



CITY OF CANYON LAKE

City Hall

31516 Railroad Canyon Road
Canyon Lake, CA 92587

www.canyonlakeca.gov

Mayor Dale Welty
Mayor Pro Tem Mark Terry
Council Member Kasey Castillo
Council Member Jennifer Dain
Council Member Jeremy Smith

AGENDA

Regular Meeting of the Canyon Lake City Council
Wednesday, July 31, 2024

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

CLOSED SESSION CALLED TO ORDER

ROLL CALL

Castillo, Dain, Smith, Terry, Welty

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.

Members of the public may submit comments electronically by sending an email to cityclerk@canyonlakeca.gov. Comments submitted electronically will be provided to the City Council and included in the official record but will not be read aloud during the meeting.

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION - Pursuant to Government Code Section 54956.9(d)(2)
Significant Exposure to Litigation, Two cases
2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Pursuant to Section 54957
Title: Interim City Manager

OPEN SESSION

OPEN SESSION CALLED TO ORDER

INVOCATION

FLAG SALUTE

ROLL CALL

Castillo, Dain, Smith, Terry, Welty

CLOSED SESSION REPORT

CEREMONIAL MATTERS *Presentations, Awards, Proclamations*

Citizen of the Month

Presentation – Canyon Lake Mariners Little League

COMMUNITY REPORTS

LIMIT 3 MINUTES

Elsinore Valley Municipal Water District
Canyon Lake Property Owners Association
Canyon Lake Chamber of Commerce

PUBLIC SAFETY UPDATES

City of Canyon Lake Code Enforcement
Riverside County Sheriff's Department
City of Canyon Lake Fire Department

PUBLIC COMMENT

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COMMITTEE AND COUNCIL REPORTS/COMMENTS

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) **Approve Claims and Demands of the City**

Recommendation: Adopt Resolution No. 2024-28 Approving Claims and Demands of the City.

(3) **Approval of City Council Minutes**

Recommendation: Approve the Minutes of the City Council Meetings of June 12 and July 2, 2024.

(4) **Adopt a Resolution Approving a Budget Adjustment in the Amount of \$60,000 for Maintenance to the City's Rental Building at 31542 Railroad Canyon Road**

Recommendation: Adopt Resolution No. 2024-29 approving a budget adjustment in the amount of \$60,000 for improvements to the City's rental building at 31542 Railroad Canyon Road.

(5) **Adopt a Resolution Approving an Amendment to Contract No. C9801488 with the State of California for Per Capita Grant Funds**

Recommendation: Adopt Resolution No. 2024-30 approving an amendment to Contract No. C9801488 with the State of California for Per Capita Grant funds on a form to be approved by the City Attorney that allows a pass-through of the City's allocated funds to go to the Riverside County Regional Park and Open Space District.

(6) **Adopt a Resolution Accepting a Grant from CalRecycle's Household Hazardous Waste Program for a Battery Disposal Program and Approving a Budget Adjustment in the Amount of \$15,433 for Costs Incurred in the Performance of the Grant**

Recommendation: (1) Adopt Resolution No. 2024-31 accepting a grant from CalRecycle's Household Hazardous Waste Program for a Battery Disposal Program and approving a budget adjustment in the amount of \$15,444; and (2) authorize the City Manager to execute all documents necessary to effectuate the grant process.

(7) **Adopt a Resolution Accepting a Grant from the Office of Traffic Safety for Auto Extrication Equipment and Approving a Budget Adjustment in the Amount of \$33,285 for Costs Incurred in the Performance of the Grant**

Recommendation: (1) Adopt Resolution No. 2024-32 accepting the Office of Traffic Safety Auto Extrication Equipment grant and approving a budget adjustment in the amount of \$33,285; and (2) authorize the City Manager to execute all documents necessary to effectuate the grant process.

- (8) **Adopt Resolutions: (1) Certifying the Sufficiency of the Initiative Petition Entitled “City of Canyon Lake Public Safety Funding Ordinance”; and (2) Calling for the Holding of a General Municipal Election on Tuesday, November 5, 2024, regarding the Ballot Measure Titled “City Of Canyon Lake Public Safety Funding Ordinance”; Requesting that the County of Riverside Registrar of Voters Consolidate the Election with the Statewide General Election, Directing Preparation of an Impartial Analysis and Permitting the Filing of Ballot Arguments**

Recommendation: (1) Adopt Resolution No. 2024-33 Certifying the Sufficiency of the Initiative Petition Entitled “City of Canyon Lake Public Safety Funding Ordinance”; and (2) adopt Resolution No. 2024-34 Calling for the Holding of a General Municipal Election on Tuesday, November 5, 2024, regarding the Ballot Measure Titled “City Of Canyon Lake Public Safety Funding Ordinance”; Requesting that the County of Riverside Registrar of Voters Consolidate the Election with the Statewide General Election, Directing Preparation of an Impartial Analysis and Permitting the Filing of Ballot Arguments.

- (9) **Approval of Contract Amendment No. 1 to Interim City Manager Employment Agreement**

Recommendation: Authorize the Mayor to execute Amendment No. 1 to the Interim City Manager Employment Agreement between the City of Canyon Lake and Arron Brown regarding deferred compensation.

- (10) **Approval of Commercial Cannabis Business Permit Renewal Fee**

Recommendation: Approve the application of the existing business license renewal fee plus direct regulatory costs for any application to renew a Commercial Cannabis Business Permit in the amount of \$2,294 for Fiscal Year 2024/25.

PULLED CONSENT CALENDAR ITEMS

PUBLIC HEARINGS

- (11) **Consideration of a Variance (VAR 24-01) for a Room Addition Located at 22755 Gray Fox Drive in the R-1 (One Family Dwellings) Zone**

Recommendation: (1) Open the public hearing and take public testimony; and (2) deny Variance VAR 24-01.

BUSINESS ITEMS

- (12) **Introduction and First Reading of Ordinance No. 248 Adopting a Golf Cart Transportation Plan**

Recommendation: Approve the Introduction and First Reading of Ordinance No. 248, adding Chapter 12.09 to the Canyon Lake Municipal Code to adopt a Golf Cart Transportation Plan consistent with Streets and Highways Code Sections 1950-1967.

- (13) **Discussion Regarding Support for Proposition 36 – the Homelessness, Drug Addiction and Theft Reduction Act**

Recommendation: Adopt Resolution No. 2024-35 supporting Proposition 36 – the Homelessness, Drug Addiction and Theft Reduction Act.

(14) **Designation of a Voting Delegate and Alternate(s) for the League of California Cities 2024 Annual Conference and Expo Annual Business Meeting**

Recommendation: Designate a voting delegate and up to two alternates for the League of California Cities 2024 Annual Conference and Expo Annual Business Meeting and authorize the City Clerk to complete and submit the Voting Delegate form.

CITY MANAGER COMMENTS

ANNOUNCEMENTS

The next regular City Council meeting will be held on September 3, 2024.

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:

Unless stated otherwise on the agenda, every item on the agenda is exempt from CEQA Guidelines Sections 15060(c), 15061(b)(3), 15273, 15378, 15301, 15323 and/or Public Resource Code Section 21065. 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 material relating to an item on this agenda submitted to the City Council after distribution of the agenda packet will be 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 the City Clerk's office 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.

AFFIDAVIT OF POSTING: I, Sheryl L. Garcia, City Clerk of the City of Canyon Lake, California, do hereby declare that the foregoing agenda was posted on July 25, 2024, at least seventy-two (72) hours prior to the meeting per Government Code 54954.2, and as required by Resolution 2019-42 of the Canyon Lake City Council.

Sheryl L. Garcia, MMC, CPM
City Clerk



ITEM NO. 2

STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Arron Brown, Interim City Manager

BY: Elizabeth Luna, Executive Assistant and Accounting Technician I

DATE: July 31, 2024

SUBJECT: Approve Claims and Demands of the City

Recommendation

Adopt Resolution No. 2024-28 Approving Claims and Demands of the City.

Background

All claims and demands are reported and summarized for review and approval by the City Council on a routine basis at each City Council meeting. The attached claims represent the paid claims and demands since the City Council meeting of June 12, 2024.

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. 2024-28

ATTACHMENT 1

RESOLUTION NO. 2024-28

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

WHEREAS, the Finance & Planning Committee of the City of Canyon Lake reviewed Exhibit A at their regularly scheduled meeting on July 31, 2024; and

WHEREAS, Exhibit A was presented at the regular meeting of the City Council on July 31, 2024, at which all present, were given an opportunity to comment.

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

Demands are approved as shown on the Demand\Warrant Register of July 31st, in the amount of \$1,687,215.14 as follows:

Payroll Earnings (Gross)	\$ 145,048.02	(For Month of June)
Payroll Processing Fees	\$ 376.34	(For Month of June)
Payroll Taxes - Employer	2,924.16	(For Month of June)
On-line Retirement	16,943.64	(For Month of June)
On-line Health	36,340.12	(For Month of June)
Principal	442.93	(For Month of June)
Aflac	752.70	(For Month of May)
Nationwide Deferred Comp.	6,087.78	(For Month of June)
Citizens Business Bank Interest	1,949.05	(For the Month of May)
General	\$ 1,476,350.40	
TOTAL	<u>\$ 1,687,215.14</u>	

PASSED, APPROVED AND ADOPTED this 31st day of July, 2024.

Dale Welty, Mayor

ATTEST:

Sheryl L. Garcia, MMC, CPM
City Clerk

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

Vendor ID	Invoice Description	Cash Required
ABILA	Accounting Software 7/1/24-7/31/24	220.09
Amazon	Fire Station Office Supplies	207.32
ANIMAL FRIENDS	Animal Control Services Month of May 2024	3,500.00
Boatright	Reserve Stipend for May 2024	100.00
Cole Huber	Attorney Services/Nuisance Abatement April 2024	364.00
	Attorney Services/General April 2024	8,510.00
CR&R	Refuse Collections FY 2023-24 CY SEC SS2	874,373.59
CTAI	Landscape for Fire Station May 2024	250.00
	Landscape Maintenance Fee for Medians & Parkways May 2024	4,775.00
Dain	Auto Allowance June 2024-Dain	100.00
Delgado	Janitorial Services May 2024	1,180.50
	Janitorial Services May 2024	59.00
GearGrid	Fire Station New Turnout Lockers	13,350.00
Gordon	Reserve Stipend for May 2024	50.00
ICG	CL-001 General Engineering Services 4/1/24-4/30/24	6,048.75
	CL-003 Railroad Canyon Road -HSIP Project 4/1/24-4/30/24	410.00
Inland Fleet	Fire Station E-201 Starter Button Replacement	345.16
	Fire Station New Batteries for E-201	2,170.53
JARCO	Fire Station Roof Repairs	1,950.00
Jeremy Smith	Auto Allowance June 2024-Smith	100.00
John Hancock	EE & ER Contributions for Semi-Monthly Check Date 5/31/24	1,394.11
	EE & ER Contributions for Bi-Weekly Check Date 5/24/24	4,503.79
Johnson Equipment	Fire Station Engine Headsets	420.23
Kasey Castillo	Auto Allowance June 2024-Castillo	100.00
Longobardo	Reserve Stipend for May 2024	150.00
Luksch	Reserve Stipend for Department Open House, 5/11/24	50.00
Mark Terry	Auto Allowance June 2024-Terry	100.00
Michel	Reserve Stipend for May 2024	200.00
Miguel Borja	Reimbursement for Purchase of Fiesta Day Parade Candy	132.90
Nate Volk	Video Broadcasting Meeting, May 8, 2024	350.00
	Video Broadcast Meeting, May 29, 2024	350.00
O'Marra	Fire Station Supplies Reimbursement	31.83
Pereda	Reimbursement for Mileage/2024 CSMFO Conference	72.23
PORAC	PORAC 1st Quarter FFA Dues	78.75
PORAC RMT	PORAC Contributions for May 2024	525.00
Riv Co Sheriff Dept Lake Elsinore	Sheriff's Contract Law 3/7/24-4/3/24	145,903.74

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

Vendor ID	Invoice Description	Cash Required
	Sheriff's Contract Law Rate Adjustment 7/1/23-4/3/24	35,500.01
Riv Co Treasurer	FY 23-24 Property Taxes for 31542 RRRCR Ste 5-1st Installment	311.66
	FY 23-24 Property Taxes for 31542 RRRCR Ste 5-2nd Installment	273.60
SanchezJ	Reserve Sitpend for May 2024	100.00
SCE	Electricity for Rental Bldg 31520 RRRCR Ste A 4/19/24-5/19/24	90.96
Sheriff's Special Events	Registration Fee for Sheriff's Annual Award Ceremony	50.00
South Coast Emergency Stoddart	Fire Station E-1 Lug Nut Caps Reserve Stipend for May 2024	31.48 100.00
The Gas Co	Gas Charges for 31520 Railroad Cyn Rd 4/26/24-5/28/24	39.52
Toshiba Business Solutions, USA	Admin B/W & Color Copies 4/25/24-5/24/24	315.70
Welty	Auto Allowance June 2024-Welty	100.00
Willdan	Water Quality Services thru 4/26/24	17,766.85
WRCOG	WRCOG Member Dues 7/1/23 through 6/30/24 FY23/24	1,406.00
Zoll	Fire Station Zoll Monitors Maintenance Costs	2,095.00
Report Total		<u>1,130,607.30</u>

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

Vendor ID	Invoice Description	Cash Required
Kahana	Settlement Agreement Payment/Jacob Green & Associates	21,000.00
Report Total		21,000.00

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

Vendor ID	Invoice Description	Cash Required
Bankcard	See Credit Card Review 0776	444.11
	See Credit Card Review 2637	1,381.61
	See Credit Card Review 4857	58.73
	See Credit Card Review 6885	1,286.39
	See Credit Card Review 3437	1,661.73
	See Credit Card Review 7235	1,090.54
Ritchie	Veterans Day 2022 Ad & Turkey Drive 2022 Ad-Reissue	258.00
	Two Essay Ads From 4/11/23-4/19/23-Reissue	150.00
	Six-Day September 11 Event Ad 9/6/23-9/11/23-Reissue	66.00
	Two-Week Job Opening Ad 9/6/23-9/19/23-Reissue	150.00
	Twelve-Day 2023 Veterans Day Ad 10/31/23-11/11/23-Reissue	130.00
	Eleven-Day 2023 Winter Wonderland Ad 11/16/23-12/3/23-Reissu	194.00
	Eight-Day 2024 Volunteer Ad 3/15/24-3/22/24-Reissue	86.00
	Community Clean-Up Ad From 4/5/24-4/26/24-Reissue	236.00
	Memorial Day Flag Ad 4/8/24-4/30/24-Reissue	236.00
	SDRMA Dental and Vision Insurance July 2024	2,449.16
Report Total	9,878.27	

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

Vendor ID	Invoice Description	Cash Required
ABI	Fire Station Background Checks-Koopman, Valdivia, Cabrera	299.45
Allstar Fire	Fire Station Turnout Boots-Roberts	421.52
Amazon	Fire Station Office Supplies	107.05
	Fire Station Office Supplies	259.01
AMERICAN FORENSIC	Sheriff's Blood Draw, 6/21/24	140.00
AMP	Rent for July 2024-31526 Railroad Cyn Rd., Suite 5	2,919.00
	Rent for July 2024-31526 Railroad Cyn Rd., Suite 4	443.00
ANIMAL FRIENDS	Animal Control Services of June 2024	3,500.00
BIO-TOX	Blood Analysis, 6/13/2024	283.05
Calderon	Reimbursement for Permit# 20240160/Inspection Not Required	243.59
California PPE	Fire Station Turnout Cleaning and Repairs	812.50
CASH	Petty Cash Reimbursement, 5/31/24	30.00
CL PEST	Quarterly Pest Control for Storage Unit PO#10-016	95.00
	Fire Station Monthly Pest Control & Rodent Service May 2024	85.00
CL PROPERTY OWNERS	Firehouse Note Payment 6	9,359.57
Colantuono, Highsmith & Whatley	Attorney Services for adv. Richard Beck thru May 31, 2024	9,911.50
Concentra	Fire Station Physical Exam-Koopman	198.00
	Fire Station Physical Exam-Valdivia	198.00
Control Pump	Landscape Booster Station Monitor Report for May 2024	401.25
Corelogic	Database for Code Enforcement May 2024	173.09
Cory Willis	Reimbursement for College Courses	416.50
Cotter Construction Inc.	Fire Station Apparatus Room Repair	12,800.00
CR&R	Trash Services for Rental June 2024	201.12
CTAI	Landscape for Fire Station June 2024	250.00
	Landscape Maintenance Fee for Medians & Parkways June 2024	4,775.00
Curtis	Fire Station Turnout Jacket & Pants-Roberts	3,524.59
DATA TICKET	Monthly EMS Response Fee May 2024	100.00
	Code Enforcement Processing May 2024	100.00
	Monthly Parking Fee May 2024	100.00
Delgado	Janitorial Services June 2024	1,180.50
	Janitorial Services June 2024	59.00
DMV	PTI Renewal for TRLSR - 4SV6209	10.00
DOJ	Fingerprints for May 2024	64.00
FRIDAY FLYER	1/2 Page Vert. Ad for Scholarship Promotion	301.00
	1/2 page Vert. Ad for City Clean-Up Event	301.00
	1/2 Page Vert. Ad for City Clean-Up Event	301.00
GOLDING	Code Enforcement Citation Books	1,056.44
	Code Enforcement Envelopes 9x12	781.19

