previous or current projects similar in nature to this proposal. The City reserves the right to contact any and all of the references provided by the proposer to validate the proposal submitted.

## **Part 2.**

Please seal this portion of your proposal in a separate envelope marked as "Cost of Services". Please provide hourly rates as well as any alternate pricing suggested.

1. *Fee Schedule:* The proposal must contain a fee schedule that includes hourly rates for proposed services. Rates should be listed by title and job description.
2. *Description:* Describe how your services are priced, and any specific pricing you are able to provide.
3. *Additional Charges:* Define any additional charges (e.g. travel expenses).
4. *State Contracts:* Describe any State contracts that you have that the City of Canyon Lake may be able to utilize.
5. *Mark-up:* Identify the mark-up on cost for hardware purchased on behalf of the City.

## **VI. GENERAL INFORMATION**

### **Contract Term**

The City anticipates entering into a one-year contract with an option to extend for an additional two years at the City's election. Renewal of the contract will require City Council reauthorization. All fees should be set for a three-year term and clearly stated in the proposal. The City expects the chosen firm to start as soon as possible immediately after the execution of the contract, no later than November 12, 2019. The contract may be cancelled by the City for non-performance with a 30-day cancellation notice.

### **Termination**

The contract may be terminated by mutual agreement in writing or by delivery of a thirty (30) day written notice to the other party.

### **RFP Schedule of Events**

The RFP Schedule of Events is a proposed schedule and is subject to change. Some items listed on this proposed schedule may or may not be necessary for a variety of reasons. As well, the proposed dates and sequence may need to be modified, which the City reserves the right to do at any time. Should there be such changes, all proposers will be notified.

1. Release of RFP – September 30, 2019
2. RFP Submission Deadline - October 21, 2019 @ 3:00 p.m.
3. Selection of Finalist(s) by Staff – October 22<sup>nd</sup> – October 28<sup>th</sup>  
Consultant Interviews/Demonstrations (if necessary)  
Consultant Qualification Review/Reference Check
4. City Council Final Approval - November 6, 2019
5. Project Initiation – November 12, 2019

### Evaluation Procedures

City staff will be responsible for the RFP evaluations. Staff, in accordance with the criteria listed below will evaluate all proposals received as specified. City staff, in applying the major criteria to the proposals, may consider additional sub-criteria beyond those listed. During the evaluation period, City staff may elect to interview some or all the proposing consultants. The individual, who will be directly responsible for carrying out the contract is awarded, should be present at the oral interview. The final selection will be the consultant which, in the City's opinion, is the most responsive and responsible, meets the City's requirements in providing this service, and is in the City's best interest. The City maintains the sole and exclusive right to evaluate the merits of the proposals received.

Proposals will be evaluated based on the following criteria: Thoroughness and understanding of the tasks to be completed, background and experience, staff expertise and overall experience of personnel assigned to work, time required to accomplish the requested services, compliance with RFP requirements, recent public sector experience conducting similar services, references, and cost.

### Administrative and Contractual Obligations

The successful Consultant will be required to enter into a written agreement with the City in which the Consultant will undertake certain obligations. These obligations include but are not limited to:

1. *Inclusion of Proposal:* The proposal submitted in response to this RFP will be incorporated as part of the final contract with the selected Consultant. Any oral responses to staff's queries will also be included.
2. *Sample Agreement:* Please carefully review the City's sample agreements and insurance requirements before responding to this Request for Proposal. Your response to the Request for Proposal must indicate if you are unwilling or unable to execute the agreement as drafted as well as providing the insurance requirements. The City will consider this in determining responsiveness to the Request for Proposal.
3. *Confidentiality Agreement:* Confidentiality of information is vital. The selected vendor and their employees will be required to sign and adhere to a confidentiality clause that information in the system must remain confidential under penalty of law.
4. *Insurance Requirement:* The consultant shall demonstrate the willingness and ability to provide the required insurance coverage as set forth in Exhibit A of the sample agreement within ten (10) calendar days of notification of selection for award of an agreement.
5. *Withdrawal:* A proposal may be withdrawn, without obligation, by an authorized representative of the Consultant in writing at any time prior to the scheduled bid closing date.
6. *Rights to Materials:* All responses, inquiries, and correspondence related to this RFP and all reports, charts, displays, scheduled, exhibits, and other documentation produced by the Consultant that are submitted as part of the proposal and not withdrawn prior to the scheduled Closing Date shall, upon receipt by the City, become property of the City. In addition, this proposal may only be reproduced by the Consultant for purposes of bid preparation. It may not be copied, sold, or otherwise distributed to any individual, city, or business, unless prior written permission is obtained from City.

