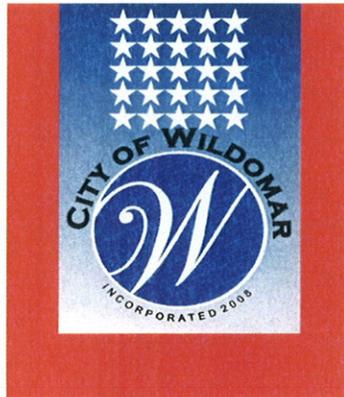


CITY OF WILDOMAR
CITY COUNCIL

AGENDA

August 27, 2008
Council Chambers
23873 Clinton Keith Road



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

**WILDOMAR CITY COUNCIL
REGULAR MEETING AGENDA
AUGUST 27, 2008**

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 and at the Mission Trail Library, 34303 Mission Trail Blvd., Wildomar, CA. 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 Mayor 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 members, staff or the public request the item be discussed and/or removed from the Consent Calendar for separate action.

7:00 P.M.

Call to order the Wildomar City Council

Roll Call:

Flag Ceremony: Boy Scout Troop 332

Invocation:

Presentations: Mona Davies, Community Outreach Ministry

Oral Communications: This is the time for any citizen to comment on any item listed or not listed on the agenda. Comments relative to noticed public hearing items will be heard at that time the public hearing is conducted. Under the provisions of the Brown Act, the legislative body is prohibited from discussing or taking action on items not listed on the agenda. The City Council encourages members of the public to address them at this time so that your questions and/or concerns can be heard.

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 separate action.

MOTION: Move to approve the Consent Calendar, Items 1 – 5.

1. Approval of the reading by title only of all ordinances.
2. Approval of Regular City Council Minutes dated August 13, 2008.
3. Approval of Warrant Register dated August 19-20, 2008.
4. ORDINANCE NO. 15 (ADOPTION) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, CONSOLIDATING THE CITY'S GENERAL MUNICIPAL ELECTIONS WITH THE STATEWIDE GENERAL ELECTION AND ESTABLISHING THE DATE OF THE CITY'S FIRST GENERAL MUNICIPAL ELECTION (Introduced at the August 13, 2008 meeting, Item 4.2)
5. ORDINANCE NO. 16 (ADOPTION) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, RELATING TO THE ESTABLISHMENT OF A PLANNING COMMISSION REPEALING AND THEN ADDING REPLACEMENT MUNICIPAL CODE SECTION 17.04.040 (Introduced at the August 13, 2008 meeting, Item 4.4)

Public Hearings: None

General Business Items:

6. Review and consider introduction of an ordinance that adopts certain titles of the Riverside County Code and codifies those adopted titles in the Wildomar Municipal Code and schedule a public hearing for September 10, 2008.

ORDINANCE NO. 18 (Introduction) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, ADOPTING BY REFERENCE PORTIONS OF THE RIVERSIDE COUNTY CODE AS THE WILDOMAR MUNICIPAL CODE, INCLUDING THOSE PORTIONS THAT ADOPT BY REFERENCE THE FOLLOWING SECONDARY CODES: UNIFORM ADMINISTRATIVE CODE, 2001 CALIFORNIA BUILDING CODE, UNIFORM HOUSING CODE, UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, 2001 CALIFORNIA MECHANICAL CODE, 2001 CALIFORNIA PLUMBING CODE, UNIFORM SWIMMING POOL, SPA AND HOT TUB CODE, 2001 CALIFORNIA ELECTRICAL CODE, UNIFORM SIGN CODE, AND UNIFORM CODE FOR BUILDING CONSERVATION (Public Hearing scheduled for September 10, 2008)

PUBLIC COMMENTS:

MOTION:

7. Review and provide direction on the public request to reopen Wesley Street for public use, between Palomar Street and Como Street.

PUBLIC COMMENTS:

MOTION:

8. Report on and consider City's position on the re-designation of the City Community Trails and the addition of two critical linkages.

PUBLIC COMMENTS:

MOTION:

9. Review and consider adoption of a Resolution adopting a Conflict of Interest Code.

RESOLUTION NO. 08-61

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, ADOPTING A CONFLICT OF INTEREST CODE

PUBLIC COMMENTS:

MOTION:

10. Consider initiation of the application process for membership in the Board of the Western Riverside County Regional Conservation Authority (WRCRCA or RCA) and the Riverside County Habitat Conservation Agency.

PUBLIC COMMENTS:

MOTION:

11. Consider the request from the Wildomar Community Council Street Fair and Car Show dated August 3, 2008.

PUBLIC COMMENTS:

MOTION:

12. Consider request to authorize the City Manager to negotiate a contract with Terry Fitzwater for management of Administrative Services for the City of Wildomar in an amount not to exceed \$8,500 per month.

PUBLIC COMMENTS:

MOTION:

City Council Comments:

City Manager Report:

City Attorney Report:

Future Agenda Items:

Adjournment

The next regular meeting is scheduled for September 10, 2008

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 person who requires 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 telephone at (951) 667-7751, no later than 10:00 A.M. on the day proceeding the schedule meeting.

POSTING STATEMENT: On August 22, 2008, a true and correct copy of this agenda was posted at the three designated posting places; Wildomar City Hall, 23873 Clinton Keith Road, U. S. Post Office, 21392 Palomar Street, and Mission Trail Library, 34303 Mission Trail Blvd.

ITEM NO. 2

CITY OF WILDOMAR
CITY COUNCIL
REGULAR MEETING
AUGUST 13, 2008

The regular meeting of the Wildomar City Council was called to order by Mayor Robert Cashman at 6:03 P.M. at Elsinore High School.

Roll Call showed the following Council Members in attendance: Mayor Robert Cashman, Council Members Bridgette Moore, Sheryl Ade, Scott Farnam and Marsha Swanson.

Staff in attendance: City Manager John Danielson, City Attorney Julie Biggs, Michael Kashiwagi, Director of Municipal Services, City Clerk Sheryll Schroeder.

CLOSED SESSION:

At 6:05 P.M., Mayor Cashman announced the Council would recess to Closed Session, pursuant to Government Code Section 54956.9(a), pending litigation: Ste. Marie v. City of Wildomar, Case No. RIC 503223. He called for public comment, of which there was none.

At 7:05 P.M., all Council Members returned to open session and City Attorney Biggs announced there was no reportable action taken from Closed Session.

FLAG SALUTE AND INVOCATION:

Mayor Cashman led the flag salute and invocation.

APPROVAL OF AGENDA:

Council Member Swanson moved to approve the agenda, seconded by Council Member Farnam, seconded the motion. Roll Call vote: - Ayes: 5, Nays: 0. Motion Carried.

PRESENTATION:

Gary McDaniels presented an architectural model and renderings of a proposed City Hall, which he had used as his thesis. The Council thanked Mr. McDaniels for his excellent project.

COMMUNICATIONS FROM THE PUBLIC:

Sharon Heil asked if the City would be getting sit down restaurants in the near future and Council Member Swanson announced the two newly opened restaurants in town and welcomed the businesses.

Roger Ziemer introduced himself from the Southern California Gas Company and expressed his desire to work with the Council.

Kristan Lloyd, secretary of the Wildomar Community Council, explained that the organization was attempting to fill the food service needs of citizens in the community through the food bank, HOPE. She also announced the October 4, 2008 street fair and car show, which would be from 10:00 A.M. to 5:30 P.M.

Vicki Long requested the Council consider the possibility of local organizations renting meeting rooms.

Kami Sabetzaueff, spoke about plans for Wildomar Village Community Center and for a non-profit or the City to manage it.

CONSENT AGENDA:

3.1 Approval of Minutes – Council Member Ade requested a change on Page 6, Item 5.3, requesting the word “concept of” be inserted before the words “EquiPLEX Project”. Council Member Moore added that she would provide the clerk with the spelling corrections she had. Council Member Farnam moved to approve the minutes as amended, seconded by Council Member Moore. Roll Call vote: - Ayes: 5, Nays: 0. Motion Carried.

3.2 Approval of Warrant Register – Finance Director Stark announced that this was the first time Council would be paying the financial obligations of the City since incorporation. Council Member Farnam moved to approve the warrant register dated August 13, 2008, in the amount of \$407,925.05. Motion seconded by Council Member Moore. Roll Call vote: - Ayes: 5, Nays: 0. Motion Carried.

There were no public comments on the Consent Calendar items.

GENERAL ACTION ITEMS:

4.1 Landscaping and Lighting Maintenance District No. 89-1 Consolidated
Annexation of Location 53 to Zone 3.

RESOLUTION 08-57

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR INITIATING PROCEEDINGS FOR THE ANNEXATION OF LOCATION 53 TO ZONE 3 OF LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1 CONSOLIDATED OF THE CITY OF WILDOMAR PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 AND ORDERING PREPARATION OF ENGINEER'S REPORT REGARDING SAID ANNEXATION

RESOLUTION 08-58

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR DECLARING ITS INTENT TO ORDER THE ANNEXATION OF LOCATION 53 TO ZONE 3 OF LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1 CONSOLIDATED OF THE CITY OF WILDOMAR PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 FOR THE MAINTENANCE AND SERVICING OF LANDSCAPING; ADOPTING THE PRELIMINARY ENGINEER'S REPORT; GIVING NOTICE OF AND SETTING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE ANNEXATION OF LOCATION 53 TO ZONE 3; ORDERING AN ASSESSMENT PROCEEDING; ORDERING A MAILED BALLOT ELECTION; AND DIRECTING NOTICE OF THE PUBLIC HEARING AND THE ASSESSMENT BALLOT TO BE MAILED PURSUANT TO ARTICLE XIII D OF THE CALIFORNIA CONSTITUTION AND SECTION 4000 OF THE ELECTIONS CODE

Judy Watterlond of the County of Riverside Transportation Department presented the staff report.

There were no public comments.

Council Member Ade moved to adopt Resolution Nos. 08-57 and 08-58, seconded by Council Member Swanson. Roll Call vote: - Ayes: 5, Nays: 0. Motion Carried.

4.2 Establishment of General Municipal Election and Consolidation with Statewide General Election.

City Attorney Biggs presented the staff report.

Mayor Cashman called for public comment, none presented.

Council Member Swanson noted that the voter turnout for special elections was typically very low and general elections typically drew more voters.

Council Member Moore moved to waive full reading and read by title only, Ord. No. 08-15, seconded by Council Member Farnam. Roll Call vote: - Ayes: 5, Nays: 0. Motion Carried.

Clerk read the title as:

ORDINANCE NO. 08-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, CONSOLIDATING THE CITY'S GENERAL MUNICIPAL ELECTIONS WITH THE STATEWIDE GENERAL ELECTION AND ESTABLISHING THE DATE OF THE CITY'S FIRST GENERAL MUNICIPAL ELECTION

Council Member Swanson moved to introduce Ordinance No. 08-15, seconded by Council Member Ade. Roll Call vote: - Ayes: 5, Nays: 0. Motion Carried.

4.3 Establishment of Electoral Districts

City Attorney Biggs presented the staff report.

Douglas Johnson, representative of National Demographics, informed Council and staff of the company's objectives and services.

Mayor Cashman called for public comments, there being none, he expressed desire to have an official request for proposal to see how many companies provide the same service and how much they charge.

Council Member Ade added that the proposal was an excellent one but that she also wanted to see what else was out there for comparison.

Council Member Moore agreed with Council Member Ade.

Council Member Farnam agreed and moved to table the item to go out for a Request for Proposals advertised for 45 days. Motion seconded by Council Member Moore. Roll Call vote: - Ayes: 5, Nays: 0. Motion Carried.

4.4 Establishment of Planning Commission

Staff report was presented by City Attorney Biggs.

Council Member Swanson moved to waive full reading and ready by title only, seconded by Council Member Farnam. Roll Call vote: - Ayes: 5, Nays: 0. Motion Carried. Council Member Ade discussed additional language she wished to see added, which included qualifications of high ethical standards and the possibility of compensation.

After discussion among Council Members, City Attorney Biggs noted the amendment would be placed in Section 17.04.041 "Members must be of high ethical standards with no apparent conflicts of interest."

Council Member Ade moved to add the amended Section, seconded by Mayor Cashman. Roll Call vote: - Ayes: 5, Nays: 0. Motion Carried.

The Clerk read the title as follows:

ORDINANCE NO. 08-16

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, RELATING TO THE ESTABLISHMENT OF A PLANNING COMMISSION, REPEALING AND THEN ADDING REPLACEMENT MUNICIPAL CODE SECTION 17.04.040

Council Member Swanson moved to introduce Ordinance No. 08-16, seconded by Council Member Ade. Roll Call vote: - Ayes: 5, Nays: 0. Motion Carried.

4.5 WRCOG Membership

RESOLUTION NO. 08-59

A RESOLUTION OF THE CITY COUNCIL OF WILDOMAR APPROVING AN ADDEDEM TO ADD THE CITY OF WILDOMAR AS A MEMBER AGENCY OF THE WESTERN REIVERSIDE COUNCIL OF GOVERNMENT

Mayor called for public comments, there were none.

Council Member Ade noted that Council had attended a preliminary meeting. She moved approval of Resolution No. 08-59, seconded by Council Member Farnam. Roll Call vote: - Ayes: 5, Nays: 0. Motion Carried.

4.6 Corrected Sales Tax Ordinance

ORDINANCE NO. 08-17

AN URGENCY ORDINANCE OF THE CITY OF WILDOMAR, CALIFORNIA ADDING CHAPTER 3.05 TO THE WILDOMAR MUNICIPAL CODE IMPOSING A SLEAS AND USE TAX TO BE ADMINISTERED BY THE STATE BOARD OF EQUALIZATION

City Attorney Biggs presented the staff report.

Mayor Cashman called for public comments, there were none.

Council Member Swanson moved adoption of the urgency ordinance, seconded by Council Member Moore. Roll Call vote: - Ayes: 5, Nays: 0. Motion Carried.