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

Vendor ID	Invoice Description	Cash Required
Grant Writing	Fire Station Grant Writing Class for Brianna	495.00
GREENHALGH	Retiree Health Insurance July 2024	184.72
Hoffman's Painting	Fire Station Apparatus Bay Painting	10,800.00
John Hancock	EE & ER Contributions for Bi-Weekly Check Date 6/7/2024	4,297.06
	EE & ER Contributions for Bi-Weekly Check Date 6/21/2024	4,297.06
	EE & ER Contributions for Semi-Monthly Check Date 6/14/24	1,394.11
Johnson Controls	Quarterly Security Services for Admin 7/1/24-9/30/24	554.07
	Quarter Security Services for City Hall 7/1/24-9/30/24	166.12
Lozano	Reimbursement for Mileage/2024 CSFMO Conference	68.74
Manzanares	Reimbursement for Cancelled Inspection Permit#20240195	80.50
Nate Volk	Video Broadcast Meeting, June 12, 2024	350.00
PARS	Monthly Administrative Fees April 2024	400.00
PORAC RMT	PORAC Contributions for June 2024	500.00
PVM	Street and Facility Maintenance Services 4/1/24-5/31/24	1,639.54
	Street and Facility Maintenance Services 4/1/24-5/31/24	914.65
PZL, Inc.	Planning Services for May 2024	4,320.00
RAMS	Accounting Services for May 2024	6,792.61
Rincon	Canyon Lake Zoning Ordinance Digitization through 1/31/24	7,400.00
Riv Co Sheriff Dept Lake Elsinore	Sheriff's Contract Law 4/4/24-5/1/24	150,068.58
	Sheriff's Contract Law Facility FY 23/24	25,817.42
Riv Co TLMA	SLF - May 24 Costs	29.47
Riv Co Treasurer	FY 23-24 Property Taxes for 31542 RRCR Ste 1-Additional	106.85
Sco	2023 Offsets Program - 8 Names Submitted	15.05
STAPLES	City Hall & Admin Office Supplies	1,404.47
Syntech	Monthly Subscriptions & Programs 6/1/24-6/30/24	1,525.00
	Monthly IT Support 6/1/24-6/30/24	2,967.50
The Code	Plan Check Services 5/1/24-5/31/24	4,487.72
	Plan Check Services for 5/28/23 to 7/1/23	11,770.38
Time Warner	Internet for Fire Station 6/10/24-7/9/24	312.67
VectorSolutions	Fire Station Annual Membership 7/1/24-6/30/25	3,859.07
Willdan	Water Quality Services thru 5/24/24	5,183.70
Report Total		308,402.98

City of Canyon Lake
 Check/Voucher Register - Checks Prior Month
 From 6/1/2024 Through 6/30/2024

Check Number	Vendor Name	Effective Date	Check Amount
EFT 949	SOUTHERN CALIFORNIA EDISON	6/3/2024	836.69
EFT 950	SOUTHERN CALIFORNIA EDISON	6/3/2024	285.23
EFT 951	SOUTHERN CALIFORNIA EDISON	6/3/2024	595.03
EFT 952	SOUTHERN CALIFORNIA EDISON	6/3/2024	13.39
EFT 953	SOUTHERN CALIFORNIA EDISON	6/3/2024	441.77
EFT 954	SOUTHERN CALIFORNIA EDISON	6/3/2024	19.61
EFT 955	SOUTHERN CALIFORNIA EDISON	6/3/2024	120.74
EFT 956	SOUTHERN CALIFORNIA EDISON	6/3/2024	211.40
EFT 957	Sparkletts	6/3/2024	138.39
EFT 958	Charter Communications	6/6/2024	5.35
EFT 959	SOUTHERN CALIFORNIA EDISON	6/12/2024	492.29
EFT 960	SOUTHERN CALIFORNIA EDISON	6/12/2024	296.26
EFT 961	ELSINORE VALLEY MUNI WATER DI:	6/12/2024	159.47
EFT 962	ELSINORE VALLEY MUNI WATER DI:	6/12/2024	71.27
EFT 963	ELSINORE VALLEY MUNI WATER DI:	6/12/2024	105.83
EFT 964	ELSINORE VALLEY MUNI WATER DI:	6/12/2024	1,049.30
EFT 965	ELSINORE VALLEY MUNI WATER DI:	6/12/2024	327.05
EFT 966	The Gas Company	6/12/2024	2.12
EFT 967	Toshiba America Business Solutions	6/28/2024	120.83
EFT 968	Toshiba Financial Services	6/27/2024	852.65
EFT 969	Toshiba America Business Solutions	6/28/2024	54.57
EFT 970	Toshiba America Business Solutions	6/28/2024	<u>262.61</u>
Report Total			<u>6,461.85</u>

Credit Card Review

California Bank & Trust Statement dated 5/28/24

<u>ITEM #</u>	<u>CREDITOR</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>ACCOUNT</u>
1	Stater Brothers	Food for Open House Crew	\$ 33.13	10-100-6831
2	Hills Donuts	Food for Open House Crew	\$ 35.98	10-100-6831
3	The Imaginators	Open House-Balloon Twisting	\$ 375.00	10-100-6831
			<u>\$ 444.11</u>	

Account Breakdown

Council City Events	10-100-6831	\$ 444.11
		<u>\$ 444.11</u>
		\$ -

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

California Bank & Trust Statement dated 5/28/24

<u>ITEM #</u>	<u>CREDITOR</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>ACCOUNT</u>
1	The Home Depot	Fire Station Shop Repairs	\$ 228.06	10-550-6610
2	The Home Depot	Fire Station Shop Repairs	\$ (13.28)	10-550-6610
3	The Home Depot	Fire Station Shop Repairs	\$ 23.61	10-550-6610
4	The Home Depot	Fire Station Shop Repairs	\$ 23.90	10-550-6610
5	American Flagpole & Flag Co.	Fire Station U.S. Flags Replacement	\$ 618.90	10-421-6220
6	American Flagpole & Flag Co.	Fire Station U.S. Flags Replacement	\$ 44.83	10-421-6220
7	Apple.com	Monthly iCloud Storage	\$ 0.99	10-421-6310
8	Tommy's Express	Carwash : C-1	\$ 20.00	10-421-6410
9	Costco	Fire Station Open House Supplies	\$ 321.00	10-100-6831
10	Exxon Menifee Car Wash	Carwash Detailing: C-1	\$ 49.95	10-421-6410
11	Stater Brothers	Bagels for Memorial Weekend	\$ 22.67	10-421-6220
12	Hills Donuts	Donuts for Memorial Weekend	\$ 40.98	10-421-6220
			\$ 1,381.61	

Account Breakdown

City Council Events	10-100-6831	\$ 321.00
Fire Department Expense	10-421-6220	\$ 727.38
Fire Department Communications	10-421-6310	\$ 0.99
Fire Department Fleet & Equipment Maintenance	10-421-6410	\$ 69.95
Building & Facilities Professional/Specialized Services	10-550-6610	\$ 262.29
		\$ 1,381.61

Check Figure \$ -

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

California Bank & Trust Statement dated 5/28/24

<u>ITEM #</u>	<u>CREDITOR</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>ACCOUNT</u>
1	TST Sports Stop Pub & Grill	Working Lunch w/Chief & Captain	\$ 58.73	10-310-6510
			<u>\$ 58.73</u>	

Account Breakdown

Conference/Meeting/Travel Expense	10-310-6510	\$ 58.73
		<u>\$ 58.73</u>

Check Figure \$ -

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

California Bank & Trust Statement dated 5/28/24

<u>ITEM #</u>	<u>CREDITOR</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>ACCOUNT</u>
1	Tommy's Express	Car Wash- April 2024	\$ 10.00	10-310-6415
2	Pack Wrap & Post Canyon Lake, Ca	Overnight Final Check for Nunez	\$ 30.45	10-330-6210
3	SQ Vital Appliances	Fire Station Ice Machine Repairs	\$ 498.04	10-550-6610
4	Sams Cub	Candy for Fiesta Days	\$ 747.90	10-100-6220
			\$ 1,286.39	

Account Breakdown

City Council Dept. Expense	10-100-6220	\$ 747.90
City Manager Vehicle Maintenance	10-310-6415	\$ 10.00
Finance Office Expense and Supplies	10-330-6210	\$ 30.45
Building & Facilities Professional/Specialized Serv	10-550-6610	\$ 498.04
		\$ 1,286.39

Check Figure \$ -

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California Bank & Trust Statement dated 5/28/24

ITEM #	CREDITOR	DESCRIPTION	AMOUNT	ACCOUNT
1	Domino's	Clean-Up Event, April 2024	\$ 29.33	10-310-6210
2	Lowes	Supplies for Fiesta Event	\$ 154.55	10-100-6220
3	Viking Shred	Shred Event	\$ 1,400.00	10-310-6220
4	Amazon	Credit for Labtop	\$ (1,820.96)	10-421-6450
5	Amazon	Credit for Labtop	\$ (0.01)	10-421-6450
6	Amazon	Supplies for Code Enforcement	\$ 140.63	10-520-6220
7	Amazon	Memorial Day Event Supplies	\$ 49.98	10-100-6220
8	Autozone	Starting Battery for City Pontoon Boat	\$ 121.01	10-520-6415
9	O'Reilly	Battery for City Pontoon Boat	\$ 126.80	10-520-6415
10	O'Reilly	Credit for City Pontoon Boat	\$ (126.80)	10-520-6415
11	In Hit Print	Fire Station Event Collateral	\$ 60.61	10-100-6830
12	Amazon	Prime Membership Fee	\$ 16.15	10-310-6210
13	Roadpost	Satellite Phone Service Fee	\$ 66.95	10-425-6310
14	Smart and Final	Fiesta Day Candy	\$ 242.30	10-100-6220
15	Amazon	Code Enforcement Apparel-Tactical Pants	\$ 141.36	10-520-6220
16	Campground Fuel	Fuel for City Pontoon Boat	\$ 137.68	10-520-6425
17	Boat Test	California Boat Course and Exam	\$ 34.95	10-520-6710
18	Tommys Express	Car Wash- May 2024	\$ 87.96	A
19	Verizon Wireless	Ipads & Sim Card Devices	\$ 212.80	A
20	Verizon Wireless	Cell Phones (City Hall & Fire Station)	\$ 366.31	A
21	In Hit Print	Banner for Fiesta Day	\$ 163.13	10-310-6210
22	Cal True Value	Office Supplies	\$ 15.76	10-310-6210
23	Bootleg Bistro on the Run	Fiesta Day Food	\$ 41.24	10-310-6210
			\$ 1,661.73	

Account Breakdown

City Council Dept. Expense	10-100-6220	\$ 446.83
City Council Promotion and Advertising	10-100-6830	\$ 60.61
City Manager Office Expense	10-310-6210	\$265.61
City Manager Departmental Expense	10-310-6220	\$ 1,400.00
City Manager Vehicle Maintenance	10-310-6415	\$ 21.99
Building Dept Communications	10-360-6310	\$74.72
Building & Safety Vehicle Maintenance	10-360-6415	\$ 21.99
Fire Department Communications	10-421-6310	\$270.61
Fire Department AMR EMS Enhance	10-421-6450	\$ (1,820.97)
Emergency Preparedness Communications	10-425-6310	\$ 66.95
Code Enforcement Departmental Expense	10-520-6220	\$ 281.99
Code Enforcement Communications	10-520-6310	\$ 200.93
Code Enforcement Vehicle Maintenance	10-520-6415	\$ 164.99
Vehicle Maintenance	10-520-6425	\$ 137.68
Code Enforcement Training	10-520-6710	\$ 34.95
Building & Facilities Utilities	10-550-6320	\$32.85
		\$ 1,661.73

Check Figure \$ -

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the Finance Committee*

California Bank & Trust Statement dated 5/28/24

<u>ITEM #</u>	<u>CREDITOR</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>ACCOUNT</u>
1	Marriott Desert Springs	Credit for SCAG Conference Hotel	\$ (246.25)	10-100-6510
2	Marriott Desert Springs	Credit for SCAG Conference Hotel	\$ (246.25)	10-100-6510
3	Amazon	City Council Supplies	\$ 34.44	10-100-6220
4	Staters Bros	Student of the Year 2024 Gift Cards	\$ 100.00	10-100-6220
5	Canva	Canva Pro Yearly Membership	\$ 119.40	10-310-6310
6	Staters Bros	Refill Fridge w/Water & Soda	\$ 53.89	10-310-6210
7	Society for Human Resources	2 Year Membership SHRM	\$ 475.00	10-330-6520
8	Amazon	Council Sign Holder	\$ 30.16	10-100-6830
9	Temecula	Temecula State of the City Registration-Welty	\$ 80.00	10-100-6510
10	Perris Valley Chamber	Perris State of the City Registration-Terry	\$ 50.00	10-100-6510
11	Panera Bread	Council Meeting Meal, May 8, 2024	\$ 174.60	10-100-6225
12	Amazon	City Clerk Office Supplies	\$ 24.83	10-320-6210
13	Amazon	City Clerk Office Supplies	\$ 42.76	10-320-6210
14	Amazon	City Clerk Office Supplies	\$ 7.53	10-320-6210
15	Amazon	City Clerk Office Supplies	\$ 26.94	10-320-6210
16	Round Up Jr Mart	Fuel for City Boat	\$ 54.41	10-520-6425
17	Amazon	Credit for Amazon	\$ (34.44)	10-320-6210
18	4Imprint, Inc.	City Swag	\$ 343.52	10-320-6220
			\$ 1,090.54	

Account Breakdown

City Council Dept. Expense	10-100-6220	\$ 134.44
City Council Meeting Expense	10-100-6225	\$ 174.60
Council Meeting/Travel Expense	10-100-6510	\$ (362.50)
City Council Promotion and Advertising	10-100-6830	\$ 30.16
City Manager Office Expense	10-310-6210	\$ 53.89
City Manager Communication	10-310-6310	\$ 119.40
City Clerk Office Expense and Supplies	10-320-6210	\$ 67.62
City Clerk Departmental Expense	10-320-6220	\$ 343.52
Finance Membership/Dues/Publications	10-330-6520	\$ 475.00
Code Enforcement Fuels & Lubricants	10-520-6425	\$ 54.41
		\$ 1,090.54

Check Figure \$ -

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

ITEM NO. 3

**MINUTES
REGULAR MEETING OF THE
CANYON LAKE CITY COUNCIL
Wednesday, June 12, 2024**

**Closed Session – 5:00 p.m.
City Hall Administration Building
31526 Railroad Canyon Road, Suite 5
Canyon Lake, CA 92587**

CALL TO ORDER

Mayor Welty called the meeting to order at 5:01 p.m.

ROLL CALL

Present: Council Member Castillo, Council Member Dain, Council Member Smith,
Mayor Pro Tem Terry and Mayor Welty.

Absent: None.

PUBLIC COMMENTS

There were no public comments.

CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION - Pursuant to Government Code Section 54956.9(d)(2)
Significant Exposure to Litigation, One case
2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION - Pursuant to paragraph (1) of subdivision (d) of Section 54956.9: Richard Beck v. City of Canyon Lake, 4th DCA Case No. D083322
3. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION - Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: One case
4. CONFERENCE WITH LABOR NEGOTIATORS: Pursuant to Government Code Section 54957.6
Agency Designated Representatives: Mayor
Unrepresented Employee: Interim City Manager

5. PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Pursuant to Section 54957
Title: Interim City Manager

The City Council entered Closed Session at 5:01 p.m.

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

CALL OPEN SESSION TO ORDER

Mayor Welty called the meeting to order at 6:33 p.m.

INVOCATION

Council Member Smith called for a moment of silence in honor of the men and women who gave the ultimate sacrifice.

The Invocation was led by Council Member Smith.

FLAG SALUTE

The Flag Salute was led by Travis Montgomery.

ROLL CALL

Present: Council Member Castillo, Council Member Dain, Council Member Smith, Mayor Pro Tem Terry and Mayor Welty.

Absent: None.

CLOSED SESSION REPORT

City Attorney Graham reported that the City Council would return to closed session after the close of open session.

CEREMONIAL MATTERS

Mayor Welty recognized Steve Libring as Citizen of the Month.

Council Member Dain and Sonia Kent presented Certificates of Recognition to the Junior Women's Club Scholarship Awards winners.

Council Member Smith and Fire Chief LaTendresse presented Certificates of Recognition to retiring Battalion Chief Michael Samuels.

COMMUNITY REPORTS

Board President Bill Van Vleet provided an update on behalf of the Canyon Lake Property Owners Association.

President John Grande provided an update on behalf of the Chamber of Commerce.

PUBLIC SAFETY UPDATE

Code Enforcement Supervisor Manzano provided an update on code enforcement statistics.

Lieutenant Edwards provided an update on public safety statistics.

Fire Chief LaTendresse provided an update on fire statistics.

PUBLIC COMMENT

Travis Montgomery spoke about the citizen-driven sales tax measure.

COMMITTEE AND COUNCIL REPORTS/COMMENTS

Council Member Castillo spoke about the Junior Lifeguard Program and thanked the Clear Foundation for ensuring participants were being safely transported.

Council Member Dain thanked the volunteers and City Staff who placed flags in yards for Memorial Day. She noted the Higher Education Coalition is looking for members and is continuing its work to expand California State University San Marcos. She further thanked Supervisor Washington for funding.

Council Member Smith stated RTA and RCTC passed their budgets. He spoke about the large community turnout for the last several City events and noted it was nice to see people come together.

Mayor Pro Tem Terry stated that RCA instituted the 146 Project which is an opportunity for youth to learn about habitat conservation. He noted that Canyon Lake Tee Box was a lot of fun and would be holding a golf camp.

Mayor Welty spoke about prioritizing public safety for the summer. He attended a Vector Control meeting and spoke on the importance of mosquito prevention.

CONSENT CALENDAR

Council Member Smith pulled Item 5 for further discussion.

Motion and second by Council Member Smith/Mayor Pro Tem Terry to approve Consent Calendar Items 1-15, with the exception of Item 5.

Motion carried 5-0, with Council Member Castillo, Council Member Dain, Council Member Smith, Mayor Pro Tem Terry, and Mayor Welty voting aye.

(1) Waive Full Reading, Read All Ordinances by Title Only

(2) Approve Claims and Demands of the City

Action Taken: The City Council adopted Resolution No. 2024-17 Approving Claims and Demands of the City.

(3) Approval of City Council Minutes

Action Taken: The City Council approved the Minutes of the City Council meetings of May 8, May 16 and May 29, 2024.

(4) Approval of a Cooperative Agreement with the County of Riverside for Fire Department Dispatch and Communication Services

Action Taken: The City Council authorized the City Manager to enter into a cooperative agreement with the County of Riverside for Dispatch and Communication Services.

(6) Approval of Amendment No. 1 to the Professional Services Agreement Between the City of Canyon Lake and CTAI Pacific Greenscape for Landscape and Irrigation Maintenance Services

Action Taken: The City Council approved Amendment No. 1 to the Professional Services Agreement with CTAI Pacific Greenscape to extend the term to June 30, 2025, for Landscape and Irrigation Maintenance Services.

(7) Approval of Amendment No. 2 to the Professional Services Agreement between the City of Canyon Lake and Interwest Consulting Group for City Engineering Services

Action Taken: The City Council approved Amendment No. 2 to the Professional Services Agreement with Interwest Consulting Group to extend the term to June 30, 2025, for City Engineering Services.