7. *Costs:* The City is not liable for costs incurred by Consultant, or subcontractors, in the RFP process, including but not limited to costs for printing, mail, travel and lodging, oral presentations, software demonstrations, and contract negotiations.
8. *Acceptance of Bid:* The contract entered into by the successful Consultant and the City shall be interpreted, construed, and given effect in all respects according to the laws of the State of California.
9. *Award:* Although cost is an important factor in deciding which proposal will be selected, it is only one segment of the criteria used to evaluate consultants and systems. The City reserves the absolute right, in its sole discretion, to award a contract, if any, which under all circumstances will best serve the public interest. City reserves the right to reject any or all proposals or to make no award at all, to determine whether any alternate proposals are equal to the specifications and general requirements, and to accept proposals with minor variations from the specifications and/or conditions. The final award will be subject to the approval of the Canyon Lake City Council.
10. *Disclosure of RFP Information:* After award, all written proposals are open to public inspection. City assumes no responsibility for the confidentiality of information offered in a proposal. The RFP is worded in a manner so as not to elicit proprietary information. If proprietary information is submitted as part of the proposal, such information is to be label proprietary and be accompanied by a request that the information is to be returned to the submitter by the City. Any proposal submitted with a blanket statement or limitation that would prohibit or limit such public inspection shall be considered nonresponsive and shall be rejected.

## **VII. QUESTIONS DURING PROPOSAL PERIOD**

All questions should be submitted via email to Mike A. Borja, Administrative Services Manager, at [mborja@cityofcanyonlake.com](mailto:mborja@cityofcanyonlake.com). Questions regarding this proposal must be received by October 21, 2019.

## **VIII. TIMELINE**

**Deadline for proposals is October 21, 2019 at 3:00 p.m.**

**Start Date: To be arranged, no later than November 12, 2019**

Mail proposals to:  
City of Canyon Lake  
Attn: City Clerk's Office  
31516 Railroad Canyon Road  
Canyon Lake, CA 92587



## CITY OF CANYON LAKE

---

October 16, 2019

**Addendum to RFP No. 2019-01 Information Technology Support Services  
Correction to Section II - Project Overview and Objectives**

Under Section II - Project Overview and Objectives, it states "The City of Canyon Lake requests time and material proposals from individuals or firms with qualified and related experience in Information Technology Services". The correction to that section is as follows:

"The City of Canyon Lake requests manage services proposals from a firm with qualified and related experience in Information Technology Services". In addition, the selected firm must be able to provide onsite service if ever called upon.

If you have any questions, please feel free to contact me.

Thank you,

A handwritten signature in blue ink, appearing to read "Mike A. Borja".

**Mike A. Borja**  
Administrative Services Manager



## **ATTACHMENT 2**





**We have prepared a quote for you**

**ProCare Complete - City of Canyon Lake**

QUOTE # KW-000187 V1

PREPARED FOR

**City of Canyon Lake**

PREPARED BY

**Katherine Wetherbee**

Main: 888-520-1787  
Email: kwetherbee@syntechgroup.com  
Web: www.syntechgroup.com



Monday, October 21, 2019

City of Canyon Lake  
Mike A. Borja  
31526 Railroad Canyon Road Ste 5  
Canyon Lake, CA 92587  
mborja@cityofcanyonlake.com

Dear Mike A.,

Thank you for the opportunity to respond to your RFP. Syntech Group's EIN# 270625486

Based on your RFP, we are confident we can provide top notch IT services to your organization with our service product, ProCare Complete. We take a systematic and careful approach of on-boarding our clients to ensure a seamless integration and a successful continuation of service. As part of our services we would start with a full network and security assessment. This assessment will be used to create an accurate understanding of all IT equipment and how its configured and being managed today. From this assessment we will provide documentation as to your environment, how things are setup, and recommendations to areas of your network that need to be modified.

