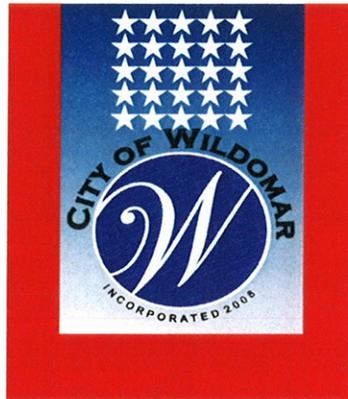


CITY OF WILDOMAR
CITY COUNCIL

AGENDA

7:00 P.M.

AUGUST 26, 2009
Council Chambers
23873 Clinton Keith Road



Scott Farnam, Mayor
Bridgette Moore, Mayor Pro Tem
Sheryl Ade, Council Member
Bob Cashman, Council Member
Marsha Swanson, Council Member

City Manager
Frank Oviedo

City Attorney
Julie Hayward Biggs

WILDOMAR CITY COUNCIL REGULAR MEETING AGENDA AUGUST 26, 2009

ORDER OF BUSINESS: Public sessions of all regular meetings of the City Council begin at 7:00 P.M. Closed Sessions begin at 6:00 P.M. or such other time as noted.

REPORTS: All agenda items and reports are available for review at: Wildomar City Hall, 23873 Clinton Keith Road; Mission Trail Library, 34303 Mission Trail Blvd.; and on the City's website, www.cityofwildomar.org. Any writings or documents provided to a majority of the City Council regarding any item on this agenda (other than writings legally exempt from public disclosure) will be made available for public inspection at City Hall during regular business hours. If you wish to be added to the regular mail list to receive a copy of the agenda, a request must be made through the City Clerk's office in writing or by e-mail.

PUBLIC COMMENTS: Prior to the business portion of the agenda, the City Council will receive public comments regarding any agenda items or matters within the jurisdiction of the governing body. This is the only opportunity for public input except for scheduled public hearing items. The Mayor or chairperson will separately call for testimony at the time of each public hearing. If you wish to speak, please complete a "Public Speaker/Comment Card" available at the door. The completed form is to be submitted to the City Clerk prior to an individual being heard. Lengthy testimony should be presented to the Council in writing (8 copies) and only pertinent points presented orally. The time limit established for public comments is three minutes per speaker.

ADDITIONS/DELETIONS: Items of business may be added to the agenda upon a motion adopted by a minimum 2/3 vote finding that there is a need to take immediate action and that the need for action came to the attention of the City subsequent to the agenda being posted. Items may be deleted from the agenda upon request of staff or upon action of the Council.

CONSENT CALENDAR: Consent Calendar items will be acted on by one roll call vote unless Council members, staff, or the public request the item be discussed and/or removed from the Consent Calendar for separate action.

CALL TO ORDER - 7:00 P.M.

ROLL CALL

FLAG SALUTE

PRESENTATIONS

City Manager Presentation

Danny Bedford – Wildomar's Young Author

Code Enforcement Update

Police Department Quarterly Report

Elsinore Valley Municipal Water District Update on Construction

Southern California Edison State of the Utility

PUBLIC COMMENTS

This is the time for citizens to comment on issues not listed on the agenda. Under the provisions of the Brown Act, the legislative body is prohibited from discussing or taking action on items not listed on the agenda. Each speaker is asked to fill out a "Public Speaker/Comment Card" form which are located on the table by the Chamber door and give their form to the City Clerk prior to the start of the meeting. Comments are limited to three (3) minutes per speaker. The City Council encourages citizens to address them so that questions and/or concerns can be heard.

APPROVAL OF AGENDA AS PRESENTED

1. CONSENT CALENDAR

All matters listed under the Consent Calendar are considered routine and will be enacted by one roll call vote. There will be no separate discussion of these items unless members of the Council, the public, or staff request specific items be removed from the Consent Calendar for discussion and/or separate action.

- 1 A. Approve the reading by title only of all ordinances
- 1 B. Approve the regular meeting minutes dated August 12, 2009
- 1 C. Approve the following Warrant Registers and Payroll Warrant Registers:
 - 1. Warrant Register dated August 12, 2009, in the amount of \$72,192.90;
 - 2. Warrant Register dated August 19, 2009, in the amount of \$201,377.53;
 - 3. Warrant Register dated August 26, 2009, in the amount of \$135,504.28;
 - 4. Payroll Warrant Register dated August 12, 2009, in the amount of \$1,367.95;
 - 5. Payroll Warrant Register dated August 21, 2009, in the amount of \$2,070.63.
- 1 D. Approve the Treasurer's Report for July 2009
- 1 E. Adopt Resolution No. 09-57 Regarding a Financial Policy For Capital Assets

RESOLUTION NO. 09 – 57
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, ADOPTING THE FINANCIAL POLICY
FOR CAPITAL ASSETS

- 1 F. Letter of Support for Habitat for Humanity - Inland Valley

2. PUBLIC HEARINGS

- 2 A. Adopt Resolution No. 09-58 Levying the Assessment in Landscape Maintenance District 2006-1 Assessment Levy for FY 2009-10

RESOLUTION NO. 09 – 58
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT FOR
WILDOMAR LANDSCAPE MAINTENANCE DISTRICT (LMD) 2006-1
AND LEVYING ASSESSMENT ON ALL ASSESSABLE LOTS AND
PARCEL OF LAND THEREIN FOR FISCAL YEAR 2009-10

- 2 B. Adopt Resolution No. 09-59 Levying the Assessment in Community Service Area for FY 2009-10

RESOLUTION NO. 09 – 59
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, ESTABLISHING COMMUNITY
SERVICE AREA CHARGES WITHIN THE CITY FOR FISCAL
YEAR 2009-10

3. GENERAL BUSINESS

- 3 A. Discussion and Possible Action Regarding AB811 Resolution and Implementation Agreement

RESOLUTION NO. 09-60
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, CONSENTING TO INCLUSION OF
PROPERTIES WITHIN THE CITY'S INCORPORATED AREA IN
THE WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS
CONTRACTUAL ASSESSMENT PROGRAM TO FINANCE
DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES
AND ENERGY EFFICIENCY IMPROVEMENTS

- 3 B. Letter of Support Request From the City of Murrieta Regarding Proposed Language that Would Bar or Severely Limit Physician Owned Hospitals
- 3 C. Discussion and Possible Action Regarding a City Internship Program
- 3 D. Appointment to the Complete Count Committee for 2010 US Census
- 3 E. Report on Bundy Canyon Road Traffic Studies
- 3 F. Logo Approval and Tag Line Discussion
- 3 G. Discussion and Possible Action Regarding the November and December City Council Meeting Schedule
- 3 H. Discussion and Possible Action Regarding the Ballot Rebuttal Argument to Measure I

CITY MANAGER REPORT

CITY ATTORNEY REPORT

COUNCIL COMMUNICATIONS

FUTURE AGENDA ITEMS

ADJOURNMENT

The next regular meeting is scheduled for September 9, 2009.

If requested, the agenda and backup materials will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans With Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

Any persons who require a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting, may request such modification, accommodation, aid or service by contacting the City Clerk either in person or by phone at (951) 677-7751, no later than 10:00 A.M. on the day preceding the schedule meeting.

POSTING STATEMENT: On August 21, 2009, by 5:00 p.m., a true and correct copy of this agenda was posted at the three designated posting locations: Wildomar City Hall, 23873 Clinton Keith Road; U.S. Post Office, 21392 Palomar Street; and Mission Trail Library, 34303 Mission Trail Blvd.

ITEM #1B

CITY OF WILDOMAR CITY COUNCIL MEETING MINUTES AUGUST 12, 2009

The regular meeting of August 12, 2009, of the Wildomar City Council was called to order by Mayor Farnam at 7:03 p.m.

Roll Call showed the following Council Members in attendance: Mayor Farnam, Mayor Pro Tem Moore, Council Members Ade and Swanson; Council Member Cashman was absent.

The Flag Salute was led by Mayor Pro Tem Moore.

PRESENTATIONS

Mayor Farnam and Mayor Pro Tem Moore presented certificates to the City Logo Participants.

Mission Trail Librarian – Jan R. Kuebel and Friends of the Library gave a presentation on the past activities at the Library, and what is being planned for the future.

Chief Beach gave an update on the Fire Department activities.

City Manager Danielson thanked the Sheriff and Fire Departments in coordinating this past weekend as it was very active. They kept him informed the entire time which helped him keep the Council informed. He added that they do a tremendous job and it is very much appreciated.

PUBLIC COMMENTS

Gary Andre, resident, stated a memorial monument was to be installed on May 31, 2006. He presented a handout that showed what the memorial looks like and also showed the plaques that are to be placed on it. The monument was to be installed at the trail behind the D.R. Horton tract; however that has never been finished so it cannot be installed. To date the tract is getting close to being finished and he wanted everyone to see the plaques and monument that will be installed.

Ronald Havig, resident, stated there has been nothing done on Bundy Canyon Road since he was last before the Council five weeks ago. He asked that the Council have something done as he had a very serious accident. Two weeks ago his wife was almost involved in the same type of accident. He would like signs up showing that there is a road ahead (Tulip Lane). In a phone call he

received from the City, he was told the speed limit would be lowered to 40 MPH and that more patrols would be present. Since then he has seen only three patrol officers in five weeks.

Council Member Ade requested that the City Council receive an update on this.

Michael Sheehan, VFW Post 1508, stated they would like to have the First Veterans Day Parade in Wildomar. They would like to start it at the VFW Post and end it at the High School with vendor booths, much like what the City did at the Inauguration and First Birthday parties.

Harv Dykstra, resident, stated he is concerned regarding the youth that was killed over the weekend while riding his bike. He would like the City to begin an assessment and accounting of all roads in Wildomar that are unsafe for bicycle travel. Also, he would like the Council to initiate a conformance zoning for the City. The County of Riverside promised this zoning in 2003 and never did it. Now the City has the opportunity to do this and make the zoning conform to the General Plan. He feels this would stimulate economic development in the community.

Don Jones, resident, stated he agrees with Mr. Havig regarding the signs and patrols on Bundy Canyon Road. He witnessed the near accident that Mr. Havig's wife was in. The speed limit is much too high and not enough patrolling. The big rig trucks pick up speed when they approach Tulip Lane and if you are in their way, they cannot stop in time. People will pass you on the left, they will pass you on the shoulder of the road, and whatever you do, don't slow them down.

Karim Sabree, Deacon of Shiloh Wildomar, stated they hold a church service at Wildomar Elementary School every Sunday morning and all are welcome to attend. He stated they are offering their help to the community in anything they can do.

1. CONSENT CALENDAR

Mo Middleton, Animal Control Supervisor, Animal Friends of the Valley, gave an update of the services they have provided to the City's residents since taking over animal control services.

A MOTION was made by Mayor Pro Tem Moore, seconded by Council Member Swanson, to approve the Consent Calendar as presented.

Roll call vote: Ayes – 4; Nays – 0; Absent – 1 (Cashman). Motion carried.

- 1 A. Approved the reading by title only of all ordinances.
- 1 B. Approved the regular meeting minutes dated July 22, 2009.
- 1 C. Approved the following Warrant Registers and Payroll Register:
Warrant Register dated July 28, 2009 in the amount of \$270,742.20;
Warrant Register dated August 3, 2009 in the amount of \$14,236.97;
Payroll Warrant Register dated July 24, 2009 in the amount of \$1,894.17.
Payroll Warrant Register dated August 7, 2009 in the amount of \$1,894.17.
- 1 D. Adopted Resolution No. 09-55 Regarding Dog License Fees.

RESOLUTION NO. 09-55
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, ESTABLISHING A FEE SCHEDULE FOR DOG
LICENSING

- 1 E. Adopted Resolution No. 09-56 Regarding and Agreement with Wells Fargo Bank for a Revolving Line of Credit.

RESOLUTION NO. 09-56
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, AUTHORIZING THE CITY MANAGER TO AMEND AND
AGREEMENT WITH WELLS FARGO BANK FOR A REVOLVING LINE
OF CREDIT

- 1 F. Rejected Claims for Damages Against the City of Wildomar:
Tersia Stone and Pieter Stone; Megan Ridder; Alexa Pyles; Kyle M.
Hermanson; Rachel Jenny Hoffman.
- 1 G. Adopted Ordinance No. 33 Establishing a Franchise with Southern California Edison.

ORDINANCE NO. 33
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, ESTABLISHING A FRANCHISE WITH
SOUTHERN CALIFORNIA EDISON FOR TRANSMITTING AND
DISTRIBUTING ELECTRICITY ON THE SAME TERMS AND
CONDITIONS PREVIOUSLY ESTABLISHED BY THE COUNTY OF
RIVERSIDE, AND RATIFYING THE PRIOR TRANSFER AND
TERMINATION OF THE COUNTY OF RIVERSIDE'S INTEREST IN THAT
FRANCHISE

2. PUBLIC HEARINGS

2 A. Landscape Maintenance District 2006-1 Assessment Levy for FY 2009-10

It was the consensus of the City Council to continue the item to the meeting of August 26, 2009.

3. GENERAL BUSINESS

3 A. Appointment of the Voting Delegate and Alternate to the League of California Cities Annual Conference in San Jose

A MOTION was made by Mayor Pro Tem Moore, seconded by Mayor Farnam, to appoint Council Member Ade as the Voting Delegate.

Roll call vote: Ayes – 4; Nays – 0; Absent – 1 (Cashman). Motion carried.