5.0 Budget Workshop and Study Session

Finance Director Steve Stark presented a detailed power point report on the current budget and expenditures.

REPORTS:

6.1 Anticipated costs for City Hall improvements at Oak Creek Center.

City Engineer, Michael Kashiwagi presented the staff report.

Council Member Moore authorized the City Manager to seek three competitive proposals, seconded by Council Member Swanson. Roll Call vote: - Ayes: 5, Nays: 0. Motion Carried.

6.2 Transition of Oak Springs Ranch and Renaissance Plaza

RESOLUTION NO. 08-60

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, REQUESTING THAT THE COUNTY DISCONTINUE PROVIDING CERTAIN BUILDING PERMIT SERVICES FOR OAK SPRINGS RANCH AND RENAISSANCE PLAZA AND APPROVING THE CITY ASSUMING RESPONSIBILITY FOR THOSE SERVICES AND AUTHORIZE THE CITY MANAGER TO MAKE FUTURE REQUESTS.

Michael Kashiwagi presented the staff report.

Council Member Ade moved to approve Resolution No. 08-60 and authorize the City Manger to request any and all projects currently being processed by the County be transferred to the City of Wildomar for processing, seconded by Council Member Farnam. Roll Call vote: - Ayes: 5, Nays: 0. Motion Carried.

CITY COUNCIL COMMENTS:

Council Member Swanson welcomed the new restaurants in town and said she wished to see name tags for the Council Members and staff at City Hall. She expressed concern regarding upkeep of the web site.

Council Member Farnam announced that September 27th at Pechanga Casino, there would be a "Heroes With Heart" award ceremony. He requested appointment to the RCHCA on an agenda.

Council Member Ade noted that code enforcement had been an issue on ongoing construction projects. She asked that code enforcement come to a meeting once a month for an update.

Council Member Moore updated Council on recent meetings attended. She noted she had received calls regarding the Brown house on Baxter and she asked the Sherriff to keep an eye on the property.

Mayor Cashman noted meetings he had recently attended.

CITY MANAGER REPORT:

City Manager John Danielson thanked the school district for use of their facilities. He said he hoped the next meeting would be held at City Hall. He thanked Steve Stark for his efforts and introduced the staff that would be taking his responsibilities. He welcomed Sheryll Schroeder, City Clerk, and thanked Cher for her interim efforts. He introduced the Chief of Police, Lewis Fetherolf, who addressed Council and introduced Lieutenant Russell Wilson. Chief Fetherolf explained a recent citizen incident and that the officer involved was no long with the department. He added that the deputies were working on off-road complaints. He requested a chain of communication through the City Manger, which would keep Council and staff informed. Regarding the contract status, he informed that legal counsel had concerns with some language, which was being revised and would be re-submitted.

CITY ATTORNEY REPORT:

City Attorney Julie Biggs had no report.

FUTURE AGENDA ITEMS:

Council Member Swanson informed she wished to have on the agenda or a consensus item, the zip code change for Sedco properties.

Council Member Farnam wished to have the RHCAC Resolution on the next agenda.

Council Member Ade requested staff prepare a white paper on the redevelopment area in the City with the idea of looking at potentially the City taking over the redevelopment area rather than having it be joint between entities.

Council Member Moore agreed the web site needed updating. City Manger Danielson said Council needed to finish the Council norms in order to make final decisions on the web site. He said the City Attorney could brief Council on First Amendment Rights and accessibility as they pertain to web site information. Council Member Swanson noted the address; phone and fax numbers could be added. Council Member Farnam added that the City needed to look for someone to maintain the site.

Council Member Moore also reminded staff that joining AQMD needed to be on the next agenda.

Council Member Ade noted that Gary Andre was to provide a presentation on community trails that would be transferred from the County.

ADJOURNMENT:

No further business to come before the Council, Council Member Moore moved to adjourn, seconded by Council Member Swanson. Roll Call vote: - Ayes: 5, Nays: 0. Motion Carried.

The regular meeting of the Wildomar City Council adjourned at 9:25 P.M.

Respectfully submitted:

Sheryll Schroeder, MMC
City Clerk

CITY OF WILDOMAR – CITY COUNCIL
Agenda Item 3
ACTION ITEM
Meeting Date: August 27, 2008

TO: Mayor and Members of the City Council
FROM: Finance Department
SUBJECT: Warrant Register dated August 19-20, 2008

STAFF REPORT

RECOMMENDATION:

1. Approve Warrant Register dated August 19-20, 2008 in the amount of \$178,600.84

BACKGROUND:

The City of Wildomar City Code Chapter 3.03 requires that the City Council audit payments of demands and direct the City Manager to issue checks. The Check Register dated August 19-20, 2008 is submitted for approval.

DISCUSSION:

FISCAL IMPACTS:

As indicated above, the Warrant Register for August 19-20, 2008 has a budgetary impact of \$178,600.84, which is included in the FY08-09 Budget.

ALTERNATIVES:

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

Submitted by:

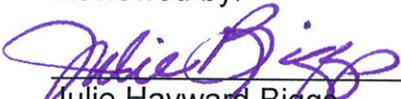
Finance Department

Approved by:



John Danielson
City Manager

Reviewed by:



Julie Hayward Biggs
City Attorney

Attachments: Warrant Register dated August 19-20, 2008

City of Wildomar
Check Detail
August 19 - 20, 2008

Type	Num	Date	Name	Item	Account	Paid Amount	Original Amount
Bill Pmt -Check	1315	8/20/2008	Danielson Associa...		10 1000 1 Cash - ...		-16,915.10
Bill		8/20/2008			10 412 23 Contract...	-16,915.10	16,915.10
TOTAL						-16,915.10	16,915.10
Bill Pmt -Check	1316	8/20/2008	FedEx		10 1000 1 Cash - ...		-24.70
Bill		8/20/2008			10 420 21 Supplies/...	-24.70	24.70
TOTAL						-24.70	24.70
Bill Pmt -Check	1317	8/20/2008	Forms Systems & ...		10 1000 1 Cash - ...		-3,145.19
Bill		8/20/2008			10 480 29 Misc. Ser...	-3,145.19	3,145.19
TOTAL						-3,145.19	3,145.19
Bill Pmt -Check	1318	8/20/2008	Image Printing Sy...		10 1000 1 Cash - ...		-51.72
Bill		8/20/2008			10 480 29 Misc. Ser...	-51.72	51.72
TOTAL						-51.72	51.72
Bill Pmt -Check	1319	8/20/2008	Interwest Consulti...		10 1000 1 Cash - ...		-134,638.02
Bill		8/20/2008			10 450 25 Contract...	-85,620.52	85,620.52
					20 450 25 GTS/IF C...	-1,365.00	1,365.00
					10 450 25 Contract...	-14,255.00	14,255.00
					10 440 26 B&S Con...	-18,145.00	18,145.00
					10 450 25 Contract...	-5,265.00	5,265.00
					10 420 23 Contract...	-1,540.00	1,540.00
					10 450 25 Contract...	-3,445.00	3,445.00
					10 450 25 Contract...	-390.00	390.00
					10 440 25 Contract...	-1,950.00	1,950.00
					10 440 25 Contract...	-2,620.00	2,620.00
					10 412 23 Contract...	-42.50	42.50
TOTAL						-134,638.02	134,638.02
Bill Pmt -Check	1320	8/20/2008	Lake Elsinore Unif...		10 1000 1 Cash - ...		-1,027.40
Bill		8/20/2008			10 411 20 Travel/M...	-437.80	437.80
Bill		8/20/2008			10 411 20 Travel/M...	-589.60	589.60
TOTAL						-1,027.40	1,027.40

City of Wildomar
Check Detail
August 19 - 20, 2008

Type	Num	Date	Name	Item	Account	Paid Amount	Original Amount
Bill Pmt -Check	1321	8/20/2008	Macias Gini & O'C...		10 1000 1 Cash - ...		-1,728.20
Bill		8/20/2008			10 420 23 Contract...	-1,728.20	1,728.20
TOTAL						-1,728.20	1,728.20
Bill Pmt -Check	1322	8/20/2008	North County Times		10 1000 1 Cash - ...		-120.52
Bill		8/20/2008			10 450 21 Supplies/...	-120.52	120.52
TOTAL						-120.52	120.52
Bill Pmt -Check	1323	8/20/2008	Sheryll Schroeder		10 1000 1 Cash - ...		-364.14
Bill		8/20/2008			10 413 21 Supplies/...	-364.14	364.14
TOTAL						-364.14	364.14
Bill Pmt -Check	1324	8/20/2008	SOUTHERN CALIF...		10 1000 1 Cash - ...		-1,161.29
Bill		8/20/2008			10 480 21 Utilities	-1,161.29	1,161.29
TOTAL						-1,161.29	1,161.29
Bill Pmt -Check	1325	8/20/2008	Steve Stark		10 1000 1 Cash - ...		-19,184.26
Bill		8/20/2008			10 420 23 Contract...	-19,184.26	19,184.26
TOTAL						-19,184.26	19,184.26
Bill Pmt -Check	1326	8/20/2008	The Press-Enterpri...		10 1000 1 Cash - ...		-240.30
Bill		8/20/2008			10 450 21 Supplies/...	-240.30	240.30
TOTAL						-240.30	240.30

CITY OF WILDOMAR – COUNCIL
Agenda Item 4
DISCUSSION/ACTION ITEM
Meeting Date: August 13, 2008
August 27, 2008

TO: Mayor Cashman, Members of the City Council
FROM: Julie Hayward Biggs, City Attorney
SUBJECT: General Municipal Election Ordinance

STAFF REPORT

RECOMMENDATION:

Review and consider adoption of proposed ordinance consolidating the City's general municipal elections with the statewide general elections held on the second Tuesday after the first Monday in November of even-numbered years.

BACKGROUND:

As the Council is aware, a recent legal action against the City raised the question of when the City will hold its first general municipal election. In the past, general municipal elections were scheduled by statute on either the second Tuesday after the first Monday in March of odd numbered years or on the second Tuesday of April in even-numbered years. While cities had the option of adopting an ordinance consolidating their elections with statewide elections or school district elections, there was a set date for general municipal elections.

With the changes to the electoral system that were enacted to move the Presidential primary date to February of years divisible by four, other changes were made to the elections law that affect cities. Instead of a statutory general municipal election date, a listing of possible dates for general municipal elections has been established. The legal requirement is simply that a general municipal election be held on one of those established dates. As before, cities are permitted to consolidate their general municipal elections with any statewide or school district election cycle set forth in the Elections Code.

DISCUSSION:

It is clear that there are those in the City who are eager to move to election by district as soon as possible. It is also clear that it will take some time to establish electoral districts that comport with the legal requirements for such districts. Further, there is a value to establishing an electoral system that is consolidated with other area

elections as a means of encouraging greater public participation in the decision-making process.

Given the history of legal challenge that the City has experienced at this point with regard to its general municipal election, the City should anticipate that any action it takes with regard to scheduling its first general municipal election is likely to be challenged. Nevertheless, the statutory framework expressly allows the City to set its own election schedule and to consolidate its general municipal election with the statewide general election. Should the City wish to consolidate with a school district election in November of 2009, or the statewide primary in June of 2010, those options might be considered at this point as well. The decision, however, rests with the City Council.

FISCAL IMPACTS:

Municipal elections that are held at off-times are poorly attended by most voters. In addition, the cost of a city-only election is substantial. In other jurisdictions of similar size to Wildomar, the difference in cost runs something on the order of \$15,000 for a consolidated election and \$40,000 for a stand-alone election. The City has the choice of requesting the County to run the election whether it is consolidated or not, but the City will have to pay the actual cost to the County for such services. In the alternative, the City may purchase its own election materials and retain a consulting service to run the election, again at considerable cost.

ALTERNATIVES:

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

Submitted by:



Julie Hayward Biggs
City Attorney

Approved by:



John Danielson
City Manager

Attachments:

Ordinance No. 08-15

ORDINANCE NO. 08-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, CONSOLIDATING THE CITY'S GENERAL MUNICIPAL ELECTIONS WITH THE STATEWIDE GENERAL ELECTION AND ESTABLISHING THE DATE OF THE CITY'S FIRST GENERAL MUNICIPAL ELECTION.

WHEREAS, the City Council desires to establish the timing and schedule of the dates of the City's general municipal elections; and

WHEREAS, to date no general municipal election date has been set by the City Council or by operation of law; and

WHEREAS, under the provisions of California Elections Code Section 1301, a city's general municipal election must be set on an established elections date as set forth in Elections Code Section 1000; and

WHEREAS, Under California Elections Code section 1000 established election dates are as follows:

- (a) The second Tuesday of April in each even-numbered year.
- (b) The first Tuesday after the first Monday in March of each odd-numbered year.
- (c) The first Tuesday after the first Monday in June in each year.
- (d) The first Tuesday after the first Monday in November of each year.
- (e) The first Tuesday in February of each year evenly divisible by the number four.

WHEREAS, Section 1301(b) provides that notwithstanding other options for scheduling a city's general municipal election, a city council may enact an ordinance requiring its general municipal election to be held on the same day as the statewide direct primary election, the day of the statewide general election, on the day of school district elections as set forth in Section 1302, the first Tuesday after the first Monday of March in each odd-numbered year, or the second Tuesday of April in each year.

WHEREAS, the statewide general election is held on the second Tuesday following the first Monday in November of even numbered years; and

WHEREAS, in the case of *Ste.Marie v. City of Wildomar*, filed in the Riverside Superior Court in July of 2008, the court denied a petition to compel the City to hold its general municipal election in November of 2008 and in dicta stated that under the statutory framework, the earliest date that a general municipal election should reasonably be held in Wildomar is in June of 2009; and

WHEREAS, If that date were to be selected, the City would incur substantially increased costs associated with the election because it would be a stand-alone, off-year election that could not be consolidated with any other county-wide election; and

WHEREAS, Elections Code sections 1301(b) and 10403.5 state that the City may by ordinance, consolidate its general municipal election regardless of what other established election date it might have been held on with the statewide general election; and

WHEREAS, consolidation of the City's first general municipal election with the statewide general election in November of 2010 is expressly permitted under the provisions of Elections Code Sections 1301, 1000 and 10403.5; and

WHEREAS, in order to reduce election costs and generate higher voter participation the City Council has determined that its first general municipal election should be consolidated with the statewide general election to be held in November of 2010.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WILDOMAR DOES ORDAIN AS FOLLOWS:

SECTION 1. That the above recitations are true and correct.