ProCare Complete includes the following:

- *IT support for desktops, servers and networking*
- *Licensing for anti-virus, malware protection and on-site backups*
- *1 - temporary server (Used throughout the life of the contract and refreshed as needed)*

We feel that ProCare Complete is an excellent fit for your organization's needs which will give you piece of mind that your IT investment is supported, maintained and protected.

Please let me know if you have any questions.

Once again, we thank you for your consideration and look forward to working with you in the years to come.

A handwritten signature in black ink, appearing to read "KWetherbee".

Katherine Wetherbee  
Sales Mgr  
Syntech Group



## Company Summary

### About Us:

Syntech is a technology solutions organization that employs 22 individuals, 18 of which are engineers. Syntech has spent the past 12 years focused on Outsourced IT Support, Cloud Service, Backup Solutions, B2B IT product sales and professional services.

Syntech's client base are organizations that run the spectrum of business verticals. However, our growth has resulted in specializing in local government, healthcare and manufacturing verticals.

At Syntech, we're about keeping you up and running, resolving problems quickly, providing personal attention and providing you with reliable IT support when you need it.

Below is a partial list of partners we choose to partner with, based on their presence in the IT industry. This empowers us to provide unparalleled support in a broad range of technology products.

- Dell
- HP
- Lenovo
- VMWare
- Cisco
- Palo Alto
- Office365
- AWS

### Product Offerings:

Our product line encapsulates the total functionality required to create, administer and manage a stable IT infrastructure for your organization and meet your industry's specific regulation requirements

- ProCare Complete
- ProCare Complete with Off-Site BackUps
- ProCare Health IT
- StrongBox
- Strongbox with Off-Site BackUps
- AWS Hosting Service

### Our Clients:

Information technology plays a critical role for many organization's.

Our clients reflect a wide spectrum of industries (which have been included below) with one thing in common; They require stability, reliability and support services within their IT infrastructure .

- Health Care
- Manufacturing
- Logistics
- Local Government
- Transportation
- Education
- Construction

## References:

**Client: City of LaVerne Contact: Billy Elftman Phone: 909.596.8775 Email: belftman@cityoflaverne.org**

Service: Backup Solution- currently an ongoing service provided by Syntech

Project: 2016 SAN and Virtualization Solution - Implemented an Hp Nimble SAN solution and migrated to VMware

Project: Ongoing - Wireless Mesh Project

**Client: Lynam Contact: Frany Montalvo Phone: 951.313.9160 Email: frany@lynamin.com**

Service: ProCare Complete (Managed Services)

Project: Office & Quickbooks implementation - ongoing support

Project: Server and firewall refresh

**Client: Pinnacle Contact: Mary Alice Speak Phone: 909.357.1595 Email: mspeak@epiclp.com**

Service: ProCare Complete (Managed Services)

Project: Scheduled refresh of client systems

Projects- Work with 3rd party vendor in assistance with integration of their EMR software and network security

**Client: Sierra Pads Contact: David Morad Phone: 818.497.2194 Email: David@sierrapads.com**

Service: ProCare Complete (Managed Services)

Project: Infrastructure restructuring

Project: Work with 3rd party vendor to implement new ERP system that coordinate with clients website

Main: 888-520-1787  
Email: kwetherbee@syntechgroup.com  
Web: www.syntechgroup.com



### **Long Term Assurance:**

Syntech is continually looking for ways to providing reliable, cost effective, quality products that will continue to serve the needs of your company well into the future. We are committed to providing your company with the road map that will incorporate these new technologies and long-term partnerships.

### **Insurance:**

Syntech is insured with Farmers Insurance. General Liability insurance coverage is 2 million for each occurrence and 4 million for general aggregate.

Guard Insurance provides us Professional liability insurance and the coverage is 1 million for each occurrence.

Proof of insurance is available upon request



This is a summary of how many users and devices are covered under this agreement.


