



CITY OF CANYON LAKE

City Hall

31516 Railroad Canyon Road
Canyon Lake, CA 92587

Website: www.canyonlakeca.gov

*Mayor Jeremy Smith
Mayor Pro Tem Larry Greene
Council Member Kasey Castillo
Council Member Jennifer Dain
Council Member Dale Welty*

*City Manager Chris Mann
City Attorney Steven Graham
City Clerk Ana V. Sauseda, CMC*

AGENDA

Special Meeting of the Canyon Lake City Council

Thursday, August 25, 2022

Open Session 4:00 P.M. – City Hall Council Chamber

SPECIAL NOTICE

In an effort to encourage public participation, members of the public may observe the City Council meeting by selecting the Live Stream icon on the main page of the City's website: www.canyonlakeca.gov or by visiting the City's Facebook page.

OPEN SESSION - 4:00 P.M.

OPEN SESSION CALLED TO ORDER

FLAG SALUTE

ROLL CALL

APPROVAL OF CITY COUNCIL AGENDA

BUSINESS ITEMS

- (1) November 8, 2022, General Municipal Election

ANNOUNCEMENTS

The next regular meeting will be **Wednesday, September 14, 2022, at 5:00 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.canyonlakeca.gov 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, 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.

August 25, 2022 Special City Council Meeting

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

I, Ana V. Sauseda, CMC, City Clerk of the City of Canyon Lake, California, do hereby declare that the foregoing agenda was posted on August 23, 2022, at least twenty-four (24) hours prior to the meeting per Government Code 54954.2, and as required by Resolution 2019-42 of the Canyon Lake City Council.

Ana V. Sauseda, CMC
City Clerk



ITEM NO. 1

STAFF REPORT

TO: Honorable Mayor and Members of the City Council
FROM: Chris Mann, City Manager *CM*
BY: Ana V. Sauseda, City Clerk
DATE: August 25, 2022
SUBJECT: November 8, 2022, General Municipal Election

Recommendation

That the City Council:

1. Receive and file the certification that there are not more candidates than offices to be elected for the November 8, 2022 General Municipal Election; and
2. Adopt Resolution No. 2022-48, appointing the qualified candidates as elected for Canyon Lake City Council, as a result of not having more candidates than offices during the nomination period for the November 8, 2022, General Municipal Election; or direct the City Clerk as the City's Elections Official to continue to hold the election.

Background

The City of Canyon Lake was incorporated in 1990 as a General Law City and, therefore, must adhere to all laws pertaining to the conduct and holding of elections as set forth in the California Elections Code.

On May 11, 2022, the City Council adopted Resolution No. 2022-22, calling and giving notice of a General Municipal Election to be held on November 8, 2022, for the purpose of the election of three (3) members of the City Council. At the close of the nomination period on Friday, August 12, 2022 at 12:00 p.m., only the incumbents had qualified for each City Council contest. The qualified candidates are Kasey Castillo and Jeremy Smith for a full term of four (4) years and Jennifer Dain for a short term of two (2) years.

California Elections Code §10229 contains regulations relating to canceling an election if there are no candidates or if fewer candidates qualify than there are open seats by the close of the nomination period. Under this section of the Elections Code, the City Council may do one of the following:

1. Appoint to the office the person who has been nominated.
2. Appoint to the office an eligible elector if no one has been nominated.
3. Hold the election, if either no one or only one person has been nominated.

Pursuant to §10229(a), on August 12, 2022, the City Clerk executed a Certification that there are not more candidates than offices to be elected for City Council Member (Attachment 1).

On August 19, 2022, a notice was published in the Friday Flyer advising that there are not more candidates than offices to be filled for City Council Member. The notice advises the City Council may, as a result of this fact:

1. Appoint to the offices the individuals who have been nominated; or
2. Hold the Election.

State law provides that, after the fifth day following the date of posting or publication, the City Council may make the appointment or direct an election to be held. If the appointment is made, the appointee shall qualify and take office and serve exactly as if elected to the office and the Election for these offices will be cancelled.

Fiscal Impact

Sufficient funds are available for the conduct of the General Municipal Election in the City Clerk's budget for FY 22/23 (10-320-6610). A savings of approximately \$20,000-\$30,000 would be realized if the City Council cancels the Election.

