CITY OF WILDOMAR
CITY COUNCIL

AGENDA

October 8, 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
OCTOBER 8, 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 Salute: Cub Scout Pack 332

Invocation: The Church of Jesus Christ of Latter-Day Saints

Presentations: Police and Fire Update

Redevelopment Presentation

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 boy 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.

PUBLIC COMMENT:

MOTION: That the Council approve Consent Calendar Items 1 – 8.
Items to be pulled for discussion ___, ___, ___.

1. Approval of the reading by title only of all ordinances.

2. Approval of Regular City Council Minutes dated September 24, 2008.

3. Approval of Warrant Registers dated September 24, 2008 in the amount of $1,051.58; September 26, 2008 in the amount of $5,022.57 and October 8, 2006 in the amount of $173,509.75.

4. Review and consider approval of the Treasurer's Report for July, 2008.

5. Review and consider approval of the Treasurer's Report for August 2008.

6. Second reading and adoption of Ordinance No. 20 amending the Zoning Map from Rural Residential to Manufacturing-Service Commercial.

   (Second reading and adoption)
   ORDINANCE NO. 20 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, AMENDING THE CITY OF WILDOMAR ZONING MAP FROM R-R (RURAL RESIDENTIAL) TO M-SC (MANUFACTURING-SERVICE COMMERCIAL) FOR ASSESSOR'S PARCEL NUMBER 380-290-003. (Introduced at the September 24, 2008 Council meeting, Item 8)

7. Review and consider adoption of a Resolution adopting the City of Wildomar Statement of Investment Policy.

   RESOLUTION NO. 08-68 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, ADOPTING STATEMENT OF INVESTMENT POLICY

8. Review and consider adoption of two Resolutions initiating proceedings and declaring Council's intention to order the annexation of Street Lighting Zone 88 to Landscaping and Lighting Maintenance District 89-1 – Consolidated.

   RESOLUTION NO. 08-69 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR INITIATING PROCEEDINGS FOR THE ANNEXATION OF STREET LIGHTING ZONE 88 TO 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 NO. 08-70 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR DECLARING ITS INTENT TO ORDER THE ANNEXATION OF STREET LIGHTING ZONE 88 TO 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 STREETLIGHTS; ADOPTING THE PRELIMINARY ENGINEER'S REPORT; GIVING NOTICE OF AND SETTING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE ANNEXATION OF STREET LIGHTING ZONE 88; 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 XIIID OF THE CALIFORNIA CONSTITUTION AND SECTION 4000 OF THE ELECTIONS CODE. (Public Hearing scheduled for December 3, 2008)

Public Hearings:

9. A public hearing to consider the annexation of Location 53 to Zone 3 of the Landscaping and Lighting Maintenance District No. 89-1 – Consolidated.

STAFF REPORT:
OPEN PUBLIC HEARING FOR TESTIMONY:
CLOSE PUBLIC HEARING:
MOTION: Staff recommends Council direct the County of Riverside Director of Transportation, or his designee, who the City Council finds to be an impartial person as that term is used in Section 53753(e) of the Government Code, to tally all ballots received prior to the close of the public hearing.

General Business Items: None.

City Council Comments:

City Manager Report:

City Attorney Report:

Future Agenda Items:

Adjournment

The next regular meeting is scheduled for October 22, 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 preceding the schedule meeting.

POSTING STATEMENT: On October 3, 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 2

REGULAR MEETING
CITY OF WILDOMAR
CITY COUNCIL
SEPTEMBER 24, 2008

The regular meeting of the Wildomar City Council was called to order by Mayor Robert Cashman at 7:00 P.M. at Wildomar City Hall, Council Chambers.

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 Hayward Biggs, Planning Director Gary Wayne, Development Services Director Michael Kashiwagi, Finance Director Misty Cheng, Administrative Services Director Terry Fitzwater and City Clerk Sheryll Schroeder.

FLAG SALUTE: Mayor Cashman opened the meeting and led the flag salute.

INVOCATION: Pastor Peter Kwon, Temecula Valley Korean Presbyterian Church provided the invocation.

PRESENTIONS:

James Palmer provided the Council and public with an update on code enforcement within the City, including a cleanup day November 1, 2008 at Lakeland Village Middle School.

Jennie Jackson, Mission Trail Librarian, gave a historical prospective of the library and its usage.

Darrell Ruff addressed the Council and public regarding the activities of the Friends of the Mission Trail Library.

COMMUNICATIONS FROM THE PUBLIC:

George Taylor read a prepared statement regarding the recent appointment of a Planning Commissioner.

Gary Andre informed that Lake Elsinore and Murrieta approved the trails that would run through Wildomar, which would be presented to the County for final decision. He noted the City had a copy of the trail map for review. He explained that in addition to having been appointed to the City's Planning Commission he was also a Trail Commissioner and suggested that the City change the Planning Commission meeting days to Tuesday as his other commitment was on Wednesdays.

Vickie Long said the Resource Conservation District was concerned with erosion, habitat, etc. and asked the City to send them Notices of Preparation. She explained that a newly formed organization, "Citizens for Open Space" would appear before Council at a later date, they were concerned about saving the hills.

Planning Director Wayne responded that a letter submitted to the City Clerk would be sufficient but that the Notice of Preparation was only for environmental impact reports.

Kami Sabetzadeh explained that RDA PAC was prepared to make a presentation to Council.

CONSENT AGENDA:

Council Member Ade moved to pull Item 5 for separate discussion and action.

Council Member Swanson moved to approve the Consent Calendar, Items 1, 2, 3, 4 and 6, seconded by Council Member Farnam. Roll Call vote: - Ayes: 5, Nays: 0. Motion Carried.