Pricing Agreement		Recurring	Qty	Ext. Recurring
B-SPT	<b>Base Support</b>	\$650.00	1	\$650.00
SRVR	<b>Servers</b>	\$185.00	2	\$370.00
WKST	<b>Workstations</b>	\$15.00	16	\$240.00
OS-Storage	<b>Off- Site Storage (per gig)</b>	\$0.18	1	\$0.18
			Recurring Subtotal	<b>\$1,260.18</b>

Main: 888-520-1787  
 Email: kwetherbee@syntechgroup.com  
 Web: www.syntechgroup.com



Billed Separately		Price	Qty	Ext. Price
OTOF	<b>One Time On-Boarding Fee</b>	\$1,850.00	1	\$1,850.00
			Subtotal	<b>\$1,850.00</b>

Included Services	Recurring	Price	Qty	Ext. Recurring	Ext. Price
OSVPM <b>Onsite visits per month (unlimited)</b>	\$0.00	\$0.00	1	\$0.00	\$0.00
BS <b>Base Support</b>	\$0.00	\$0.00	1	\$0.00	\$0.00
RNSPCM <b>Remote Network/Server and PC Management</b>	\$0.00	\$0.00	1	\$0.00	\$0.00
NM <b>Network Monitoring 24x7x365</b>	\$0.00	\$0.00	1	\$0.00	\$0.00
VM <b>Vendor Management(8am-5pm M-F)</b>	\$0.00	\$0.00	1	\$0.00	\$0.00

 Support/Maintenance

	Workstation	Server
<b>Security</b>		
Blacklisted Software	X	X
Antivirus Software Definitions	X	X
Expired Passwords Monitoring	X	X
Blacklisted Event Detection	X	X
Windows Patch Management	X	X
Support Software Updates	X	X
Hardware Tampering Detection	X	X

<b>Performance</b>		
Hard Drive File Fragmentation	X	X
Hard Drive MFT Fragmentation	X	X
Low Memory Detection	X	X
High CPU Usage Detection	X	X
Startup/Background Processes	X	X
Unauthorized Software Removal	X	X

<b>Proactive Reliability</b>		
Hard Drive Error Monitoring	X	X
Hard Drive SMART Stats Monitoring	X	X
Hard Drive Free Space	X	X
Hardware/Software Raid Failure Monitoring	X	X
Windows File Corruption	X	X
Bad Process Detection	X	X
SQL database availability		X

<b>Administration</b>		
Exchange Updates		X
User Updates (Removal/Addition)		X
Active Directory		X

## Service Levels

### **Introduction**

The service level agreement (SLA) describes the levels of service that City of Canyon Lake (The Client) will receive from Syntech and is covered in more detail in the attached SLA agreement document.

Although the SLA covers key areas of the client's IT systems and support, the support contract may include areas not covered by this SLA.

### **Purpose**

City of Canyon Lake depends on IT equipment, software and services that are provided, maintained and supported by Syntech. Some of these items are of critical importance to the business. This service level agreement sets what levels of availability and support the City of Canyon Lake can expect to receive for specific parts of the IT system.

This SLA forms an important part of the contract between the City of Canyon Lake and Syntech. It aims to enable the two parties to work together effectively.

### **Exclusions**

The SLA is written in a spirit of partnership and Syntech will make every effort to rectify every issue in a timely manner.

However, there are a few exclusions. This SLA does not apply to:

- Any equipment, software, services or other parts of the IT system not listed.
- Software, equipment or services not purchased via and managed by Syntech
- The problem has been caused by using equipment, software or service(s) in a way that is not recommended.
- City of Canyon Lake has made unauthorized changes to the configuration or set up of affected equipment, software or services.
- City of Canyon Lake has prevented Syntech from performing required maintenance and update tasks.
- The issue has been caused by unsupported equipment, software or other services.

This SLA does not apply in circumstances that could be reasonably said to be beyond Syntech's control.

For instance: ISP Outages, floods, war, acts of god and so on. This SLA also does not apply if City of Canyon Lake is in breach of its contract with Syntech for any reason (e.g. late payment of fees).

Syntech aims to be helpful and accommodating at all times, and will do its absolute best to assist City of Canyon Lake wherever possible.

### **Responsibilities**

#### **Syntech responsibilities**

Syntech will provide and maintain the IT system used by the client.

The IT support contract between Syntech and the client includes full details of these responsibilities.