(8) Approval of Amendment No. 2 to the Professional Services Agreement Between the City of Canyon Lake and PZL Inc. for Planning Services

Action Taken: The City Council approved Amendment No. 2 to the Professional Services Agreement with PZL Inc. to extend the term to June 30, 2025, for Planning Services.

(9) Approval of Amendment No. 2 to the Professional Services Agreement Between the City of Canyon Lake and Willdan Engineering for Stormwater Compliance Services

Action Taken: The City Council approved Amendment No. 2 to the Professional Services Agreement with Willdan Engineering to extend the term to June 30, 2025, for Stormwater Compliance Services.

(10) Adopt a Resolution Calling the 2024 General Municipal Election, Requesting Consolidation with the County of Riverside and Adopting Candidate Statement Regulations

Action Taken: The City Council adopted Resolution No. 2024-19 calling for and giving notice of the City's November 5, 2024, general municipal election, requesting consolidation of the election with the County of Riverside, requesting that the County of Riverside provide election administration services and adopting candidate statement regulations.

(11) Adopt a Resolution Setting the Regular City Council Meeting Schedule for 2024

Action Taken: The City Council adopted Resolution No. 2024-20 setting the regular City Council meeting schedule for 2024.

(12) Update Regarding Proposed Housing Element Programs

Action Taken: The City Council received and filed.

(13) Adopt a Resolution Adopting a Travel Reimbursement Policy

Action Taken: The City Council adopted Resolution No. 2024-21 adopting a travel reimbursement policy.

(14) Adopt a Resolution Approving the List of Projects for Fiscal Year 2024-2025 Funded by SB 1: the Road Repair and Accountability Act of 2017

Action Taken: The City Council adopted Resolution No. 2024-22 approving the Fiscal Year 2024-2025 project list for Senate Bill 1 (Road Repair and Accountability Act of 2017) Road Maintenance and Rehabilitation Account (RMRA) funding.

(15) Adopt Resolutions Adopting a Workplace Violence Prevention Plan in Accordance with Senate Bill 553

Action Taken: The City Council adopted Resolution No. 2024-23 and Resolution No. 2024-24 adopting workplace violence prevention plans for the City of Canyon Lake and the Canyon Lake Fire Department.

PULLED CONSENT CALENDAR ITEMS

(5) Adopt a Resolution Approving CPI and Pass-Through Adjustments to Solid Waste Rates Consistent with Government Code Section 53756

Council Member Smith expressed his gratitude to Alex and the team for their hard work and excellent customer service.

Motion and second by Council Member Smith/Mayor Pro Tem Terry to adopt Resolution No. 2024-18 approving CPI and pass-through adjustments to solid waste rates consistent with Government Code Section 53756.

Motion carried 5-0, with Council Member Castillo, Council Member Dain, Council Member Smith, Mayor Pro Tem Terry, and Mayor Welty voting aye.

PUBLIC HEARINGS

(16) Adopt a Resolution Establishing Emergency Medical Services (EMS) Program Fees for the 2024-2025 Fiscal Year and Providing for Collection Thereof on the Property Tax Roll.

Mayor Welty announced the public hearing at 7:38 p.m.

City Attorney Graham provided a presentation.

Joe Washle spoke in opposition.

Travis Montgomery spoke in opposition

Mayor Welty announced the public hearing closed at 7:50 p.m.

Motion and second by Council Member Smith/Council Member Castillo to adopt Resolution No. 2024-25 establishing EMS Program Fees for the 2024/2025 Fiscal Year and providing for collection thereof on the property tax roll.

Motion carried 5-0, with Council Member Castillo, Council Member Dain, Council Member Smith, Mayor Pro Tem Terry, and Mayor Welty voting aye.

BUSINESS ITEMS

(17) Adopt a Resolution Adopting the Budget, Appropriating Revenue and establishing the Appropriations Limit for Fiscal Year 2024-2025; and Adopt a Resolution Approving the Salary and Wage Schedule for Employees of the City of Canyon Lake for Fiscal Year 2024-25

Finance Director Terry Shea provided a presentation.

Motion and second by Council Member Smith/Council Member Dain to: (1) adopt Resolution No. 2024-26 approving the budget, appropriating revenue, and establishing the appropriations limit for Fiscal Year 2024-25; (2) adopt Resolution No. 2024-27 Approving the Salary and Wage Schedule for Employees of the City of Canyon Lake for Fiscal Year 2024-25; and (3) authorize the City Manager to execute contracts per the budget and Municipal Code.

Motion carried 5-0, with Council Member Castillo, Council Member Dain, Council Member Smith, Mayor Pro Tem Terry, and Mayor Welty voting aye.

(18) Approve Authorization and Allocation for the City's Council Chamber Renovation Project

Interim City Manager Brown provided a presentation.

Travis Montgomery congratulated the City Council on the dynamic discussion and noted this was the best use of monies.

Motion and second by Council Member Smith/Mayor Pro Tem Terry to authorize the City Manager to negotiate and execute all purchase orders and contracts necessary to carry out the Council Chamber Renovation and associated projects and allocate \$700,000 towards the construction and build of the project.

Motion carried 5-0, with Council Member Castillo, Council Member Dain, Council Member Smith, Mayor Pro Tem Terry, and Mayor Welty voting aye.

(19) Discussion Regarding Appointment of Council Members to Standing and Ad Hoc Committees

Interim City Manager Brown provided a presentation.

Motion and second by Mayor Pro Tem Terry/Council Member Smith to appoint Council Member Castillo to the Public Safety Ad Hoc Committee and appoint Mayor Pro Tem Terry to the Finance and Planning Committee.

Motion carried 5-0, with Council Member Castillo, Council Member Dain, Council Member Smith, Mayor Pro Tem Terry, and Mayor Welty voting aye.

CITY MANAGER COMMENTS

Interim City Manager Brown provided a presentation on sales and use tax in the City.

ANNOUNCEMENTS

Mayor Welty announced that the next regular City Council meeting will be held on Wednesday, July 31, 2024.

City Attorney Graham announced the City Council would be returning to closed session with the oral report provided at the next regular City Council meeting.

ADJOURNMENT

At 8:37 p.m., Mayor Welty adjourned the meeting.

Respectfully submitted,

Sheryl L. Garcia, MMC, CPM
City Clerk

ITEM NO. 3

**MINUTES
SPECIAL MEETING OF THE
CANYON LAKE CITY COUNCIL
Tuesday, July 2, 2024**

**Closed Session – 6:00 p.m.
City Hall Administration Building
31526 Railroad Canyon Road, Suite 5
Canyon Lake, CA 92587**

CALL TO ORDER

Mayor Welty called the meeting to order at 6:00 p.m.

ROLL CALL

Present: Council Member Castillo, Council Member Dain, Council Member Smith,
Mayor Pro Tem Terry and Mayor Welty.

Absent: None.

PUBLIC COMMENT

There were no public comments.

CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION - Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: One case
2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Pursuant to Section 54957
Title: Interim City Manager

The City Council entered closed session at 6:00 p.m.

ADJOURNMENT

At 8:17 p.m., Mayor Welty adjourned the meeting.

Respectfully submitted,

Sheryl L. Garcia, MMC, CPM
City Clerk



STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Arron Brown, Interim City Manager

BY: Terry Shea, Finance Director

DATE: July 31, 2024

SUBJECT: Adopt a Resolution Approving a Budget Adjustment in the Amount of \$60,000 for Maintenance to the City's Rental Building at 31542 Railroad Canyon Road

Recommendation

Adopt Resolution No. 2024-29 approving a budget adjustment in the amount of \$60,000 for improvements to the City's rental building at 31542 Railroad Canyon Road.

Background

The City purchased the property located at 31542 Railroad Canyon Road on March 30, 2020, as an investment and has leases with several tenants for various portions of the building. The building was initially purchased with a short-term, variable interest loan with Citizens Business Bank. On September 13, 2023, the City Council authorized the repayment of the Loan and approved an Interfund Loan Agreement between the Rental Fund and the General Fund.

There are two projects at tenant building 31542. First is fire rating the hallway to meet the necessary requirements for a tenant occupied building. Second is reconverting unit number 8 (old church sanctuary room) into two separate units, 8 & 9, for tenant rental. The funds needed for the repairs will be from a transfer from the General Fund to the Rental Fund.

The proposed Resolution approves the following budget adjustments:

Account 10-000-9001	Transfers Out	\$60,000
Account 60-560-5901	Transfer in from General Fund	\$60,000
Account 60-560-8014	Building Improvements	\$60,000

Fiscal Impact

Increase in General Fund Transfers Out account number 10-000-9001 for \$60,000, increase in Rental Fund Transfers In From General Fund account number 60-560-5901 for \$60,000 and an increase in expenditures in the Building Improvements account 60-560-8014 for \$60,000.

Attachments

1. Resolution No. 2024-29

ATTACHMENT 1

RESOLUTION NO. 2024-29

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANYON LAKE, CALIFORNIA, APPROVING A BUDGET ADJUSTMENT IN THE AMOUNT OF \$60,000 FOR MAINTENANCE TO THE CITY'S RENTAL BUILDING AT 31542 RAILROAD CANYON ROAD

WHEREAS, the City purchased the property located at 31542 Railroad Canyon Road on March 30, 2020, as investment and has several leases with tenants for various portions of the building; and

WHEREAS, the building needs fire safety repairs and reconfiguration of rental space; and

WHEREAS, the General Fund has sufficient fund balance available to make the necessary repairs and can transfer the funds to the Rental Fund; and

WHEREAS, this work was not anticipated when the Budget was adopted for Fiscal Year 2024-25, therefore, budget adjustments must be approved 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 incorporated herein by reference.

Section 2. The City Council authorizes a budget adjustment in the amount of \$60,000 in account number 10-000-9001 Transfers Out of the General Fund and \$60,000 in account number 60-560-5901 Transfers in From the General Fund to the Rental Fund to fund the repairs. A budget adjustment in the amount of \$60,000 for account 60-570-8014 Building Repairs to record the expenses.

Section 3. That the City Clerk shall certify to the adoption of this Resolution and that the same shall be in full force and effect.

Section 4. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED the 31st day of July 2024.

Dale Welty, Mayor

ATTEST:

Sheryl L. Garcia, MMC, CPM
City Clerk



STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Arron Brown, Interim City Manager

BY: Jessica Sanchez, Management Analyst

DATE: July 31, 2024

SUBJECT: Adopt a Resolution Approving an Amendment to Contract No. C9801488 with the State of California for Per Capita Grant Funds

Recommendation

Adopt Resolution No. 2024-30 approving an amendment to Contract No. C9801488 with the State of California for Per Capita Grant funds on a form to be approved by the City Attorney that allows a pass-through of the City's allocated funds to go to the Riverside County Regional Park and Open Space District.

Background

The City Council adopted Resolution 2024-02 on January 10, 2024, which approved the submission of an application for Per Capita Grant funds of \$177,952 offered through the "Parks, Environment, and Water Bond Act of 2018" Proposition 68 by the State of California's Department of Parks and Recreation. The noncompetitive and cost matching grant funds were available to the City since July 1, 2018, with no prior actions taken to secure the City's allotment. Contract No. C9801488 was procured on February 28, 2024, between the City and the State that allocated the City the State funds and allowed the City a submission of a recreation project application for State approval.

Discussion

The City conducted an exhaustive eight-month search for a feasible and viable recreation project within City limits which garnered unsuccessful results. A viable recreation project by the City or with a willing community partner, i.e. Canyon Lake Merchants Association or the Canyon Lake Property Owners Association could not be identified. The restrictive grant stipulations, including mandatory labor code prevailing wage compliance; increasing any potential project costs, and an accelerated timeline requirement; due to State budgetary conditions and constraints have been the key hurdles.

The State inquired about the status of the City's application, requesting project details on April 22, 2024. The State was notified on June 5, 2024, that the City will no longer seek out

its allotted grant funds and an application will not be submitted. On June 6, 2024, in an effort for the City to not hold up the State's encumbrance of funds, the State recommended an amendment to the current contract. The State recommended decreasing the City's allocation allowing a pass-through of the City's allocated funds to go to the Riverside County Regional Park and Open Space District. The allocated Per Capita Grant funds of \$177,952 will reflect \$0, showing a pass-through of \$177,952 to be allocated to the Riverside County Regional Park and Open Space District.

Fiscal Impact

There is no fiscal impact.

Attachments

1. Resolution No. 2024-30

ATTACHMENT 1

RESOLUTION NO. 2024-30

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANYON LAKE, CALIFORNIA, APPROVING AN AMENDMENT TO CONTRACT NO. C9801488 WITH THE STATE OF CALIFORNIA FOR PER CAPITA GRANT FUNDS

WHEREAS, on February 28, 2024, the City of Canyon Lake entered into Contract No. C9801488 with the State of California (“State”) for Per Capita Grant funds to submit an application for a recreation project; and

WHEREAS, on June 5, 2024, the City of Canyon Lake notified the State it will no longer seek out allocated grant funds and an application will not be submitted due to a non-viable project; and

WHEREAS, the City will enter into an amended Contract with the State to decrease the City’s Per Capita Grant Fund allocation from \$177,952 to \$0 to reflect the pass through of \$177,952 to the Riverside County Regional Park and Open Space District.

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 incorporated herein by reference.

Section 2. The City Council hereby approves the amendment to Contract No. C9801488 to reflect the pass through of \$177,952 to the Riverside County Regional Park and Open Space District.

Section 3. The City Council hereby authorizes the City Manager to execute the amendment on behalf of the City of Canyon Lake.

Section 4. The provisions of this Resolution are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the Resolution or their applicability to other persons or circumstances.

Section 5. That the City Clerk shall certify to the adoption of this Resolution and that the same shall be in full force and effect.

Section 6. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED this 31st day of July 2024.

Dale Welty, Mayor

ATTEST:

Sheryl L. Garcia, MMC, CPM
City Clerk



STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Arron Brown, Interim City Manager

BY: Jeff LaTendresse, Fire Chief

DATE: July 31, 2024

SUBJECT: Adopt a Resolution Accepting a Grant from CalRecycle’s Household Hazardous Waste Program for a Battery Disposal Program and Approving a Budget Adjustment in the Amount of \$15,433 for Costs Incurred in the Performance of the Grant

Recommendation

(1) Adopt Resolution No. 2024-31 accepting a grant from CalRecycle’s Household Hazardous Waste Program for a Battery Disposal Program and approving a budget adjustment in the amount of \$15,433; and (2) authorize the City Manager to execute all documents necessary to effectuate the grant process.

Background

The California Department of Resources and Recycling and Recovery (CalRecycle) offers funding authorized by legislation to help public and private entities create circular waste systems. This includes various grant programs in furtherance of the State’s efforts to reduce, recycle, and reuse waste generated in the State thereby preserving landfill capacity and protecting public health and safety and the environment.

On September 13, 2023, the City Council adopted Resolution No. 2023-33 granting the City Manager authority to apply for grants from CalRecycle for a period of five years. The Fire Department applied for a CalRecycle Household Hazardous Waste Program, to dispose of expired and/or depleted batteries on August 15, 2023. On February 26, 2024, the City received the “Notice to Proceed” on the Battery Disposal Program from CalRecycle.

Discussion

In the grant, the Canyon Lake Fire Department requested a “mailbox” style container to collect the batteries. The container would be in front of the fire station so the public could drop off batteries at any time. The container is identical, except in color, to the one used for expired medication disposal. The two will be located side by side. The grant funding includes costs for the proper disposal of the batteries through an approved third-party vendor. The Fire Department plans to reapply next year for additional funding to keep the program available to the residents of the City. It should be noted that the Fire Department now will collect not just batteries, but expired medications, retired flags, and out of service fire extinguishers.

Fiscal Impact

Increase in General Fund Revenue Account 10-421-4590 CalRecycle Grant for \$15,433 and an increase in the Fire Department Expense Account 10-421-6455 CalRecycle Grant Expenditures not to exceed \$15,433 for purchasing equipment, providing educational materials, and for disposal of discarded batteries and public education in the performance of the grant.

Attachments

1. Resolution No. 2024-31

ATTACHMENT 1

RESOLUTION NO. 2024-31

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANYON LAKE, CALIFORNIA, ACCEPTING THE CALRECYCLE HOUSEHOLD HAZARDOUS WASTE BATTERY DISPOSAL GRANT AND APPROVING A BUDGET ADJUSTMENT IN THE AMOUNT OF \$15,433 FOR PERFORMANCE OF THE GRANT

WHEREAS, the City of Canyon Lake has been awarded a grant from CalRecycle’s Household Hazardous Waste Program for the proper disposal of expired and/or depleted batteries; and

WHEREAS, improperly discarded batteries pose a threat to the environment and water sources not just in Canyon Lake but throughout the State; and

WHEREAS, the Canyon Lake Fire Department will provide a disposal container, which will be conveniently located at the fire station, so residents can properly dispose of batteries and thus provide additional protection for the environment; and

WHEREAS, the Canyon Lake Fire Department will now collect not just batteries, but expired medications, retired flags, and out of service fire extinguishers.

WHEREAS, the City of Canyon Lake continues to do its part in protecting the environment and keeping our community safe.

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 incorporated herein by reference.

Section 2. The City Council hereby accepts the CalRecycle Household Hazardous Waste Program Grant and authorizes the City Manager to execute all documents necessary to effectuate the grant process.

Section 3. The City Council authorizes a budget adjustment as follows: increase in General Fund Revenue Account 10-421-4590 CalRecycle Grant for \$15,433 and an increase in the Fire Department Expense Account 10-421-6455 CalRecycle Grant Expenditures not to exceed \$15,433 for purchasing equipment, providing educational materials, and for disposal of discarded batteries and public education in the performance of the grant.

Section 4. That the City Clerk shall certify the adoption of this Resolution and that the same shall be in full force and effect.

Section 5. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED the 31st day of July 2024.

Dale Welty, Mayor

ATTEST:

Sheryl L. Garcia, MMC, CPM
City Clerk



STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Arron Brown, Interim City Manager

BY: Jeff LaTendresse, Fire Chief

DATE: July 31, 2024

SUBJECT: Adopt a Resolution Accepting a Grant from the Office of Traffic Safety for Auto Extrication Equipment and Approving a Budget Adjustment in the Amount of \$33,285 for Costs Incurred in the Performance of the Grant

Recommendation

(1) Adopt Resolution No. 2024-32 accepting the Office of Traffic Safety Auto Extrication Equipment grant and approving a budget adjustment in the amount of \$33,285; and (2) authorize the City Manager to execute all documents necessary to effectuate the grant process.