3 B. Ballot Arguments Discussion and Possible Action

City Attorney Biggs presented the staff report stating the ballot arguments have been done and reviewed by the Attorney's Office and City Manager for accuracy. The arguments are due on August 17 by 5:00 p.m. as Staff discovered the County calendar applies as the election is consolidated.

A MOTION was made by Council Member Swanson, seconded by Mayor Pro Tem Moore, to approve the arguments regarding Measures I, J and K as written.

Roll call vote: Ayes – 4; Nays – 0; Absent – 1 (Cashman). Motion carried.

CITY MANAGER REPORT, John Danielson

City Manager Danielson stated that the suite that is currently being used as the Council Chambers has been leased out and Staff will be moving the Chambers to the suite directly next door that was the City Hall prior to moving upstairs. He advised there will be some expenses involved as the City will need to put another door in and move all the equipment. This should be taking place in the next 30 days.

CITY ATTORNEY REPORT, Julie Hayward Biggs

There was no report.

COUNCIL COMMUNICATIONS

Mayor Pro Tem Moore stated the last concert of the summer is this Friday night at the Park. Saturday night will be astronomy night at the Park as well. The Local Boy Scout Troop 332 went to summer camp two weeks ago and they won the top award #1 Camp Site Visitation and she showed the plaque.

Council Member Ade stated the regional committees she is on are dark in August, so there is nothing to report. She stated that there would be limited bus service for the people who call and have it come to their home. They are actually going to refine the service and make it more efficient. There will be public hearings held on the proposals, and she will pass on that information. Additionally the RTA has a new feature on their website where you can input addresses and it will present a route for you so you don't have to try to figure out your route. It is more convenient as the bus routes were difficult to piece together.

Mayor Farnam stated the City received a very nice letter from the City of Canyon Lake regarding the recent fire they had that destroyed eight businesses. Wildomar was part of the response effort and they thanked the City for helping out. He stated that community organizations received about \$6,000 from the MHET. Council Member Ade attended the event and won \$750 and donated it to HOPE. Also, he received a letter from the California Energy Commission notifying the City that we are eligible for the Efficiency and Conservation Block Grant (EECBG) program. Staff is directed to send in the letter notifying them that the City of Wildomar is interested in this. Additionally, Council Member Swanson and he had lunch with some of Wildomar's State Legislators to talk about what they can do to partner with the City for future items.

FUTURE AGENDA ITEMS

- Bundy Canyon Road detailed update and what can be done to alleviate the situation
- "Approve Agenda" item on all futures agendas
- Letter of support for AB811; Presentation by Rick Bishop of WRCOG; Resolution and Implementation Agreement
- City of Murrieta Letter of Support regarding proposed legislation that

- would bar or severely limit physician owned hospitals
- City Intern Program
- Re-visit the Waste Management agreement so they will collect recyclables every week

ADJOURNMENT

There being no further business, at 7:55 p.m. Mayor Farnam declared the meeting adjourned in memory of Aaron McCoubrey.

Respectfully submitted:

Debbie A. Lee, CMC
City Clerk

CITY OF WILDOMAR – CITY COUNCIL
Agenda Item #1 C
CONSENT CALENDAR
Meeting Date: August 26, 2009

TO: Mayor and Members of the City Council
FROM: Gary Nordquist, Director of Finance
SUBJECT: Warrant Registers and Payroll Registers

STAFF REPORT

RECOMMENDATION:

1. Approve Warrant Register dated August 12, 2009 in the amount of \$72,192.90.
2. Approve Warrant Register dated August 19, 2009 in the amount of \$201,377.53
3. Approve Warrant Register dated August 26, 2009 in the amount of \$135,504.28
4. Approve Payroll Warrant Register dated August 12, 2009 in the amount of \$1,367.95.
5. Approve Payroll Warrant Register dated August 21, 2009 in the amount of \$2,070.63.

BACKGROUND:

The City of Wildomar requires that the City Council audit payments of demands and direct the City Manager to issue checks. The Warrant and Payroll Registers are submitted for approval.

DISCUSSION:

None.

FISCAL IMPACTS:

These Warrant and Payroll Registers will have a budgetary impact in the amount noted in the recommendation section of this report. These costs are included in the Fiscal Year 2009-10 Budget.

ALTERNATIVES:

1. Take no action
2. Provide staff with further direction.

Submitted by:

Approved by:

Gary Nordquist
Director of Finance

Frank Oviedo
City Manager

Reviewed by:

Julie Hayward Biggs
City Attorney

City of Wildomar

Warrant Register
August 12, 2009

Date	Num	Name	Memo/Description	Amount
10 1000 1		Cash - Wells Fargo		
8/12/2009	1830	AT&T	Council Mobile Phone for 6/21/09-7/20/09	\$ 977.71
8/12/2009	1831	CBC Technical	Freestanding Condenser Mic w/cable	\$ 427.66
8/12/2009	1832	Danielson Associates, Inc.	Interim City Manager - July 2009	\$ 18,941.55
8/12/2009	1833	Gary Andre	Planning Commission Meeting - 7/15/09	\$ 75.00
8/12/2009	1834	Marathon Reprographics	Aerial Map, DIF Map, 12 color maps	\$ 303.96
8/12/2009	1835	Miguel Casillas	Planning Commission Meeting - 7/15/09	\$ 75.00
8/12/2009	1836	North County Times	Notices of Public Hearings, Notice of Intent to Approve	\$ 369.20
8/12/2009	1837	Riverside County Sheriff's Department	CAL-ID FY 09-10 - Member Agency Assessment	\$ 24,080.00
8/12/2009	1838	Robert Devine	Planning Commission Meeting - 7/15/09	\$ 75.00
8/12/2009	1839	Scott Nowak	Planning Commission Meeting - 7/15/09	\$ 75.00
8/12/2009	1840	Wells Fargo Business Card	City Council Travel, Non-departmental Misc Serv/Supplies	\$ 2,536.96
8/12/2009	1841	Gary Nordquist	Finance Director for June 2009	\$ 12,500.00
8/12/2009	1842	City of Lake Elsinore	The State of Our City - Mayor's Annual Address (8/20/09)	\$ 20.00
8/12/2009	1843	CTAI Pacific Greenscape	LMD charges for Marna O'Brien, Heritage & Windsong Parks	\$ 4,426.73
8/12/2009	1844	Diamond Environmental Services	1 VIP 2x Week Service Rental	\$ 140.70
8/12/2009	1845	Elsinore Valley Municipal Water District	Water Services for Marna O'Brien, Heritage & Windsong Pks	\$ 3,152.75
8/12/2009	1846	Verizon	Telephone Charges for July 2009, Wildomar LMD (\$68.69)	\$ 629.52
8/12/2009	1847	California Public Employee Retirement Sys	Retirement Payment for June 2009, City Council, City Clerk	\$ 3,073.42
8/12/2009	1848	Bio-Tox Laboratories	RC Sheriff - Lab Services	\$ 194.24
8/12/2009	1849	American Forensic Nurses	RC Sheriff's Dept - Blood Draw	\$ 118.50
				Sub-total: \$ 72,192.90

Warrant Register
August 19, 2009

Date	Num	Name	Memo/Description	Amount
8/19/2009	1850	California Public Employee Retirement Sys	Valuation Administrative Fee (2) Vals Req.	\$ 1,400.00
8/19/2009	1851	Clear Sign & Design, Inc	Service Call to remove existing banner ropes	\$ 217.50
8/19/2009	1852	Crystal Clean Maintenance	Janitorial Servics-July 09 (increased work)	\$ 698.00
8/19/2009	1853	Diamond W Events	Prof. & Maint. Services (LMD) for July 09	\$ 7,253.22
8/19/2009	1854	Western Riverside County Regional Agency	MSHCP Mitigation FEE FY08/09	\$ 73,644.00
8/19/2009	1855	City of Lake Elsinore	Wildomar Summer Program-Marna O'Brien Pk	\$ 8,538.00
8/19/2009	1856	County of Riverside - TLMA Admin.	Contract for Slurry Seal & Cape Seal	\$105,800.00
8/19/2009	1857	Wildomar Chamber of Commerce	Business Networking Breakfast	\$ 40.00
8/19/2009	1858	Cal Poly Continuing Education	CEC's for Bridgette Moore	\$ 255.00
8/19/2009	1859	California Emergency Management Agency	CSTI Trng- 8/31-9/3/09-Oviedo, Moore, Willette	\$ 1,950.00
8/19/2009	1860	The Cliffs Resort	Hotel Accommodations for CSTI Training	\$ 1,386.81
8/19/2009	1861	Phoenix Foodservices	Food for CSTI Training	\$ 195.00
				Sub-total: \$ 201,377.53

City of Wildomar

Warrant Register
August 12, 2009

Date	Num	Name	Memo/Description	Amount
Warrant Register August 26, 2009				
8/26/2009	1862	Artisan Goldsmiths & Awards	Name Badges for CM and Planning Department	\$ 34.58
8/26/2009	1863	DataQuick	Code Enforcement - Software	\$ 185.71
8/26/2009	1864	Burke, Williams & Sorensen, LLP	City Attorney Services - 7/1/09-7/31/09	\$ 47,969.63
8/26/2009	1865	Exec-U-Care	Pre-fund Medical Reimbursement Insurance Program	\$ 3,000.00
8/26/2009	1866	Image Printing System	Business Cards, Receipts, Citations, Stop Work Orders	\$ 2,335.74
8/26/2009	1867	Innovative Document Solutions	Contract copier Services/Maintenance - July 2009	\$ 309.48
8/26/2009	1868	Martin & Chapman Company	Forms - City Clerk	\$ 48.33
8/26/2009	1869	MuniServices, LLC	STARS Service for 1st QTR 2009	\$ 375.00
8/26/2009	1870	National Demographics Corporation	Work Performed through 7/31/09	\$ 40,125.00
8/26/2009	1871	North County Times	Ordinance #31, 32, Resolution #09-47	\$ 1,308.80
8/26/2009	1872	OnTrac	Overnight Delivery Services 7/8-7/31/09	\$ 23.49
8/26/2009	1873	WRCOG	Solid Waste COOP FY09/10, MSC ACCTS R Reimb. FY09/10	\$ 4,708.50
8/26/2009	1874	A & A Janitorial Services	Janitorial Services for Marna O'Brien Park Restroom	\$ 470.53
8/26/2009	1875	AFLAC	City Council Benefits for August 2009	\$ 441.41
8/26/2009	1876	Brian Cox Mechanical - Customer Refund	Permit Balance Refund	\$ 107.07
8/26/2009	1877	DirecTV	Monthly Office TV Service - 8/12/09-9/11/09	\$ 46.01
8/26/2009	1878	Edison	CSA 22, 103, 142	\$ 18,190.46
8/26/2009	1879	Naples Plaza Ltd.-Oak Creek II	Monthly Lease Payment for September 2009	\$ 10,793.49
8/26/2009	1880	Naples Plaza, LTD - Customer Refund	Permit Balance Refund - 08-0253 & 09-0274	\$ 3,211.36
8/26/2009	1881	FedEx	FedEx Services for Public Works	\$ 20.50
8/26/2009	1882	Office Max, Inc.	Office Supplies	\$ 39.82
8/26/2009	1883	Pitney Bowes	Quarterly Meter Rental, Postage Refill	\$ 122.88
8/26/2009	1884	California Public Employee Retirement Sys	City Clerk & City Council (PERS)	\$ 1,636.49
Sub-total:				\$ 135,504.28
Grand Total:				\$ 409,074.71

Payroll Registers

12-Aug-09				
8/12/2009	5061	S. Ade	July Stipend	\$ 290.35
8/12/2009	5062	S. Farnam	July Stipend	223.58
8/12/2009	5063	B. Moore	July Stipend	273.32
8/12/2009	5064	M. Swanson	July Stipend	290.35
8/12/2009	EFT	R. Cashman	July Stipend	290.35
				\$ 1,367.95
21-Aug-09				
8/21/2009	5065	City Employee	Payroll Period 16	\$ 2,070.63

CITY OF WILDOMAR – CITY COUNCIL
Agenda Item #1D
CONSENT CALENDAR
Meeting Date: August 26, 2009

TO: Mayor and Members of the City Council
FROM: Gary Nordquist, Director of Finance
SUBJECT: Treasurer's Report, July 2009

STAFF REPORT

RECOMMENDATION:

Staff recommends City Council to approve the Treasurer's Report.

BACKGROUND/DISCUSSION:

Attached is the Treasurer's Report for Cash and Investments for the month of July 2009. Riverside County transferred the remaining fund balances (\$449,898) from LMD 2006-1(\$198,672) and CSA's 22 (\$25,403), 103 (\$177,820) and 142 (\$48,003) to the City as of July 1, 2009. Interest earned on the City's investment in the Local Agency Investment Fund (LAIF) for the period of April through June 2009 was \$5,670.54.

FISCAL IMPACTS:

None at this time.