SECTION 2. Pursuant to California Elections Code sections 1301(b), 1000 and 10403.5, beginning in November of 2010 and every even-numbered year thereafter, the City's general municipal election shall be consolidated with the statewide general election held on the second Tuesday following the first Monday in November.

SECTION 3. The City Manager is hereby directed to submit this ordinance to the Riverside County Board of Supervisors for approval by such body in accordance with Elections Code sections 1301(b) and 10403. This ordinance shall not become effective unless and until it is approved by resolution of the Board of Supervisors.

SECTION 4. In the event that this ordinance is approved by the Board of Supervisors, the City's first general municipal election shall be consolidated with the statewide election to be held in November of, 2010, at which time the seats of the two members receiving the lowest number of votes in the incorporation election shall be up for election. The seats of the remaining three Council Members shall be up for election at the second general municipal election, which shall be consolidated with the statewide election to be held in November of 2012.

SECTION 5. In the event that this ordinance is approved by the Board of Supervisors in accordance with Elections Code section 10403.5(e), the City Clerk shall cause a notice to be mailed to all of the City's registered voters within 30 days of the Board's action informing the voters of the City's first election date and that as a result of the consolidation of the City's general municipal election with the statewide general election that the terms of office of each of the current Members of the City Council will continue until their successors are elected and qualified.

SECTION 6. In the event that this ordinance is approved by the Board of Supervisors, the City's general municipal election shall be conducted in accordance with all of the applicable procedural requirements of the Elections Code pertaining to the statewide general election, and commencing in November of 2010, shall thereafter occur in consolidation with that election.

SECTION 7. The City Clerk shall certify the adoption of this ordinance and shall cause the same to be posted as required by law.

PASSED, APPROVED, AND ADOPTED this ___ day of _____, 2008.

BOB CASHMAN, MAYOR

ATTEST:

APPROVED AS TO FORM:

SHERYLL SCHROEDER
INTERIM CITY CLERK

JULIE HAYWARD BIGGS
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss
CITY OF WILDOMAR)

I, SHERYLL SCHROEDER, Interim City Clerk of the City of Wildomar, do hereby certify that the foregoing Ordinance No. 08-__ was duly adopted by the City Council of the City of Wildomar at a regular meeting, held on _____, 2008, by the following vote of the Council:

AYES: COUNCIL MEMBERS _____

NOES: COUNCIL MEMBERS _____

ABSTAIN: COUNCIL MEMBERS _____

ABSENT: COUNCIL MEMBERS _____

SHERYLL SCHROEDER
INTERIM CITY CLERK

CITY OF WILDOMAR – COUNCIL
Agenda Item 5
DISCUSSION/ACTION ITEM
Meeting Date: August 13, 2008
August 27, 2008

TO: Mayor Cashman, Members of the City Council
FROM: Julie Hayward Biggs, City Attorney
SUBJECT: Planning Commission Ordinance

STAFF REPORT

RECOMMENDATION:

Review and consider adoption of ordinance establishing a planning commission for the City of Wildomar

BACKGROUND:

At the Council norming session held prior to the effective date of incorporation, certain policies were agreed upon concerning the manner in which the Planning Commission for Wildomar would be established and would operate. In accord with the Council Norms And Accepted Procedural Practices adopted by the City Council on July 9, ,2008, the attached ordinance has been prepared to implement those policies and procedures.

DISCUSSION:

Under the provisions of Government Code Section 65100, the City Council, the planning department, any planning commission and any planning or zoning hearing boards constitute the Planning Agency for the City. At the present time, the City Council exercises full planning agency authority, but under the Government Code, has the authority to establish a planning commission which reports directly to the City Council. A planning commission must consist of at least five members. Under the provisions of Government Code Section 65102, the City Council is authorized to establish any rules, procedures, or standards which do not conflict with state of federal law for the planning commission.

Government Code Section 65103 mandates that the planning agency shall do all of the following:

- (a) Prepare, periodically review, and revise, as necessary, the general plan.

- (b) Implement the general plan through actions including, but not limited to, the administration of specific plans and zoning and subdivision ordinances.
- (c) Annually review the capital improvement program of the city or county and the local public works projects of other local agencies for their consistency with the general plan, pursuant to Article 7 (commencing with Section 65400).
- (d) Endeavor to promote public interest in, comment on, and understanding of the general plan, and regulations relating to it.
- (e) Consult and advise with public officials and agencies, public utility companies, civic, educational, professional, and other organizations, and citizens generally concerning implementation of the general plan.
- (f) Promote the coordination of local plans and programs with the plans and programs of other public agencies.
- (g) Perform other functions as the legislative body provides, including conducting studies and preparing plans other than those required or authorized by this title.

The City Council may delegate all or some of these functions to the Planning Commission, and the City has the authority to establish any criteria for membership on the Planning Commission by adopting an ordinance establishing those rules and procedures. As noted above, the attached ordinance has been prepared in accord with the Council Policies and Procedures adopted on July 9, 2008.

Adoption of the ordinance requires

1. Waiver of full reading and reading by title only
2. Introduction and approval of first reading of the ordinance
3. Second reading of the ordinance at a subsequent regular meeting of the City Council and publication of the ordinance

The ordinance will take effect 30 days following its second reading.

FISCAL IMPACTS:

No fiscal impacts. The budget has been prepared in anticipation of the establishment of the Planning Commission.

ALTERNATIVES:

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

Submitted by:



Julie Hayward Biggs
City Attorney

Approved by:



John Danielson
City Manager

Attachments:

Ordinance No. 08-16

ORDINANCE NO. 08-16

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, RELATING TO THE ESTABLISHMENT OF A PLANNING COMMISSION, REPEALING AND THEN ADDING REPLACEMENT MUNICIPAL CODE SECTION 17.04.040.

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

SECTION 1.

Section 17.04.040 of the Wildomar Municipal Code as adopted by Ordinance No. 08-01, is hereby repealed in its entirety and new Section 17.04.040 is hereby added to the Wildomar Municipal Code to read in its entirety as follows:

"PLANNING COMMISSION

Sections:

17.04.040	Created
17.04.041	Appointment
17.04.042	Term of Office
17.04.043	Removal from office
17.04.044	Vacancy in office
17.04.045	Organization, Meetings and Responsibilities
17.04.046	Approval Authority
17.04.047	Appeals.
17.04.048	Compensation

17.04.040 Creation of Commission

A planning commission ("Commission") for the City is created which shall be comprised of five (5) members.

17.04.041 Appointment

- A. Process. Open positions on the Planning Commission shall be advertised and all applications referred to members of the City Council for consideration. Each councilmember shall have the authority to appoint one member to the commission. The City Council shall vote as a ministerial action to ratify each appointment. Such ministerial approval requires at least three affirmative votes.

B. Qualifications

- (1) Members of the Commission shall be residents of the City and shall be qualified electors within the City.
- (2) Each member shall be a resident of the City for the year immediately preceding the inception of his or her term.
- (3) No member of the Commission may be an employee or officer of the City.

17.04.042 Term of office

- A. Terms of members of the Commission shall expire at the first regular meeting of the Commission following the expiration of the current term of office of the City Council member who appointed the Commission member.
- B. There is no limit as to the number of times that a Commission member may be appointed.

17.04.043 Removal from office

A member of the Commission is automatically removed from office if the member is absent from three consecutive regular meetings of the Commission. The member may also be removed at any time and for any reason by a vote approved by at least three of the members of the City Council.

17.04.044 Vacancy in Office

If vacancies occur on the Commission, such vacancies shall be filled by appointment for the unexpired portion of the term.

17.04.045 Organization, Meetings and Responsibilities

- A. Each year, at its first regular meeting in January, the Commission shall elect from its membership a chair and a vice-chair.
- B. The Commission shall adopt rules for the transaction of its business. It shall also keep a public record of its resolutions, transactions, findings and determinations.
- C. The Director of Planning or the Director's designee shall serve as the Secretary to the Commission and shall have no vote.
- D. The Commission shall hold at least one regular meeting each month.

E. The Commission shall have such duties as are prescribed by California law, including the following:

- (1) Assist in reviewing proposed general plan amendments and community or specific plans and hold public hearings on such plans.
- (2) Hold hearings and make recommendations to the City Council with regard to proposed amendments to the general plan and specific plans.
- (3) Make recommendations to the City Council regarding reasonable and practical means for implementing the general plan or elements of the general plan, so that it will serve as an effective guide for orderly growth and development, preservation and conservation of open space and natural resources, and the efficient expenditure of public funds relating to the subjects addressed in the general plan.
- (4) Provide an annual report to the City Council on the status of the general plan and progress in its implementation, including the progress in meeting the City's share of the regional housing needs determined pursuant to Government Code section 65584, local efforts to remove governmental constraints on housing pursuant to Government Code section 65583(c)(3), and compliance of the general plan with the guidelines contained at Government Code section 65040.2.
- (5) Hold hearings and make recommendations to the City Council with regard to proposed changes to the zoning ordinance and zoning maps.
- (6) Annually review the capital improvement program of the City and the local public works projects of other local agencies for their consistency with the City's general plan and make recommendations to the City Council.
- (7) Report and make recommendations to the City Council on the conformity of proposed public land acquisition or disposal with the adopted general plan.

17.04.046 Approval authority

The Commission shall have final approval authority over administrative permit applications as provided in Chapter 16 of the Wildomar Municipal Code and advisory authority over all other land use matters as specified in Chapter 17 of the Wildomar Municipal Code.

17.04.047 Appeals

- A. Appeal of staff administrative decisions to the Commission shall be as specified in Chapter 17.192.070.
- B. Final decisions by the Commission may be appealed to the City Council within 10 days of the decision becoming final under the provisions of Section 17.192.020. If a Commission decision is not appealed to the City Council within that period, the decision cannot be appealed.

17.04.048 Compensation

The City Council may establish by Resolution the compensation to be paid to the members of the Commission.”

SECTION 2.

If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 3.

The City Clerk shall certify to the adoption of this ordinance and, within 15 days after its adoption, shall cause it to be published in accord with California law.

SECTION 4.

This ordinance shall take effect thirty (30) days after its enactment in accordance with California law.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2008.

Bob Cashman
MAYOR

ATTEST:

APPROVED AS TO FORM:

Sheryll Schroeder
INTERIM CITY CLERK

JULIE HAYWARD BIGGS
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF WILDOMAR)

I, Sheryll Schroeder, City Clerk of the City of Wildomar, do hereby certify that the foregoing Ordinance No. 08-____ was regularly introduced and placed upon its first reading at a regular meeting of the City Council on the ____ day of _____, 2008, and that thereafter, said Ordinance was duly adopted at a regular meeting of the City Council on the ____ day of _____, 2008, by the following vote:

AYES:

NOES:

ABSENT:

(SEAL)

Sheryll Schroeder
INTERIM CITY CLERK

CITY OF WILDOMAR – COUNCIL
Agenda Item 6
DISCUSSION/ACTION ITEM
Meeting Date: August 27, 2008

TO: Mayor Cashman, Members of the City Council
FROM: Julie Hayward Biggs, City Attorney
SUBJECT: Ordinance Adopting County Code

STAFF REPORT

RECOMMENDATION:

Review and consider adoption of an ordinance that adopts certain titles of the Riverside County Code and codifies those adopted titles in the Wildomar Municipal Code.

BACKGROUND:

On July 1, 2008, the City Council adopted Ordinance No. 08-01, which kept the ordinances of Riverside County in effect in the City for a period of one hundred and twenty (120) days. The same day, the City Council adopted Ordinance No. 08-02, which established the Wildomar Municipal Code and set forth the provisions of Titles 1 and 2 of the Wildomar Municipal Code. Section 1.01.030(b) the Wildomar Municipal Code provides for the general organization for the Wildomar Municipal Code, prescribing the name and numbers of the titles that are to be included in the Wildomar Municipal Code. Per Section 1.01.030(b), the titles of the Wildomar Municipal Code are to be organized as follows:

- (1) General Provisions
- (2) Administration and Personnel
- (3) Revenue and Finance
- (4) Miscellaneous Regulations
- (5) Business Regulations
- (6) Health and Sanitation
- (7) Subdivisions
- (8) Buildings and Construction
- (9) Planning and Zoning
- (10) Animals
- (11) Peace, Morals, and Safety
- (12) Vehicles and Traffic
- (13) Parks and Recreational Facilities

- (14) Streets and Sidewalks
- (15) Water and Sewers
- (16) RESERVED

DISCUSSION:

On October 28, 2008, Ordinance No. 08-01 will expire and the ordinances of the County of Riverside will no longer be in effect in the City. Therefore, it is necessary to establish a permanent code of ordinances on or prior to this date. This ordinance adopts by reference titles 4 through 17 of the Riverside County Code and codifies those titles in the Wildomar Municipal Code in accordance with the organizational scheme provided in Section 1.01.030(b).

State law provides certain procedures that must be followed when a city adopts a code by reference. In particular, Government Code section 50022.3 provides that after the first reading of the title of the ordinance adopting the code, the City Council must set a public hearing for the ordinance and publish notice of the hearing for at least two weeks prior to the hearing. In addition, Government Code section 50022.4 provides that any penalty clauses contained in the code cannot be adopted by reference; penalty clauses must be set forth in full in the ordinance if they are to be adopted. However, this ordinance does not adopt any of the penalty clauses in the Riverside County Code because Chapter 1.03 of the Wildomar Municipal Code, adopted on July 1, 2008, already contains penalty provisions.