Background

The California Office of Traffic Safety (OTS) takes a leadership role in efforts to make California roadways safe for everyone using the transportation system. Through thoughtful, forward-thinking, and data-driven selection of grants to local and state agencies, the OTS strives to reach their goal where everyone will travel safely on California roads. Through grant funding, made available to California by the National Highway Traffic Safety Administration, the OTS funds more than \$100 million dollars annually in innovative, evidence-based education, and enforcement programs with technologies designed to improve road safety.

On January 25, 2024, the Canyon Lake Fire Department submitted a grant request to OTS to provide funding for additional auto extrication equipment. This equipment will complement that already on the primary engine and provide new equipment for the City's reserve fire engine.

Discussion

The Canyon Lake Fire Department provides primary fire and emergency services to the City of Canyon Lake. In addition, under our Automatic and Mutual aid agreements with Riverside County/CAL Fire, we respond into the Cities of Lake Elsinore, Menifee, and to the unincorporated areas of Meadowbrook and Good Hope. In the communities covered by the Canyon Lake Fire Department, two major arterials, Railroad Canyon Road and Highway 74,

provide access to the 15 and 215 Freeways. The traffic count for Railroad Canyon alone is approximately 20,000 vehicles per day.

This additional auto extrication equipment consists of struts, which are used to stabilize a vehicle on its side, air bags that can be used to lift car, and a specialized battery-operated cutting/spreading tool that is used to gain access into a damaged vehicle. The air bags will be added to our primary response engine and the other equipment will be placed on our reserve engine. This will ensure our Firefighters have access to extraction equipment on both engines when staffing for special events.

Fiscal Impact

Increase in General Fund Revenue Account 10-000-4578 OTS Grant for \$33,285 and an increase in the Fire Department Expense Account 10-421-8017 Fire and Life Saving Equipment not to exceed \$33,285 for purchasing equipment and public education in the performance of the grant.

Attachments

1. Resolution No. 2024-32

ATTACHMENT 1

RESOLUTION NO. 2024-32

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANYON LAKE, CALIFORNIA, ACCEPTING THE OFFICE OF TRAFFIC SAFETY AUTO EXTRICATION EQUIPMENT GRANT AND APPROVING A BUDGET ADJUSTMENT IN THE AMOUNT OF \$33,285 FOR PERFORMANCE OF THE GRANT

WHEREAS, the City of Canyon Lake has been awarded a grant from the Office of Traffic Safety for additional auto extrication equipment for our fire apparatus; and

WHEREAS, the Canyon Lake Fire Department provides fire and emergency services to the City of Canyon Lake and through Automatic and Mutual Aid agreements to the Cities of Lake Elsinore, Menifee, and to the unincorporated areas of Meadowbrook and Good Hope; and

WHEREAS, in this service area there are two major arterials, Railroad Canyon Road and Highway 74, connecting the 15 and 215 freeways, with Railroad Canyon Road having approximately 20,000 vehicle trips daily; and

WHEREAS, this equipment will enhance the Fire Department’s ability to respond with the additional tools and be able to reduce the time it takes to free a trapped patient; and

WHEREAS, the Canyon Lake Fire Department will showcase this grant funded equipment at various public safety events throughout the year.

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 incorporated herein by reference.
- Section 2.** The City Council hereby accepts the Office of Traffic Safety Auto Extrication Equipment Grant and authorizes the City Manager to execute all documents necessary to effectuate the grant process.
- Section 3.** The City Council authorizes a budget adjustment as follows: increase in General Fund Revenue Account 10-000-4578 OTS Grant for \$33,285 and an increase in the Fire Department Expense Account 10-421-8017 Fire and Life Saving Equipment not to exceed \$33,285 for purchasing equipment and public education in the performance of the grant.
- Section 4.** That the City Clerk shall certify the adoption of this Resolution and that the same shall be in full force and effect.

Section 5. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED the 31st day of July 2024.

Dale Welty, Mayor

ATTEST:

Sheryl L. Garcia, MMC, CPM
City Clerk



STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Arron Brown, Interim City Manager

BY: Sheryl Garcia, City Clerk

DATE: July 31, 2024

SUBJECT: Consideration of Resolutions: (1) Certifying the Sufficiency of the Initiative Petition Entitled “City of Canyon Lake Public Safety Funding Ordinance”; and (2) Calling for the Holding of a General Municipal Election on Tuesday, November 5, 2024, regarding the Ballot Measure Titled “City Of Canyon Lake Public Safety Funding Ordinance”; Requesting that the County of Riverside Registrar of Voters Consolidate the Election with the Statewide General Election, Directing Preparation of an Impartial Analysis and Permitting the Filing of Ballot Arguments

Recommendation

Adopt Resolution No. 2024-33 Certifying the Sufficiency of the Initiative Petition Entitled “City of Canyon Lake Public Safety Funding Ordinance”; and adopt Resolution No. 2024-34 Calling for the Holding of a General Municipal Election on Tuesday, November 5, 2024, regarding the Ballot Measure Titled “City Of Canyon Lake Public Safety Funding Ordinance”; Requesting that the County of Riverside Registrar of Voters Consolidate the Election with the Statewide General Election, Directing Preparation of an Impartial Analysis and Permitting the Filing of Ballot Arguments.

Background/Discussion

On May 2, 2024, proponents of an initiative measure entitled the “Canyon Lake Public Safety Funding Ordinance” (“Initiative”) submitted a Notice of Intention and written text of the Initiative to the City Clerk. Signed petition sections were submitted to the City Clerk on May 30, 2024, and after a prima facie review it was determined the Initiative contained the minimum number of valid signatures required to accept the Initiative for filing. The petition sections for the Initiative were submitted to the County of Riverside Registrar of Voters (“County ROV”) on May 30, 2024, for signature verification.

The County has determined that the petition sections contained a sufficient number of signatures, 1,037, meeting the minimum number of signatures required pursuant to Election Code section 9215 and has prepared a Letter of Findings regarding the Initiative.

Based on the County's schedule for the November election, the deadlines for submittal to the City Clerk of the impartial analysis, arguments and rebuttals are as follows:

- | | |
|----------------------------|--|
| August 19, 2024 | Deadline for City Attorney to prepare impartial analysis of the Initiative |
| August 19, 2024, 5:00 p.m. | Deadline to file with the City Clerk written arguments for or against the Initiative |
| August 29, 2024, 5:00 p.m. | Deadline to file with the City Clerk rebuttal arguments |

The City Council's consideration and adoption of the proposed resolutions does not endorse the Initiative; City Council's action simply ensures that the City complies with the California Constitution and the Elections Code by having the Initiative presented to the voters in November.

Fiscal Impact

There is no fiscal impact associated with the adoption of the resolution. Sufficient funds to cover the costs of the November 5, 2024, municipal election have been included in the City's proposed budget for Fiscal Year 2024/2025.

Attachments

1. Resolution No. 2024-33 Certifying Sufficiency of the Petition
2. Resolution No. 2024-34 Calling the Election

ATTACHMENT 1

RESOLUTION NO. 2024-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANYON LAKE, CALIFORNIA, ACCEPTING THE CERTIFICATION OF THE COUNTY OF RIVERSIDE REGISTRAR OF VOTERS AS TO THE SUFFICIENCY OF THE INITIATIVE PETITION ENTITLED “CITY OF CANYON LAKE PUBLIC SAFETY FUNDING ORDINANCE”

WHEREAS, on May 2, 2024, proponents of an initiative measure entitled “City of Canyon Lake Public Safety Funding Ordinance” (“Initiative”) submitted a Notice of Intention and written text of the Initiative and requested that a title and summary be prepared by the City Attorney for the Initiative in order to circulate the Initiative Petition; and

WHEREAS, the City of Canyon Lake had 8,208 registered voters as of the Secretary of State Report of Registration effective on the publication date of the Notice of Intention (May 13, 2024); and

WHEREAS, the Initiative requires at least 821 (10%) valid signatures to be sufficient to qualify for a regular election; and

WHEREAS, in accordance with the provisions of Elections Code section 9210, proponents of the Initiative filed Petition sections on May 30, 2024, and the City Clerk determined that the number of signatures, prima facie, was in excess of the minimum number of signatures required, and therefore accepted the Initiative for filing; and

WHEREAS, the Petition Sections for the Initiative were submitted to the County of Riverside Registrar of Voters (“County ROV”) on May 30, 2024, for signature verification; and

WHEREAS, the results of the signature verification conducted by the County ROV established that the number of signatures found sufficient, 1,037, meets the minimum number of signatures required pursuant to Election Code section 9215; and

WHEREAS, the County ROV has prepared the Certificate of Sufficiency of the Initiative Petition attached hereto as Exhibit “A”; and

WHEREAS, Elections Code Section 9114 requires that if the Initiative is found sufficient, the results of the examination shall be submitted to the City Council at the next regular City Council meeting following the certification.

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 incorporated herein by reference.
- Section 2.** The City Council of the City of Canyon Lake hereby accepts the County ROV's Certificate of Sufficiency regarding the City of Canyon Lake Public Safety Funding Ordinance.
- Section 3.** That the City Clerk shall certify the adoption of this Resolution and that the same shall be in full force and effect.
- Section 4.** This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED this 31st day of July 2024.

Dale Welty, Mayor

ATTEST:

Sheryl L. Garcia, MMC, CPM
City Clerk

EXHIBIT "A"

Certificate of Sufficiency of the Initiative Petition

[to be attached]

ATTACHMENT 2

RESOLUTION NO. 2024-34

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANYON LAKE, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A CONSOLIDATED MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 5, 2024, REGARDING THE BALLOT MEASURE TITLED “CITY OF CANYON LAKE PUBLIC SAFETY FUNDING ORDINANCE”; AND REQUESTING THE COUNTY OF RIVERSIDE REGISTRAR OF VOTERS TO CONSOLIDATE SAID ELECTION WITH THE CITY’S PREVIOUSLY CALLED CONSOLIDATED GENERAL MUNICIPAL ELECTION; DIRECTING PREPARATION OF AN IMPARTIAL ANALYSIS; AND PERMITTING THE FILING OF BALLOT ARGUMENTS

WHEREAS, on May 2, 2024, proponents of an initiative measure entitled “City of Canyon Lake Public Safety Funding Ordinance” (“Initiative”) presented signed petition sections to the City Clerk of the City of Canyon Lake (“City Clerk”) for filing; and

WHEREAS, the County of Riverside Registrar of Voters (“County ROV”) verified the signatures on the petition and certified the Initiative as sufficient; and

WHEREAS, on June 12, 2024, the City Council for the City of Canyon Lake (“City Council”) called a general municipal election to be held on November 5, 2024, for the election of Municipal Officers; and

WHEREAS, the City Council is required by statute to call the election for the Initiative and desires to consolidate the Initiative with the City of Canyon Lake’s previously called Consolidated General Municipal Election to be held on Tuesday, November 5, 2024.

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 incorporated herein by reference.
- Section 2.** Pursuant to the requirements of the laws of the State of California relating to general law cities, the City Council hereby calls and orders a general municipal election of the City of Canyon Lake (“City”) to be conducted on Tuesday, November 5, 2024, for the purpose of submitting the proposed ordinance, attached hereto as Exhibit “A”, and incorporated herein by reference.
- Section 3.** The City Council does hereby order that the proposed ordinance shall be presented and printed upon the November 5, 2024, ballot and submitted to the qualified voters in substantially the following form:

<p>City of Canyon Lake Public Safety Funding Ordinance; to provide funding that may only be used for police, fire, 911 response, and other public safety services, shall a measure restricting the use of already existing utility users taxes on water and sewer services and emergency medical service subscription/response fees as well as establishing a 0.75% transactions and use (sales) tax and a 6% retail cannabis tax, providing approximately [Amount] annually until ended by voters, be adopted?</p>	<p>YES</p>
	<p>NO</p>

Section 4. That the vote requirement for the Initiative to pass is a majority of the votes cast.

Section 5. Election Procedures.

- a. That pursuant to the requirements of Elections Code section 10403, the County ROV is hereby requested to consent and agree to the consolidation of the Initiative with the City’s previously consolidated general municipal election, and the Statewide general election on Tuesday, November 5, 2024.
- b. That the ballots to be used at the election shall be in the form and content as required by law.
- c. The City shall reimburse the County ROV for necessary costs associated with the administration of the election upon presentation to the City of a properly approved invoice.
- d. That the vote centers for the election shall be open at such hours and on such days as determined by the County ROV provided that the opening and closure of voting sites is conducted in accordance with Sections 10242, 14212, and 14401 of the Elections Code of the State of California.
- e. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.
- f. That in all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

Section 6. Impartial Analysis.

- a. The City Clerk is directed to transmit a copy of the Initiative to the City Attorney, and the City Attorney shall prepare an impartial analysis of the Initiative not exceeding 500 words showing the effect of the Initiative on the existing law and

the operation of the Initiative. The impartial analysis shall be prepared no later than August 19, 2024.

- b. The analysis shall include a statement indicating whether the Initiative was placed on the ballot by a petition signed by the requisite number of voters or by the governing body of the city.
- c. In the event the entire text of the Initiative is not printed on the ballot, nor in the voter information portion of the voter information guide, there shall be printed immediately below the impartial analysis, in no less than 10-point type, the following: “The above statement is an impartial analysis of the City of Canyon Lake Public Safety Funding Ordinance. If you desire a copy of the Ordinance, please call the City Clerk at 951-244-2955 and a copy will be mailed at no cost to you.”

Section 7. Arguments For and Against.

- a. Any person, including any member of the City Council, may file written arguments in favor of or against the Initiative not exceeding 300 words, accompanied by the printed names and signatures of the authors submitting it, in accordance with Article 4, Chapter 3, Division 9 of the Elections Code of the State of California. The arguments may be changed or withdrawn until and including the date fixed by the City Clerk after which no arguments for or against the Initiative may be submitted to the City Clerk.
- b. The arguments shall be filed with the City Clerk, signed, with the printed names and signatures of the authors submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is the author of the argument.
- c. The arguments in favor or against the Initiative shall be filed with the City Clerk on or before 5:00 p.m. on August 19, 2024, after which no arguments for or against the Initiative may be submitted to the City Clerk.

Section 8. Rebuttals.

- a. That pursuant to Elections Code section 9285, when the City Clerk has selected the arguments for and against the Initiative (not exceeding 300 words each), which will be printed and distributed to the voters, the City Clerk shall send a copy of an argument in favor of the Initiative to the authors of any argument against the Initiative and a copy of an argument against the Initiative to the authors of any argument in favor of the Initiative immediately upon receiving the arguments.
- b. The author or a majority of the authors of an argument relating to the Initiative may prepare and submit a rebuttal argument not exceeding 250 words or may authorize in writing any other person or persons to prepare, submit, or sign the rebuttal argument.

- c. A rebuttal argument shall not be signed by more than five authors.
- d. The rebuttal arguments shall be filed with the City Clerk by 5:00 p.m. on August 29, 2024, signed, with the printed names and signatures of the authors submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers, not more than 10 days after the final date for filing direct arguments.
- e. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

Section 9. That the City Clerk is hereby directed to file a certified copy of this Resolution with the County ROV and directed to take all other administrative actions necessary to accomplish the orders set forth in this Resolution.

Section 10. That the City Clerk shall certify the adoption of this Resolution and that the same shall be in full force and effect.

Section 11. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED this 31st day of July 2024.

Dale Welty, Mayor

ATTEST:

Sheryl L. Garcia, MMC, CPM
City Clerk

EXHIBIT "A"

Proposed Ordinance

[to be attached]

The City of Canyon Lake Public Safety Funding Ordinance

THE PEOPLE OF THE CITY OF CANYON LAKE DO HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Title

This initiative shall be known and may be cited as the “City of Canyon Lake Public Safety Funding Ordinance.”

SECTION 2. The City of Canyon Lake Public Safety Funding Ordinance

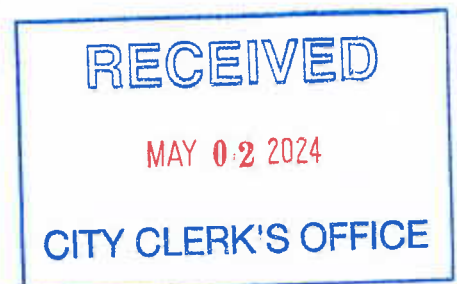
A new Chapter 3.50 is hereby added to Title 3 (Revenue and Finance) of the Municipal Code of the City of Canyon Lake, to read as follows:

3.50.010 Title and Purpose.

- A. This chapter shall be known as the “City of Canyon Lake Public Safety Funding Ordinance.”
- B. The People of the City of Canyon Lake have determined to utilize the initiative process to accomplish comprehensive, broad-based reform concerning the way public safety services are funded.
- C. The purpose of this Ordinance is to fund public safety services by raising taxes on certain business activities, imposing a retail transactions and use tax in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code and Section 7285.91 of Part 1.7 of Division 2 of the Revenue and Taxation Code, and restricting the use of other existing revenue streams.
- D. All of the actions taken by this Ordinance are germane to the creation and funding of the Public Safety fund, which will be restricted to funding public safety services.
- E. By restricting the expenditure of the funds, the People will guarantee that every expenditure from the Public Safety Fund will be related to police and fire protection services.

ARTICLE I – TRANSACTIONS AND USE TAX

3.50.020 Transactions Tax Rate.



For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in the incorporated territory of the city, as it exists on the operative date of this chapter, and in the incorporated territory of the city as it may hereafter be amended through annexation, at the rate of three quarters of one percent (0.75%) of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in said territory on or after the operative date of the ordinance codified in this chapter.

3.50.030 Use Tax Rate.

An excise tax is hereby imposed on the storage, use or other consumption in the city of tangible personal property purchased from any retailer on or after the operative date of the ordinance codified in this chapter for storage, use or other consumption in the incorporated territory of the city, and in the incorporated territory of the city as it may hereafter be amended through annexation, at the rate of three quarters of one percent (0.75%) of the sales price of the property. The sales price shall include delivery charges when such charges are subject to state sales or use tax regardless of the place to which delivery is made.

3.50.040 Tax Commencement and Termination.

The taxes levied by this chapter shall commence on April 1, 2025 and shall continue thereafter until repealed or amended by the necessary vote of the registered voters of the city.