ALTERNATIVES:

1. Take no action
2. Provide staff with further direction.

Submitted by:

Approved by:

Gary Nordquist
Finance Director

Frank Oviedo
City Manager

Reviewed by:

Julie Hayward Biggs
City Attorney

Attachments: Treasurer's Report

**CITY OF WILDOMAR
TREASURER'S REPORT FOR
CASH AND INVESTMENT PORTFOLIO
July 2009**

CITY CASH

<u>FUND</u>	<u>ACCOUNT</u>	<u>INSTITUTION</u>	<u>BALANCE</u>	<u>RATE</u>
GENERAL	GENERAL	WELLS FARGO	\$ 2,027,072.56	0.00%
		TOTAL	\$ 2,027,072.56	

<u>FUND</u>	<u>ACCOUNT</u>	<u>INSTITUTION</u>	<u>BEGINNING BALANCE</u>	<u>+ DEPOSITS</u>	<u>(-) WITHDRAWALS</u>	<u>ENDING BALANCE</u>	<u>RATE</u>
GENERAL	GENERAL	WELLS FARGO	\$ 1,266,750.00	\$ 890,156.46	\$ (129,833.90)	\$ 2,027,072.56	0.000%
		TOTAL	\$ 1,266,750.00	\$ 890,156.46	\$ (129,833.90)	\$ 2,027,072.56	

CITY INVESTMENT

<u>FUND</u>	<u>ISSUER</u>	<u>BOOK VALUE</u>	<u>FACE VALUE</u>	<u>MARKET VALUE</u>	<u>PERCENT OF PORTFOLIO</u>	<u>DAYS TO MAT.</u>	<u>STATED RATE</u>
GENERAL	LOCAL AGENCY INVESTMENT FUND	\$ 1,514,401.65	\$ 1,514,401.65	\$ 1,514,401.65	100.00%	0	
	TOTAL	\$ 1,514,401.65	\$ 1,514,401.65	\$ 1,514,401.65	100.00%		

CITY - TOTAL CASH AND INVESTMENT \$ 3,541,474.21

CITY INVESTMENT

<u>FUND</u>	<u>ISSUER</u>	<u>BEGINNING BALANCE</u>	<u>+ DEPOSITS/ PURCHASES</u>	<u>(-) WITHDRAWALS/ SALES/ MATURITIES</u>	<u>ENDING BALANCE</u>	<u>STATED RATE</u>
GENERAL	LOCAL AGENCY INVESTMENT FUNDS	\$ 1,508,731.11	\$ 5,670.54	\$ 0.00	\$ 1,514,401.65	
	TOTAL	\$ 1,508,731.11	\$ 5,670.54	\$ 0.00	\$ 1,514,401.65	

In compliance with the California Code Section 53646, as the Director of Finance/ City Treasurer of the City of Wildomar, I hereby certify that sufficient investment liquidity and anticipated revenues are available to meet the City's expenditure requirements for the next six months and that all investments are in compliance to the City's Statement of Investment Policy.
I also certify that this report reflects all Government Agency pooled investments and all City's bank balances.

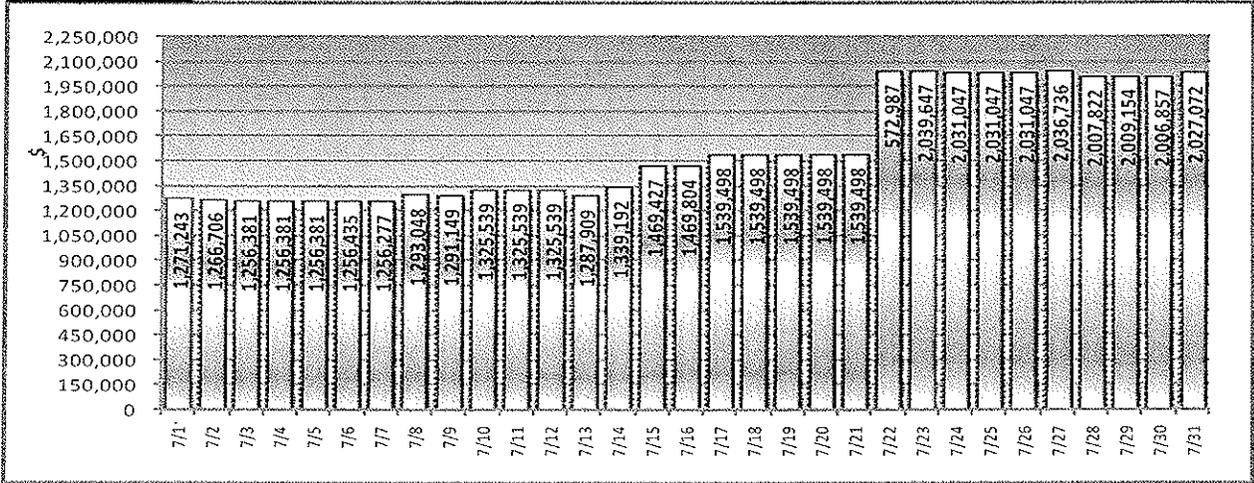
Gary Nordquist
Director of Finance/City Treasurer

Date



July 2009

Daily Cash Balance
All Funds Checking Only
Pool Report Balance



	Ending Balance	Monthly Net Activity
July	\$ 20,855	\$ 20,855
August	2,297,920	2,277,065
September	2,402,083	104,163
October	2,340,436	(61,647)
November	2,203,169	(137,267)
December	747,664	(1,455,505)
January	826,502	78,838
February	733,251	(93,251)
March	571,857	(161,394)
April	644,285	72,428
May	687,746	43,461
June	1,266,750	579,004
July	2,027,072	760,322

July 2009		
Date	Ending Balance in Whole \$	Net Change from Prior Day
7/1	1,271,243	583,497
7/2	1,266,706	(4,537)
7/3	1,256,381	(10,325)
7/4	1,256,381	-
7/5	1,256,381	-
7/6	1,256,435	54
7/7	1,256,277	(158)
7/8	1,293,048	36,771
7/9	1,291,149	(1,899)
7/10	1,325,539	34,390
7/11	1,325,539	-
7/12	1,325,539	-
7/13	1,287,909	(37,630)
7/14	1,339,192	51,283
7/15	1,469,427	130,235
7/16	1,469,804	377
7/17	1,539,498	69,694
7/18	1,539,498	-
7/19	1,539,498	-
7/20	1,539,498	-
7/21	1,539,498	-
7/22	2,038,441	498,943
7/23	2,039,647	1,206
7/24	2,031,047	(8,600)
7/25	2,031,047	-
7/26	2,031,047	-
7/27	2,036,736	5,689
7/28	2,007,822	(28,914)
7/29	2,009,154	1,332
7/30	2,006,857	(2,297)
7/31	2,027,072	20,215

CITY OF WILDOMAR – CITY COUNCIL
Agenda Item #1 E
CONSENT CALENDAR
Meeting Date: August 26, 2009

TO: Mayor and Members of the City Council
FROM: Gary Nordquist, Director of Finance
SUBJECT: Finance Policy-Capital Assets

STAFF REPORT

RECOMMENDATIONS:

Adopt Resolution No. 09-57 establishing the Financial Policy for Capital Assets.

RESOLUTION NO. 09 - 57

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, ADOPTING THE FINANCIAL
POLICY FOR CAPITAL ASSETS

BACKGROUND:

Several Financial Policies were approved by the City Council with the adoption of the Fiscal Year 2008/09 Budget on the City's day of Incorporation July 1, 2008. Those financial policies set forth the framework for not only the development of the budget but also the ongoing operations of the City as a whole. It is important to continue developing these policies, as they are the financial foundation that supports the services to the community.

DISCUSSION:

A Financial Policy for Capital Assets such as Land, Building and Improvements, Furniture and Fixtures, Machinery and Equipment, Autos and Trucks, Infrastructure and other assets with a useful life beyond one year is needed as the City operations continue to develop. This policy will provide the guidance for the financial treatment, inventory and disposal procedures of city assets with a value in excess of \$5,000.00. The recommended policy is consistent with local government best practices and is supported by the City's external auditors, Lance, Soll and Lunghard.

FISCAL IMPACTS:

None at the time.

ALTERNATIVES:

1. Take no action
2. Provide staff with further direction.

Submitted by:

Approved by:

Gary Nordquist
Director of Finance

Frank Oviedo
City Manager

Reviewed by:

Julie Hayward Biggs
City Attorney

City of Wildomar

CAPITAL ASSETS POLICY

1. Policy Objective:

To establish procedures to ensure the proper safeguarding, handling and reporting of City-wide capital assets

2. Assigned Responsibility:

Administration of this policy shall be the responsibility of the Finance Department.

3. Overview

The City will maintain a capital asset management system that will meet external financial reporting requirements and the needs of the City in line with these policies.

Capital assets are recorded as expenditures in governmental funds at the time the assets are received and the liability is incurred. These assets will be capitalized at cost in the government wide financial statements.

Per GASB 34:

Capital Assets are defined as land, improvements to land, easements, buildings, building improvements, vehicles, machinery, equipments, infrastructure, and all other tangible or intangible assets that are used in operations and that have initial useful lives extending beyond a single reporting period.

Infrastructure Assets are defined as long-lived capital assets that normally are stationary in nature and normally can be preserved for a significantly greater number of years than most capital assets. Examples include roads, bridges, drainage system, water and sewer systems and lighting systems.

4. Capitalization

In general, all capital assets, including land, buildings, vehicles, infrastructure, machinery and equipment with an original cost of \$5,000 or more an expected useful life of three years or more, will be subject to accounting and reporting. All costs with the purchase or construction should be considered, including ancillary

costs such as freight and transportation charges, site preparation expenditures, professional fees, and legal claims directly attributable to asset acquisition. Specific capitalization requirements are described below:

- **The capitalization threshold is applied to individual units of capital assets.** *For example, ten desks purchased through a single purchase order, each costing \$1,000, will not qualify for capitalization even though the total (\$10,000) exceeds the threshold of \$5,000.*
- **For purposes of capitalization, the threshold will generally not be applied to components of capital assets.** *For example, a keyboard, monitor and central processing units, purchased as components of a computer system, will not be evaluated individually against the capitalization threshold. The entire computer system will be treated as a single fixed asset provided the entire system meets the \$5,000 threshold.*
- **Repairs to existing capital assets will not be subject to capitalization unless it extends the useful life of the asset.** *In this case, it represents an improvement and is subject to the requirements described below:*
- **Improvements to existing capital assets will be presumed (by definition) to extend the useful life of the related fixed asset, and, therefore, will be subject to capitalization only if the cost of the improvement meets the \$5,000 threshold.**
- **Capital projects will be categorized as Construction in Progress until the project is substantially complete, accepted and placed into service.** *At that point the costs will be capitalized into the appropriate asset classification.*

5. Acquisition of Capital Assets

Capital assets may be acquired through direct purchase, construction, eminent domain, tax foreclosures, donations and gifts. When a capital asset is acquired, the funding source will be identified in the appropriate fund. Additionally the fund type will be identified as well as the specific fund.

6. Measuring the Cost and/or Value

Capital assets are recorded at their historical cost, which is the original cost of the asset. Contributed capital will be valued at the fair market value at the time of donation. Costs include purchase price (less discounts) and any other reasonable and necessary costs incurred to place the asset in its intended location and prepare it for service.

7. Depreciation

The City will record depreciation expense on all capital assets, except for land. The City will use straight-line depreciation using the half-year convention. Depreciation will be calculated for half a year in year of acquisition and the year of disposition. Depreciation will be calculated over the useful life of the asset.

8. Recommended Lives

The City has established recommended useful lives for capital assets

<u>Asset Class</u>	<u>Useful Life</u>
Buildings and Improvements	10 – 30 years
Equipment and Furniture	3 – 20 years
Vehicles	5 – 10 years
Infrastructure	10 – 50 years
Software	5 – 10 years

9. Physical Inventories

The City performs a physical inventory of movable capital assets annually. In general, inventory control is applied only to movable capital assets and not to land, buildings, or other immovable capital assets.

8. Disposal

Annually a list of surplus, damaged or inoperative equipment is compiled and sent for approval to the City Council. The list is distributed to the departments within the City for transfers. The remaining list is published for bids. All bids are compiled by the City Clerk. Any equipment not sold is then disposed in accordance with the Municipal Code.

Effective Date: 08/26/2009

Gary Nordquist
Finance Director

Frank Oviedo
City Manager

RESOLUTION NO. 09 - 57

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF WILDOMAR, CALIFORNIA, ADOPTING THE
FINANCIAL POLICY FOR CAPITAL ASSETS**

WHEREAS, the City Council has reviewed the Financial Policy for Capital Assets.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The City of Wildomar Financial Policy for Capital Assets as specified in the Staff Report is hereby adopted.

PASSED, APPROVED, AND ADOPTED this 26th day of August 2009.

Scott Farnam
Mayor

APPROVED AS TO FORM:

ATTEST:

Julie Hayward Biggs
City Attorney

Debbie A. Lee, CMC
City Clerk

CITY OF WILDOMAR – COUNCIL
Agenda Item #1 F
CONSENT CALENDAR
Meeting Date: August 26, 2009

TO: Honorable Mayor Farnam, Members of the City Council
FROM: David Hogan, Planning Director
SUBJECT: Letter of Support for Habitat for Humanity – Inland Valley

STAFF REPORT

RECOMMENDATION:

The Planning Department requests that the City Council authorize the City Manager to sign a letter of support for Habitat for Humanity Inland Valley.

BACKGROUND:

Habitat for Humanity Inland Valley is a nonprofit community organization which both rehabilitates existing and constructs new housing units for lower income families in southwestern Riverside County. In recent years, they have rehabilitated or constructed new units in the surrounding communities of Lake Elsinore, Perris, and Temecula. The activities of Habitat for Humanity are also consistent with, and help implement, the City's Housing Element. Recently the City was contacted by Habitat for Humanity Inland Valley for a letter of support to help obtain additional funding for possible future housing rehabilitation or construction. Habitat for Humanity has indicated that they would like to be able to conduct acquisition and renovation activities within in the City in the future under the Federal Neighborhood Stabilization Program. As a result, staff has prepared a letter for the City Manager's signature and requests that the City Council authorize the City Manger to sign and send a letter of support for Habitat for Humanity to the Economic Development Agency.