By adopting Title 15 of the Riverside County Code, this Ordinance also adopts by reference the codes that are adopted by reference in that title. Section 50022.6 requires that the City keep and maintain a copy of these "secondary codes" that are being adopted by reference as well as the "primary code" (i.e. the Riverside County Code) that is being adopted by reference. These codes must be available for public inspection. This ordinance includes a section requiring that these codes be maintained by the City Clerk.

FISCAL IMPACTS:

None.

ALTERNATIVES:

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

Submitted by:


Julie Hayward Biggs
City Attorney

Approved by:


John Danielson
City Manager

Attachments:

Ordinance No. 18

ORDINANCE NO. 18

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, ADOPTING BY REFERENCE PORTIONS OF THE RIVERSIDE COUNTY CODE AS THE WILDOMAR MUNICIPAL CODE, INCLUDING THOSE PORTIONS THAT ADOPT BY REFERENCE THE FOLLOWING SECONDARY CODES: UNIFORM ADMINISTRATIVE CODE, 2001 CALIFORNIA BUILDING CODE, UNIFORM HOUSING CODE, UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, 2001 CALIFORNIA MECHANICAL CODE, 2001 CALIFORNIA PLUMBING CODE, UNIFORM SWIMMING POOL, SPA AND HOT TUB CODE, 2001 CALIFORNIA ELECTRICAL CODE, UNIFORM SIGN CODE, AND UNIFORM CODE FOR BUILDING CONSERVATION

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

SECTION 1. Recitals.

- (a) On July 1, 2008, the City Council adopted Ordinance No. 08-01, which adopted the Ordinances of the County of Riverside as the ordinances of the City of Wildomar for a period of one-hundred and twenty (120) days.
- (b) City Ordinance No 08-02 sets forth Titles 1 and 2 of the Wildomar Municipal Code and provides for how the Wildomar Municipal Code shall be organized.
- (c) The City Council desires to adopt certain provisions of the Riverside County Code by reference and codify them as the Wildomar Municipal Code in accordance with the organization for the Wildomar Municipal Code set forth in Ordinance No. 08-02.
- (d) Government Code sections 50022.1 through 50022.9 authorize the City to adopt the Riverside County Code, or portions thereof, by reference and set forth the procedures that must be followed for the City to adopt the Riverside County Code by reference.
- (e) On September 10, 2008, a public hearing was held after the first reading of this Ordinance. Notice of the public hearing was given in accordance with Government Code section 6066.
- (f) A copy of the Riverside County Code and all secondary codes adopted by reference in the Riverside County Code was filed with

the City Clerk at least fifteen (15) days prior to the public hearing and was available for public inspection.

SECTION 2. Riverside County Code Adopted By Reference. Pursuant Government Code section 50022.9, the City Council hereby adopts the following Titles of the Riverside County Code, as they existed on July 1, 2008, except as portions of those Titles have been superseded by Ordinances 08-02 through 08-14 of the Wildomar City Council adopted on July 1, 2008.

- (a) Title 4 – Revenue and Finance
- (b) Title 5 – Business Licenses and Regulations
- (c) Title 6 – Animals
- (d) Title 8 – Health and Safety
- (e) Title 9 – Public Peace, Morals and Welfare
- (f) Title 10 – Vehicles and Traffic
- (g) Title 12 – Streets, Sidewalks and Public Places
- (h) Title 13 – Public Services
- (i) Title 15 – Buildings and Construction
- (j) Title 16 – Subdivisions
- (k) Title 17 - Zoning

SECTION 3. Codification of Riverside County Code as Wildomar Municipal Code. The Titles adopted by reference in Section 1 of this Ordinance shall be codified in the Wildomar Municipal Code in the following manner:

- (a) Title 4, "Revenue and Finance," of the Riverside County Code shall be codified as Title 3, "Revenue and Finance," of the Wildomar Municipal Code.
- (b) Title 5, "Business Licenses and Regulations," of the Riverside County Code shall be codified as Title 5, "Business Regulations," of the Wildomar Municipal Code.
- (c) Title 6, "Animals," of the Riverside County Code shall be codified as Title 10, "Animals," of the Wildomar Municipal Code.
- (d) Title 8, "Health and Safety," of the Riverside County Code shall be codified as Title 6, "Health and Sanitation," of the Wildomar Municipal Code.

- (e) Title 9, "Public Peace, Morals and Welfare," of the Riverside County Code shall be codified as Title 11, "Peace, Morals and Safety," of the Wildomar Municipal Code.
- (f) Title 10, "Vehicles and Traffic," of the Riverside County Code shall be codified as Title 12, "Vehicles and Traffic," of the Wildomar Municipal Code.
- (g) Title 12, "Streets, Sidewalks and Public Places," of the Riverside County Code shall be codified as Title 14, "Streets and Sidewalks," of the Wildomar Municipal Code.
- (h) Title 13, "Public Services," of the Riverside County Code shall be codified as Title 15, "Water and Sewers," of the Wildomar Municipal Code.
- (i) Title 15, "Buildings and Construction," of the Riverside County Code shall be codified as Title 8, "Buildings and Construction," of the Wildomar Municipal Code.
- (j) Title 16, "Subdivisions," of the Riverside County Code shall be codified as Title 7, "Subdivisions," of the Wildomar Municipal Code.
- (k) Title 17, "Zoning," of the Riverside County Code shall be codified as Title 9, "Planning and Zoning," of the Wildomar Municipal Code.

SECTION 4. Interpretation of Riverside County Code As Applied to the City.

Any reference in the Riverside County Code, as adopted by reference by Section 1 of this Ordinance, to an office, official title, or other designation shall be interpreted to refer to the corresponding office, title or designation in the governmental structure of the City. If there is no corresponding office, title or designation, then the reference shall be interpreted to refer to the office or person in the City who performs the function or duty referred to in the section.

SECTION 5. Copies of Codes. One copy of the Riverside County Code, as adopted by reference in Section 1 of this Ordinance and codified in Section 2 of this Ordinance, and one copy of each of the secondary codes adopted by reference in the Riverside County Code shall be kept in the office of the City Clerk for so long as the codes are in effect in the City. The City Clerk shall at all times maintain a reasonable supply of copies of the Riverside County Code, as adopted by reference in Section 1 of this Ordinance and codified in Section 2 of this Ordinance, and of all secondary codes incorporated in it by reference, available for purchase by the public at a moderate price, not to exceed the actual cost thereof to the City.

SECTION 6. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it

would have adopted this ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 7. Effective Date. This ordinance shall take effect thirty (30) days after its passage by the City Council.

SECTION 8. Publication. The City Clerk shall cause this ordinance to be published or posted in accordance with Government Code section 36933.

PASSED, APPROVED, AND ADOPTED this ____ day of _____, 2008.

Bob Cashman, Mayor

ATTEST:

Sheryll Schroeder, City Clerk

APPROVED AS TO FORM:

Julie Hayward Biggs, City Attorney

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE)
CITY OF WILDOMAR)

I, Sheryll Schroeder, City Clerk of the City of Wildomar, do hereby certify that the foregoing Ordinance No. 08-___ was duly adopted by the City Council of the City of Wildomar at a special first meeting, held on the ___ day of _____, 2008, by the following vote of the Council:

AYES:

NOES:

ABSTAIN:

ABSENT:

Sheryll Schroeder, City Clerk

CITY OF WILDOMAR – CITY COUNCIL
Agenda Item 7
DISCUSSION/ACTION ITEM
Meeting Date: August 27, 2008

TO: City Council Members
FROM: Michael Kashiwagi, Development Services
SUBJECT: Status of Wesley Street between Palomar Street and Como Street

STAFF REPORT

RECOMMENDATION:

Staff requests the City Council accept the staff report and provide direction on the public request to reopen Wesley Street for public use between Palomar Street and Como Street.

BACKGROUND:

Wesley Street, between Palomar Street and Como Street, is an existing dirt roadway that historically has been used to access properties in the area. Wesley remains mostly in private ownership as previous irrevocable offers of dedication to Riverside County were not accepted. The question of ownership arose when specific property owners installed gates and other obstacles within and across Wesley Street when the new homes east of the site were under construction and construction traffic was using the dirt road as access. Now that most of the construction has diminished, residents who historically used the road, as well as some of the new residents, have asked to consider removing the gates and reopening Wesley Street.

One option toward accomplishing the opening of this stretch of Wesley Street would be to accept the offers of dedication previously rejected by Riverside County for public road and utility purposes, but not into the City Maintained Road System. As a public road, the City then has the ability to limit encroachments, such as gates, fencing and other obstacles, and otherwise request their removal if present within the public road. However, a recent court decision suggests that offers of dedications that are in excess of 25 years may no longer be viable and therefore cannot be accepted unless it can be shown that the use for which the offer was made has been previously accomplished. In this case, the residents in the area claim the road was previously open and used by the public to access properties or streets at both ends of this stretch of Wesley Street. Whether this meets the exception defined in the court decision, is a matter for discussion by this City Council.

As mentioned above, Wesley Street has been offered for dedication in the past. More specifically, the following parcels have been irrevocably offered (dedicated) to public use for street and public utility purposes but were not accepted at that time by the County:

1. Lots D and E; Parcel Map 8102, Recorded December 27, 1976 (North half of proposed ROW from Palomar Street to 583 feet to the east)
2. Lots B, C, F and G; Parcel Map 9770, Recorded May 1, 1978 (South half of proposed ROW full length from Palomar Street to Como Street)

Previously, and in accordance with the State Map Act, these offers could be accepted by this City Council and the street could be opened for public use, even though they had been rejected by the County. However, these offers exceed the 25 years discussed above and possibly cannot be accepted.

A small portion of the street currently inside of the gates has been accepted for public use. The following parcels have been irrevocably offered (dedicated) to public use for street and public utility purposes and were accepted at that time by the County "...to vest title in the County on behalf of the public but that said road shall not become part of the county maintained road system..":

1. Lots A and B; Parcel Map 19650, Recorded November 18, 1985 (North half of proposed ROW for a length of 350 feet located 310 feet west of Como Street)

As this small portion of Wesley has been accepted, the City could direct the removal of any encroachments, such as the fence and gate on the east end. This option would not accomplish the complete opening of the street as the west end near Palomar would still be gated.

Other options are limited. Voluntary opening of the gates by the property owners would meet the need but is subject to a change. Alternately, the City could encourage the reopening of the street voluntarily through letters and other contacts with the current property owners. Finally, the City could request the owners to re-offer the dedications, accept them and open the street, but only if enough of the owners comply.

Discussion:

Should the City Council decide that re-opening Wesley Street is of public benefit and direct staff to bring back a staff report seeking acceptance of the existing offers of dedication, the City Council should also take into consideration the process of notification of the action and subsequent direction to remove any encroachments (gates and fences) into the street. Staff would anticipate the process occurring as follows:

- a. Adopt a Resolution accepting the offers of dedication of Wesley Street, for public road and utility purposes, but not into the City Maintained Road System, previously rejected by Riverside County between Como Street

- and Palomar Street and record the acceptance documents with the County Recorder;
- b. Upon recordation, send letters to the appropriate property owners to remove all encroachments (gates and fencing) currently installed within and across Wesley Street with appropriate timelines for their removal and possible ramifications for non-action. As this street was previously used prior to being closed, it is recommended that 10 days be given to have the gates opened and 30 days be provided to provide removal of the fence and gates from the dedicated street; and
 - c. If necessary, after expiration of the above mentioned deadlines and upon subsequent notification, remove encroachments with City personnel and bill property owner for cost of removal.

Alternatives to the timeline and secondary time limits are options to also be considered. Additionally, one property owner has a corral fence that encroaches along the southern edge, but would not hinder the movement of the public along the street. Others may have similar situations. Items such as these could be addressed with separate agreements which would allow the encroachment until such time as that portion of the street is needed for improvement.

FISCAL IMPACTS:

This staff report is informational and has no fiscal impact.

ALTERNATIVES:

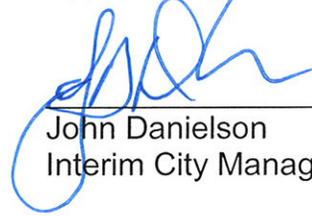
1. Take no action.
2. Provide staff with further direction.