Attachments

1. Certification of the facts
2. Resolution No. 2022-48

ATTACHMENT 1



**CERTIFICATION THAT THERE ARE NOT MORE CANDIDATES THAN OFFICES
TO BE ELECTED FOR CITY COUNCIL MEMBER**

I, Ana V. Sauseda, CMC, City Clerk of the City of Canyon Lake, California, do hereby certify to the following facts relating to the General Municipal Election to be held on Tuesday, November 8, 2022, pursuant to California Elections Code § 10229:

As of the close of the nomination period on August 12, 2022, there are not more candidates than offices to be elected.

The persons nominated are:

Kasey A. Castillo – Councilmember, Full-Term
 Jennifer A. Dain – Councilmember, Short-Term
 Jeremy A. Smith – Councilmember, Full-Term

That § 10229 of the Elections Code allows one of the following courses of action to be taken by the City Council:

1. Appoint to the office the person who has been nominated.
- or
2. Hold the Election if either no one or only one person has been nominated.

A notice of these facts will be published on Friday, August 19, 2022, in the *Friday Flyer*, a newspaper of general circulation in the City pursuant to § 6061 of the Government Code. After the fifth day following the date of publication, the City Council will meet to either make the appointments or direct an election to be held. The person appointed, if any, shall qualify and take office and serve exactly as if elected at a municipal election for the office.

If, by the 75th day before the municipal election, no person has been appointed to the office pursuant to (1) above, the election shall be held.

If the City Council makes an appointment pursuant to Elections Code § 10229, the City Clerk shall not accept for filing any statement of write-in candidacy which is submitted after the appointment is made.

Dated: August 12, 2022

Ana V. Sauseda, CMC
 City Clerk

ATTACHMENT 2

RESOLUTION NO. 2022-48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANYON LAKE, CALIFORNIA, APPOINTING THE QUALIFIED CANDIDATES AS ELECTED FOR CANYON LAKE CITY COUNCIL, AS A RESULT OF NOT HAVING MORE CANDIDATES THAN OFFICES DURING THE NOMINATION PERIOD FOR THE NOVEMBER 8, 2022, GENERAL MUNICIPAL ELECTION

WHEREAS, The City of Canyon Lake was incorporated in 1990 as a General Law City and, therefore, must adhere to all laws pertaining to the conduct and holding of elections as set forth in the California Elections Code; and

WHEREAS, on May 11, 2022, the Canyon Lake City Council adopted Resolution No. 2022-22 calling and giving notice of the holding of a General Municipal Election to be held on Tuesday, November 8, 2022, for the purpose of electing three (3) members of the City Council; and

WHEREAS, those wishing to run for office were able to pull papers during the nomination period of July 18, 2022 – August 12, 2022; and

WHEREAS, pursuant to § 10229 of the Elections Code of the State of California, as of the close of the nomination period on August 12, 2022, there are not more candidates than offices to be elected and that § 10229 of the Elections Code allows one of the following courses of action to be taken by the City Council:

1. Appoint to the office the person who has been nominated.
2. Appoint to the office an eligible elector if no one has been nominated.
3. Hold the election, if either no one or only one person has been nominated.

WHEREAS, a notice was published on August 19, 2022, in the Friday Flyer, a newspaper of general circulation pursuant to § 6061 of the Government Code; and

WHEREAS, a certificate reciting the facts that there were not more candidates than offices to be elected was received and filed by the City Council.

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

Section 1. The above recitals are true and correct and are a substantial part of this Resolution.

Section 2. That pursuant to § 10229 of the Elections Code of the State of California, the following action is being taken for the November 8, 2022 General Municipal Election for the City of Canyon Lake:

The following persons are being appointed to the office to which they were nominated pursuant to California Elections Code §10229(a)(3):

Kasey A. Castillo, Councilmember, Full-Term
Jennifer A. Dain, Councilmember, Short-Term
Jeremy A. Smith, Councilmember, Full-Term

Section 3. The election scheduled to be held on Tuesday, November 8, 2022 is now cancelled.

Section 4. The persons appointed shall qualify and take office and serve exactly as if elected at a municipal election for the office.

Section 5. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED, AND ADOPTED on this 25th day of August, 2022.

Jeremy Smith, Mayor

ATTEST:

Ana V. Sauseda, CMC
City Clerk