FISCAL IMPACT

None.

ATTACHMENTS:

1. Letter of Support

Submitted by:

Approved By:

David Hogan
Planning Director

Frank Oviedo
City Manager

Approved as to form:

Julie Hayward Biggs
City Attorney

ATTACHMENT NO. 1
LETTER OF SUPPORT

August 27, 2009

Mervyn Manalo
County of Riverside Economic Redevelopment Agency
1325 Spruce Avenue, Suite 400
Riverside, Ca 92507

Dear Mr. Manalo,

The City of Wildomar is submitting this letter of reference and support on behalf of Habitat for Humanity Inland Valley. Habitat for Humanity Inland Valley has a distinguished history in southwestern Riverside County rehabilitating and constructing housing units for lower income families.

Because the City of Wildomar is newly incorporated, we have not yet had the opportunity to work with Habitat for Humanity, however we are looking forward to the opportunity to work with them in the future. As a result, the City of Wildomar applauds their efforts and encourages you to provide whatever funding you can to expand their rehabilitation efforts in the City of Wildomar and throughout southwestern Riverside County.

Sincerely,

Frank Oviedo
City Manager

CITY OF WILDOMAR – CITY COUNCIL

Agenda Item #2 A

PUBLIC HEARING

Meeting Date: August 26, 2009

TO: Mayor and Members of the City Council

FROM: Michael Kashiwagi, Public Works Director

SUBJECT: Wildomar Landscape Maintenance District 2006-1
Assessment Levy for Fiscal Year 2009-10

STAFF REPORT

RECOMMENDATION:

Staff recommends that the City Council open and conduct the public hearing and, upon consideration of comments, adopt the following Resolution:

Resolution No. 09 - 58

A Resolution of the City Council of the City of Wildomar, California, confirming the diagram and assessment for Wildomar Landscape Maintenance District (LMD) 2006-1 and levying assessment on all assessable lots and parcel of land therein for Fiscal Year 2009-10

BACKGROUND:

For Fiscal Years 2006-07, 2007-08, and 2008-09, the assessment amount within Wildomar LMD 2006-1 was \$28 per equivalent dwelling unit. For Fiscal Year 2009-10, there will be no increase in the Wildomar LMD 2006-1, and the annual assessment will remain at \$28 per equivalent dwelling unit. The amount levied for Fiscal Year 2009-10 is \$191,828.00. For the Fiscal Year in which the landscape improvement of all four parks are completed, the annual assessment may be increased to \$45, adjusted for inflation.

Pursuant to the Landscaping and Lighting Act of 1972 and Resolution 09-47, a public hearing is required to receive testimony regarding the assessment levy for Fiscal Year 2009-10 for Wildomar LMD 2006-1. Notice of the public hearing was given by publication of a certified copy of Resolution No. 09-47 in the Press Enterprise at least ten days prior to the Public Hearing date of Aug 26, 2009.

Upon close of the Public Hearing, staff recommends adoption of Resolution No. 09- confirming the assessment levy, as indicated in the Engineer's Report for Fiscal Year 2009-10 for Wildomar LMD 2006-1, and ordering the placement of the annual assessment on the County's Assessment Roll.

FISCAL IMPACTS:

Adoption of these resolutions will allow the City of Wildomar to collect sufficient funds to meet its maintenance obligations for Wildomar LMD 2006-1.

ALTERNATIVES:

1. Take no action.
2. Provide staff with further direction.

Submitted by:

Approved by:

Michael Kashiwagi
Director of Public Works

Frank Oviedo
City Manager

Attachments:

Resolution No. 09-58

RESOLUTION NO. 09 - 58
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT FOR
WILDOMAR LMD 2006-1 AND LEVYING ASSESSMENT ON ALL
ASSESSABLE LOTS AND PARCELS OF LAND THEREIN FOR FISCAL YEAR
2009-10

WHEREAS, On July 22, 2009, the City Council (hereinafter the "City Council") of the City of Wildomar (hereinafter the "City") adopted Resolution No. 09-47, pursuant to Section 22634 of the Streets and Highways Code (hereinafter the "Street and Highways Code"), which among other things, scheduled a public hearing on the annual levy and collection of assessment on all lots and parcels of assessable land in Wildomar LMD 2006-1 for Fiscal Year 2009-10 to pay the costs of the furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of the landscaping appurtenances including repair, removal ore replacement, providing for the life and growth, health, and beauty of the landscaping. The removal of trimmings, rubbish, debris, and other solid waste, together with the necessary incidental expenses within Wildomar LMD 2006-1, for August 26, 2009, at the City of Wildomar Council Chambers, 23873 Clinton Keith Rd., Wildomar, CA; and

WHEREAS, notice of said public hearing was duly published as required by Resolution No. 09-47 and Section 22626 (a) of the Streets and Highways code; and

WHEREAS, at the time and place of said public hearing, as set forth in Resolution No. 09-47, the City Council held the public hearing and afforded all interested person an opportunity to testify and be heard, and considered all oral statements and all written protests or communications made or filed by any interested persons and at the conclusion of said hearing determined that a majority protest had not been received; and

WHEREAS, the City Council may proceed, pursuant to Section 22631 of the streets and Highways Code, to adopt a resolution confirming the diagram and assessment, either as originally proposed, or as changed by it, and the adoption of such a resolution shall constitute the levy of an assessment on all assessable lots and parcel with Wildomar LMD 2006-1.

NOW, THEREFORE, BE IT RESOLVED, FOUND DETERMINED AND ORDERED, by the City County of the City of Wildomar in regular session on August 26, 2008, as follows:

Section 1. Findings.

That the City Council finds:

- (a) The preceding recitals are correct;
- (b) Compliance has been had with all of the requirements of the Landscaping and Lighting Act of 1972, Part 2 (commencing with Section 22500) of Division 15 of the Street and Highways Code;
- (c) A majority protest to the annual levy for Wildomar LMD 2006-1 has not been filed; and
- (d) The City Council may proceed to adopt a resolution confirming the diagram and assessment for Wildomar LMD 2006-1 either as originally proposed or as changed by it; and the assessment to be levied on the assessable lots and parcels of land in Wildomar 2006-1 during Fiscal Year 2009-10 contained the report to the City Manager of the City of Wildomar which is on file with the City Clerk of the City of Wildomar (hereinafter the "Report") are based on benefits derived by such lots and parcels.

Section 2. Authorized Improvements for Wildomar LMD 2006-1.

The improvements authorized for Wildomar LMD 2006-1 are:

- (a) Furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of the landscaping appurtenances including repair, removal or replacement, providing for the life and growth, health, and beauty of the landscaping.
- (b) The removal of trimmings, rubbish, debris, and other solid waste, together with the necessary incidental expenses.

Section 3. Confirmation of Report.

The Report and the assessment diagram and the assessment of the estimated costs for the installation, and maintenance and servicing of landscaping improvements within Wildomar LMD 2006-1 for Fiscal Year 2009-10 contained in the Report are confirmed.

Section 4. Levy of Assessment.

Pursuant to Section 22631 of the Streets and Highways Code, the adoption of this resolution constitutes the levy of the assessment for the installation and maintenance and servicing improvements within Wildomar LMD 2006-1 for Fiscal Year 2009-10 contained in the Report, and such assessment is levied. The City Clerk of the City of Wildomar is directed to file a certified copy of this resolution,

together with the diagram and assessment contained in the Report with the County Auditor of the County of Riverside, who, pursuant to Section 22645 of Streets and Highways Code, shall enter on the County Assessment Roll opposite each lot or parcel of land the amount assessed thereupon, as shown in said assessment.

Section 5. Effective Date.

This Resolution shall take effect from and after its date of adoption.

PASSED, APPROVED, AND ADOPTED this 26th day of August, 2009.

Scott Farnam
Mayor

APPROVED AS TO FORM:

ATTEST:

Julie Hayward Biggs
City Attorney

Debbie A. Lee, CMC
City Clerk

CITY OF WILDOMAR – CITY COUNCIL

Agenda Item #2 B

PUBLIC HEARING

Meeting Date: August 26, 2009

TO: Honorable Mayor Farnam and Members of the City Council

FROM: Michael Kashiwagi – Director of Public Works

SUBJECT: Adoption of Community Service Area Charges for Fiscal Year 2009-10 – Public Hearing

STAFF REPORT

RECOMMENDATION:

Staff recommends the City Council:

1. Open and conduct the public hearing; and
2. Adopt Resolution 09-59:

RESOLUTION NO. 09 – 59

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, ESTABLISHING COMMUNITY SERVICE AREA CHARGES WITHIN THE CITY FOR FISCAL YEAR 2009/2010

BACKGROUND:

Upon incorporation on July 1, 2008, the City of Wildomar assumed the responsibility for certain County Service Areas now within the City's jurisdictional boundaries, and now is responsible for the services and charges provided by County Service Areas 22, 103 (Drainage, Landscape), 103 (Lighting), and 142. On July 22, 2009, this City Council adopted a Notice of Intent to Establish Community Service Area Charges for Fiscal Year 2009-10 and set this evening for the public hearing to hear and consider testimony regarding the continuation of charges for the services within the County Service Areas.

Proposed charges for FY2009-2010 are attached in Exhibit 'A' and will be assessed upon adoption of the proposed resolution.

FISCAL IMPACTS:

Adoption of this resolution will allow the City of Wildomar to collect funds to meet its financial obligations for City of Wildomar Community Service Areas.

ALTERNATIVES:

1. Take no action.
2. Provide staff with further direction.

Submitted by:

Approved by:

Michael Kashiwagi
Director of Public Works

Frank Oviedo
City Manager

Attachments:

Resolution No. 09-59

RESOLUTION NO. 09 - 59
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, ESTABLISHING COMMUNITY SERVICE
AREA CHARGES WITHIN THE CITY FOR FISCAL YEAR 2009/2010

WHEREAS, upon incorporation on July 1, 2008, the City of Wildomar assumed the responsibility for certain County Service Areas now within the City's jurisdictional boundaries, and now is responsible for the services and charges provided by County Service Areas 22, 103 (Drainage, Landscape), 103 (Lighting), and 142; and

WHEREAS, the City Council has determined that it is necessary to continue the County Service Area charges within such areas in order to continue to provide such extended services; and

WHEREAS, on July 1, 2008, the City Council of the City of Wildomar adopted all County of Riverside Ordinances in effect including Riverside County Ordinance No. 573; and

WHEREAS, Riverside County Ordinance No. 573 requires that the City Council annually shall cause to be prepared and filed with it a report of the services, parcels and charges provided by each Community Service Area for the upcoming fiscal year; and

WHEREAS, upon the filing of such report with the City Clerk, the City Council shall cause to be noticed and thereafter conduct a public hearing to hear and consider testimony regarding the continuation of charges for such extended services within such Community Service Areas within the City of Wildomar; and

WHEREAS, the City Clerk has confirmed that she has received and filed such report for fiscal year 2009/2010 for such Community Service Areas within the City; and

WHEREAS, a Public Hearing pursuant to Government Code Section 25210.66a was conducted by the City Council on August 26, 2009 to determine the establishment of charges for FY 2009/2010 as shown on Exhibit "A".

NOW THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Wildomar City Council, in regular session assembled on August 26, 2009, that the following Community Service Area charges are adopted for Fiscal Year 2009-10 as shown on Exhibit 'A' attached hereto and incorporated herein by reference.

PASSED, APPROVED, AND ADOPTED this 26th day of August, 2009.

Scott Farnam
Mayor

APPROVED AS TO FORM:

ATTEST:

Julie Hayward Biggs
City Attorney

Debbie A. Lee, CMC
City Clerk

Exhibit 'A'

FundNumberName	Date Formed	Escalator	PreliminaryParcels	FY 2008-2009 Total Levy	FY 2008-2009 Levy Range	Projected FY 2009-2010 Levy Range	Does it ESCALATE 2%	Notes
CSA # LMD Wildomar			6848	\$191,884.00	\$28.00 \$140.00	\$28.00 \$140.00	No	
CSA #22 Lake Elsinore Lighting	11/8/1965	Yes	878	\$29,685.85	\$1.76 \$55.14	\$1.76 \$56.24	No/Yes	
CSA #142 Wildomar Lighting	1/31/1985	Yes	504	\$29,831.25	\$31.50 \$872.08	\$31.50 \$889.52	No/Yes	varying escalation
CSA #103 French Valley Drainage, Landscape	12/18/1973		1076	\$22,480.00	\$20.00 \$30.00	\$20.00 \$30.00	No	
CSA#103 French Valley Lighting	12/18/1973	Yes	3146	\$117,550.51	\$28.86 \$1,144.60	\$28.86 \$1,167.49	No/Yes	varying escalation 1 parcel escalates from max

CITY OF WILDOMAR – COUNCIL
Agenda Item #3 A
GENERAL BUSINESS
Meeting Date: August 26, 2009

TO: Honorable Mayor and Members of the City Council
FROM: Debbie A. Lee, CMC, City Clerk
SUBJECT: Discussion and Possible Action Regarding AB811 Resolution and Implementation Agreement

STAFF REPORT

RECOMMENDATION:

Discussion and possible action regarding:

1. Adoption of Resolution No. 09-60:

RESOLUTION NO. 09 -60

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, CONSENTING TO INCLUSION OF PROPERTIES WITHIN
THE CITY'S INCORPORATED AREA IN THE WESTERN RIVERSIDE
COUNCIL OF GOVERNMENTS CONTRACTUAL ASSESSMENT
PROGRAM TO FINANCE DISTRIBUTED GENERATION RENEWABLE
ENERGY SOURCES AND ENERGY EFFICIENCY IMPROVEMENTS

2. Approval of the Implementation Agreement between the Western Riverside Council of Governments and the City of Wildomar to Implement AB811.