Submitted by:



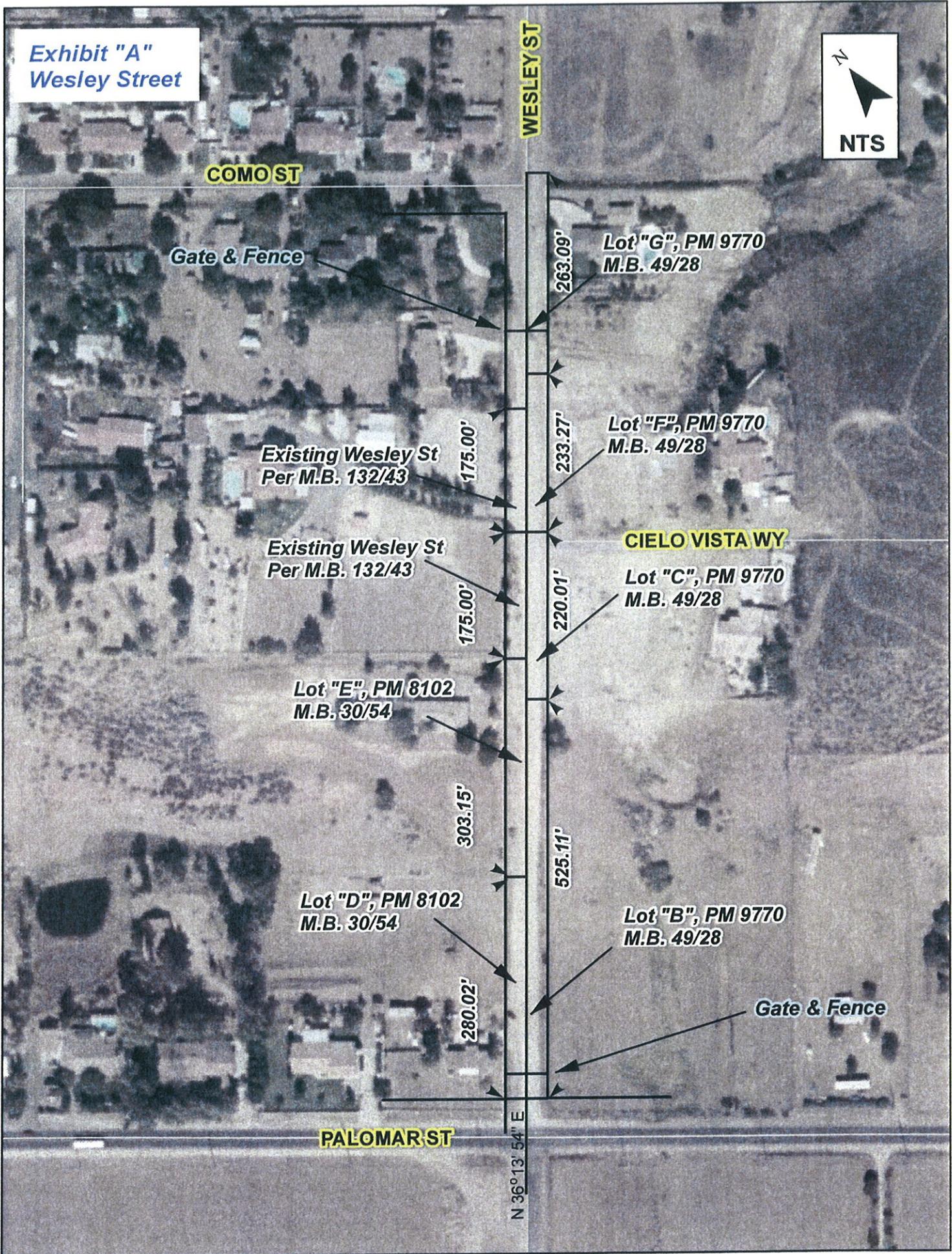
Michael Kashiwagi
Development Services

Approved by:



John Danielson
Interim City Manager

Exhibit "A"
Wesley Street



COMOST ST

WESLEY ST

Gate & Fence

Lot "G", PM 9770
M.B. 49/28

263.09'

Lot "F", PM 9770
M.B. 49/28

233.27'

Existing Wesley St
Per M.B. 132/43

175.00'

Existing Wesley St
Per M.B. 132/43

175.00'

CIELO VISTA WY

Lot "C", PM 9770
M.B. 49/28

220.01'

Lot "E", PM 8102
M.B. 30/54

303.15'

Lot "D", PM 8102
M.B. 30/54

280.02'

Lot "B", PM 9770
M.B. 49/28

525.11'

Gate & Fence

PALOMAR ST

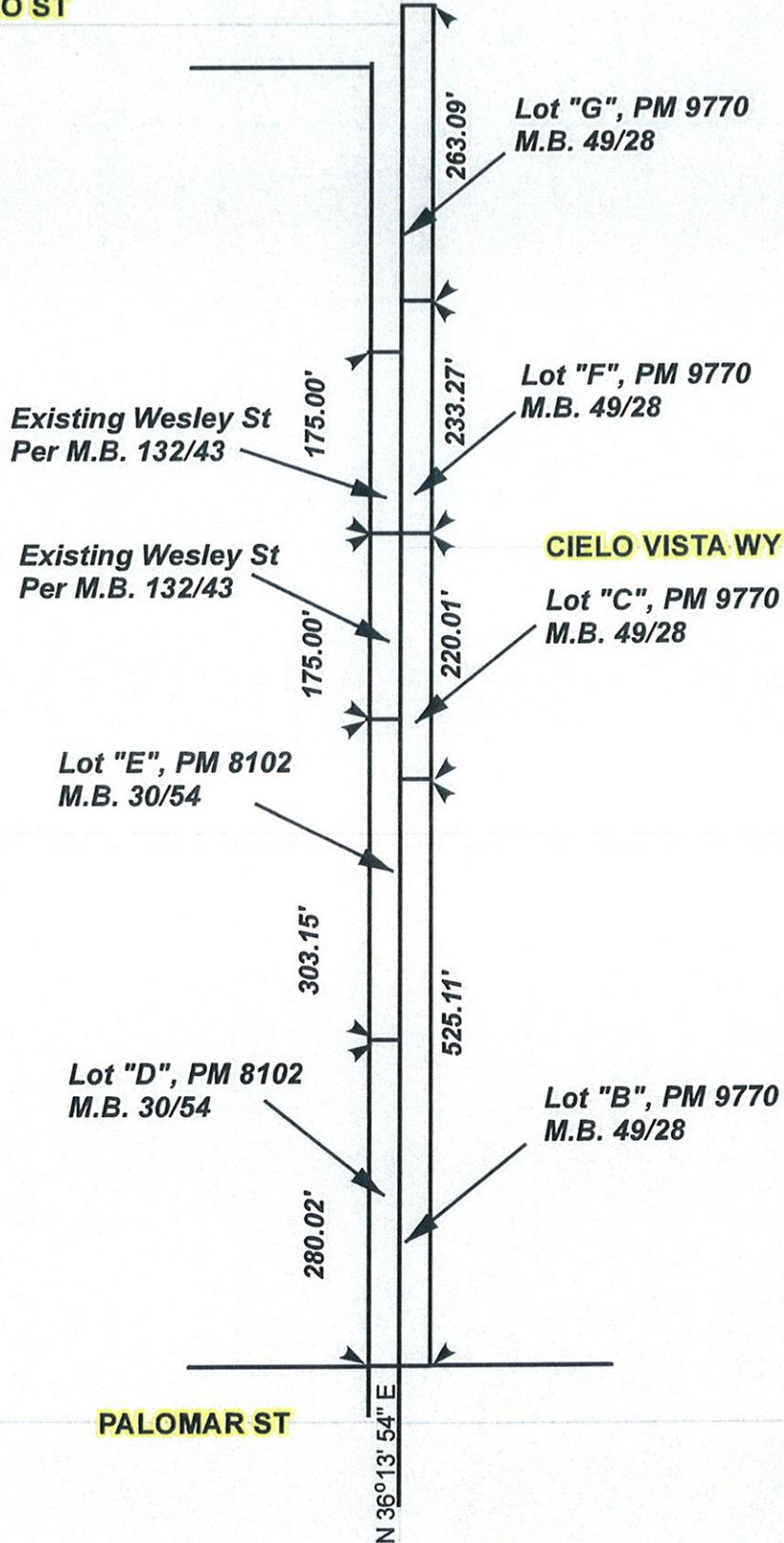
N 36° 13' 54" E

Exhibit "B"
Wesley Street offers of Dedication



COMO ST

WESLEY ST



CITY OF WILDOMAR – CITY COUNCIL
Agenda Item 8
DISCUSSION/ACTION ITEM
Meeting Date: August 27, 2008

TO: Mayor Cashman, Members of the City Council

FROM: Gary Wayne, Development Services

SUBJECT: City Support for The Redesignation of City Community Trails and the Addition of Two Critical Linkages

STAFF REPORT

RECOMMENDATION:

Consider adoption of a minute motion to support the redesignation of the City's Community Trails to Regional Trails and to support the addition of two critical linkages. Direct the City Manager to provide a letter to the Riverside Board of Supervisors acknowledging the City Council's support of the requests.

BACKGROUND:

Gary Andre, Riverside County Trails Commissioner, 1st District is seeking Wildomar support to change the Community Trails designation to Regional Trails. In addition, he is requesting City support to add two critical Regional Trails connections for the ease of access to other city and County regional and community trails. The purpose of the redesignation is to allow access to funding and grants for regional trails that are not available for community trails. Mr. Andre's will make a presentation that will provide more details, allow for questions and will identify the trails and the requested connections on a map.

FISCAL IMPACTS:

Trails are designated on the Circulation Element maps. A redesignation and/or additions of trail linkages will have to be accomplished through an amendment to the Circulation Element of the Wildomar General Plan. There will be costs associated with staff time processing the amendment and with the public hearings.

Submitted by:



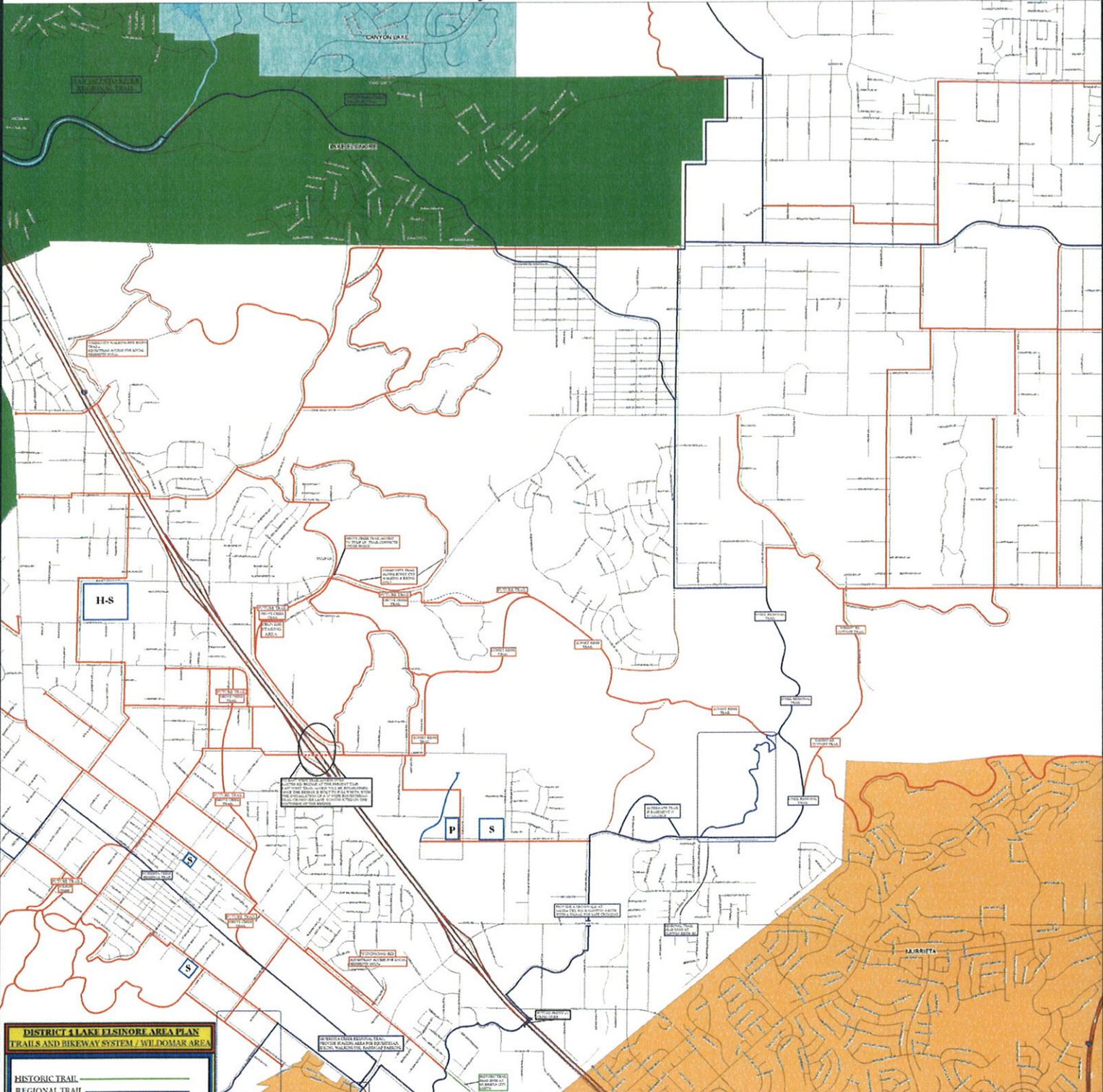
Gary E. Wayne
Development Services

Approved by:



John Danielson
City Manager

County of Riverside Trails



**DISTRICT 4 LAKE ELSINORE AREA PLAN
TRAILS AND BIKEWAY SYSTEM / WILDOMAR AREA**

HISTORIC TRAIL - - - - -
REGIONAL TRAIL - - - - -
**CLASS 1 BIKE PATH/
REGIONAL TRAIL** - - - - -
COMMUNITY TRAIL
**COMMUNITY WALKING/BIKING-
TRAIL**