3.50.050 Contract with state.

Prior to the operative date, the city shall contract with the California Department of Tax and Fee Administration to perform all functions incident to the administration and operation of this chapter; provided, that if the city shall not have contracted with the California Department of Tax and Fee Administration prior to the operative date, it shall nevertheless so contract and in such case the operative date shall be the first day of the first calendar quarter following the execution of such a contract.

3.50.060 Place of sale.

For the purposes of this chapter, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his or her agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the state or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the California Department of Tax and Fee Administration.

3.50.080 Adoption of provisions of state law.

Except as otherwise provided in this chapter and except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code are hereby adopted and made a part of this chapter as though fully set forth herein.

3.50.090 Limitations on adoption of state law and collection of use tax.

In adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code:

- (a) Wherever the state is named or referred to as the taxing agency, the name of the city shall be substituted therefore. However, the substitution shall not be made when:
1. The word "state" is used as a part of the title of the state controller, state treasurer, state board of control, state board of equalization, state treasury, or the constitution of the state.
 2. The result of that substitution would require action to be taken by or against the city or any agency, officer, or employee thereof rather than by or against the state board of equalization, in performing the functions incident to the administration or operation of this chapter.
 3. In those sections, including, but not necessarily limited to sections referring to the exterior boundaries of the state, where the result of the substitution would be to:
 - i. Provide an exemption from this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not otherwise be exempt from this tax while such sales, storage, use or other consumption remain subject to tax by the state under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, or;
 - ii. Impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not be subject to tax by the state under the said provision of that code.
 4. In Revenue and Taxation Code Sections 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 or 6828.

- (b) The word “city” shall be substituted for the word “state” in the phrase “retailer engaged in business in this state” in section 6203 and in the definition of that phrase in section 6203.
- (c) “A retailer engaged in business in the District” shall also include any retailer that, in the preceding calendar year or the current calendar year, has total combined sales of tangible personal property in this state or for delivery in the State by the retailer and all persons related to the retailer that exceeds five hundred thousand dollars (\$500,000). For purposes of this section, a person is related to another person if both persons are related to each other pursuant Section 267(b) of Title 26 of the United States Code and the regulations thereunder.

3.50.100 Permit not required.

If a seller’s permit has been issued to a retailer under section 6067 of the Revenue and Taxation Code, an additional transactor’s permit shall not be required by this chapter.

3.50.110 Exemptions and exclusions.

- (a) There shall be excluded from the measure of the transactions tax and the use tax the amount of any sales tax or use tax imposed by the state or by any city, city and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any state-administered transactions or use tax.
- (b) There are exempted from the computation of the amount of transactions tax the gross receipts from:
 - 1. Sales of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside the county in which the sale is made and directly and exclusively in the use of such aircraft as common carriers of persons or property under the authority of the laws of this state, the United States, or any foreign government.
 - 2. Sales of property to be used outside the city which is shipped to a point outside the city, pursuant to the contract of sale, by delivery to such point by the retailer or his or her agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the purposes of this paragraph, delivery to a point outside the city shall be satisfied:
 - i. With respect to vehicles (other than commercial vehicles) subject to registration pursuant to Chapter 1 (commencing with section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance

with Public Utilities Code Section 21411, and undocumented vessels registered under Vehicle Code Section 9840, by registration to an out-of-city address and by a declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his or her principal place of residence; and

ii. With respect to commercial vehicles, by registration to a place of business out-of-city and declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.

3. The sale of tangible personal property if the seller is obligated to furnish the property for a fixed price pursuant to a contract entered into prior to the operative date of the ordinance codified in this chapter.
4. A lease of tangible personal property which is a continuing sale of such property, for any period of time for which the lessor is obligated to lease the property for an amount fixed by the lease prior to the operative date of the ordinance codified in this chapter.
5. For the purposes of subsections (b)(3) and (b)(4) of this section, the sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

(c) There are exempted from the use tax imposed by this chapter, the storage, use or other consumption in the city of tangible personal property:

1. The gross receipts from the sale of which have been subject to a transactions tax under any state-administered transactions and use tax ordinance.
2. Other than fuel or petroleum products purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued pursuant to the laws of this state, the United States, or any foreign government. This exemption is in addition to the exemptions provided in Sections 6366 and 6366.1 of the state Revenue and Taxation Code.

3. If the purchaser is obligated to purchase the property for a fixed price pursuant to a contract entered into prior to the operative date of the ordinance codified in this chapter.
4. If the possession of, or the exercise of any right or power over, the tangible personal property arises under a lease which is a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease prior to the operative date of the ordinance codified in this chapter.
5. For the purposes of subsections (c)(3) and (c)(4) of this section, storage, use, or other consumption, or possession of, or exercise of any right or power over, tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.
6. Except as provided in subsection (c)(7), a retailer engaged in business in the city shall not be required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the city or participates within the city in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the city or through any representative, agent, canvasser, solicitor, subsidiary, or person in the city under the authority of the retailer.
7. A retailer engaged in business in the city shall also include any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with the Public Utilities Code Sections 21411, or undocumented vessels registered under the Vehicle Code Section 9840. That retailer shall be required to collect use tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the city.

(d) Any person subject to use tax under this chapter may credit against that tax any transactions tax or reimbursement for transactions tax paid to a district imposing, or retailer liable for a transactions tax pursuant to part 1.6 of division 2 of the Revenue and Taxation Code with respect to the sale to the person of the property the storage, use or other consumption of which is subject to the use tax.

3.50.120 Amendments.

All amendments subsequent to the effective date of this chapter to the Revenue and Taxation Code Part 1 of Division 2 relating to sales and use taxes and which are consistent with Part 1.6 and Part 1.7 of division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of division 2 of the Revenue and Taxation Code, shall automatically become a part of this chapter, provided however, that no such amendment shall operate so as to affect the rate of tax imposed by this chapter.

3.50.130 Enjoining Collection Forbidden.

No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against the state or the city, or against any officer of the state or the city, to prevent or enjoin the collection under this chapter, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.

ARTICLE II – CANNABIS BUSINESS TAX

3.50.200 Definitions.

The following words and phrases shall have the meanings set forth below when used in this article:

“Business” means all activities engaged in or caused to be engaged in within the city, including any commercial or industrial enterprise, trade, profession, occupation, vocation, calling, or livelihood, whether or not carried on for gain or profit, but shall not include the services rendered by an employee to his or her employer.

“Cannabis” means all parts of the plant *Cannabis sativa* Linnaeus, *Cannabis indica*, or *Cannabis ruderalis*, whether growing or not; the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. Cannabis also means the separated resin, whether crude or purified, obtained from cannabis. Cannabis also means marijuana as defined by the California Health and Safety Code Section 11018, and is not limited to medicinal cannabis. “Cannabis” does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. For the purpose of this article, “cannabis” does not mean “industrial hemp” as defined by Section 11018.5 of the Health and Safety Code.

“Cannabis Retail Business” means any person or entity that engages in the retail sale and delivery of cannabis or cannabis products to customers. “Cannabis Retail Business” shall not include manufacturers, distributors or cultivators of cannabis.

“Employee” means each and every person engaged in the operation or conduct of any business, whether as owner, member of the owner’s family, partner, associate, agent, manager or solicitor, and each and every other person employed or working in such business for a wage, salary, commission, barter or any other form of compensation.

“Engaged in business as a cannabis retail business” means the commencing, conducting, operating, managing or carrying on of a cannabis retail business, whether done as owner, or by means of an officer, agent, manager, employee, or otherwise, whether operating from a fixed location in the city or coming into the city from an outside location to engage in such activities. A person shall be deemed engaged in business within the city if:

- (1) Such person or person’s employee maintains a fixed place of business within the city for the benefit or partial benefit of such person;
- (2) Such person or person’s employee owns or leases real property within the city for business purposes;
- (3) Such person or person’s employee regularly maintains a stock of tangible personal property in the city for sale in the ordinary course of business;
- (4) Such person or person’s employee regularly conducts solicitation of business within the city; or
- (5) Such person or person’s employee performs work or renders services in the city.

The foregoing specified activities shall not be a limitation on the meaning of “engaged in business.”

“Calendar quarter” means a period of three calendar months ending on March 31, June 30, September 30, or December 31.

“Gross receipts” means the total of amounts actually received or receivable from sales within the city and the total amounts actually received or receivable for the performance of any act or service within the city, of whatever nature it may be, for which a charge is made or credit allowed, whether or not such act or service is done as a part of or in connection with the sale of materials, goods, wares or merchandise. Gross receipts, except as otherwise specifically provided, means, whether designated as a sales price, royalty, rent, membership fee, ATM service fee, delivery fee, slotting fee, any other fee,

vaping room service charge, commission, dividend, or other designation, the total amount (including all receipts, cash, credits, services and property of any kind or nature) received or payable for sales of goods, wares or merchandise, or for the performance of any act or service of any nature for which a charge is made or credit allowed (whether such service, act or employment is done as part of or in connection with the sale of goods, wares, merchandise or not), without any deduction therefrom on account of the cost of the property sold, the cost of materials used, labor or service costs, interest paid or payable, losses or any other expense whatsoever. In the event the business is involved in a “non-arms” length transaction the gross receipts will be subject to the fair market value using a methodology approved by the Tax Administrator. Excluded from gross receipts shall be the following:

- (1) Cash discounts allowed and taken on sales.
- (2) Credit allowed on property accepted as part of the purchase price, if the property may later be sold.
- (3) Any tax required by law to be included in or added to the purchase price and collected from the consumer or purchaser.
- (4) Such part of the sale price of property returned by the purchaser upon rescission of the contract of sale as is refunded either in cash or by credit.
- (5) Amounts collected for others where the business is acting as an agent or trustee, to the extent that such amounts are paid to those for whom collected, provided the agent or trustee has furnished the collector with the names and addresses of the others and the amounts paid to them.
- (6) Receipts of refundable deposits, except that refundable deposits forfeited and taken into income of the business shall not be excluded.

“Person” means an individual, firm, partnership, joint venture, association, corporation, limited liability company, estate, trust, business trust, receiver, syndicate, or any other group or combination acting as a unit, whether organized as a nonprofit or for-profit entity, and includes the plural as well as the singular number.

“Sale” means and includes any sale, exchange, or barter.

“State” means the State of California.

“State license, license, or registration” means a state license issued pursuant to California Business and Professions Code Sections 26050, et seq. or other applicable state law.

“Tax administrator” means the finance director of the City of Canyon Lake or his or her designee.

3.50.210 Cannabis Retail Business Tax.

- (a) There is imposed upon each person who is engaged in business as a Cannabis Retail Business a cannabis retail business tax. Such tax is payable regardless of whether the business has been issued a cannabis business license or permit to operate lawfully in the city or is operating unlawfully. The city’s acceptance of a cannabis retail business tax payment from a cannabis retail business operating illegally will not constitute the city’s approval or consent to such illegal operations.
- (b) The maximum authorized rate for the cannabis retail business tax shall be eight cents for each one dollar of gross receipts or fractional part thereof received by a retail cannabis business or any other type of cannabis business. The initial rate as of the operative date shall be six cents for each one dollar of gross receipts or fractional part thereof received by a retail cannabis business or any other type of cannabis business.
- (c) The city council may, by resolution or ordinance, impose the tax authorized by this section at a higher or lower rate, not to exceed the maximum authorized rate, no more than once per calendar year, and may establish exemptions, incentives, or other reductions, and penalties and interest charges or assessments for failure to pay the tax in a timely manner. No action by the city council to impose the tax at a lower rate shall prevent it from later increasing the tax or removing any exemption, incentive, or reduction, and restoring the maximum tax specified.

3.50.220 Reporting and remittance of tax.

- (a) The cannabis retail business tax imposed by this article shall be paid, in arrears, on a quarterly basis. The tax due for each calendar quarter shall be based on the gross receipts for the quarter.
- (b) Each person owing cannabis business tax for a calendar quarter shall, no later than the last day of the month following the close of the calendar quarter, file with the tax administrator a quarterly tax statement of the tax owed for that calendar quarter and the basis for calculating that tax. The tax administrator may require that the statement be submitted on a form prescribed by the tax administrator. The tax for each calendar quarter shall be due and payable on that same date that the statement for the calendar quarter is due.

- (c) Upon cessation of a cannabis business, tax statements and payments shall be immediately due for all calendar quarters up to the calendar quarter during which cessation occurred.
- (d) The tax administrator may, at his or her discretion, establish shorter reporting and payment periods for any taxpayer as the tax administrator deems necessary to ensure collection of the tax. The tax administrator may also require that a deposit, to be applied against the taxes for a calendar quarter, be made by a taxpayer at the beginning of that calendar quarter. In no event shall the deposit required by the tax administrator exceed the tax amount he or she projects will be owed by the taxpayer for the calendar quarter. The tax administrator may require that a taxpayer make payments via a cashier's check, money order, wire transfer, or similar instrument.

3.50.230 Administration of the tax.

- (a) It shall be the duty of the tax administrator to collect the taxes and perform the duties required by this article.
- (b) For purposes of administration and enforcement of this article generally, the tax administrator may from time to time promulgate such administrative regulations, rules, interpretations, and procedures consistent with the purpose, intent, and express and implied terms of this article as he or she deems necessary to implement or clarify such provisions or aid in enforcement.
- (c) The tax administrator may take such administrative actions as needed to administer the tax, including but not limited to:
 - 1. Provide to all cannabis business taxpayers forms for the reporting of the tax;
 - 2. Set the dates by which taxes and reporting are due;
 - 3. Establish and assess penalties and interest for failure to timely report or remit taxes;
 - 4. Provide information to any taxpayer concerning the provisions of this article;
 - 5. Receive and record all taxes remitted to the city as provided in this article;

6. Maintain records of taxpayer reports and taxes collected pursuant to this article; Determine amounts owed and enforce collection pursuant to this article.

3.50.240 Appeal procedure.

Any taxpayer aggrieved by any decision of the tax administrator with respect to the amount of tax, interest, reporting period, penalties and fees, if any, due under this article may appeal the decision by filing a notice of appeal with the city clerk within 30 calendar days of the serving or mailing of the determination of tax due. The city clerk, or his or her designee, shall fix a time and place for hearing such appeal, and the city clerk, or his or her designee, shall give notice in writing to such taxpayer at the last known address. The appeal shall be heard by the city's appointed hearing officer. The appointed hearing officer shall issue a written notice of decision, which shall be served on the taxpayer. The finding of the appointed hearing officer shall be final and conclusive. Any amount found to be due shall be immediately due and payable upon the service of the notice of decision.

3.50.250 Enforcement action to collect.

Any taxes, penalties and/or fees required to be paid under the provisions of this article shall be deemed a debt owed to the city. Any person owing money to the city under the provisions of this article shall be liable in an action brought in the name of the city for the recovery of such debt. The provisions of this section shall not be deemed a limitation upon the right of the city to bring any other action including criminal, civil and equitable actions, based upon the failure to pay the tax, penalties and/or fees imposed by this article or the failure to comply with any of the provisions of this article.

3.50.260 Apportionment.

If a business subject to the tax is operating both within and outside the city, it is the intent of the city to apply the cannabis business tax so that the measure of the tax fairly reflects the proportion of the taxed activity actually carried on in the city. To the extent federal or state law requires that any tax due from any taxpayer be apportioned, the taxpayer may indicate said apportionment on his or her quarterly tax statement. The tax administrator may promulgate administrative procedures for apportionment as he or she finds useful or necessary.

3.50.270 Constitutionality and legality.

This tax is intended to be applied in a manner consistent with the United States and California Constitutions and state law. None of the tax provided for by this article shall be applied in a manner that causes an undue burden upon interstate commerce, a violation of

the equal protection or due process clauses of the Constitutions of the United States or the State of California or a violation of any other provision of the California Constitution or state law. If a person believes that the tax, as applied to him or her, is impermissible under applicable law, he or she may request that the tax administrator release him or her from the obligation to pay the impermissible portion of the tax.

ARTICLE III – PUBLIC SAFETY SPECIAL TAX FUND

3.50.300 Purpose.

The People of Canyon Lake find that there is a need to create and maintain funding sources for the operation of Public Safety services in the city that cannot be used for any other purpose.

3.50.310 Establishment of Public Safety Fund.

There shall be established a Public Safety fund which shall be administered by the finance director and shall consist of all monies collected by the city under Article I of Chapter 3.50, Article II of Chapter 3.50, Chapter 3.44 and Sections 3.26.090 and 3.26.100 of Chapter 3.26.

3.50.320 Expenditure Plan.

All monies collected by the city under Article I of Chapter 3.50, Article II of Chapter 3.50, Chapter 3.44 and Sections 3.26.090 and 3.26.100 of Chapter 3.26, shall be used exclusively to pay for costs associated with police protection and crime suppression services, fire protection and suppression services, and 9-1-1 / paramedic services within the city. The monies described above may be expended on any and all regular and special expenses incurred for the operation and the provision of public safety services within the city and in response to mutual and automatic aid agreements, including but not limited to: wages, benefits, and deferred compensation for police and fire personnel and the pro rata shares of such costs for other city personnel that support the police and fire services within the city; the purchase, operation, and maintenance of vehicles and equipment necessary for police and fire services including repairs, fuel and maintenance; the acquisition, operation, maintenance, repair, and retrofitting of property, buildings, improvements and other facilities necessary for police and fire purposes; risk management and legal services in defense of claims and legal actions against the city and public safety personnel involving police or fire services; training, licensing, and certification of police and fire personnel; and for utilizing contractors (including the Riverside County Sheriff's Department), subcontractors, consultants and professional services directly related to police and fire services.

SECTION 3. Amendment.

The City Council may not amend or repeal any provisions of this Ordinance unless it is submitted to, and approved by, a majority of the voters of the City of Canyon Lake. However, the City Council may adopt regulations to interpret the ordinance, or make other changes to this Ordinance, provided the regulations or changes further the purposes of the Ordinance, and are adopted via a majority vote of the City Council in favor of such regulations or changes.

SECTION 4. Severability.

If any provision of this Ordinance, or any section, part, phrase, or word thereof, or the application of any provision, section, part, phrase or word to any person or circumstances, is for any reason held to be invalid or unconstitutional, the remaining provisions, sections, parts, phrase or words shall not be affected, but shall remain in full force and effect, and to this end the provisions, sections, parts, phrases and words of this Ordinance are severable. The People of the City of Canyon Lake hereby declare that they would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

SECTION 5. Legal Defense.