BACKGROUND:

Mayor Farnam requested that this item be placed on the agenda for consideration and possible action by the City Council.

Rick Bishop, WRCOG Executive Director, will be present to give the presentation regarding this matter.

ATTACHMENTS:

1. Resolution No. 09-60
2. Implementation Agreement

Submitted by:

Approved By:

Debbie A. Lee, CMC
City Clerk

Frank Oviedo
City Manager

Approved as to form:

Julie Hayward Biggs
City Attorney

RESOLUTION NO. 09-60

RESOLUTION NO. 09 -

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, CONSENTING TO INCLUSION OF PROPERTIES WITHIN THE CITY'S INCORPORATED AREA IN THE WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS CONTRACTUAL ASSESSMENT PROGRAM TO FINANCE DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES AND ENERGY EFFICIENCY IMPROVEMENTS

WHEREAS, the City of Wildomar (the "City") is committed to the development of renewable energy sources and energy efficiency improvements, reduction of greenhouse gases, and protection of our environment; and

WHEREAS, in Chapter 29 of Part 3 of Division 7 of the California Streets and Highways Code (the "Act"), the Legislature has authorized cities and counties to assist property owners in financing the cost of installing distributed generation renewable energy sources or making energy efficient improvements that are permanently fixed to their property (the "Improvements") through a contractual assessment program; and

WHEREAS, installation of such Improvements by property owners within the jurisdictional boundaries of the jurisdictions that are members of the Western Riverside Council of Governments ("WRCOG") would promote the purposes cited above and assist the member agencies of WRCOG (each, a "Member Agency" or, together, "Member Agencies"), including the City in reducing its greenhouse gas emissions; and

WHEREAS, the City wishes to provide innovative solutions and cost-effective methods for its property owners to achieve greater energy efficiency and independence, and in doing so cooperate with WRCOG in order to efficiently and economically assist property owners in financing such Improvements; and

WHEREAS, WRCOG has authority to establish a contractual assessment program ("the Program") as permitted by the Act, the Joint Powers Agreement of the Western Riverside Council of Governments, originally made and entered into April 1, 1991, as amended to date, and the Implementation Agreement by and between WRCOG and the affected Member Agencies related to the Program to assist property owners in financing the cost of installing distributed generation renewable energy sources or making energy efficient improvements that are permanently affixed to real property; and

WHEREAS, WRCOG is conducting an analysis to determine the feasibility of the Program, and to develop parameters pursuant to the Act for implementation and administration of the Program; and

WHEREAS, the City wishes to participate with WRCOG in the Program if WRCOG adopts the Program, under terms and conditions to be agreed to by the City and WRCOG; and

WHEREAS, state law permits WRCOG to offer participation in the Program to property owners in incorporated areas of any Member Agency so long as the City Council or Board of such Member Agency approves the proposed Resolution of Intention (defined below) to establish the Program, consents to the inclusion in the Program of properties in the incorporated area within such Member Agency and consents to the Improvements to be done within such incorporated area and the assumption of jurisdiction thereover by WRCOG for the purposes described above; and

WHEREAS, this City Council has reviewed WRCOG's proposed Resolution of Intention to establish the Program entitled "Resolution of the Western Riverside Council of Governments Declaring its Intention to Finance Distributed Generation Renewable Energy Sources and Energy Efficiency Improvements Through the Use of Contractual Assessments" ("Resolution of Intention") attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. This City Council finds and declares that property in the City's incorporated area will be benefited by the Improvements proposed in the Resolution of Intention.

2. This City Council hereby supports WRCOG's ongoing feasibility analysis and development of the Program.

3. Before the Program is implemented in the City, the City and WRCOG shall reach an agreement addressing any conditions the City wishes to impose on participating properties within the City.

4. This City Council hereby approves the proposed Resolution of Intention, substantially in the form attached hereto as Exhibit A.

5. This City Council hereby finds and determines that in the event it is necessary for the Executive Committee to make minor, nonsubstantive changes to the Resolution of Intention; such minor, nonsubstantive changes do not require the approval of this City Council.

6. This City Council consents to inclusion in the Program of all of the properties in the incorporated area within City and to the Improvements proposed in the Resolution of Intention within the City limits, upon the request and agreement of the property owner, in compliance with applicable laws, rules and regulations; and to the assumption of jurisdiction thereover by WRCOG for the purposes aforesaid.

7. The consent of this City Council constitutes assent to the assumption of jurisdiction by WRCOG for all purposes of the Program and authorizes WRCOG, upon satisfaction of the conditions imposed in this resolution, to take each and every step required for or suitable for financing the Improvements, including the levying, collecting and enforcement of the contractual assessments to finance the Improvements and the issuance and enforcement of bonds to represent such contractual assessments.

8. Staff is authorized and directed to coordinate with WRCOG staff to facilitate operation of the Program, and report back periodically to this City Council on the success of the Program.

9. The City Clerk is directed to send a certified copy of this resolution to the Secretary of the WRCOG Executive Committee.

PASSED, APPROVED AND ADOPTED this 26th day of August, 2009.

Scott Farnam
Mayor

APPROVED AS TO FORM:

ATTEST:

Julie Hayward Biggs
City Attorney

Debbie A. Lee, CMC
City Clerk

EXHIBIT A

WRCOG RESOLUTION OF INTENTION

RESOLUTION NUMBER _____

**RESOLUTION OF THE WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS
DECLARING ITS INTENTION TO FINANCE DISTRIBUTED GENERATION RENEWABLE
ENERGY SOURCES AND ENERGY EFFICIENCY IMPROVEMENTS THROUGH THE USE OF
CONTRACTUAL ASSESSMENTS PURSUANT TO CHAPTER 29 OF PART 3 OF DIVISION 7
OF THE CALIFORNIA STREETS AND HIGHWAYS CODE AND SETTING A PUBLIC
HEARING THEREON**

WHEREAS, pursuant to Chapter 29 of Part 3 of Division 7 of the California Streets and Highways Code (the "Act"), the Joint Powers Agreement of the Western Riverside Council of Governments (WRCOG), originally made and entered into April 1, 1991, as further amended to date, and the Implementation Agreement by and between WRCOG and the affected Member Agencies related to the Program (defined below), the Western Riverside Council of Governments proposes to establish a contractual assessment program to assist property owners within the jurisdictional boundaries of WRCOG's member agencies (each, a "Member Agency" and, together, the "Member Agency Cities") with the cost of installing distributed generation renewable energy sources or making energy efficient improvements that are permanently fixed to their property ("Program"); and

WHEREAS, in the opinion of this Executive Committee, property in the Member Agencies would be benefited by including such properties in the Program, subject to the approval/consent of the City Council or Board of any Member Agency; and

WHEREAS, WRCOG is willing to extend the program into the incorporated areas of any Member Agency provided that the City Council of such Member Agency and WRCOG reach agreement on any conditions on operation of the Program requested by such Member Agency, prior to the Program being offered in such jurisdiction;

NOW, THEREFORE, BE IT RESOLVED by the Executive Committee of the Western Riverside Council of Governments as follows:

Section 1: The Executive Committee hereby finds and declares all of the following:

A. All of the above recitals are true and correct.

B. Energy conservation efforts, including the promotion of energy efficiency improvements to residential, commercial, industrial, or other real property, can reduce energy consumption, energy bills, and maximize existing energy production and transmission facilities.

[C. Energy efficiency improvements include improvements that promote water efficiency. The California Energy Commission prepared a staff report in November 2005 regarding California's water-energy relationship. The report states:

"As California continues to struggle with its many critical energy supply and infrastructure challenges, the state must identify and address the points of highest stress. At the top of this list is California's water-energy relationship; water-related energy use consumes 19 percent of the state's electricity, 30 percent of its natural gas, and 88 billion gallons of diesel fuel every year – and this demand is growing. . . . [A] major portion of the solution is closer coordination between the water and energy sectors. . . . The state can meet energy and

demand reduction goals . . . by simply recognizing the value of the energy saved for each unit of water saved.”

The direct relationship between water use and energy use means that improvements to residential, commercial, industrial, or other real property which promote water efficiency also result in energy efficiency.

D. The upfront cost of making residential, commercial, industrial, or other real property more energy efficient prevents many property owners from making those improvements. To make those improvements more affordable and to promote the installation of those improvements, the Legislature has authorized an alternative procedure pursuant to the Act for authorizing contractual assessments to finance the cost of energy efficiency improvements.

E. A public purpose will be served by a contractual assessment program whereby WRCOG is authorized to finance the installation of distributed generation renewable energy sources and energy efficiency improvements that are permanently fixed to residential commercial, industrial, or other real property.

F. Property located in incorporated areas of Member Agencies within WRCOG will benefit from inclusion in the Program; and, subject to the approval/consent of the City Council of any Member Agency, including such property in the Program will serve the public purpose of promoting conservation efforts and addressing the issue of global climate change.

Section 2. The Executive Committee hereby determines that it would be convenient, advantageous and in the public interest to designate the entire area of the Member Agencies as an area within which authorized WRCOG officials and property owners may enter into contractual assessments pursuant to the Act to finance the installation of distributed generation renewable energy sources or energy efficiency improvements that are permanently fixed to real property.

Section 3. The Executive Committee hereby declares that while the proposed distributed generation renewable energy sources and energy efficiency improvements are of such a character that they directly and peculiarly affect property in the Member Agency jurisdictions within WRCOG and that the purposes sought to be accomplished by establishing a program to finance the installation of such improvements can best be accomplished by a single, comprehensive program rather than by separate programs administered by each Member Agency. Therefore, WRCOG proposes to make contractual assessment financing available to the owners of property in any Member Agency to finance the installation of distributed generation renewable energy sources or energy efficiency improvements that are permanently fixed to real property.

Section 4. The Executive Director of WRCOG (the “Executive Director”) shall prepare or direct the preparation of, as part of the report required in Section 8 of this Resolution, and update, as the Executive Director deems necessary, a list of the distributed generation renewable energy sources or energy efficiency improvements that may be financed through WRCOG’s contractual assessment financing program. The types of distributed generation renewable energy sources or energy efficiency improvements eligible for financing through contractual assessments include, but are not limited to: high efficiency air conditioning and ventilation systems, high performance windows, high efficiency and tankless water heating equipment, photovoltaic and thermal solar energy systems, cool roof systems, geothermal exchange heat pumps, zoning control and energy management control systems, high efficiency irrigation pumps and controls, natural gas fuel cells, wind and geothermal energy systems, and wall, ceiling and roof insulation upgrades.

Section 5. The area within which contractual assessments may be entered into pursuant to the Act is all land within the defined boundaries of the Member Agencies of WRCOG.

Section 6. No contractual assessment will be levied on a parcel situated within a Member Agency City area and no assessment contract will be entered into with the owner(s) of any such parcel unless and until (1) the City Council or Board of such Member Agency has, prior to the adoption of this resolution of intention, adopted a resolution consenting to inclusion of parcels within such Member Agency in the contractual assessment program and authorizing WRCOG to levy assessments, to impose the contractual assessment liens and to finance the eligible improvement on such parcels; and (2) the City Council or Board of such Member Agency has entered into an agreement with WRCOG addressing any conditions such Member Agency wishes to impose on participating properties in its jurisdiction.

Section 7. The proposed arrangements for financing the contractual assessment financing program are briefly described as follows: WRCOG may issue bonds, notes, receive lines of credit, and enter into other financing instruments or relationships pursuant to the Act, the principal and interest of which would be repaid by contractual assessments. Alternatively or in the interim, WRCOG, may advance its own funds to finance work, or enter into agreements with other public entities, including but not limited to the cities within WRCOG, to advance their funds to WRCOG to finance work. Such advances shall be repaid through contractual assessments and WRCOG may sell bonds or other forms of indebtedness to reimburse such advances. The proposed financing arrangements may include the lease-purchase of public facilities pursuant to a lease or other contractual arrangement with a public financing authority or non profit entity or other financing elements as may be determined necessary or useful to the financing of the contractual assessment program.

In the event improvement bonds will be issued pursuant to Streets and Highways Code Section 5898.28 to represent assessments, all of the following will apply to the extent not in conflict with the Act:

- (a) Provision is hereby made for the issuance of improvement bonds, in one or more series;
- (b) Notice is hereby given that serial bonds or term bonds or both to represent unpaid assessments, and to bear interest at the rate of not to exceed 12 percent per year, or such other amount authorized by law, payable semiannually, shall be issued hereunder in one or more series in the manner provided by the Division 10 (to the extent not in conflict with the Act), and the last installment of bonds shall mature a maximum of 39 years from the second day of September next succeeding 12 months from their date.
- (c) WRCOG hereby determines and declares that WRCOG shall not obligate itself to advance available funds from WRCOG treasury to cure any deficiency which may occur in the bond redemption fund.
- (d) WRCOG hereby determines that the principal amount of bonds maturing or becoming subject to mandatory prior redemption each year shall be other than an amount equal to an even annual proportion of the aggregate principal amount of the bonds, and the amount of principal maturing or becoming subject to mandatory prior redemption in each year plus the amount of interest payable in that year shall be an aggregate amount that is substantially equal each year, except for the moneys falling due on the first maturity or mandatory prior redemption date of the bonds which shall be adjusted to reflect the amount of interest earned from the date when the bonds bear interest to the date when the first interest is payable on the bonds.