Additionally, Syntech will:

- Ensure relevant software, services and equipment are available to the client in line with the up-time levels listed below.
- Respond to support requests within the timescales listed below.
- Take steps to escalate and resolve issues in an appropriate, timely manner.
- Maintain good communication with the client at all times.

### City of Canyon Lake responsibilities

City of Canyon Lake will use Syntech provided IT system as intended.

The IT support contract between Syntech and City of Canyon Lake includes full details of the IT system and its intended uses.

Additionally, City of Canyon Lake will:

- Notify Syntech of issues or problems in a timely manner.
- Provide Syntech with access to equipment, software and services for the purposes of maintenance.
- Maintain good communication with Syntech at all times.

### Response times

The response time measures how long it takes Syntech to respond to a support request called into the Syntech Help Desk. Syntech utilizes the matrix below to determine the priority of each ticket called into the Help Desk.

		Urgency			
		High	Medium	Low	When Available
Impact	High		Priority 2	Priority 3	Priority 5
	Medium	Priority 2	Priority 3	Priority 4	Priority 5
	Low	Priority 3	Priority 4	Priority 4	Priority 5

Urgency Definition
<b>High</b> – Entire company is affected
<b>Medium</b> – Multiple departments or a large group of users are affected
<b>Low</b> – Small group or single user is affected

Impact Definition
<b>Critical</b> – Major business processes are stopped
<b>Medium</b> - Business is degraded, but there is a reasonable workaround
<b>Low</b> - More of an irritation than a stoppage

Priority Definition	
Priority 1	30 Minutes
Priority 2	2 Hours
Priority 3	4 hours
Priority 4	Next Business Day
Priority 5	Scheduled or as available

Response times are measured from the moment City of Canyon Lake calls the Syntech support service team and the issue has been thoroughly documented.

Response times apply during standard working hours (8am - 5pm) only, unless the contract between City of Canyon Lake and Syntech specifically includes provisions for out of hours support.

### **Resolution times**

Syntech will always endeavor to resolve problems as swiftly as possible. It recognizes that City of Canyon Lake computer systems are key to its business and that any downtime can cost money.

However, Syntech is unable to provide guaranteed resolution times. This is because the nature and causes of problems can vary enormously.

For instance, it may be possible to resolve a fatal server issue in minutes, simply by restarting the server. But if a server fails due to disk error or a hardware fault (also classed as a fatal issue) it may take much longer to get back up and running.

In all cases, Syntech will make its best efforts to resolve problems as quickly as possible. It will also provide frequent progress reports to City of Canyon Lake.



## ProCare Complete - City of Canyon Lake



**Prepared by:**  
**Syntech Group**  
 Katherine Wetherbee  
 888-520-1787  
 Fax 909-475-6363  
 kwetherbee@syntechgroup.com

**Prepared for:**  
**City of Canyon Lake**  
 31526 Railroad Canyon Road Ste 5  
 Canyon Lake, CA 92587  
 Mike A. Borja  
 (951) 246-2024  
 mborja@cityofcanyonlake.com

**Quote Information:**  
**Quote #: KW-000187**  
 Version: 1  
 Delivery Date: 10/21/2019  
 Expiration Date: 11/20/2019

### Quote Summary

Description	Amount
Billed Separately	\$1,850.00
<b>Total:</b>	<b>\$1,850.00</b>

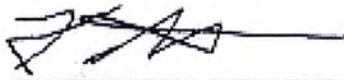
### Recurring Expenses Summary

Description	Amount
Pricing Agreement	\$1,260.18
<b>Recurring Total:</b>	<b>\$1,260.18</b>

Thank you for your order. Your electronic signature, per the Electronic Signature Act, is considered equivalent to your signed and faxed signature, and allows you to accept and place your order. With your acceptance, you are also signing and agreeing to the attached proposal, Master Service Agreement and Premier Service Agreement that can be downloaded and reviewed below. A copy of this acceptance and the attached proposal document with your signature will be sent to your email address to complete your order acceptance. If you have any questions, please feel free to contact us.

### Syntech Group

### City of Canyon Lake

Signature:   
 Name: Katherine Wetherbee  
 Title: Sales Mgr  
 Date: 10/21/2019

Signature: \_\_\_\_\_  
 Name: Mike A. Borja  
 Title: \_\_\_\_\_  
 Date: \_\_\_\_\_