The People of the City of Canyon Lake desire that this Ordinance, if approved by the voters and thereafter challenged in court, be defended by the city. The People, by approving this Ordinance, hereby declare that the proponent(s) of this Ordinance have a direct and personal stake in defending this Ordinance from constitutional or statutory challenges to the Ordinance's validity or implementation. In the event that the city fails to defend this Ordinance, or the city fails to appeal an adverse judgment against the constitutionality, statutory permissibility, or implementation of this Ordinance, in whole or in part, in any court of law, the Ordinance's proponents shall be entitled to assert their direct personal stake by defending the Ordinance's validity and implementation in any court of law and shall be empowered by the People through this Ordinance to act as agents of the People. The city shall indemnify the proponents for reasonable expenses and any losses incurred by the proponents, as agents, in defending the validity and/or implementation of the challenged Ordinance. The rate of indemnification shall be no more than the amount it would cost the city to perform the defense itself.

SECTION 6. Conflicting Measures.

- A. This measure is intended to be comprehensive. It is the intent of the people of Canyon Lake that in the event this measure and one or more other measures relating to taxes to fund public safety services appear on the same ballot, whether

placed on the ballot through a citizens initiative or by the City Council, the provisions of the other measure or measures shall be deemed to be in conflict with this measure.

- B. In the event that this measure receives a greater number of affirmative votes, the provisions of this measure shall prevail in their entirety, and all provisions of the other measure or measures shall remain null and void.
- C. If this measure is approved by a majority of the voters but does not receive a greater number of affirmative vote than any other measure appearing on the same ballot regarding taxes to fund public safety services, provisions of this measure shall take effect to the extent that they are not in conflict with other said measure or measures.
- D. If this measure is approved by the voters but superseded by law by any other conflicting measure approved by the voters at the same election, and the conflicting ballot measure is later held invalid, this measure shall be self-executing and given full force and effect.

SECTION 7. CEQA

The People of the City of Canyon Lake find that this Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

SECTION 8. Adjustment of Appropriations Limit

Pursuant to Article XIIB of the Constitution of the State of California and applicable laws, the appropriations limit for the city is hereby increased by the aggregate sum authorized to be levied by this tax for fiscal year 2024-25 and each year thereafter.

SECTION 9. Liberal Construction.

This Ordinance shall be liberally construed to effectuate its purposes.

SECTION 10. Effective Date.

This Ordinance shall take effect upon its approval by a majority of the electorate of the City of Canyon Lake at the earliest date provided by law.

SECTION 11. Municipal Affair

The People of the City of Canyon Lake hereby declare that, separately and together, the purposes encompassed by this Ordinance constitute municipal affairs. The People of the City of Canyon Lake hereby further declare their desire for this Ordinance to coexist with any similar tax measures adopted at the city, county or state levels.

SECTION 12. Certification

The City Clerk shall certify the passage of this Ordinance, publish the same as required by applicable law, and forward a copy of the adopted Ordinance to the California Department of Tax and Fee Administration.



STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Steven Graham Pacifico, City Attorney

DATE: July 31, 2024

SUBJECT: Approval of Contract Amendment No. 1 to Interim City Manager Employment Agreement

Recommendation

Authorize the Mayor to execute Amendment No. 1 to the Interim City Manager Employment Agreement between the City of Canyon Lake and Arron Brown regarding deferred compensation.

Background/Discussion

On April 10, 2024, the City Council appointed Arron Brown as the Interim City Manager for the City of Canyon Lake and approved an Interim City Manager Employment Agreement. Following that approval, the City has worked to implement the terms and conditions of the Agreement.

Section 8 of the Agreement allows for the City Manager's participation in the City's 457 plan. However, the provisions of Section 8 are inconsistent with the terms of the City's plan and need to be modified as provided in the attached Amendment No. 1.

Attachments

1. Amendment No. 1 to Interim City Manager Agreement

ATTACHMENT 1

**AMENDMENT NO. 1 TO
INTERIM CITY MANAGER EMPLOYMENT AGREEMENT**

BY AND BETWEEN

THE CITY OF CANYON LAKE

AND

ARRON BROWN

DATED: JULY 31, 2024

AMENDMENT NO. 1 TO AGREEMENT

This Amendment No. 1 to the Interim City Manager Employment Agreement approved by the City Council of the City of Canyon Lake on April 10, 2024 is made and entered into as of July 31, 2024, by and between the City of Canyon Lake (“City”), a California municipal corporation and Arron Brown, an individual (“Employee”). City and Employee are sometimes hereinafter referred to as “Party” and hereinafter collectively referred to as the “Parties.”

RECITALS

- A. City and Employee entered into an agreement entitled “Interim City Manager Employment Agreement” approved by the City Council on April 10, 2024 (“Agreement”).
- B. The Parties desire to amend the Agreement to ensure consistency between the City’s Deferred Compensation plans and the provisions of the Agreement.

OPERATIVE PROVISIONS

NOW, THEREFORE, in consideration of the promises made and recited herein, the Parties do hereby enter into this Amendment which modifies and amends the Agreement as follows:

- 1. **AMENDMENT**. Section 8 of the Agreement is hereby modified and amended as follows:

Section 8: Retirement Plan Participation:

8.1 Participation. The City Manager shall be eligible to participate in the City's 457 Deferred Compensation Plan (hereinafter referred to as “457 Plan”) and the City’s 401(a) Defined Contribution Plan (hereinafter referred to as the “401(a) Plan”).

8.2 Employee Contributions. The Employee may elect to make contributions into the 457 Plan and/or 401(a) Plan (“Employee Contributions”), subject to the maximum contribution limits set forth by the Internal Revenue Code (“IRC”) and any applicable City policies.

8.3 Vesting. The Employee shall be immediately 100% vested in both the Employee's contributions and any Employer contributions to the 457 Plan and 401(a) Plan.

8.4 Administration: The 457 Plan and 401(a) shall be administered in accordance with the plan documents and applicable laws. The Employee shall have the right to direct the investment of his contributions among the investment options available under the plan.

8.5 City Contribution. The City agrees to match any Employee Contributions on a two to one basis up to the maximum contribution limits set by the IRC, or \$25,000 per year, whichever is less. The City’s match may be placed in either the 457 Plan or 401(a) Plan at the election of the Employee.

8.6 Compliance with Laws: The participation in and contributions to the 457 Plan and 401(a) Plan shall comply with all applicable federal and state laws, as well as City policies and plan documents.

8.7 Plan Amendments: The City reserves the right to amend or terminate the 457 Plan and/or 401(a) Plan at any time, provided that such amendments or termination shall not adversely affect the vested rights of the Employee under the plans.

8.8 Notification: The Employee shall be notified in writing of any changes to the 457 Plan and/or 401(a) Plan that may affect his participation or benefits under the plans.

8.9 Severability: If any provision of this Section 8 is found to be invalid or unenforceable, the remaining provisions shall continue in full force and effect.

2. **REMAINDER UNCHANGED.** Except as specifically modified and amended in this Amendment, the Agreement remains in full force and effect and binding upon the Parties.
3. **SEVERABILITY.** If any portion of this Amendment is declared invalid, illegal or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.
4. **EFFECTIVE DATE.** This Amendment shall not become effective until the date it has been executed by the appropriate authorities of the City and Employee.
5. **APPLICABLE LAW.** The laws of the State of California shall govern the interpretation and enforcement of this Amendment.
6. **REFERENCES.** All references to the Agreement include all their respective terms and provisions. All defined terms utilized in this Amendment have the same meaning as provided in the Agreement, unless expressly stated to the contrary in this Amendment.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment to the Agreement on the date and year first written above.

CITY OF CANYON LAKE

Dale Welty
Mayor

**ATTEST:
CITY CLERK**

By: _____

**APPROVED AS TO FORM:
CITY ATTORNEY**

By: _____

EMPLOYEE

Arron Brown



STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Steven Graham Pacifico, City Attorney

DATE: July 31, 2024

SUBJECT: Approval of Commercial Cannabis Business Permit Renewal Fee

Recommendation

Approve the application of the existing business license renewal fee plus direct regulatory costs for any application to renew a Commercial Cannabis Business Permit in the amount of \$2,294 for Fiscal Year 2024/25.

Background and Analysis

Under CLMC Section 4.20.130 to renew a Commercial Cannabis Business Permit, an existing permit holder must apply for the renewal and “pay a fee in an amount set by the City Council to cover the costs of processing the renewal permit application, together with any regulatory fee established by the City Council to cover the costs of administering the program created under this Chapter.”

City staff recommends charging the existing fee for all other business license renewals, as the cost of processing the renewal is essentially identical. The amount of the business license renewal fee is \$44. Additionally, the City has direct regulatory costs of \$2,250 for cannabis business specific regulatory activities, such as financial audits.

This fee is anticipated to escalate next year consistent with the City’s fee schedule and CPI increases and increases in regulatory fees.

Fiscal Impact

None.

Attachments

None.



STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Arron Brown, City Manager

BY: Jim Morrissey, City Planner

DATE: July 31, 2024

SUBJECT: Consideration of a Variance (VAR 24-01) for a Room Addition Located at 22755 Gray Fox Drive in the R-1 (One Family Dwellings) Zone

Recommendation

(1) Open the public hearing and take public testimony; and (2) deny Variance VAR 24-01.

Background

Building plans have been submitted and construction has occurred that propose an addition of approximately 207 square feet. A portion of the new design will extend less than two feet into the required five-foot side yard setback. To permit an encroachment into the side yard the Zoning Ordinance specifies the use of a Variance (VAR 24-01) and the adoption of Findings delineating the reasons supporting or opposing the proposal. The Variance evaluation provided in the Zoning Ordinance focuses on the inability to meet “the strict application of this ordinance.” The Variance procedure is intended to provide a mechanism to respond to “special circumstances applicable to the property, including the size, shape, topography or surroundings” in which a person cannot achieve the provisions permitted in a Zone. An example would be an inability to construct a new home due to the odd lot configuration of the property, whereby a reduction in the required setback distances would permit a reasonably sized home to be designed and placed on the property, similar to other properties in the area.

Discussion

The basis for evaluating a Variance is whether the criteria established by the Zoning Ordinance limits the ability of the landowner to develop their property based upon the existing lot configuration, topography or a property’s compatibility with other similar properties in the area. In this instance the applicant has constructed an addition, a portion of which extends into the setback.

Subject Parcel

Riverside County

Search Assessment Sales Permits Area Overview Census Education Map

Searching by PIN, please enter the 9-digit string without dashes (e.g., 123456789)

22755 gray fox Go!

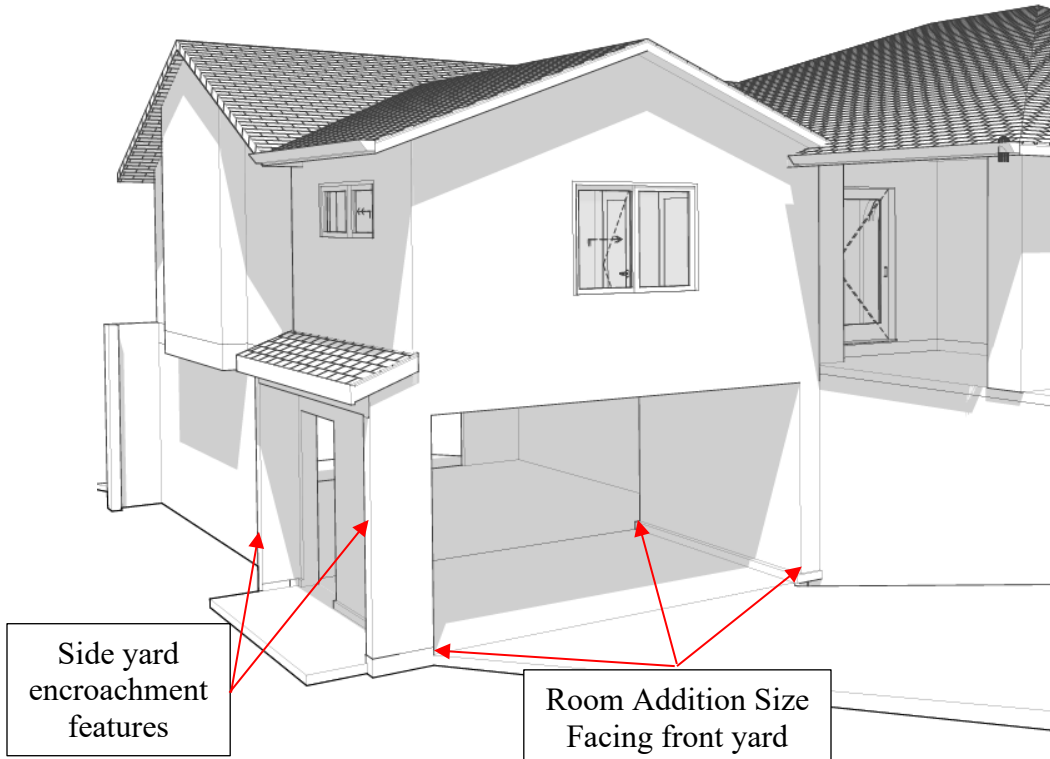
Property ID Number (PIN/APN): 354103012

Sorry, we have no imagery here.

General Information	
Property ID Number (PIN/APN)	354103012
Owner	More Information
Property Address	22755 GRAY FOX DR
Property Type	Single Family Dwelling
Tax Rate Area (TRA)	023-003 CANYON LAKE
Approximate Lot Size	10,019 SqFt / 0.230 acres
Legal Description	LOT 62 MB 059/074 TR 3778

View Aerial Images
View Assessor Map
TLMA Survey Records

Encroachment Location



Section 65906 of the California Government Code generally reflects the City's Zoning Ordinance language related to the required findings and provides that "Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated."

Staff Evaluation

The room addition contains support walls that are necessary for the structural integrity of the home and include a roof overhang. Setback areas are required to be clear of any features, except those identified in the Zoning Ordinance, such as canopies, cornices, and eaves. The eave over the proposed entry/enclosure area are permitted, but the support columns that extend out from the building is not permitted as a side yard encroachment, because it represents an extension of the home, similar to a patio cover attached to the home.

Although the encroachment would not comply with Zoning Ordinance requirements, it does comply with Building and Fire Department requirements which permit a two-foot encroachment into the side yard, if the structure/feature is increased by an additional one-hour rating.

Zoning Ordinance Provisions

Listed below are the various sections referenced above and used as part of the evaluation process.

SECTION 21.14. BUILDING.

A structure having a roof supported by columns or walls. (See "Structure").

SECTION 21.69. STRUCTURE.

Anything constructed or erected and the use of which requires more or less permanent location on the ground or attachment to something having a permanent location on the ground, such as awnings and patio covers, but not including walls and fences six (6) feet or less in height.

SECTION 21.75. YARD.

An open and unoccupied space on a lot on which a building is situated and, except where otherwise provided in this ordinance, open and unobstructed from the ground to the sky.

SECTION 18.19. YARD ENCROACHMENTS.

Where yards are required by this ordinance, they shall be open and unobstructed from the ground to the sky and kept free of all structural encroachments, except as follows:

- a. Outside stairways or landing places, if unroofed and unenclosed, may extend into a required side yard for a distance of not to exceed three (3) feet and/or into the required rear yard a distance of not to exceed five (5) feet.
- b. Cornices, canopies, and other similar architectural features not providing additional floor space within the building may extend into a required yard not to exceed one (1) foot. Eaves may extend three (3) feet into a required yard. One (1) pergola or one (1) covered but

unenclosed passenger landing may extend into either side yard provided it does not reduce the side yard below five (5) feet and its depth does not exceed twenty (20) feet.

Findings of Approval

The Zoning Ordinance contains the following Findings to determine the appropriateness of the request:

1. Variances from the terms of this ordinance may be granted when, because of special circumstances applicable to a parcel of property including size, shape, topography, location or surroundings, the strict application of this ordinance deprives such property of privileges enjoyed by other property in the vicinity that is under the same zoning classification.

Response: The proposed encroachment feature is part of an addition to an existing residence constructed on a 10,019 square foot lot. The minimum lot size in the R-1 Zone is 7,200 square feet. Due to the existence of the existing residence the lot has been graded and flat. As such, the existing lot is not constrained by size, shape or topography in providing the development of a single-family residence, as evidenced by the existing home. The proposed support walls/structure that encroach into the five-foot required side yard setback are part of a 207 square foot ground floor garage and second floor room addition. The support features that extend into the side yard are necessary for the stability of the new addition. The proposed addition is not required to adequately develop the property to ensure a single family residence is compatible with other development in the area.

The Building Department noted the existence of fireplace encroachments equal to the structural encroachment on both the applicant's property and the adjoining property to the south. While the encroachment of both fireplaces demonstrates a certain level of similarity between residences and a compatibility with existing development, they are not essential structural design features. As such, the fact a fireplace encroachment previously occurred on both lots that exceed the R-1 Zone minimum 7,200 square foot lot size (7,841 sq. ft. and 10,019 sq. ft.), does not represent a privilege others can use in the building design of a new addition to permit an encroachment into the side yard setback.

1. A variance shall not be granted for a parcel of property which authorizes a use or activity that is not otherwise expressly authorized by the zone regulation governing the parcel of property, but shall be limited to modifications of property development standards, such as lot size, lot coverage, yards, and parking and landscape requirements.

Response: The proposed addition is part of an existing single-family residence and would not authorize a use that is not permitted in the R-1 One-Family Dwellings Zone.

Existing Conditions and Building Design

The Planning Department was not aware of the applicant's proposed addition prior to its construction. As such, the Variance requested by the applicant is for an existing structure. The features that extend into the side yard are an essential structural component of the addition and are necessary to support the second floor. Staff discussed a potential modification to the existing design with the applicant that would rotate the support features in question such that they would adjoin and be parallel to the exterior wall, rather than in their current perpendicular design. This would permit the walls to continue to function as a support feature, but not extend into the setback area. However, if the walls were rotated the existing footings would also need to be modified. Both actions would require a significant design change and associated improvement cost.

Staff was made aware of the encroachment as part of a complaint registered during the construction of the addition. The Building Department Staff investigated further and noted the adjoining property owner who raised the concern has a fireplace feature that encroaches into the side yard that adjoins the subject property, similar to the subject property. Staff is unaware of the background related to either of these separate occurrences.