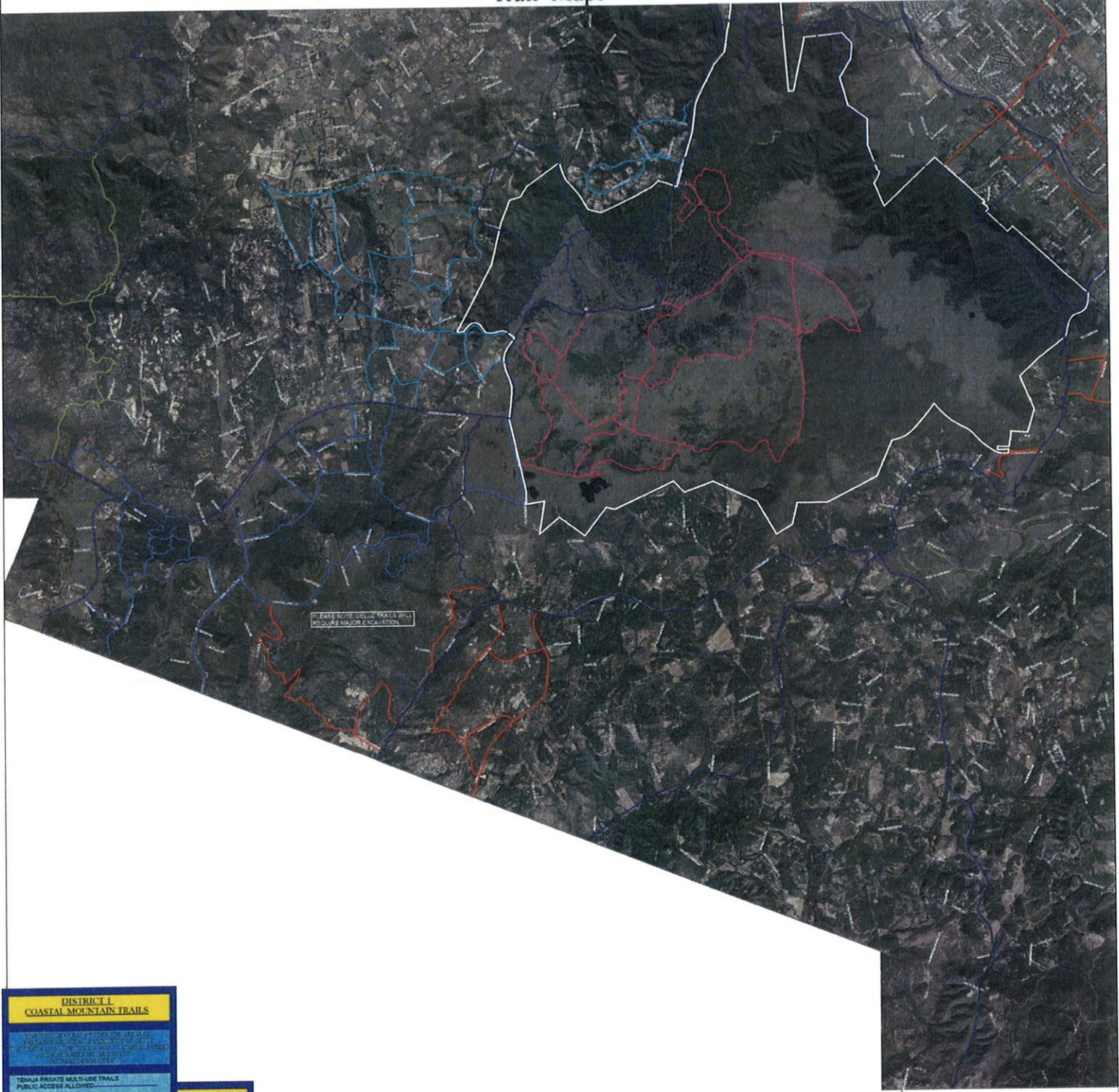
BY THEU, GARY ANDER, TRAIL CONSIDERED BY DISTRICT
MARCH 2007

FINAL MAP



This map is a work of art. It is not a legal document and was produced on 7/10/2006.

Trail Maps



**DISTRICT I
COASTAL MOUNTAIN TRAILS**

ADJACENT TO TRAILS WITHIN THE AREA OF THE NATIONAL FOREST, PRIVATE PROPERTY OF STATE, COUNTY, AND FEDERAL AGENCIES IS FOREST AND LAND TRAILS ARE IN CONCORDANCE WITH THE STATE OF CALIFORNIA.

TENAJA PRIVATE MULTI-USE TRAILS
PUBLIC ACCESS ALLOWED

SANTA ROSA PLATEAU
WALKING TRAILS
REGIONAL TRAIL
COMMUNITY TRAIL

NATIONAL FOREST TRAIL
SANTA ROSA & TRAILS ASSOC. PRIVATE HORSE TRAILS
PUBLIC ACCESS ALLOWED
SANTA ROSA PLATEAU
BOUNDARY LINE

SANTA ROSA WEST TRAILS
CONTACT: TERRY CHURCH
650-264-8488
8-840-2098

TENAJA TRAILS
CONTACT: DAN PERICE
867-4444

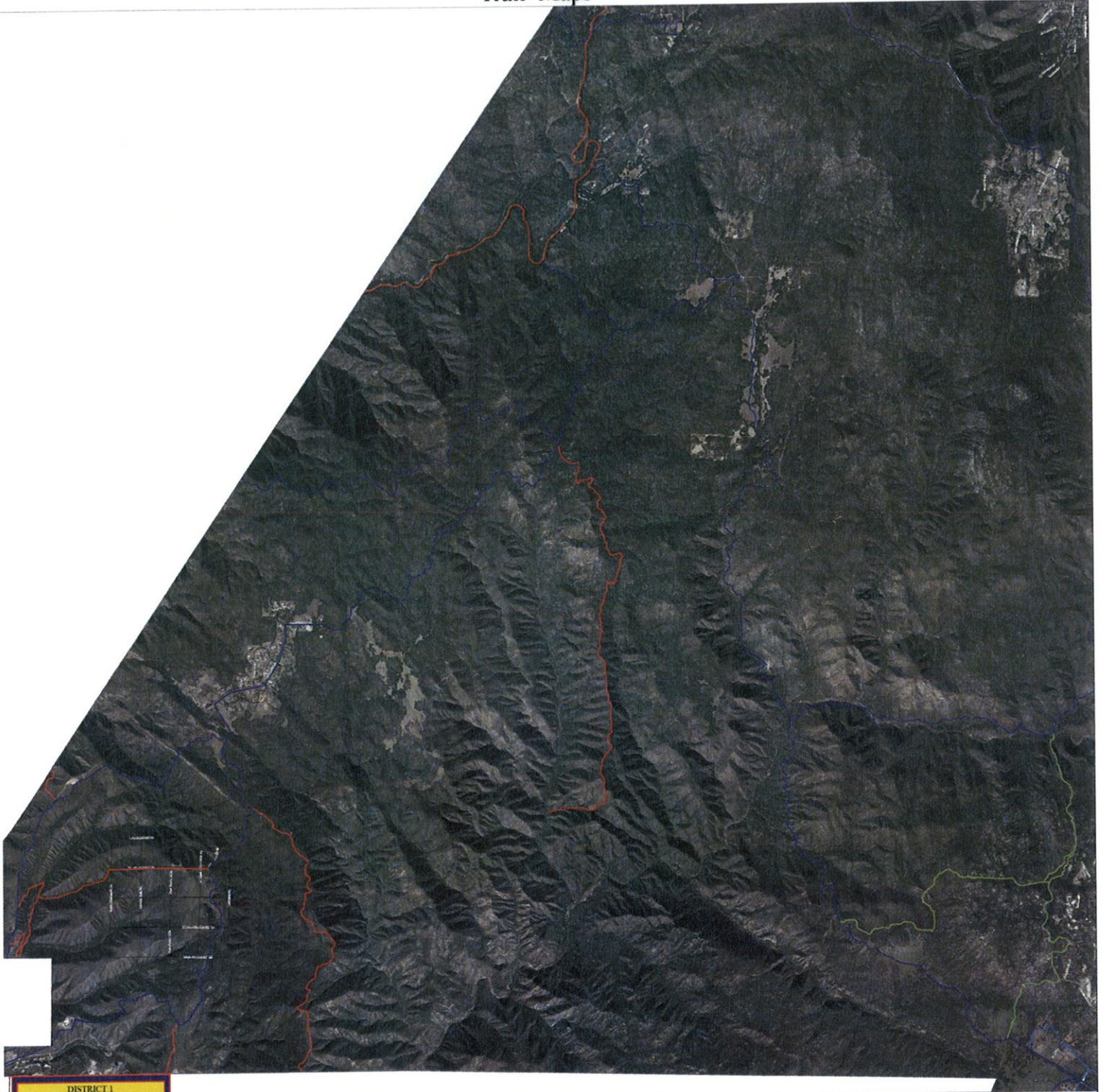
TRAILS ASSOC. TRAILS
CONTACT: VIKI NELSON
867-4444

DRAFT



AUTHOR: GARY ANDRE, TRAIL CONSIDERATIONS BY DISTRICT
4-25-2018

Trail Maps



**DISTRICT 1
COASTAL MOUNTAIN TRAILS
WEST TO O.C. LINE**

TEMAJA PRIVATE MULTI-USE TRAILS
PUBLIC ACCESS ALLOWED

REGIONAL TRAIL
COMMUNITY TRAIL
NATIONAL FOREST TRAIL

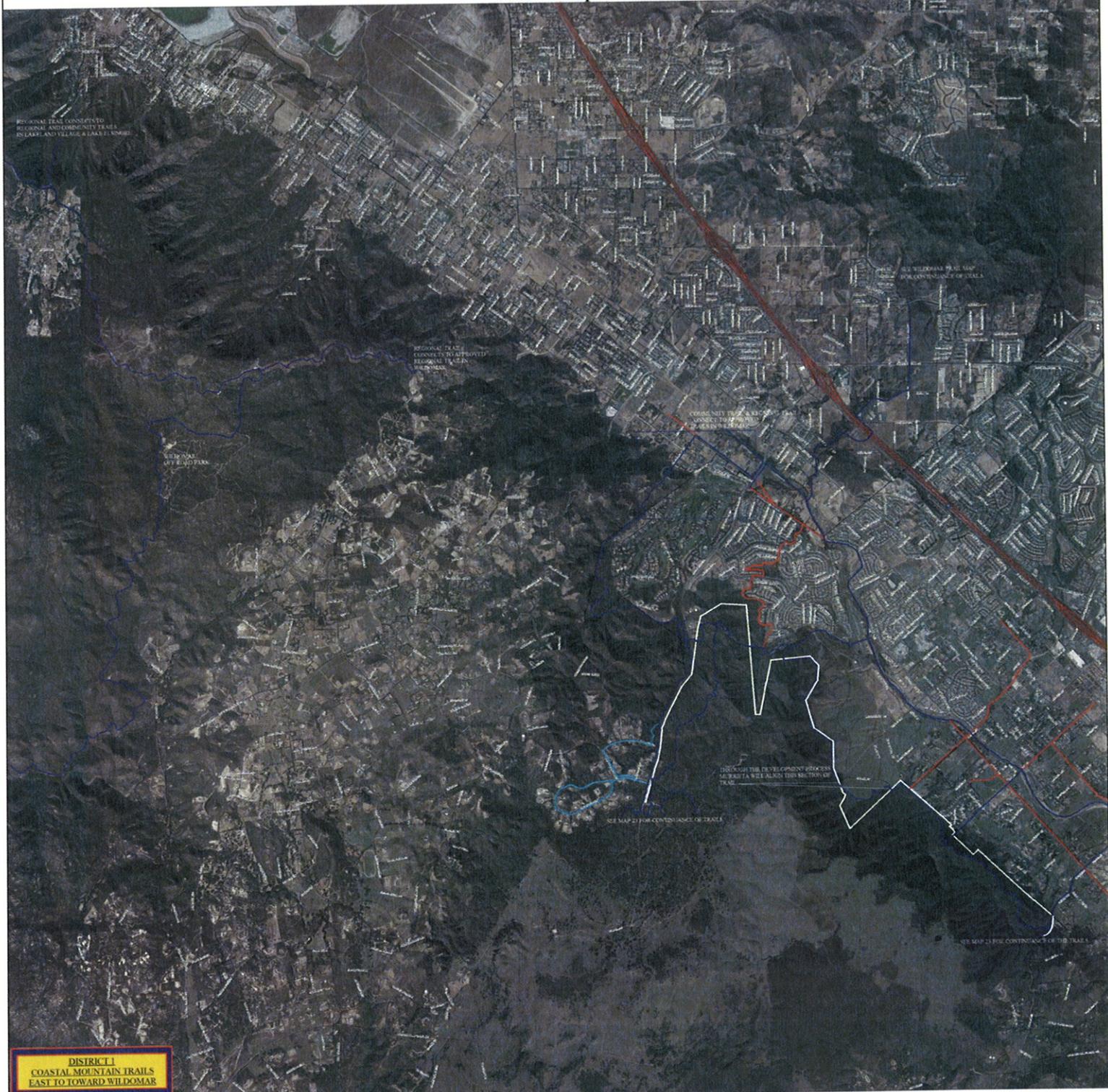
AUTHOR: GARY ACERRE TRAIL COMMISSIONER 1ST DISTRICT
MAY 2008

DRAFT

Trails 17



Trail Maps



**DISTRICT 1
COASTAL MOUNTAIN TRAILS
EAST TO TOWARD WILDOMAR**

REGIONAL TRAIL
COMMUNITY TRAIL
NATIONAL FOREST TRAIL
SANTA ROSA TRAILS ASSOC. PRIVATE HORSE TRAILS PUBLIC ACCESS ALLOWED
SANTA ROSA PLATEAU
BOUNDARY LINE

AUTHOR: GARY ANDRE TRAIL COORDINATOR 1ST DISTRICT
7-12-2018

DRAFT

- Interstate Highway
- California State Highway
- US Highway
- Centerlines

Trails 16



CITY OF WILDOMAR – COUNCIL
Agenda Item 9
DISCUSSION/ACTION ITEM
Meeting Date: August 27, 2008

TO: Mayor Cashman, Members of the City Council
FROM: Julie Hayward Biggs, City Attorney
SUBJECT: Conflict of Interest Code

STAFF REPORT

RECOMMENDATION:

Review and consider a resolution adopting a Conflict of Interest Code for the City of Wildomar.

BACKGROUND:

The Political Reform Act (Government Code sections 81000 and following) requires the City to adopt a local Conflict of Interest Code. The Fair Political Practices Commission has adopted a set of regulations that may be adopted by the City as its local Conflict of Interest Code. On July 1, 2008, the City Council adopted Resolution 08-28, which proposed that the City adopt the local Conflict of Interest Code promulgated by the Fair Political Practices Commission. Resolution 08-28 provided for a sixty (60) day public comment period on the proposed Conflict of Interest Code. The public comment period closes on August 29, 2008. To date, no comments from the public have been received.