- (e) With respect to the procedures for collection of assessments and the advance retirement of bonds, WRCOG proposes to proceed under the provisions of Part 11.1 of Division 10 (commencing with Section 8760 of the Streets and Highways Code).

Section 8. The Executive Committee hereby directs the Executive Director to prepare, or direct the preparation of, and file with the Board of Supervisors a report pursuant to Section 5898.22 of the California Streets and Highways Code at or before the time of the public hearing described in Section 8 hereof (the "Report"). The Report shall contain all of the following:

- (a) A map showing the boundaries of the territory within which contractual assessments are proposed to be offered.
- (b) A draft contract specifying the terms and conditions that would be agreed to by a property owner within the contractual assessment area and WRCOG.
- (c) A statement of WRCOG policies concerning contractual assessments including all of the following:
 - (i) Identification of types of facilities, distributed generation renewable energy sources, or energy efficiency improvements that may be financed through the use of contractual assessments;
 - (ii) Identification of a WRCOG official authorized to enter into contractual assessments on behalf of WRCOG,
 - (iii) A maximum aggregate dollar amount of contractual assessments; and
 - (iv) A method for setting requests from property owners for financing through contractual assessments in priority order in the event that requests appear likely to exceed the authorization amount.
- (d) A plan for raising a capital amount required to pay for work performed pursuant to contractual assessments. The plan may include amounts to be advanced by WRCOG through funds available to it from any source. The plan may include the sale of a bond or bonds or other financing relationship pursuant to Streets and Highways Code Section 5898.28. The plan shall include a statement of or method for determining the interest rate and time period during which contracting property owners would pay any assessment. The plan shall provide for any reserve fund or funds. The plan shall provide for the apportionment of all or any portion of the costs incidental to financing, administration, and collection of the contractual assessment program among the consenting property owners and WRCOG.

Section 9. The Executive Committee hereby calls a public hearing to be held on _____, 2009 at _____ a.m., or as soon thereafter as feasible, in the First Floor Board Chambers, County of Riverside Administrative Center, 4080 Lemon Street, Riverside, California, on the proposed Report and the Program. At the public hearing all interested persons may appear and hear and be heard and object to or inquire about the proposed Program or any of its particulars.

Section 10. The Secretary of the Executive Committee is hereby directed to provide notice of the public hearing by publishing this Resolution once a week for two weeks, pursuant to

Section 6066 of the California Government Code, in the [_____] and the first publication shall not occur later than 20 days before the date of such hearing.

Section 11. The contractual assessments levied pursuant to the Act, and the interest and any penalties thereon, shall constitute a lien against the lots and parcels of land on which they are made, until they are paid. The contractual assessments shall be collected in the same manner and at the same time as the general taxes of WRCOG on real property are payable and shall be subject to the same penalties, remedies and lien priorities in the event of delinquency and default. As a cumulative remedy, if any contractual assessment or installment thereof, or of any interest thereon, together with any penalties, costs, fees and other accrued charges are not paid when due, the Executive Committee may order that the same be collected by an action brought in superior court to foreclose the lien thereof as provided in Division 10 of the California Streets and Highways Code.

Section 12. The Executive Committee hereby directs the Executive Director to determine and discuss in the Report what additional fees, if any, will be charged, annually, by the Auditor Controller's office for incorporating the proposed contractual assessments on the tax roll.

PASSED AND ADOPTED at a Meeting of the Executive Committee of the Western Riverside Council of Governments held this _____ day of _____, 2009.

Robin Lowe, Chair
WRCOG Executive Committee

Rick Bishop, Secretary
WRCOG Executive Committee

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

IMPLEMENTATION AGREEMENT

**IMPLEMENTATION AGREEMENT
BETWEEN THE WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS
AND THE CITY OF WILDOMAR TO IMPLEMENT AB 811**

This Implementation Agreement ("Agreement") is entered into as of _____ between the WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS ("WRCOG"), a joint powers authority formed under Government Code sections 6500 et seq., and the CITY OF WILDOMAR ("Member Agency"), a public agency formed under the laws of the State of California. WRCOG and the Member Agency are sometimes collectively referred to in this Agreement as the "Parties" or individually as a "Party."

RECITALS

WHEREAS, various cities within Riverside County and the County of Riverside entered into a Joint Powers Agreement on April 1, 1991, as amended from time to time, to create WRCOG ("JPA"); and

WHEREAS, Member Agency is a signatory to the JPA; and

WHEREAS, Article VIII of JPA permits any WRCOG member agency, when authorized by the Executive Committee, to execute an Implementation Agreement for the purpose of authorizing WRCOG to implement, manage and administer area-wide and regional programs in the interest of the local public welfare; and

WHEREAS, the JPA permits WRCOG, when authorized by an Implementation Agreement, to make and enter into such contracts, incur such debts and obligations, assess contributions from the members, and perform such other acts as are necessary to the accomplishment of the purposes of such agreement; and

WHEREAS, on June 30, 2008, the State Legislature enacted Assembly Bill 811, codified as Streets and Highways Code sections 5898.10 et seq. ("AB 811") to permit cities and counties to assist property owners who desire to undertake energy-efficient improvements, such as high-efficiency air conditioners, or install renewable energy projects, such as solar panels; and

WHEREAS, WRCOG member agencies have the common power to implement and administer contractual assessment programs pursuant to AB 811 (the "Program") to finance installation of distributed generation renewable energy sources or energy efficiency improvements within their jurisdictions; and

WHEREAS, WRCOG and Member Agency desire to enter into this Agreement in order to authorize WRCOG to implement and administer the Program on behalf of Member Agency; and

WHEREAS, the Executive Committee has authorized Member Agency to enter into this Agreement.

NOW, THEREFORE, the Parties hereby understand and agree as follows:

AGREEMENT

Section 1: Establishing the Program

WRCOG will undertake proceedings pursuant to AB 811 to establish the Program to make contractual assessment financing available to eligible property owners within the jurisdictional boundary of Member Agency.

Section 2: Establishing Eligible Improvements

WRCOG shall identify the kinds of public works, distributed generation renewable energy sources, or energy efficiency improvements that may be financed ("Eligible Improvements") under the Program.

Section 3: Boundary of Program

WRCOG, in coordination with Member Agency, shall describe the boundaries of the area within which contractual assessments under the Program may be entered into, which may include the entire jurisdictional area of Member Agency or a lesser portion thereof.

Section 4: Financing the Installation of Eligible Improvements

WRCOG shall develop and implement a plan for the financing of the purchase and installation of the Eligible Improvements under the Program.

Section 5: Ongoing Administration

WRCOG shall be responsible for the ongoing administration of the Program, including but not limited to producing education plans to raise public awareness of the Program, soliciting, reviewing and approving applications from residential and commercial property owners participating in the Program, establishing contracts for residential and commercial property owners participating in Program, establishing and collecting assessments due under the Program, and providing reports as required by Streets & Highways Code sections 5898.20(b) and 5898.22. The program will be administered in accordance with WRCOG JPA.

Section 6: Phased Implementation

The Parties recognize and agree that implementation of the Program as a whole can and may be phased as other WRCOG member agencies execute similar Implementation Agreements. The Member Agency entering into this Agreement will obtain the benefits of

and incur the obligations imposed by this Agreement in its jurisdictional area, irrespective of whether other WRCOG member agencies enter into similar Implementation Agreements.

Section 7: Term

The term of this Agreement shall be for twenty (20) years unless modified or extended pursuant to this Agreement.

Section 8: Termination

Upon ninety (90) days written notice, either Party may terminate this Agreement. Termination shall not relieve the Party of its proportionate share of any debts or other liabilities incurred under this Agreement prior to the effective date of the Party's notice of termination.

Section 9: Environmental Review

WRCOG shall be the lead agency under the California Environmental Quality Act for any environmental review that may be required in implementing or administering the Program under this Agreement.

Section 10: Cooperative Effort

Member Agency shall cooperate with WRCOG by providing information and other assistance in order for WRCOG to meet its obligations hereunder. Member Agency recognizes that one of its responsibilities related to the Program will include any permitting or inspection requirements as established by the Member Agency.

Section 11: Miscellaneous Provisions

11.1 Notice. Any and all communications and/or notices in connection with this Agreement shall be either hand-delivered or sent by United States first class mail, postage prepaid, and addressed as follows:

WRCOG:

Western Riverside Council of Governments
4080 Lemon Street, 3rd Floor. MS1032
Riverside, CA 92501-3609
Att: Executive Director

MEMBER AGENCY:

City of Wildomar
23873 Clinton Keith Road, Suite 201
Wildomar, CA 92595
Att: City Manager

11.2 Entire Agreement. This Agreement, together with the JPA and WRCOG By-laws, constitutes the entire agreement among the Parties. This Agreement supersedes any and all other agreements, either oral or in writing, among the Parties with respect to the subject matter hereof and contains all of the covenants and agreements among them with respect to said matters, and each Party acknowledges that no representation, inducement, promise of agreement, oral or otherwise, has been made by the other Party or anyone acting on behalf of the other Party that is not embodied herein.

11.3 Successors and Assigns. This Agreement and each of its covenants and conditions shall be binding on and shall inure to the benefit of the Parties and their respective successors and assigns. A Party may only assign or transfer its rights and obligations under this Agreement with prior written approval of the other Party, which approval shall not be unreasonably withheld.

11.4 Attorney's Fees. If any action at law or equity, including any action for declaratory relief is brought to enforce or interpret the provisions of this Agreement, each Party to the litigation shall bear its own attorney's fees and costs.

11.5 Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of California, as applicable.

11.6 No Third Party Beneficiaries. This Agreement shall not create any right or interest in the public, or any member thereof, as a third party beneficiary hereof, nor shall it authorize anyone not a Party to this Agreement to maintain a suit for personal injuries or property damages under the provisions of this Agreement. The duties, obligations, and responsibilities of the Parties to this Agreement with respect to third party beneficiaries shall remain as imposed under existing state and federal law.

11.7 Severability. In the event one or more of the provisions contained in this Agreement is held invalid, illegal or unenforceable by any court of competent jurisdiction, such portion shall be deemed severed from this Agreement and the remaining parts of this Agreement shall remain in full force and effect as though such invalid, illegal, or unenforceable portion had never been a part of this Agreement.

11.8 Headings. The paragraph headings used in this Agreement are for the convenience of the Parties and are not intended to be used as an aid to interpretation.

11.9 Amendment. This Agreement may be modified or amended by the Parties at any time. Such modifications or amendments must be mutually agreed upon and executed in writing by both Parties. Verbal modifications or amendments to this Agreement shall be of no effect.

IN WITNESS WHEREOF, THE PARTIES HERETO have executed this Agreement to be in effect as of the date last signed below.

By: _____
Executive Committee Chair
Western Riverside Council of Governments

Date: _____

By: _____
Frank Oviedo
City Manager

Date: _____

ATTEST:

Debbie A. Lee, CMC
City Clerk

Date: _____

APPROVED AS TO FORM:

Julie Hayward Biggs
City Attorney

Date: _____

CITY OF WILDOMAR – COUNCIL
Agenda Item #3 B
GENERAL BUSINESS
Meeting Date: August 26, 2009

TO: Honorable Mayor and Members of the City Council
FROM: Debbie A. Lee, CMC, City Clerk
SUBJECT: Discussion and Possible Action Regarding Letter of Support Request from the City of Murrieta Regarding Loma Linda University Medical Center - Murrieta

STAFF REPORT

RECOMMENDATION:

Discussion and possible action regarding a request from the City of Murrieta for a letter of support in regards to the Loma Linda University Medical Center – Murrieta.

BACKGROUND:

Mayor Farnam requested that this item be placed on the agenda for consideration and possible action by the City Council.

ATTACHMENTS:

Request for letter of support, and attachments, from Council Member Rick Gibbs, Murrieta

Submitted by:

Approved By:

Debbie A. Lee, CMC
City Clerk

Frank Oviedo
City Manager

Approved as to form:

Julie Hayward Biggs
City Attorney



CITY OF MURRIETA

August 10, 2009

To Whom It May Concern:

When Congress returns to session next month, at the forefront of debate will be health care reform. While the City of Murrieta will not take a position regarding these reform efforts, we ask that you join with us to proactively alert our elected officials to any actions that could jeopardize the opening of the new Loma Linda University Medical Center – Murrieta (LLUMC-M). **Your assistance is urgently needed.**

Here are the facts:

- Loma Linda University Medical Center is partnering with an investment group of medical physicians to construct and operate a 203-bed hospital in Murrieta. The \$230 million project will bring thousands of jobs to the region at no cost to taxpayers.
- Subject to stringent California regulations, this new hospital is expected to begin operations in early 2011.
- **Language has been proposed in the Senate Finance Committee in the past that would bar or severely limit physician owned hospitals. If this were to happen, the consequences would have a devastating impact on health care access in our region.**
- Our region is in desperate need of hospital beds. On a national basis, three hospital beds per thousand population is an indicator of adequate and available care. Currently, in the United States the average is 2.7 beds per thousand, and in California the rate is 1.9 beds per thousand. Riverside County has 2880 licensed beds – a ratio of 1.47 per thousand. The southern region of the county has 637 licensed beds – a ratio of 1.05 per thousand.
- Loma Linda's partnership insures a teaching hospital that will be a center of medical excellence. LLUMC currently operates in a manner consistent with the traditions of the Seventh-Day Adventist Church and those same principals will be the guidelines for the operation of this facility. These ethical principles will insure that the quality of health care delivered and the medical necessity for Medicare and Medicaid services and billings will be handled in a proper manner.