Processing and Approval Procedures

Staff has attached a resolution denying the Variance request, based upon the factors previously discussed above. However, if the City Council desires to approve the proposal a similar resolution would be required delineating the reasons for acceptance. At present the basis of any approval criteria is unknown. However, at the direction of the City Manager, Staff has prepared a potential approval resolution that contains factors which could be utilized to assist the City Council in their determination, should such an action be desired. While the resolutions provide both denial and approval related information that are contrary to each other, they also represent the facts associated with this application and allow the City Council to separately evaluate how the application might align with the required Findings, depending upon the direction desired.

Environmental Documentation

No environmental action is required, if the proposal is denied. However, should the proposal be approved by the City Council, Staff recommends the proposal be found Exempt from the California Environmental Quality Act (CEQA), consistent with Section 15061 (b)(3), also known as the Commonsense Rule.

Fiscal Impact

None.

Attachments

1. Draft Resolution - Denial
2. Draft Resolution - Approval
3. Public Hearing Notice

ATTACHMENT 1

RESOLUTION 2024-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANYON LAKE, CALIFORNIA DENYING VARIANCE 24-01, TO ALLOW THE PLACEMENT OF A PORTION OF AN ADDITION WITHIN APPROXIMATELY THREE FEET OF THE SIDE YARD PROPERTY LINE FOR 22755 GRAY FOX DRIVE, CANYON LAKE, CA 92587 (APN 354-103-012)

WHEREAS, The applicant, Shawn Siepker, has filed an application with the City of Canyon Lake for Variance 24-01 to allow a setback along the southerly property line and main building to be less than the five feet required by the Zoning Ordinance, as depicted on plan number 20240087 in the City’s Permit Management Program, located at 22755 Gray Fox Drive (Assessor’s Parcel Number: 354-103-012) within the City of Canyon Lake, California, 92587; and

WHEREAS, notice of a public hearing of the City Council of the City of Canyon Lake to consider Applicant's application was given in accordance with applicable law; and

WHEREAS, the City Council has considered the staff report and all of the information, testimony, and evidence presented during the City Council hearing; and

WHEREAS, a Variance may be granted when, because of special circumstances applicable to a parcel of property, including size, shape, topography, location or surroundings, the strict application of this ordinance deprives such property of privileges enjoyed by other property in the vicinity that is under the same zoning classification; and

WHEREAS, this application is requested to approve a Variance to allow a portion of the main building, consisting of vertical support walls for a new addition to be located within approximately three feet from the side yard property line; and

WHEREAS, Canyon Lake’s Zoning Ordinance Section 18.27, City Council approval is required for a variance from the adopted ordinances.

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 incorporated herein by reference.

Section 2. In accordance with Section 18.27 of the Canyon Lake Zoning Ordinance, based upon the staff report, public testimony, and record herein, the City Council makes the following findings regarding Variance 24-01:

1. Variances from the terms of this ordinance may be granted when, because of special circumstances applicable to the parcel of property, including size, shape, topography, location or surroundings, the strict application of this ordinance deprives such property of privileges enjoyed by other property in the vicinity that is under the same zoning classification.

Response: The proposed encroachment feature is part of an addition to an existing residence constructed on a 10,019 square foot lot. The minimum lot size in the R-1 Zone is 7,200 square feet. Due to the existence of the existing residence the lot has been graded and flat. As such, the existing lot is not constrained by size, shape or topography in providing the development of a single-family residence, as evidenced by the existing home. The proposed support walls/structure that encroach into the five-foot required side yard setback are part of a 207 square foot ground floor garage and second floor room addition. The support features that extend into the side yard are necessary for the stability of the new addition. The proposed addition is not required to adequately develop the property to ensure a single-family residence is compatible with other development in the area.

The Building Department noted the existence of fireplace encroachments equal to the structural encroachment on both the applicant's property and the adjoining property to the south. While the encroachment of both fireplaces demonstrates a certain level of similarity between residences and a compatibility with existing development, they are not essential structural design features. As such, the fact a fireplace encroachment previously occurred on both lots that exceed minimum 7,200 square foot lot size (7,841 sq. ft. and 10,019 sq. ft.) for the R-1 Zone, does not represent a privilege others can use in the building design of a new addition to permit an encroachment into the side yard setback.

2. A variance shall not be granted for a parcel of property which authorizes a use or activity that is not otherwise expressly authorized by the zone regulation governing the parcel of property, but shall be limited to modifications of property development standards, such as lot size, lot coverage, yards, and parking, and landscape requirements.

Response: The proposed addition is part of an existing single-family residence and would not authorize a use not permitted in the R-1 One-Family Dwellings Zone.

3. The proposed development has been evaluated to determine compliance with the California Environmental Quality Act (CEQA) and represents the City's independent evaluation of the project.

Response: The proposed variance would allow the construction in the side yard setback area established by the Zoning Ordinance. The existing construction meets all standard California Building Code and Engineering requirements typically employed for such construction. The land area has been disturbed as part of the original home construction and utilized by its current occupants. Construction of the addition would not affect the environment and would be exempt under the California Environmental Quality Act (CEQA) Section 15061 (c)(3).

Section 3. Pursuant to the above findings, the City Council of the City of Canyon Lake authorizes the findings and the environmental determination provided in this resolution and denies Variance 24-01 that would reduce the side yard setback on the southerly side of the lot to encroach within approximately three feet of the southerly property line for the property at 22755 Gray Fox Drive (Assessor's Parcel Number: 354-103-012).

Section 4. That the City Clerk shall certify the adoption of this Resolution and that the same shall be in full force and effect.

Section 5. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED this 31st day of July 2024.

Dale Welty, Mayor

ATTEST:

Sheryl L. Garcia, MMC, CPM
City Clerk

ATTACHMENT 2

RESOLUTION 2024-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANYON LAKE, CALIFORNIA APPROVING VARIANCE 24-01, TO ALLOW THE PLACEMENT OF A PORTION OF AN EXISTING ADDITION WITHIN APPROXIMATELY THREE FEET OF THE SIDE YARD PROPERTY LINE FOR 22755 GRAY FOX DRIVE, CANYON LAKE, CA 92587 (APN 354-103-012)

WHEREAS, The applicant, Shawn Siepker, has filed an application with the City of Canyon Lake for Variance 24-01 to allow a setback along the southerly property line and main building to be less than the five feet required by the Zoning Ordinance, as depicted on plan number 20240087 in the City’s Permit Management Program, located at 22755 Gray Fox Drive (Assessor’s Parcel Number: 354-103-012) within the City of Canyon Lake, California, 92587; and

WHEREAS, notice of a public hearing of the City Council of the City of Canyon Lake to consider Applicant's application was given in accordance with applicable law; and

WHEREAS, the City Council has considered the staff report and all of the information, testimony, and evidence presented during the City Council hearing; and

WHEREAS, a Variance may be granted when, because of special circumstances applicable to a parcel of property, including size, shape, topography, location or surroundings, the strict application of this ordinance deprives such property of privileges enjoyed by other property in the vicinity that is under the same zoning classification; and

WHEREAS, this application is to approve a Variance to allow a portion of the main building, consisting of vertical support walls for a new addition to be located within approximately three feet from the side yard property line; and

WHEREAS, Canyon Lake’s Zoning Ordinance Section 18.27, City Council approval is required for a variance from the adopted ordinances.

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 incorporated herein by reference.

Section 2. In accordance with Section 18.27 of the Canyon Lake Zoning Ordinance, based upon the staff report, public testimony, and record herein, the City Council makes the following findings regarding Variance 24-01:

1. Variances from the terms of this ordinance may be granted when, because of special circumstances applicable to the parcel of property, including size, shape, topography, location or surroundings, the strict application of this ordinance deprives such property of privileges enjoyed by other property in the vicinity that is under the same zoning classification.

Response: *The features extending into the setback area, which are the subject of the Variance request, are an integral part of the structural design and any modification of the design would require significant changes to the existing building and associated foundation design. The special circumstances associated with this proposal is the fact the addition was reviewed and accepted by the City and the construction has occurred. However, unknown to the applicant the approved building design did not meet Zoning Ordinance requirements. Although the encroachment would not comply with Zoning Ordinance requirements, it does comply with Building and Fire Department requirements which permit a two-foot encroachment into the side yard, if the structure/feature design is increased by an additional one-hour rating, which has been provided as part of the construction. In addition, the minimum three-foot distance along the property line provides adequate access area for life safety personnel.*

2. A variance shall not be granted for a parcel of property which authorizes a use or activity that is not otherwise expressly authorized by the zone regulation governing the parcel of property, but shall be limited to modifications of property development standards, such as lot size, lot coverage, yards, and parking, and landscape requirements.

Response: *The proposed addition is part of an existing single-family residence and would not authorize a use not permitted in the R-1 One-Family Dwellings Zone.*

3. The proposed development has been evaluated to determine compliance with the California Environmental Quality Act (CEQA) and represents the City's independent evaluation of the project.

Response: *The proposed variance would allow the construction in the side yard setback area established by the Zoning Ordinance. The existing construction meets all standard California Building Code and Engineering requirements typically employed for such construction. The land area has been disturbed as part of the original home construction and utilized by its current occupants. Construction of the addition would not affect the environment and would be exempt under the California Environmental Quality Act (CEQA) Section 15061 (c)(3).*

Section 3. Pursuant to the above findings, the City Council of the City of Canyon Lake authorizes the findings and the environmental determination provided in this resolution and approves Variance 24-01 permitting a reduction in the side yard setback on the southerly side of the lot to encroach within approximately three feet of the property line for the property at 22755 Gray Fox Drive (Assessor's Parcel Number: 354-103-012).

Section 4. That the City Clerk shall certify the adoption of this Resolution and that the same shall be in full force and effect.

Section 5. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED this 31st day of July 2024.

Dale Welty, Mayor

ATTEST:

Sheryl L. Garcia, MMC, CPM
City Clerk

ATTACHMENT 3



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT the Canyon Lake City Council will conduct a public hearing at its regularly scheduled meeting on July 31, 2024, at 6:30 p.m. or as soon thereafter as it may be heard. The meeting will take place in the City Council Chamber at City Hall, located at 31516 Railroad Canyon Road, Canyon Lake, CA 92587.

AT THE PUBLIC HEARING, THE CITY COUNCIL WILL CONSIDER a Variance application (VAR 24-01) to permit an encroachment of approximately 1.75 feet into the side yard setback for support walls related to a 207 square foot addition to an existing structure, located at 22755 Gray Fox Drive.

Environmental Determination: No environmental determination has been recommended at this time, although an Exemption could be considered for compliance with the California Environmental Quality Act (CEQA).

Anyone wishing to protest this action must file a written response or may appear personally at the public hearing. Prior to the hearing, written comments in favor or against should be sent to the Canyon Lake City Hall, City Clerk's Office at 31516 Railroad Canyon Road, Canyon Lake, CA 92587. If you challenge any project or fee in court, you may be held to raising only those issues you or someone else raised at the public hearing or in written correspondence to the City Clerk at or prior to the public hearing as described in this notice.

The proposed environmental finding may be viewed at City Hall, 31516 Railroad Canyon Road, Canyon Lake, CA 92587 from 8:00 a.m. until 5:00 p.m., Monday Thru Thursday.

For additional information contact the Planning Department at 951-244-2955. City Hall is open Monday through Thursday from 8 a.m. to 5 p.m.

_____/s/
Sheryl Garcia
City Clerk

Published 7/19/2022

354-102-003
Michele & Derek Funk
22990 Blue Bird Dr
Canyon Lake, CA 92587-7555

354-102-006
Gillian Birch
22930 Blue Bird Dr
Canyon Lake, CA 92587-7555

354-102-009
Brian & Emily Vazquez
22859 Gray Fox Dr
Canyon Lake, CA 92587-7536

354-102-012
Elaine Kelley
22901 Gray Fox Dr
Canyon Lake, CA 92587-7530

354-103-003
Paula Smith
22956 Pheasant Dr
Canyon Lake, CA 92587-7527

354-103-006
Yang Beh
201 Domingo Dr
Moncks Corner, SC 29461-8024

354-103-009
James Moreland & Roxanne Camping
22715 Gray Fox Dr
Canyon Lake, CA 92587-7535

354-103-012
Shawn Siepker & Kelley Harrison
22755 Gray Fox Dr
Canyon Lake, CA 92587-7535

354-103-015
Kenneth & Kris Whiteing
22947 Blue Bird Dr
Canyon Lake, CA 92587-7555

354-103-018
Jacob & Mandy Rogers
23001 Blue Bird Dr
Canyon Lake, CA 92587-7556

354-102-004
Charmaine Starkey
22976 Blue Bird Dr
Canyon Lake, CA 92587-7555

354-102-007
Marinus & Mirjam Pasveer
22894 Blue Bird Dr
Canyon Lake, CA 92587-7555

354-102-010
Donald & Donna Newman
22873 Gray Fox Dr
Canyon Lake, CA 92587-7536

354-103-001
Curt Conroy
22986 Pheasant Dr
Canyon Lake, CA 92587-7528

354-103-004
Matthew & Beth McCreary
22940 Pheasant Dr
Canyon Lake, CA 92587-7527

354-103-007
Charles Taylor Jr & Jamie Taylor
17109 Santa Catherine St
Fountain Valley, CA 92708-3332

354-103-010
John & Lindsay King
6230 Hannon Ct
San Diego, CA 92117-3327

354-103-013
Phillip Braun
31566 Railroad Canyon Rd 699
Canyon Lake, CA 92587-9446

354-103-016
Etienne & Angela Gadiant
22961 Blue Bird Dr
Canyon Lake, CA 92587-7555

354-161-001
Mitchell & Theresa Rosen
22661 Gray Fox Dr
Canyon Lake, CA 92587-7584

354-102-005
Barbara Ambrosi
22960 Blue Bird Dr
Canyon Lake, CA 92587-7555

354-102-008
Anthony Moisiso & Nicole Saylor Moisiso
22845 Gray Fox Dr
Canyon Lake, CA 92587-7536

354-102-011
Eighmey Family Revocable Trust
22887 Gray Fox Dr
Canyon Lake, CA 92587-7536

354-103-002
William & Christina Robbins
22970 Pheasant Dr
Canyon Lake, CA 92587-7527

354-103-005
Daniel & Sandra Kelley
22926 Pheasant Dr
Canyon Lake, CA 92587-7527

354-103-008
Bruce & Kathleen Brattin
22880 Pheasant Dr
Canyon Lake, CA 92587-7527

354-103-011
Bryan Eddy
22741 Gray Fox Dr
Canyon Lake, CA 92587-7535

354-103-014
Christina Vujovich
22931 Blue Bird Dr
Canyon Lake, CA 92587-7555

354-103-017
Yen Ho
2680 Signal Pkwy
Signal Hill, CA 90755-2205

354-161-002
Robert & Jennifer Sessions
22675 Gray Fox Dr
Canyon Lake, CA 92587-7584

354-020-001
Evmwd
Po Box 3000
Lake Elsinore, CA 92531-3000

354-093-001
Jimmie Benson Jr & Diane Renee
22643 Gray Fox Dr
Canyon Lake, CA 92587-7584

354-101-001
David & Vicki Derse
22676 Gray Fox Dr
Canyon Lake, CA 92587-7584

354-101-004
Alan & Karen Pekarcik
1532 Kensing Ln
Santa Ana, CA 92705-3026

354-101-007
Sally Kern
26631 Castile Ln
Mission Viejo, CA 92691-5504

354-101-017
Victoria Lee
22796 Water View Dr
Canyon Lake, CA 92587-7553

354-101-020
Richard & Susan Hoover
22840 Water View Dr
Canyon Lake, CA 92587-7554

354-101-025
Aaron & Jennifer Harang
22818 Gray Fox Dr
Canyon Lake, CA 92587-7536

354-101-028
Canyon Lake Property Owners Assn
Po Box 5A
Sun City, CA 92586

354-101-033
Ryan & Danielle Coats
22784 Gray Fox Dr
Canyon Lake, CA 92587-7535

354-091-033
Lavern Overturf & Rietta Overturf
22784 Running Rabbit Ct
Canyon Lake, CA 92587-7516

354-093-004
Casey Lytle
22788 Canyon Lake Dr S
Canyon Lake, CA 92587-7562

354-101-002
Gerald Patterson
22688 Gray Fox Dr
Canyon Lake, CA 92587-7584

354-101-005
Lori Drotman
22855 Water View Dr
Canyon Lake, CA 92587-7554

354-101-008
Donald & Catherine Gamble
22795 Water View Dr
Canyon Lake, CA 92587-7553

354-101-018
Lake Real Estate
17 Beach Club Dr 219
Stateline, NV 89449

354-101-023
Tamara Gurney
4923 Arcola Ave
North Hollywood, CA 91601-4811

354-101-026
Dennis Myers
9912 Beverly Ln
Garden Grove, CA 92841-3839

354-101-029
Chris & Virginia Papavero
22856 Water View Dr
Canyon Lake, CA 92587-7554

354-102-001
Gerald & Janice Laplaca
498 North St
Goshen, CT 06756-1207

354-091-034
David & Vicki Derse
22676 Gray Fox Dr
Canyon Lake, CA 92587-7584

354-100-001
Canyon Lake Prop Owners Assn
31512 Railroad Canyon Rd
Canyon Lake, CA 92587-9400

354-101-003
Frederick Simon Sr & Camille Simon
22700 Gray Fox Dr
Canyon Lake, CA 92587-7535

354-101-006
Randolph & Dianne Elson
22835 Water View Dr
Canyon Lake, CA 92587-7553

354-101-009
Filemon & Maria Landeros
30370 E Sunset Dr S
Redlands, CA 92373-7323

354-101-019
Douglas & Kathryn Ray
22826 Water View Dr
Canyon Lake, CA 92587-7553

354-101-024
Jill Mathison & Robert Mcgeachy
22806 Gray Fox Dr
Canyon Lake, CA 92587-7536

354-101-027
Canyon Lake Property Owners Assn
Po Box 5A
Canyon Lake, CA 92587

354-101-032
Chris & Virginia Papavero
22856 Water View Dr
Canyon Lake, CA 92587-7554

354-102-002
Ronald & Tanya Grinel
17445 Superior St
Northridge, CA 91325-1836

354-161-003
Max Paul
22691 Gray Fox Dr
Canyon Lake, CA 92587-7584

354-161-004
John Green & Pamela Jensen Green
22863 Pheasant Dr
Canyon Lake, CA 92587-7527

354-161-005
Robert & Helen Ratkovic
30297 Skippers Way Dr
Canyon Lake, CA 92587-7406