DISCUSSION:

The Conflict of Interest Code designates the public officials who are required to file a Statement of Economic Interest and details the procedures for such filings. The Conflict of Interest Code also restates the prohibitions on receiving honoraria, gifts valued at \$390 or more, and personal loans set forth in the Political Reform Act and the Fair Political Practices Commission regulations. Additionally, the Conflict of Interest Code restates the rules for disqualification that apply to public officials who make or participate in making governmental decisions.

Because the public comment period for the Conflict of Interest Code expires on August 29, 2008, the Conflict of Interest Code will not take effect immediately if adopted. Instead, a clause has been included in the Resolution providing that the Conflict of Interest Code will take effect on August 29th. Including this clause allows the

City to have the Conflict of Interest Code in place at the earliest possible time instead of waiting until the next regular meeting of the City Council on September 10, 2008.

FISCAL IMPACTS:

None.

ALTERNATIVES:

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

Submitted by:

Approved by:


Julie Hayward Biggs
City Attorney

John Danielson
City Manager

Attachments:

Resolution No. 08-61

RESOLUTION NO. 08-61

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF WILDOMAR, CALIFORNIA, ADOPTING A CONFLICT
OF INTEREST CODE**

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

SECTION 1. Recitals.

- (a) The Political Reform Act, California Government Code Sections 81000 and following, requires the City to adopt of a conflict of interest code.
- (b) The Fair Political Practices Commission has adopted a regulation, Section 18730 of Title 2 of the California Code of Regulations, which contains the terms of a standard conflict of interest code that can be incorporated by reference as the City's Conflict of Interest Code.
- (c) Incorporation by reference of the standard conflict of interest code, as it may be amended from time to time, will help ensure compliance by the City with the Political Reform Act.
- (d) On July 1, 2008, the City Council adopted Resolution No. 08-28, proposing a Conflict of Interest Code for the City of Wildomar and providing a sixty (60) day public comment period prior to the Conflict of Interest Code taking effect.
- (e) The public comment period for the Conflict of Interest Code closes on August 29, 2008. As of August 27, 2008, no public comments have been received.

SECTION 2. Conflict of Interest Code Adopted. Section 18730 of Title 2 of California Code of Regulations, attached as Exhibit "A" to this resolution, along with Exhibit "B" (Designated Employees for the Conflict of Interest Code) and Exhibit "C" (Disclosure Categories), attached hereto and incorporated herein by reference, are adopted as the Conflict of Interest Code of the City of Wildomar.

SECTION 3. Statement of Economic Interests. Employees designated in Exhibit "B" shall file statements of economic interests (Form 700) with the City Clerk. The City Clerk shall forward the original Form 700s filed by the Mayor, Members of the City Council, Planning Commissioners, the City Manager, the City Attorney, and the City Treasurer to the Fair Political Practices Commission pursuant to California Government Code Sections 87200 and following. The City Clerk shall retain a copy of all statements

of economic interests and make them available for public inspection and reproduction in accordance with Government Code Section 81008.

SECTION 4. Maintenance of Conflict of Interest Code. The City Clerk shall maintain at all times one copy of the City's Conflict of Interest Code for examination by the public and shall cause the filing of such code in the manner required by law.

SECTION 5. Effective Date. This Resolution shall take effect on August 29, 2008.

PASSED, APPROVED, AND ADOPTED this 27th day of August, 2008.

Bob Cashman, Mayor

ATTEST:

John Danielson, Interim City Clerk

APPROVED AS TO FORM:

Julie Hayward Biggs, Interim City Attorney

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE)
CITY OF WILDOMAR)

I, Sheryll Schroeder, City Clerk of the City of Wildomar, do hereby certify that the foregoing Resolution No. 08-__ as duly adopted by the City Council of the City of Wildomar at a regular meeting thereof, held on the 27th day of August, 2008, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Sheryll Schroeder, City Clerk

EXHIBIT “A”

Section 18730 of Title 2 of California Code of Regulations

CALIFORNIA CODE OF REGULATIONS

TITLE 2. ADMINISTRATION

DIVISION 6. FAIR POLITICAL PRACTICES COMMISSION

CHAPTER 7. CONFLICTS OF INTEREST

ARTICLE 2. DISCLOSURE

Section 18730. Provisions of Conflict of Interest Codes

(a) Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Appendix referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of Government Code section 87300 or the amendment of a conflict of interest code within the meaning of Government Code section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of article 2 of chapter 7 of the Political Reform Act, Government Code sections 81000, et seq. The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Government Code section 87100, and to other state or local laws pertaining to conflicts of interest.

(b) The terms of a conflict of interest code amended or adopted and promulgated pursuant to this regulation are as follows:

(1) Section 1. Definitions.

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (2 Cal. Code of Regs. sections 18110, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

(2) Section 2. Designated Employees.

The persons holding positions listed in the Appendix are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests.

(3) Section 3. Disclosure Categories.

This code does not establish any disclosure obligation for those designated employees who are also specified in Government Code section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those

persons must report their economic interests pursuant to article 2 of chapter 7 of the Political Reform Act, Government Code sections 87200, et seq.

In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

- (A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;
- (B) The disclosure assigned in the code of the other agency is the same as that required under article 2 of chapter 7 of the Political Reform Act, Government Code section 87200; and
- (C) The filing officer is the same for both agencies.¹

Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Appendix specify which kinds of economic interests are reportable. Such a designated employee shall disclose in his or her statement of economic interests those economic interests he or she has which are of the kind described in the disclosure categories to which he or she is assigned in the Appendix. It has been determined that the economic interests set forth in a designated employee's disclosure categories are the kinds of economic interests which he or she foreseeably can affect materially through the conduct of his or her office.

(4) Section 4. Statements of Economic Interests: Place of Filing.

The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing body, as provided by the code reviewing body in the agency's conflict of interest code.²

(5) Section 5. Statements of Economic Interests: Time of Filing.

(A) *Initial Statements.*

All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.

(B) *Assuming Office Statements.*

All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

(C) *Annual Statements.*

All designated employees shall file statements no later than April 1.

(D) *Leaving Office Statements.*

All persons who leave designated positions shall file statements within 30 days after leaving office.

(5.5) Section 5.5. Statements for Persons Who Resign Prior to Assuming Office.

Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided he or she did not make or participate in the making of, or use his or her position to influence any decision and did not receive or become entitled to receive any form of payment as a result of his or her appointment. Such persons shall not file either an assuming or leaving office statement.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

1. File a written resignation with the appointing power; and
2. File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he or she did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

(6) Section 6. Contents of and Period Covered by Statements of Economic Interests.

(A) *Contents of Initial Statements.*

Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

(B) *Contents of Assuming Office Statements.*

Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(C) *Contents of Annual Statements.*

Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later, or for a board or commission member subject to Government Code section 87302.6, the day after the closing date of the most recent statement filed by the member pursuant to 2 Cal. Code Regs. section 18754.

(D) *Contents of Leaving Office Statements.*

Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

(7) Section 7. Manner of Reporting.

Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(A) *Investment and Real Property Disclosure.*

When an investment or an interest in real property³ is required to be reported,⁴ the statement shall contain the following:

1. A statement of the nature of the investment or interest;
2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
3. The address or other precise location of the real property;
4. A statement whether the fair market value of the investment or interest in real property equals or exceeds two thousand dollars (\$2,000), exceeds ten thousand dollars (\$10,000), exceeds one hundred thousand dollars (\$100,000), or exceeds one million dollars (\$1,000,000).

(B) *Personal Income Disclosure.*

When personal income is required to be reported,⁵ the statement shall contain:

1. The name and address of each source of income aggregating five hundred dollars (\$500) or more in value, or fifty

dollars (\$50) or more in value if the income was a gift, and a general description of the business activity, if any, of each source;

2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was one thousand dollars (\$1,000) or less, greater than one thousand dollars (\$1,000), greater than ten thousand dollars (\$10,000), or greater than one hundred thousand dollars (\$100,000);

3. A description of the consideration, if any, for which the income was received;

4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;

5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

(C) *Business Entity Income Disclosure.*

When income of a business entity, including income of a sole proprietorship, is required to be reported,⁶ the statement shall contain:

1. The name, address, and a general description of the business activity of the business entity;

2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than ten thousand dollars (\$10,000).

(D) *Business Position Disclosure.*

When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(E) *Acquisition or Disposal During Reporting Period.*

In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

(8) Section 8. Prohibition on Receipt of Honoraria.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (a), (b), and (c) of Government Code Section 89501 shall apply to the prohibitions in this section.

This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Government Code section 89506.

(8.1) Section 8.1. Prohibition on Receipt of Gifts in Excess of \$390.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than \$390 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (e), (f), and (g) of Government Code section 89503 shall apply to the prohibitions in this section.

(8.2) Section 8.2. Loans to Public Officials.

(A) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

(B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(C) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

(D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(E) This section shall not apply to the following:

1. Loans made to the campaign committee of an elected officer or candidate for elective office.
2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.
3. Loans from a person which, in the aggregate, do not exceed five hundred dollars (\$500) at any given time.
4. Loans made, or offered in writing, before January 1, 1998.

(8.3) Section 8.3. Loan Terms.

(A) Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of his or her election to office through the date he or she vacates office, receive a personal loan of five

hundred dollars (\$500) or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

(B) This section shall not apply to the following types of loans:

1. Loans made to the campaign committee of the elected officer.
2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.
3. Loans made, or offered in writing, before January 1, 1998.

(C) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

(8.4) Section 8.4. Personal Loans.

(A) Except as set forth in subdivision (B), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:

1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.
2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:
 - a. The date the loan was made.
 - b. The date the last payment of one hundred dollars (\$100) or more was made on the loan.
 - c. The date upon which the debtor has made payments on the loan aggregating to less than two hundred fifty dollars (\$250) during the previous 12 months.

(B) This section shall not apply to the following types of loans:

1. A loan made to the campaign committee of an elected officer or a candidate for elective office.

2. A loan that would otherwise not be a gift as defined in this title.

3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.

4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.

5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

(C) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

(9) Section 9. Disqualification.

No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

(A) Any business entity in which the designated employee has a direct or indirect investment worth two thousand dollars (\$2,000) or more;

(B) Any real property in which the designated employee has a direct or indirect interest worth two thousand dollars (\$2,000) or more;

(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating five hundred dollars (\$500) or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;

(D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or

(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$390 or more provided to, received by, or promised to

the designated employee within 12 months prior to the time when the decision is made.

(9.3) Section 9.3. Legally Required Participation.

No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make his or her participation legally required for purposes of this section.

(9.5) Section 9.5. Disqualification of State Officers and Employees.

In addition to the general disqualification provisions of section 9, no state administrative official shall make, participate in making, or use his or her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family has, within 12 months prior to the time when the official action is to be taken:

(A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or

(B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value one thousand dollars (\$1,000) or more.

(10) Section 10. Disclosure of Disqualifying Interest.

When a designated employee determines that he or she should not make a governmental decision because he or she has a disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest.

(11) Section 11. Assistance of the Commission and Counsel.

Any designated employee who is unsure of his or her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Government Code section 83114 and 2 Cal. Code Regs. sections 18329 and 18329.5 or from the attorney for his or her agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

(12) Section 12. Violations.

This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Government Code sections 81000-91014. In

addition, a decision in relation to which a violation of the disqualification provisions of this code or of Government Code section 87100 or 87450 has occurred may be set aside as void pursuant to Government Code section 91003.

¹ Designated employees who are required to file statements of economic interests under any other agency's conflict of interest code, or under article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Government Code section 81004.

² See Government Code section 81010 and 2 Cal. Code of Regs. section 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.

³ For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

⁴ Investments and interests in real property which have a fair market value of less than \$2,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

⁵ A designated employee's income includes his or her community property interest in the income of his or her spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

⁶ Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.

EXHIBIT “B”

DESIGNATED EMPLOYEES

DESIGNATED EMPLOYEES FOR
THE CONFLICT OF INTEREST CODE

The following positions involve the making or participation in the making of decisions that may foreseeably have a material effect on financial interests of the individuals occupying the positions and are subject to the reporting requirement:

Positions

1. Mayor
2. City Councilmembers
3. Planning Commission Members
4. City Manager
5. City Clerk
6. City Treasurer
7. City Attorney¹
8. Department Heads
9. Consultants²

¹ The disclosure obligations for positions 1-7 are set forth by Government Code Section 87200 and following. Such positions are only listed in this Conflict of Interest Code for the purpose of disqualification.

² Consultants shall be included in the list of designated employees subject to the following limitation: The City Manager may exempt a particular consultant, although a "designated position," if the City Manager determines, in consultation with the City Attorney, that the consultant is employed to perform a range of duties which are limited in scope and thus compliance with the disclosure requirements described in this Code is not required. The determination shall be a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

EXHIBIT “C”

DISCLOSURE CATEGORIES

DISCLOSURE CATEGORIES

All disclosure definitions are contained in the Political Reform Act.

All designated employees shall make disclosure in the following category:

- A. All investments in business entities and sources of income of the type that contract to provide services, materials, supplies, or office equipment to the City.
- B. All sources of income unless otherwise exempt from disclosure by the Political Reform Act.
- C. All interests in real property located within the City.

CITY OF WILDOMAR – COUNCIL
Agenda Item 10
DISCUSSION/ACTION ITEM
Meeting Date: August 27, 2008

TO: Mayor Cashman, Members of the City Council

FROM: Gary Wayne, Development Services

SUBJECT: Initiate the Application Process for Membership in the Western Riverside County Regional Conservation Authority and the Riverside County Habitat Conservation Agency

STAFF REPORT

RECOMMENDATION:

Direct the City Manager to send letters requesting Wildomar membership on the Boards of the Western Riverside County Regional Conservation Authority (WRCRCA or RCA) and the Riverside County Habitat Conservation Agency (RCHCA) and appoint two members of the Council, one to serve on the Board of the RCHCA and the other as an alternate to the RCHCA Board.