Please stand with the City of Murrieta and help us alert our elected officials to legislation that could jeopardize the opening of the new hospital. Attached is a draft letter that we urge you to place on your personal stationary or organization's letterhead and sign in support of the new hospital. We ask that you send letters to both Senators and your local Representative. Please copy the City as well. If you have any questions, please contact me at (310) 729-9140.

Regards,

Rick Gibbs, City Councilmember
City of Murrieta

(Place on letterhead)

August 10, 2009

The Honorable _____

Washington, D.C. _____

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Please see State of California Elected Officials Contact page for address (page 4)
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Dear Senator/Congressman: (Choose one)

As Congress begins the process of drafting a historic reform to health care, the City of Murrieta is concerned over past policy modifications introduced in the Senate Finance Committee to limit new hospitals from opening. These policy attempts would ban or severely limit physician owned and operated medical centers. If this policy were to be implemented, the City of Murrieta, as well as the entire Southwest Riverside County region, would be greatly impacted. As a result, I would like the opportunity to bring this issue to your attention since legislation could be introduced that would jeopardize the opening of the new Loma Linda University Medical Center – Murrieta (LLUMC-M).

Currently, the new LLUMC-M is under construction and is on schedule to open in the first quarter of 2011. The new full-service, state-of-the-art teaching facility will provide the region with over 200 new hospital beds. On a national basis, three hospital beds per thousand population is considered an indicator of adequate and available care. In the United States the average is 2.7 beds per thousand, and in California the rate is 1.9 beds per thousand. Riverside County has 2,880 licensed beds – a ratio of 1.47 per thousand. The southern region of the county has 637 licensed beds – a ratio of 1.05 per thousand. Our area is in desperate need of this new hospital. At the present time, our region is served by two hospitals, each owned by Southwest Healthcare Systems. These hospitals are now operating under an independent, federally approved monitor due to previous infractions.

LLUMC-M is being developed by a group of devoted physicians that are investing their own money into this \$230 million project. This will be a high-tech teaching facility under the renowned reputation of Loma Linda. Since the Senate Finance Committee has on occasion introduced legislation that would ban or severely limit new physician owned hospitals from opening, we believe it prudent to voice our concerns with you. Our specific request would be that if any such language is included in the upcoming health care reform package, that LLUMC-M be grandfathered in.

Health care reform will be at the forefront when Congress returns for session. The impact of pending legislation will affect all Americans. However, the consequences of a ban on physician owned facilities would have a devastating impact on health care access in our region. Therefore, please help us ensure that the new Loma Linda University Medical Center – Murrieta becomes a valued provider of crucial health care services for our area.

Sincerely,

Name
Official capacity



COMMUNICATING WITH ELECTED OFFICIALS

Tips for Writing Elected Officials

Communicating with elected officials is a key component of any advocacy endeavor. In general, communication with elected officials can take place via e-mail, fax, mail, telephone, or face-to-face meetings. Unfortunately, heightened security measures have significantly increased the time it takes for a letter sent by mail to reach a congressional office. Therefore, it is becoming more acceptable for citizens to use e-mails and faxes to communicate their concerns. Many offices prefer the use of electronic communications for constituent contact. As a general rule, members of Congress are far more likely to heed your message if you are one of their constituents.

Purpose of Your Letter

- State your purpose for writing in the first sentence of the letter.
- Be clear, be courteous.
- Let your legislator know how this issue or pending legislation is affecting the daily lives of his or her constituents.
- If appropriate, include personal information about why the issue matters to you or to your community.
- Address only one issue in each letter or e-mail.

Addressing Your Correspondence

A listing of elected officials is attached.

Tips for Phoning Your Elected Official

Telephone calls are usually taken by a staff member. Ask to speak with the aid who handles the issue about which you wish to comment. For the issue of health care reform and physician-owned hospitals, ask to speak to the legislative assistant or aide that handles all health related issues.

After identifying yourself as a constituent, tell the aid you would like to leave a brief message, such as “Please tell Senator/Representative _____ that I oppose any legislation that would jeopardize the opening of the new Loma Linda University Medical Center – Murrieta.”

STATE OF CALIFORNIA ELECTED OFFICIALS

<p><u>Senator Dianne Feinstein</u> Washington, D.C. Office: 331 Hart Senate Office Building Washington, D.C. 20510 Phone: (202) 224-3841 Fax: (202) 228-3954 San Francisco Office: One Post Street, Suite 245 San Francisco, California 94104 Phone: (415) 393-0707 Fax: (415) 393-0710</p>	<p><u>Senator Barbara Boxer</u> Washington, D.C. Office: 112 Hart Senate Office Building Washington, D.C. 20510 Phone: (202) 224-3553 Fax: (202) 224-0454 San Francisco Office: 1700 Montgomery Street, Suite 240 San Francisco, California 94111 Phone: (415) 403-0100 Fax: (202) 224-0454</p>
<p><u>Rep. Mary Bono Mack (CA 45th)</u> Washington, D.C. Office: 104 Cannon House Office Building Washington, D.C. 20515 Phone: (202) 225-5330 Fax: (202) 225-2961 Palm Springs Office: 1600 E. Florida Ave, Ste 301 Hemet, CA 92544 Phone: (951) 658-2312 Fax: (951) 652-2562</p>	<p><u>Rep. Darrell Issa (CA 49th)</u> Washington, D.C. Office: 2347 Rayburn House Office Building Washington, D.C. 20515 Phone: (202) 225-3906 Fax: (202) 225-3303 Vista Office: 1800 Thibodo Road, #310 Vista, California 92081 Phone: (760) 599-5000 Fax: (760) 599-1178</p>
<p><u>Rep. Ken Calvert (CA 44th)</u> Washington, D.C. Office: 2201 Rayburn House Office Building Washington, D.C. 20515 Phone: (202) 225-1986 Fax: (202) 225-2004 Riverside Office: 3400 Central Avenue, Suite 200 Riverside, CA 92506 Phone: (951) 784-4300 Fax: (951) 784-5255</p>	<p><u>Rep. Jerry Lewis (CA 41st)</u> Washington, D.C. Office: 2112 Rayburn House Office Building Washington, D.C. 20515 Phone: (202) 225-5861 Fax: (202) 225-6498 Redlands Office: 1150 Brookside Avenue, Suite J-5 Redlands, CA 92373 Phone: (909) 862-6030</p>
<p><u>Governor Arnold Schwarzenegger</u> Sacramento Office: State Capitol Building Sacramento, California 95814 Phone: (916) 445-2841 Fax: (916) 445-4633 Riverside Office 3737 Main Street #201 Riverside, CA 92501 Phone: (951) 680-6860 Fax: (951) 680-6863</p>	

CITY OF WILDOMAR – CITY COUNCIL
Agenda Item #3 C
GENERAL BUSINESS
Meeting Date: August 26, 2009

TO: Mayor and Members of the City Council
FROM: Gary Nordquist, Director of Finance
SUBJECT: Intern Program

STAFF REPORT

RECOMMENDATION:

Provide City staff with direction and scope of a City Internship program.

BACKGROUND:

At the previous City Council meeting (8/12/2009), staff was directed to explore the concept of implementing a City of Wildomar Internship program, augmenting city staff, in pursuit of achieving City operational objectives.

City staff members Sean del Solar from the Planning Department, Paula Willette from the Community Services Department, and Gary Nordquist from Finance/Human Resources, researched this concept and have provided the following information for a discussion on program strategy.

DISCUSSION:

The traditional "internship" is a short-term, supervised professional training or work experience designed to allow students to apply acquired skills and knowledge to practical situations.

City staff looked at the following major areas for program conceptualization:

1. Purpose of the Program, benefits to the City and the Intern.
2. City Staff Needs and Interest in an Internship program.
3. Neighboring Cities Intern programs and Best Practices.
4. Schools that facilitate Internships and program types.
5. Internship types, volunteer, paid, school credits.

The attached report addresses these major categories.

FISCAL IMPACTS:

There will be an initial cost impact, the magnitude of which depends on the type of program implemented.

ALTERNATIVES:

1. Take no action
2. Provide staff with further direction.

Submitted by:

Approved by:

Gary Nordquist
Director of Finance

Frank Oviedo
City Manager

Reviewed by:

Julie Hayward Biggs
City Attorney

City of Wildomar

Internship Program Conceptualization

1. Program Purposes and Responsibility

- A. To provide the City of Wildomar with additional resources to achieve operational goals and objectives.
- B. To provide students with an opportunity to apply skills and knowledge to practical professional situations.
- C. To start and complete projects during the term of the internship.
- D. The City's Human Resource Department could coordinate the city-wide program.

2. City and Staff Needs from an Internship Program

The City of Wildomar's department heads were surveyed via email to ascertain the needs/desires of various departments as it pertains to interns. The email asked each department head the 3 questions: Could your Department use an intern? What types of projects or work would an intern in your department do? And what would be an ideal intern? A table below displays the needs each department expressed:

The City of Wildomar's Needs			
Department	Needed?	Types of Work	Ideal Candidate
Parks and Rec.	Yes	Develop recreational programs from start to execution or work on emergency preparedness projects	Someone that could work with little supervision, creative, willing to work, has excitement for their profession.
Finance Human Resources, And Risk Management	Yes	Initially, department organization projects such as financial policies and procedures documentation, report design, financial modeling, budget program development, performance analysis and criteria design.	Junior/Senior/Graduate student with emphasis in Accounting, Finance, Public Administration.
Public Works	Yes	Work would be similar to an Engineering Tech with additional supervision; including plan review, collection of data for traffic investigation and studies, assist with on-site inspections. A public policy student would be able to provide research on City Council requested programs and activities.	Upper division engineering student or an upper division Public Policy student.
Planning	Yes	Assist with special projects, counter duties, research, reports and project processing.	Upper division/graduate student enrolled in a Planning Program.
City Manager			No response
City Clerk			No response
Building Dept.			No response

2. Neighboring Cities and Intern Programs

A survey of surrounding cities (Temecula, Corona, Lake Elsinore, Canyon Lake, Menifee and Murrieta) found that only the cities of Temecula and Corona have formal internship programs, while the City of Murrieta’s Planning Department utilizes interns on a voluntary basis. Complete results from the survey can be seen in the table to the right.

The City of Corona departments of Public Works, Planning and Finance utilize interns as part time employees and the individual departments recruit and hire the interns.

Much like Corona, the City of Temecula utilizes interns as part-time employees. A job description for “interns” is attached to this memo. Temecula also administers an additional program known as “The Mayor’s Summer Youth Program.” In the program, the City of Temecula uses grant funds to hire qualifying* individuals and then places them in jobs within the City-organization and in positions with private businesses in the community (*qualifying individuals are low-income and between the ages of 14-24). The program is designed to provide opportunities for low income youth to develop profession skills and gain experience. The program is administered by the City’s Human Services (Parks and Recreation) Department.

Results from Surrounding Communities Survey	
City	Intern Programs
Temecula	The Mayors Summer Youth Program, and Interns are hired for minimum wage and employed part-time.
Corona	Interns are hired by departments as part time employees.
Lake Elsinore	Left Messages, no calls were returned.
Canyon Lake	Left Messages, no calls were returned.
Menifee	Youth Program.
Murrieta	Volunteer basis and interns only serve in the Planning Department.

3. Schools and Internship Programs

The following local schools were surveyed for information regarding their internship programs.

A. Riverside Community College

- 951.222.8131
- No internship program
- Work experience class only
- Can be paid or volunteer

Must be in work by the 3rd week of class
No insurance – our workers comp

B. Cal Baptist

951.689.5771

Left Message

Per the Website, Internship programs are offered.

C. La Sierra University

800.874.5587

Left Message

cbauman@lasierra.edu

D. Palomar Community College

760.744.1150

Dana Hawkes

dhawkes@palomar.edu

E-mailed inquiry.

E. University of Redlands

<http://www.redlands.edu/x20198.asp>

Yes, programs are available. Programs vary and depend on the teachers and their course work.

Students earn credit or paid (\$7-\$12)

F. California State University at San Marcos

760.750.4000

Yes, programs are available.

Credit or paid, but Business Administration program does not award credit.

G. Mount San Jacinto College

No longer does internships due to CA budget cuts

H. California State University at San Diego

619.594.2364

ylevy@mail.sdsu.edu. Left message and emailed, no response as of 8/20/09.

4. Types of Internship Programs

There are several types of internship programs available.

- Paid internship programs, are usually a part-time minimum wage type of compensation and are often limited to a specific number of hours.
- Volunteer Programs, offer the intern work experience.

- School Requirement and/or credit, participating schools require students to work a specific number of hours for an organization as part of the degree program.

Other Programs...

Youth Opportunity Program (YOP)
(951) 657-7105 | Anita, Program Coordinator

Administered by the Riverside County EDA, this program hires youth and places them at sites to work at sites around the community. Program participants are between the ages of 16 and 21 and low-income. The YOP staff screens and trains participants before sending them to a site. The YOP pays the participants and assumes all liabilities for risk management. Participants are limited to 200 hours of work.

To participate in the program, the City would need to sign an agreement with the YOP, post youth labor laws and allow YOP staff to conduct a “walk-through” of the work site. The City of Menifee is an avid user of the YOP and gave them rave reviews (per Julie Woodruff, Personnel Dept.).