354-161-006
Chanel Maxey
5239 E Woodwind Ln
Anaheim, CA 92807-2017

354-161-007
Linda Jacob
22891 Pheasant Dr
Canyon Lake, CA 92587-7527

354-161-008
Eric & Jena Sperry
22907 Pheasant Dr
Canyon Lake, CA 92587-7527

354-161-009
Jennifer & Evangelos Katsouridis
22925 Pheasant Dr
Canyon Lake, CA 92587-7527

354-161-010
James & Hilde Martin
22941 Pheasant Dr
Canyon Lake, CA 92587-7527

354-161-011
Michael Mcgrath
22898 Canyon Lake Dr S
Canyon Lake, CA 92587-7593

354-161-012
Sheila Soulia
22880 Canyon Lake Dr S
Canyon Lake, CA 92587-7593

354-161-013
Frank & Katie Taylor
22878 Canyon Lake Dr S
Canyon Lake, CA 92587-7593

354-161-014
Ronald & Frances Marcuse
22868 Canyon Lake Dr S
Canyon Lake, CA 92587-7593

354-161-015
Michael & Feliciano Theiss
22858 Canyon Lake Dr S
Canyon Lake, CA 92587-7593

354-161-016
Alex & Jessika Madrid
22848 Canyon Lake Dr S
Canyon Lake, CA 92587-7563

354-161-017
Janis Lipson
22838 Canyon Lake Dr S
Canyon Lake, CA 92587-7563

354-161-018
Jessica Martinez
22828 Canyon Lake Dr S
Canyon Lake, CA 92587-7563

354-161-019
Dorothy & James Martin
1115 Fonthill Ave
Torrance, CA 90503-5139

354-161-020
Aaron Vecchiarelli
22808 Canyon Lake Dr S
Canyon Lake, CA 92587-7563

354-161-021
Sharon Hughes
22796 Canyon Lake Dr S
Canyon Lake, CA 92587-7562

354-171-001
Ali Gray
23017 Blue Bird Dr
Canyon Lake, CA 92587-7556

354-171-002
John & Terrie Fasullo
23039 Blue Bird Dr
Canyon Lake, CA 92587-7556

354-171-005
Ronald Scott
23006 Pheasant Dr
Canyon Lake, CA 92587-7529

354-172-001
David & Vicki Vawter
22955 Pheasant Dr
Canyon Lake, CA 92587-7527

354-172-002
Jason Findahl
22973 Pheasant Dr
Canyon Lake, CA 92587-7527

354-172-006
Dayna Collom
25730 Troy Ln
Menifee, CA 92585-9236

354-172-007
Catherine Delligatta
8108 E Orange Dr
Orange, CA 92869

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ITEM NO. 12

STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Arron Brown, City Manager
Steven Graham Pacifico, City Attorney

DATE: July 31, 2024

SUBJECT: Introduction and First Reading of Ordinance No. 248 - An Ordinance of the City Council of the City of Canyon Lake, California, Adding Chapter 12.09 to the Canyon Lake Municipal Code to Adopt a Golf Cart Transportation Plan Consistent with Streets and Highways Code Sections 1950-1967 and Amending Chapter 12.08 to be Consistent with the Golf Cart Transportation Plan

Recommendation

Introduce and read by title only waiving further reading of Ordinance No. 248 - An Ordinance of the City Council of the City of Canyon Lake, California, Adding Chapter 12.09 to the Canyon Lake Municipal Code to Adopt a Golf Cart Transportation Plan Consistent with Streets and Highways Code Sections 1950-1967 and Amending Chapter 12.08 to be Consistent with the Golf Cart Transportation Plan.

Background

The City of Canyon Lake is committed to enhancing the mobility and air quality of our community by providing alternative transportation options. As authorized by the California Streets and Highways Code Sections 1950-1967, the City proposes the establishment of a Golf Cart Transportation Plan. This plan aims to reduce automobile trips, lower vehicular emissions, and expand mobility for residents, particularly those who do not utilize automobiles.

Discussion

The primary goal of the ordinance is to extend the functional use of golf carts for various transportation needs within designated plan areas of the city. This is expected to reduce the number of automobile trips, thereby lowering vehicular emissions and contributing to better air quality. Additionally, the ordinance aims to expand mobility options for residents, particularly those who might not use automobiles.

The ordinance is established under the authority of California Streets and Highways Code Sections 1950-1967. The City Council retains the ability to amend the plan area by resolution and it may include non-public roads at the election of the property owner. This would allow potential future cooperation between the City and the Canyon Lake Property Owner's Association, at the CLPOA's option.

The ordinance sets minimum design and equipment standards for golf carts, including the requirement for stoplamps, reflectors, and horns. Additional safety features for nighttime operation include headlamps and taillamps.

Golf cart operators must possess a valid driver's license and proof of financial responsibility. Special provisions are made for physically disabled operators as per Vehicle Code Section 21114.5.

The City Manager or designated staff will oversee the issuance of golf cart permits, ensuring compliance with design and safety standards. Golf carts are to be operated only on designated lanes and crossing points. Permits are required for operation under the plan, and operators must maintain their carts in safe condition.

The Ordinance authorizes enforcement by the City Manager or their designee, along with Code Enforcement. Violations are punishable by a \$100 infraction or administrative citation.

The Ordinance also updates Chapter 12.08 to be consistent with the Golf Cart Transportation Plan.

Fiscal Impact

The implementation of the Golf Cart Transportation Plan may involve initial costs related to signage, road markings, and administrative processes for issuing permits. These costs are anticipated to be offset by the reduction in automobile traffic and associated maintenance costs, as well as potential permit fees.

Attachments

1. Ordinance No. 248

ATTACHMENT 1

ORDINANCE NO. 248

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CANYON LAKE, CALIFORNIA, ADDING CHAPTER 12.09 TO THE CANYON LAKE MUNICIPAL CODE TO ADOPT A GOLF CART TRANSPORTATION PLAN CONSISTENT WITH STREETS AND HIGHWAYS CODE SECTIONS 1950-1967 AND AMENDING CHAPTER 12.08 TO BE CONSISTENT WITH THE GOLF CART TRANSPORTATION PLAN

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

Section 1. Municipal Code Amendment – Chapter 12.09. Chapter 12.09 of the Canyon Lake Municipal Code is hereby added to read as provided in the attached Exhibit “A”.

Section 2. Municipal Code Amendment – Chapter 12.08. Chapter 12.08 of the Canyon Lake Municipal Code is hereby amended to read as provided in the attached Exhibit “B”.

Section 3. Clerical Errors. The City Council directs the City Clerk to correct any clerical errors found in this Ordinance including, but not limited to, typographical errors, irregular numbering and incorrect section references.

Section 4. Severability. Should any section, subsection, clause, or provision of this Ordinance for any reason be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this Ordinance; it being hereby expressly declared that this Ordinance, and each section, subsection, sentence, clause, and phrase hereof would have been prepared, proposed, approved, and ratified irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid, unenforceable, or unconstitutional.

Section 5. Effective Date. In accordance with California Government Code section 36937, this Ordinance shall take effect and be in force thirty (30) days from passage and adoption.

Section 6. Publication. The Mayor shall sign this Ordinance and the City Clerk shall certify as to the adoption and shall cause the ordinance or a summary thereof to be published in accordance with state law.

PASSED APPROVED AND ADOPTED this ____ day of September, 2024

Dale Welty, Mayor

ATTEST:

APPROVED AS TO FORM:

Sheryl Garcia, MMC, CPM
City Clerk

Steven Graham, City Attorney

EXHIBIT "A"

**Chapter 12.09
Golf Cart Transportation Plan**

12.09.010 Purpose.

This chapter is intended to establish a golf cart transportation program within the City of Canyon Lake. The Streets and Highways Code of the State of California authorizes the City to develop a golf cart transportation plan that extends the use of golf carts for transportation beyond access to golf courses. It is the intent of the City to accommodate the functional travel needs of certain residents of the plan area consistent with state law.

12.09.020 Findings.

The City Council of the City of Canyon Lake finds and determines that:

- A. The utilization of golf carts will reduce automobile trips and vehicular emissions, thus promoting improved air quality;
- B. Establishment of a golf cart transportation plan will serve to expand mobility to those persons not utilizing automobiles;
- C. The selected golf cart routes maximize the utilization of golf carts for golf course transportation, residential transportation, commercial/office transportation, and public/institutional transportation within the plan area;
- D. The selected routes accommodate golf carts without an adverse impact upon traffic safety.

12.09.030 Authority.

This Chapter is established pursuant to California Streets and Highways Code Sections 1950-1967.

12.09.040 Definitions.

The following definitions apply to this chapter:

"Darkness" is any time from one-half hour after sunset to one-half hour before sunrise and any other time when visibility is not sufficient to render clearly discernible any person or vehicle on the highway at a distance of 1,000 feet.

"Golf cart" means either a Golf Cart as defined in Section 345 of the California Vehicle Code or a Low-Speed Vehicle as defined in Section 385.5 of the California Vehicle Code.

"**Golf cart lanes**" means all publicly owned facilities that provide for golf cart travel including roadways designated by signs or permanent markings which are shared with pedestrians, bicyclists, and other motorists in the plan area.

12.09.050 Golf cart design criteria.

Minimum golf cart design criteria for operation on golf cart lanes are established. The following elements are minimum design and equipment requirements:

- A. The following standards are applicable to all golf carts:
 - 1. The golf cart must be the shape and size that conforms to the industry standards for manufactured golf carts.
 - 2. The golf cart must present an unobstructed view to the rear from the driver's seat.
 - 3. The golf cart must be equipped with a stoplamp, one rear reflector, and a horn.
- B. Golf carts operated during Darkness shall meet the additional minimum safety criteria:
 - 1. The golf cart shall be equipped with a headlamp and taillamp.
- C. It is recommended, but not required, that golf carts be equipped with the following safety features: rearview mirror, parking brake, seatbelts, turn signals, backup buzzer, and a windshield.

12.09.060 Golf cart operator safety criteria.

Minimum golf cart operator safety criteria for golf cart use have been established by the state of California. The following safety criteria for operators are set and adopted by the City Council:

- A. A golf cart operator must have a valid driver's license issued by the state of California or a recognized foreign jurisdiction in accordance with Vehicle Code Sections 12502—12505.
- B. If physically disabled, a golf cart operator may be permitted to operate a golf cart in accordance with Vehicle Code Section 21114.5.
- C. Operators must show proof of financial responsibility established pursuant to Streets and Highways Code Section 16000, *et seq.*

12.09.070 Golf cart permit process.

The provisions of Sections 12.09.050 and 12.09.060 shall be administered and enforced by the City Manager, his or her staff or designees through the issuance of a golf cart permit.

12.09.080 Golf cart operation restrictions.

The following restrictions limiting the operation of golf carts shall apply:

- A. Only those golf carts that have been retrofitted with the safety equipment specified in the plan may be operated under the provisions of the golf cart transportation plan.
- B. Golf cart operation on and across public roads is limited to:
 - 1. Golf cart lanes and crossings designated by resolution of the City Council; and
 - 2. The golf cart crossing designated in Chapter 12.08 at Railroad Canyon Road and Canyon Lake Drive South.
- C. All locations where golf cart operation is authorized shall be provided with any of the following as determined necessary and appropriate by the City Council: special paving, road markings, signage and striping for golf cart travel lanes, road crossings, parking, and circulation. In doing so, the City shall utilize uniform specifications and symbols for signs, markers, and traffic control devices to control golf cart traffic; to warn of dangerous conditions, obstacles, or hazards; to designate the right-of-way as between golf carts, other vehicles, and bicycles; to state the nature and destination of the golf cart lane; and to warn pedestrians, bicyclists, and motorists of the presence of golf cart traffic.
- D. Only those golf carts having a City golf cart permit may be operated in accordance with the golf cart transportation plan.
- E. A golf cart operator must maintain his or her golf cart in a safe condition.

12.09.090 Violation—Penalty.

- A. The following officers and employees of the City of Canyon Lake are the only officers and employees designated and authorized to issue citations and infractions of this Chapter:
 - 1. City Manager or their designee(s).
 - 2. Code Enforcement:
 - i. Code Enforcement Supervisor
 - ii. Code Enforcement Officers
- B. Any person causing, permitting, aiding, abetting, suffering or concealing a violation of this Chapter shall be guilty of an infraction punishable by a fine not exceeding \$100.00 per violation. In the alternative, a violator may be issued an administrative citation under Chapter 11.26 of this Code in an amount not to exceed \$100 per violation.
- C. A violation of this Chapter shall not be considered a misdemeanor.

EXHIBIT “B”

**Chapter 12.08
Golf Cart Use on Railroad Canyon Road**

12.08.010 Golf cart crossing zone.

12.08.020 Golf cart otherwise prohibited.

12.08.030 Signs and markers.

12.08.010 Golf Cart and Low-Speed Vehicle Crossing Zone.

- (a) It shall be lawful for golf carts and low-speed vehicles to be operated across Railroad Canyon Road at Canyon Lake Drive South at the designated crossing zone.
- (b) Any person crossing Railroad Canyon Road at the designated crossing zone shall comply with all posted signage.
- (c) This Section imposes no registration, licensing or equipment requirements on golf carts and low-speed vehicles except for those included in Chapter 12.09 of this Code.

12.08.020 Golf Cart and Low-Speed Vehicles Use Prohibited

Except as authorized by Section 12.08.010 and Chapter 12.09, it shall be unlawful to operate a golf cart or low-speed vehicle on any public road within the City.

12.08.030 Signs and markers.

The City Manager, or their designee, is directed to cause to be erected and installed the signs, lighting, striping, and markers in accordance with engineering practice on a plan signed by a licensed engineer.



STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Arron Brown, Interim City Manager

DATE: July 31, 2024

SUBJECT: Discussion Regarding Support for Proposition 36 – the Homelessness, Drug Addiction and Theft Reduction Act

Recommendation

Adopt Resolution No. 2024-35 supporting Proposition 36 – the Homelessness, Drug Addiction and Theft Reduction Act.

Background/Discussion

Council Member Smith has requested a discussion regarding support for Proposition 36 – the Homelessness, Drug Addiction and Theft Reduction Act. A draft resolution supporting Proposition 36 is attached hereto.

The “Homelessness Drug Addiction & Theft Reduction Act”, officially entitled Prop 36, is a State-wide bipartisan measure that seeks to reform Prop 47.

What It Is

Addresses Organized Retail Theft:

- Classifies repeated theft as a felony for individuals who steal less than \$950 if they have 2 or more prior theft-related convictions.
- Allows stolen property values from multiple thefts to be combined, so repeat offenders can be charged with a felony if the total exceeds \$950, countering tactics by career criminals to avoid harsher penalties.
- Authorizes judges to impose an enhanced penalty when an offender steals, damages, or destroys property by participating in organized theft with 2 or more offenders or by causing losses of \$50k or more.

Confronts the Fentanyl Crisis by:

- Adds fentanyl to the list of hard drugs – such as heroin, cocaine and methamphetamine – that are illegal to possess with a firearm and authorizes greater consequences for selling deadly quantities.
- Enables stricter penalties for dealers whose trafficking causes death or serious injury and warns traffickers of potential murder charges if continued drug trafficking results in fatalities.

Prioritizes MH and Drug Treatment by:

- Enacts a new class of crime called a “treatment- mandated felony” where offenders with multiple hard drug possession convictions would be given the option of participating in drug and mental health treatment in lieu of incarceration.
- Allows offenders who successfully complete drug and mental health treatment to avoid jail time and have the charge fully expunged.

This initiative has received enough signatures to make it to the ballot in November. It is supported by a wide range of large and small retailers (ex., Walmart, Macys, Home Depot, 7/11, Grocers), private donors, tribes, and a number of elected officials up and down the state – including the Mayor of San Francisco.

Fiscal Impact

None.

Attachments

1. Resolution No. 2024-35

ATTACHMENT 1

RESOLUTION NO. 2024-35

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANYON LAKE, CALIFORNIA, SUPPORTING PROPOSITION 36 - THE HOMELESSNESS, DRUG ADDICTION, AND THEFT REDUCTION ACT (INITIATIVE NO. 23-0017A1)

WHEREAS, the “Homelessness Drug Addiction & Theft Reduction Act”, officially entitled Prop 36, is a State-wide bipartisan measure that seeks to reform Prop 47; and

WHEREAS, Prop 36 addresses organized retail theft, confronts the fentanyl crisis and prioritizes drug treatment; and

WHEREAS, Prop 36 has received enough signatures to make it to the ballot in November; and

WHEREAS, Prop 36 is supported by the Board of Directors of the League of California Cities as well as a wide range of large and small retailers (ex., Walmart, Macys, Home Depot, 7/11, Grocers), private donors, tribes, and a number of elected officials up and down the state – including the Mayor of San Francisco.

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 incorporated herein by reference.

Section 2. The City Council of the City of Canyon Lake hereby supports Proposition 36 - The Homelessness, Drug Addiction, And Theft Reduction Act (Initiative No. 23-0017A1).

Section 3. That the City Clerk shall certify the adoption of this Resolution and that the same shall be in full force and effect.

Section 4. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED this 31st day of July 2024.

Dale Welty, Mayor

ATTEST:

Sheryl L. Garcia, MMC, CPM
City Clerk



STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Arron Brown, Interim City Manager

BY: Sheryl Garcia, City Clerk

DATE: July 31, 2024

SUBJECT: Designation of a Voting Delegate and Alternate(s) for the League of California Cities 2024 Annual Conference and Expo Annual Business Meeting

Recommendation

Designate a voting delegate and up to two alternates for the League of California Cities 2024 Annual Conference and Expo Annual Business Meeting and authorize the City Clerk to complete and submit the Voting Delegate form.

Background/Discussion

The League of California Cities' ("Cal Cities") 2024 Annual Conference and Expo is scheduled for October 16-18, 2024, in Long Beach, California. The Annual Business Meeting (General Assembly), taking place on October 18, allows the Cal Cities membership to consider and act on resolutions establishing Cal Cities policy.

To vote at the Annual Business Meeting, the City Council must designate a voting delegate and may appoint up to two alternates, one of whom may vote if the designated voting delegate is unable to serve in that capacity. The City may cast one vote on matters pertaining to Cal Cities policy. Cal Cities requests that each city complete an online Voting Delegate Submission form affirming the action taken by the City Council.

Fiscal Impact

Costs associated with attendance at the conference have been included in the City's FY 24-25 adopted operating budget.

Attachments

None.