BACKGROUND AND DISCUSSION:

The RCHCA was formed in 1990 under a joint powers agreement (JPA) for the acquisition, administration, operation and maintenance of land and facilities of ecosystem conservation and habitat reserves for the Stephens' kangaroo rat (SKR). If the City elects to not become a member of RCHCA, then any development application would require an SKR survey. If the SKR is present a lengthy consultation process begins with the wildlife agencies to determine mitigation requirements. If mitigation is required, it is generally in the form of secured land that meets the requirements of those agencies (USFWS and CDFG). RCHCA membership eliminates the survey requirement only the payment of a fee consistent with the adopted fee ordinance is necessary for mitigation. In 1996, the fee was reduced to \$500/acre.

The RCA was formed in 2004 under a JPA for the acquisition, administration, operation and maintenance of land and facilities of ecosystem conservation and habitat reserves for the protection of 146 species covered by the Multi-Species Habitat Conservation Plan (MSHCP) and to assist Permittees (Members) in implementing the MSHCP. If the City elects to not become a member of RCA, then any development application would require environmental

Meeting Date: August 27, 2008

mitigation on a project-by-project basis. The City would not be eligible for either TUMF or Measure A funds for City projects. RCA membership provides a streamlined regulatory review related to the covered species, expedited construction for new circulation improvements and public works and local control of the environmental process. There is also a mitigation fee associated with the MSHCP. The fee ranges from \$1,008 per unit for high density residential to \$6,597 per disturbed acre for commercial, industrial and civic projects. For qualified infrastructure projects, the fee is 5% of the capital cost.

The Council has already appointed Mayor Cashman as member and Councilman Farnam as alternate to the RCA Board of Directors. Council would need to take a similar action for the RCHCA Board of Directors

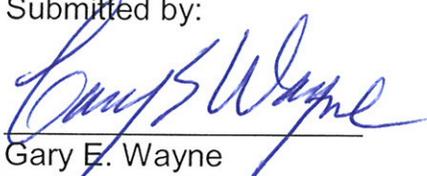
FISCAL IMPACTS:

There will be minor costs associated with staff time to process the required resolutions and application material for membership on the Boards of the two conservation agencies. In addition, there is a \$50 application fee to amend the US Fish and Wildlife Service (USFWS) incidental take permit to add Wildomar as a permittee.

ALTERNATIVES:

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

Submitted by:



Gary E. Wayne
Development Services

Approved by:



John Danielson
Interim City Manager

CITY OF WILDOMAR – COUNCIL- ELECT
Agenda Item 11
DISCUSSION/ACTION ITEM
Meeting Date: August 27, 2008

TO: City Council Members
FROM: Michael Kashiwagi, Development Services
SUBJECT: Wildomar Community Council Street Fair and Car Show

STAFF REPORT

RECOMMENDATION:

None

BACKGROUND:

The Street Fair and Car Show have been proposed to occur on Saturday, October 4th from 10 AM to 4 PM on Mission Trail between Bundy Canyon Road and Canyon Road. The event is sponsored by the Wildomar Community Council (WCC).

The event is estimated to attract approximately 1,000 attendees. Entertainment during the event will consist of a variety of concession booths and family friendly attractions, such as a petting zoo and inflatable attractions. This year's community fair will feature an antique car show.

The first community fair was held on Palomar Street in 2006. The second community fair was moved to Mission Trail in 2007.

DISCUSSION:

City staff has received a letter from the Wildomar Community Council dated August 3rd, 2008. Event coordinators are requesting from the City of Wildomar:

- To cease traffic on Mission Trail between Bundy Canyon Road and Canyon Road between the hours of 5 AM to 6PM on Saturday, October 4th
- Waive fees for all necessary permits
- Sponsorship of event insurance
- Sponsorship of police enforcement
- Sponsorship of costs pertaining to traffic control modifications in closing Mission Trail

In addition, City staff is working with the Wildomar Community Council to coordinate the closure of Mission Trail. City staff foresees no issues with this closure.

FISCAL IMPACTS:

The cost associated with this event total \$1,427.50. They are as follow:

- \$50 Parade and Special Event Permit application fee
- \$375 for traffic control set-up and traffic signal modification
- \$750 for security, which will include one County of Riverside Sherriff and Sherriff's Explorers
- \$252.50 for special event insurance coverage

ALTERNATIVES:

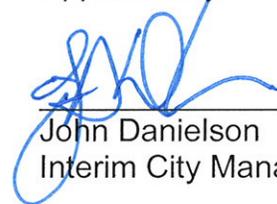
1. Take no action.
2. Provide staff with further direction.

Submitted by:



Michael Kashiwagi
Development Services

Approved by:



John Danielson
Interim City Manager

Attachment



City of Wildomar
23873 Clinton Keith Rd., Suite 111
Wildomar, CA 92595
951-677-7751

August 3, 2008

The Wildomar Community Council is in the process of scheduling and promoting a Street Fair and Car Show to raise money to help feed Wildomar families in need. Our goal is to obtain enough funds and contributions to provide food for 1000 meals. Even with existing government programs, hunger is still an issue for many people in the City of Wildomar especially in today's economic times.

The Wildomar Community Council's main objective is to promote the common interest and public welfare of the residents of the City of Wildomar. To achieve our objective we rely on community interaction, donations and sponsorships. We believe this event will promote our objective by providing much needed food for members of our community and promote awareness of the problem of hunger in the hopes of one day finding a long term solution.

The Wildomar Community Council is requesting from the City of Wildomar the waving of fees for all necessary permits, sponsorship of both event insurance and of any necessary police enforcement as well as costs pertaining to traffic control modifications necessary in closing Mission Trail for the event and routing of vehicles to detour around the area.

This is not the first time that we have organized this kind of an event. In 2004 the WCC worked with the Parks Formation Committee and the County of Riverside who waived all fees and became a sponsor of the event. With your financial help for this event the City of Wildomar will be a "Listed Sponsor" and your name and logo will be included on all flyers and literature published in regards to this event.

Mission Trail will need to be closed between Bundy Canyon Road and Canyon Drive. All traffic will be detoured via Orchard Street which is one block to the east. The Road closure needs to take place from 5:00AM to 7:00PM on the 4th of October, 2008.

The event will take place from 10:00AM to 6:00 PM. The Wildomar Community Council will need to mark off Booth and Show Car locations between 5:00AM and 7:00 AM. Vendors and participants will arrive and setup between 7:00 AM and 9:30 AM. All vehicular travel must stop by 9:30 AM and can not resume until after the event has closed at 6:00 PM.

Because we are getting very near to the date for the event and we still need to confirm with vendors, car owners and such we ask that this decision be fast tracked. Without sponsored assistance there is no way we can afford to present this event on our own. We need to know the city's position on this as soon as possible. Thank you for your consideration of this combined effort between the City of Wildomar and the Wildomar Community Council, a non-profit organization that has been active within the community for over 6 years. Together we can make the City of Wildomar a better place to live.

City Request for Information

Wildomar Street Fair and Car Show October 4, 2008 10am-6pm

Dear City of Wildomar,

This letter is to inform you of the intentions of the Wildomar Community Council, a non-profit organization that has been established in Wildomar for over 6 years, to organize a public Street Fair and Car Show. The following is the information that the vendors and car show entrants will receive and become contractually binding upon receipt. The goal of this event is to raise enough funds to feed 1000 meals.

PURPOSE AND GOALS

It is the intention to schedule a variety of activities that promote a wholesome, family atmosphere and which appeal to all ages, interests, and income levels. It is also our intention to provide an enjoyable event in which the entire community will feel welcome to participate.

ACTIVITY CLASSIFICATIONS/ELIGIBLE PARTICIPANTS

- All booth spaces are 10'x10' and car spaces are 12' X 20'
- No electricity is available, whisper generators must be approved for usage before September 30

CAR SHOW ENTRANTS: Vehicles displayed for judging.

ARTS & CRAFTS: Booth items that are 75% handcrafted by the contact person list on the application.

RESALE: Booths with less than 75% handcrafted by the contact person or prepackaged foods.

COMMERCIAL: Businesses wishing to exhibit their services or merchandise.

FOOD SALES. All food sold shall be provided by approved concessionaires and sponsors. All participants are subject to regulation by the County of Riverside Health Services Agency Department of Environmental Health. Food vendors must have working fire extinguishers of a type approved by the Riverside County Fire Department in their booth at all times.

ALL FOOD, ATTRACTION, & **SELECTED A&C/RESALE VENDORS** must maintain General Liability in the amount of \$1 million covering the dates of participation. All insurance forms are due upon acceptance.

INDEMNIFICATION

All applicants must agree to indemnify and hold harmless the Wildomar Community Council, the City of Wildomar and the County of Riverside from any and all losses incurred or to be incurred as a result of participant's actions.

General Liability certificates need to read as follows:

Wildomar Community Council
City of Wildomar
County of Riverside

Forward to:

PO Box 1476, Wildomar, CA 92595

PLEASE PLACE ALL ENTITIES ON ONE CERTIFICATE

SET UP, AND DISMANTLING

Vendors can come in Saturday beginning **no earlier than 7:00 AM** (Access is not available through the night). Booths must be in place set-up with vehicles out by 9:00 AM **all vehicles must be removed from the area no later than 9:00am. Late arrivals are not guaranteed access and may forfeit any payments made.**

Participants shall not begin dismantling prior to the close of the event and shall not continue operations after that time Vendors may not bring vehicles into the venue for loading until pedestrian safety is no longer in jeopardy.

CONDITIONS

All fees must be paid in full before confirmation is given.
There is a \$25 service charge on all returned checks

**Checks and money orders should be made payable to:
Wildomar Community Council and mailed to:
PO Box 1476, Wildomar, CA 92595**

GENERAL RULES

All applications must be complete, with the signature of a responsible party. The signature acknowledges the applicant, individual, or organization's liability for damages.

All participants must comply with all applicable City, County and State laws.

Spaces and the surrounding area must be kept clean during and after the event. Non-compliance may result in disqualification and forfeiture of any fees paid.

All managing event coordinators are not responsible for theft or damage to property.

No persons participating in these activities shall state, imply or otherwise suggest that Event Management or sponsors supports the views of his/her organization.

No person shall deface or otherwise abuse buildings, plants or other facilities. All participants shall reimburse property owners and/or the Wildomar Community Council, the City of Wildomar and the County of Riverside for any costs relating directly to their activity. This includes damage to landscaping, street fixtures, electrical outlets, concession fronts, etc.

Management will assign booth space. Booths may not be moved at any time.

All participants shall comply with all of the above rules. Non-compliance, including offensive conduct, may result in immediate revocation and forfeiture of fees. Event management reserves the right to refuse participation to any applicant.

This is a RAIN or SHINE event no refunds, partial or whole, will be given due to inclement weather.

Wildomar Community Council 951-245-2555.

Wildomar Street Fair and Car Show

October 4th, 2008

Sat: - 10 AM - 6 PM

P.O. Box 1476, Wildomar, CA 92595

Phone: (951) 245-2555

gowildomar@Wildomarcommunitycouncil.org

Please read entire form carefully before signing. Incomplete forms will not be accepted.

Business Name _____

Contact Person _____

Address _____

City _____ State _____ Zip _____

Phone: Day _____ Eve. _____ Fax _____

Email: _____ Seller's Permit # _____

Type of Vendor:

_____ Arts & Crafts \$40 (75% handcrafted by the applicant)

_____ Resale \$60 - Prepackaged food items include additional \$25 for Riverside County Health Permit

Please list items sold: _____

Food \$80 + \$25 for Riverside County Health Permit (Please list menu items sold)

1. _____ 2. _____

3. _____ 4. _____

_____ Show Vehicles \$25 (Each entrant receives a dash plaque. Trophy's provided for top 8)

_____ Commercial \$100

_____ Local Non-Profit \$25

List the nature of your activity other than sales: _____

This is a RAIN or SHINE event. I have read and agree to comply with all terms and conditions set forth in the "Policies and Procedures" that has been provided to me; and Management may suspend or terminate my privileges to participate in this event for any violation of those Policies.

I also agree to defend indemnity and hold harmless Wildomar Community Council, the City of Wildomar and the County of Riverside. Related or Affiliated Companies, Subsidiaries, Sponsors, Trustees, Receivers, Successors and Assigns, from and against all injuries, whether personal or real, claims, damages, losses, judgment, liabilities, expenses, and other costs including litigation costs and attorney's fees arising out of, resulting from or in connection with any negligent act or omission by myself or my employees fees arising out of, resulting from or in connection with any negligent act or omission by myself or my employees or agents in providing services and/or goods at this event.

I certify that I am responsible for the activity and am authorized to 1) execute on behalf of the group or business and 2) accept legal process on behalf of the group or business.

Date _____ Signature _____

CITY OF WILDOMAR – COUNCIL
Agenda Item 12
DISCUSSION/ACTION ITEM
Meeting Date: August 27, 2008

TO: Mayor Cashman, Members of the City Council
FROM: John Danielson, City Manager
SUBJECT: Retainer Contract with Terry Fitzwater

STAFF REPORT

RECOMMENDATION:

Consider authorizing the City Manager to execute a retainer contract with Terry Fitzwater on a part-time contract basis to provide administrative services to the City of Wildomar, not to exceed \$8,500 per month.

BACKGROUND:

DISCUSSION:

As the City of Wildomar continues to rapidly develop and expand its scope of services, there is a larger array of internal and administrative services that must be addressed. Some of these responsibilities include risk management, human resources and personnel policy development, contract management, insurance monitoring, and oversight and communications with the City's Law Enforcement and Fire Service contracts. A seasoned professional with many years experience in each of these areas could provide exceptional value and service to the City. The contract should include a minimum of two days on-site and one or more days of off-site responsibilities as may be required. The contract can be terminated at any time.

FISCAL IMPACTS:

The contract shall not exceed \$8,500 per month and may be terminated at any time.

ALTERNATIVES:

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

Submitted by:



John Danielson
City Manager

Attachments:

None