Example of Intern Position Specifications

CITY OF TEMECULA

PROJECT

CLASSIFICATION SPECIFICATION

TITLE: INTERN – COMMUNITY SERVICES DEPARTMENT

Reports to: Director of Community Services

Created: January 31, 2008

Department: Community Services

Revised:

JOB SUMMARY

Under general supervision, to survey and coordinate data and research for teen and young adult services within the City. This internship will work directly with the Community Services Department to gather, compile, and interpret information obtained from other agencies and affiliations which will assist with future teen and young adult program development. This internship can also apply towards a senior project or coordinated with college as work experience.

ESSENTIAL FUNCTIONS

1. Survey, interview, obtain, document, and compile information for teen and young adult services within the City
2. Interview and obtain information from focus groups
3. document and present information in a concise and professional manner
4. Work with GIS Department on graphics, maps and visual aids
5. Perform various clerical duties, which relate to the responsibilities of this internship assignment

ADDITIONAL RESPONSIBILITIES

1. Perform related duties and special projects, as required

QUALIFICATIONS

1. **Knowledge of:** Microsoft Office software, including PowerPoint. Sports and/or recreation related programs and services. English language usage, both verbal and written. Basic mathematics skill. Basic record keeping. Appropriate safety precautions and procedures. Effective public relations skills.
2. **Ability to:** Know basic Digital photography for reference purposes. Operate a city vehicle, as needed. Read, write and perform mathematics calculations. Maintain records. Operate a personal computer, utilizing MS Office programs at a proficient level. Knowledge of MS PowerPoint is preferred. Understand pertinent procedures and functions quickly and apply without immediate supervision. Communicate clearly and concisely, both orally and in writing. Establish and maintain effective working relationships.

TRAINING, EDUCATION AND EXPERIENCE

College senior completing a degree program in public administration, sports/recreation, communications, or closely related discipline. Knowledge and/or work experience with youth sports/recreation programs is preferred.

LICENSES/CERTIFICATES

CITY OF WILDOMAR – CITY COUNCIL
Agenda Item #3 D
GENERAL BUSINESS
Meeting Date: August 26, 2009

TO: Mayor and Members of the City Council
FROM: Gary Nordquist, Director of Finance
SUBJECT: Complete Count Committee for 2010 U.S. Census

STAFF REPORT

RECOMMENDATION:

Appoint a City of Wildomar Elected Official to direct the activities of a committee of local organizations participating in the dissemination of 2010 census information to encourage those in our community to participate and to raise the overall awareness of the census count.

BACKGROUND:

The City of Wildomar issued a Proclamation at the May 13 City Council meeting "Committing to Partner with the U.S. Census Bureau to help ensure a full and accurate count in 2010." As part of that commitment, the City supported creating or seeking opportunities to collaborate with other like-minded groups in our community, such as Complete Count Committees, to utilize high-profile trusted voices to advocate on behalf of the 2010 Census.

DISCUSSION:

An appointment of an elected official from the City of Wildomar to head up the Committee is one of the actions to promote 2010 Census Count awareness.

FISCAL IMPACTS:

Many revenues and grants are issued or distributed based on city population. Accuracy in the census count for the City of Wildomar is very important as an undercount of population could result in a reduction of funds for community services for many years.

ALTERNATIVES:

1. Take no action
2. Provide staff with further direction.

Submitted by:

Approved by:

Gary Nordquist
Director of Finance

Frank Oviedo
City Manager

Reviewed by:

Julie Hayward Biggs
City Attorney



*City Of Wildomar
California
Proclamation*

- WHEREAS: an accurate census count is vital to our community and residents' well-being by helping planners determine where to locate schools, day-care centers, roads and public transportation, hospitals and other facilities, and is used to make decisions concerning business growth and housing needs;
- WHEREAS: more than \$300 billion per year in federal and state funding is allocated to states and communities based on census data;
- WHEREAS: census data ensure fair Congressional representation by determining how many seats each state will have in the U.S. House of Representatives as well as the redistricting of state legislatures, county and city councils, and voting districts;
- WHEREAS: the 2010 Census creates jobs that stimulate economic growth and increase employment opportunities in our community;
- WHEREAS: the information collected by the census is protected by law and remains confidential for 72 years;

Now, therefore, The City Council of the City of Wildomar does hereby proclaim that we are committed to partnering with the U.S. Census Bureau to help ensure a full and accurate count in 2010.

As a 2010 Census partner, we will:

Support the goals and ideals for the 2010 Census and will disseminate 2010 Census information to encourage those in our community to participate.

Encourage people to place an emphasis on the 2010 Census and participate in events and initiatives that will raise overall awareness of the 2010 Census and ensure a full and accurate census.

Support census takers as they help our community complete an accurate count.

Create or seek opportunities to collaborate with other like-minded groups in our community, such as Complete Count Committees, to utilize high-profile, trusted voices to advocate on behalf of the 2010 Census.

Scott Farnam, Mayor

Bridgette Moore, Mayor Pro Tem

Sheryl Ade, Council Member

Marsha Swanson, Council Member

Bob Cashman, Council Member

CITY OF WILDOMAR – CITY COUNCIL
Agenda Item #3 E
GENERAL BUSINESS
Meeting Date: August 26, 2009

TO: Mayor and Members of the City Council
FROM: Michael Kashiwagi, Public Works Director
SUBJECT: Report on Bundy Canyon Traffic Studies

STAFF REPORT

BACKGROUND:

Staff will be providing an oral report on recent traffic and speed studies performed within the City, including Bundy Canyon Road

Submitted by:

Approved by:

Michael Kashiwagi
Director of Public Works

Frank Oviedo
City Manager



TAG LINE SUGGESTIONS

Where tradition & progress meet

Cornerstone of community pride and heritage

(play off of the church since it is a well known element of the city - will garner more exposure)

Where dreams come true

Values • Heritage • Pride

Tradition • Opportunity • Progress

Preserving community values one step at a time

Beacon of values & pride

Opportunity • Heritage

Keeping tradition alive with progress

CITY OF WILDOMAR – COUNCIL
Agenda Item #3 G
GENERAL BUSINESS
Meeting Date: August 26, 2009

TO: Honorable Mayor and Members of the City Council
FROM: Debbie A. Lee, CMC, City Clerk
SUBJECT: November and December City Council Meeting Dates

STAFF REPORT

RECOMMENDATION: That the City Council discuss the meeting schedule for the November 11, November 25, and December 23 City Council meetings.

BACKGROUND: In accordance with Resolution No. 08-05, the City Council meetings are scheduled for the second and fourth Wednesdays of each month. This year there are conflicts with this schedule during the months of November and December.

The first meeting in November is scheduled for the 11th, which is Veteran's Day and a scheduled holiday for the City. According to Resolution No. 08-05, if the City Council meeting falls on a holiday the meeting will be held on the next succeeding day. In keeping with this, the November 11 meeting will be moved to Thursday, November 12, unless the City Council is desirous to reschedule this meeting to another date.

The second meeting in November is scheduled for the 25th, which is the evening before Thanksgiving. Given that this is on the eve of the Thanksgiving holiday, the City Council may wish to reschedule this meeting.

In the month of December, the second meeting is scheduled for the 23rd, which is during the week of Christmas. Again, given this is only two days before the Christmas holidays, the City Council may wish to reschedule this meeting as well.

Because Staff is currently coordinating for meetings and events during these two months, it would be appropriate at this time to determine if the City Council meeting schedule will remain as is, or if it is to be changed for those two months.

FISCAL IMPACT:

There are no fiscal impacts.

ATTACHMENTS:

Resolution No. 08-05
November and December calendars

Submitted by:

Approved By:

Debbie A. Lee, CMC
City Clerk

Frank Oviedo
City Manager

Approved as to form:

Julie Hayward Biggs
City Attorney

RESOLUTION NO. 08-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, DESIGNATING THE TIME, DATE AND LOCATION OF CITY COUNCIL MEETINGS

THE CITY COUNCIL OF THE CITY OF WILDOMAR DOES RESOLVE AS FOLLOWS:

SECTION 1. Recitals.

- (a) The City of Wildomar was incorporated on July 1, 2008, as a general law city of the State of California.
- (b) Government Code sections 36805 and 54954 requires the City Council to hold regular meetings at least once a month at times set by resolution or ordinance.
- (c) Section 2.01.010 of the Wildomar Municipal Code provides that the City Council shall set the time and place of city council meetings by resolution.

SECTION 2. Place of Regular Meetings. The regular meetings of the City Council shall be located at the Oak Creek Center, 23878 Clinton Keith Road, Wildomar, California, beginning in August of 2008.

SECTION 3. Time of Regular Meetings. The regular meetings of the City Council shall be held on the second and fourth Wednesdays of each month at the hour of 7:00 p.m., unless the same shall be a legal holiday, in which event such regular meeting shall be held on the next succeeding day.

PASSED, APPROVED, AND ADOPTED this 1st day of July, 2008.



Bob Cashman, Mayor

ATTEST:



John Danielson, Interim City Clerk

November 2009

Mon	Tue	Wed	Thu	Fri
2	3	4	5	6
9	10	11 HOLIDAY – CITY HALL CLOSED	12 7:00 PM – City Council Meeting	13
16	17	18	19	20
23	24	25 7:00 PM – City Council Meeting	26 HOLIDAY – CITY HALL CLOSED	27 HOLIDAY – CITY HALL CLOSED
30				

December 2009

Mon	Tue	Wed	Thu	Fri
	1	2	3	4
7	8	9 7:00 PM – City Council Meeting	10	11
14	15	16	17	18
21	22	23 7:00 PM – City Council Meeting	24	25 HOLIDAY – CITY HALL CLOSED
28	29	30	31	

CITY OF WILDOMAR – COUNCIL
Agenda Item #3 H
GENERAL BUSINESS
Meeting Date: August 26, 2009

TO: Honorable Mayor and Council Members
FROM: Debbie Lee, City Clerk
SUBJECT: Rebuttal Argument to the Argument Against Measure I

STAFF REPORT

RECOMMENDATION:

Review and approve the rebuttal argument prepared by the Council subcommittee addressing the argument against Measure I which will appear on the November 3, 2009 ballot.

DISCUSSION:

At the City Council meeting held on July 22, 2009, the Council appointed an ad hoc subcommittee comprised of Council Members Ade and Cashman to prepare ballot arguments in support of Measure I and against Measure J and Measure K. Those arguments were approved by the City Council at the August 12, 2009 meeting, and filed with the City Clerk's Office on August 13, 2009.

On August 7, 2009, a group of three citizens filed a direct argument against Measure I (See Attachment). Other than the Council's arguments, this was the only argument received during the filing period, which ended at 5:00 p.m. on August 17, 2009.

In accordance with the California Elections Code, the City Clerk's Office transmitted a copy of the argument against Measure I to the authors of the argument in favor of Measure I; and a copy of the argument in favor of Measure I to the authors of the argument against Measure I. The Elections Code then gives each side ten days to compose and submit a rebuttal argument to the opposing direct argument. The rebuttal argument cannot exceed 250 words and is due in the City Clerk's Office no later than 5:00 p.m. on Thursday, August 27, 2009. This matter has been placed on the agenda for action in anticipation of receipt of a rebuttal argument prepared by the Council subcommittee.

Since there were no direct arguments filed in favor of Measures J and K, the City Clerk's Office cannot accept any rebuttal arguments to the arguments filed by the Council against Measures J and K.

ALTERNATIVES:

The Council could choose not to submit a rebuttal argument or could revise the rebuttal argument prepared by the subcommittee.

LEGAL REVIEW:

The City Attorney's office has diligently worked with the City Manager and the City Clerk to review the materials presented.

FISCAL IMPACTS:

None.

ATTACHMENTS:

Argument Against Measure I

Submitted By:

Approved By:

Debbie A. Lee, CMC
City Clerk

Frank Oviedo
City Manager

Approved as to form:

Julie Hayward Biggs
City Attorney

RECEIVED

AUG 07 2009

ARGUMENT AGAINST MEASURE "I"

CITY OF WILDOMAR

City Council members are attempting to secure their own incumbency at your expense. They have approved spending thousands of your taxpayer dollars on a needless election to have a re-vote on a question already decided by voters less than two years ago because they view your decision as a threat to their continuing stranglehold on power.

They will try to convince you in their arguments in favor of Measure "I" that repealing the by-districts elections system favored by voters at the incorporation election and replacing it with the once-rejected 'at-large' system is the best deal for you.

Implicit in their line of reasoning is that, while you were smart enough to vote in favor of incorporation, and even smarter still when you elected them into office, you were too "stupid" to know what you were doing when you chose to elect future city councils by-districts.

The City Council has already tried to make district voting unpalatable to the electorate by approving 5 gerrymandered districts contrived by an outside demographics consultant and by rejecting any of the well-crafted districts submitted for consideration by local Wildomar resident Wes Lobo.

But even in light of the ill-conceived electoral districts our City Council has strapped us with, a 'NO' vote on Measure "I" will help ensure:

- Greater city council accountability to voters at the local level
- Less influence by special interest money over the outcome of city elections
- Lower entry costs for challengers to incumbents
- Easier recalls of compromised city council members
- No signs, junk mail or unsolicited calls from candidates outside your district

Don't be fooled by the self-serving actions of City Council members who would use political power as a means to unfettered incumbency. **Vote 'NO' on Measure "I"**

Steven Beutz
Citizen of Wildomar

Gerard St. Marie
Citizen of Wildomar

StopTheMoneyGrab.com
Jane Abston