1. Approved the reading by title only of all ordinances.

2. Approved the amended regular City Council minutes dated September 10, 2008.

3. Approved the Warrant Register dated September 24, 2008 in the amount of $111,553.48.

4. Review and consider adoption of a Resolution establishing the compensation for members of the Planning Commission.

   RESOLUTION NO. 08-62 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR ESTABLISHING THE COMPENSATION FOR MEMBERS OF THE PLANNING COMMISSION

6. Review and consider adoption of a Resolution assigning the duties of the Director of the Transportation Department and the duties of the County

Surveyor of the County of Riverside to the City Engineer wherein cited within adopted City Ordinances.

RESOLUTION NO. 08-64 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, DESIGNATING THE RESPONSIBILITIES OF THE DIRECTOR OF TRANSPORTATION AND THE COUNTY SURVEYOR AS RESPONSIBILITIES OF THE CITY ENGINEER

Item 5 was pulled for separate discussion and action.

5. Review and consider adoption of a Resolution designating the date, time and place for Planning Commission meetings.

RESOLUTION NO. 08-63 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR DESIGNATING THE TIME, DATE AND LOCATION OF PLANNING COMMISSION MEETINGS

Mayor Cashman noted that at the last Council meeting, it was suggested that the Planning Commission meet on the first and third Wednesday of each month, opposite Council meetings.

Council Member Ade recommended the Planning Commission meeting dates be changed to the first and third Tuesday of each month. If Council was uncomfortable with making the change this date, then she suggested it be put on the next agenda.

Council Member Farnam and Mayor Cashman noted they would support that.

Council Member Ade moved to place the item on the next agenda with the change of meeting days to the first and third Tuesday of each month.

Mayor Cashman called for a second, none being heard, the motion died for lack of a second.

City Attorney Biggs explained that Attorney Tom Jax would not be able to staff Planning Commission on a Tuesday, although they could provide other coverage.

Council Member Swanson added that having the City's meetings consistent on Wednesdays made it clear for people to know when they will be. She felt there needed to be more research to make sure staff was available.

After some discussion, Council Member Farnam moved to approve Item 5, seconded by Council Member Moore. Roll Call vote: - Ayes: 4, Nays: 1, Council Member Ade. Motion Carried.

PUBLIC HEARINGS: None.

GENERAL BUSINESS ITEMS:

7. Nominate two Council Members to establish a subcommittee with the Economic Development Agency, Wildomar Parks Committee ~~Riverside County Parks Committee~~ to interface with the County regarding City parks.

STAFF REPORT: Council Member Moore clarified the title of the item.

Council Member Ade asked why the entire Council would not be a part of the issue.

Council Member Moore explained that when she spoke to the City Manager about the issue, he expressed that the City was not ready for a complete parks and recreation commission and he suggested an ad hoc committee of two Council Members.

Council Member Ade asked if it was an advisory committee and she asked why the City was working with EDA.

Council Member Moore responded that they currently manage the parks.

PUBLIC COMMENT:

Paula Willette said she had attended the formation committee meetings and knew EDA needed assistance and direction and requested Council provide an ad hoc committee of two Council Members. She also volunteered if they needed her assistance.

Gary Andre added that he saw other cities place this under the Planning Commission.

Council Member Ade asked if this was for existing parks and Council Member Moore clarified that it was the three existing parks. She added that there were not enough ball fields.

Nancy Noble reiterated her experience with attempting to book a park for her function.

City Manager Danielson said the discussion was not to create a permanent committee that had administrative powers but a communication function to identify the issues and questions. He suggested forming an ad hoc committee with a particular purpose until such time as it evolves into what might someday be a recreation and park commission.

DISCUSSION:

MOTION: Council Member Farnam moved to nominate two Council Members to sit on the ad hoc subcommittee to interface with Economic Development Agency, Wildomar Parks Committee until such time as the City establishes a parks and recreation department. Council Member Moore seconded the motion. Roll Call vote: - Ayes: 5, Nays: 0. Motion Carried.

Mayor Cashman asked for two volunteers and recognized Council Member Moore and Council Member Swanson as volunteering.

Council Member Farnam moved to appoint Council Member Moore and Council Member Swanson to the parks and recreation ad hoc subcommittee. Seconded by Council Member Swanson. Roll Call vote: - Ayes: 5, Nays: 0. Motion Carried.

8. Review and consider adoption of the below listed documents for Zone Change No. 07630, Plot Plan No. 23289, and Tentative Parcel Map No. 35923, Environmental Assessment No. 41742
Applicant: Milestone Wildomar, LLC
Location: West of Jana Lane, approximately 650 feet south of the intersection of Jana Lane and Clinton Keith Road
Proposal: Change the current Rural Residential zoning to Manufacturing-Service Commercial zoning; construct and operate a 99,208 square foot personal storage facility on 4.56 acres; a 90 unit recreational vehicle/self storage facility within 5 buildings and one parcel subdivision of 4.56 acres to allow for ownership of personal warehouse spaces and allow for common areas which will be maintained by management entity for the site.

RESOLUTION NO. 08-65 A RESOLUTION OF THE CITY COUNCIL OF WILDOMAR ADOPTING A NEGATIVE DECLARATION FOR CHANGE OF ZONE NO. 07630, PLOT PLAN NO. 23289, TENTATIVE PARCEL MAP NO. 35923 FOR THE CHANGE OF ZONE FROM R-R (RURAL RESIDENTIAL) TO M-SC (MANUFACTURING-SEVICE COMMERCIAL), THE CONSTRUCTION AND OPERATION OF 99,208 SQUARE FOOT, 90-UNIT RECREATIONAL VEHICLE/SELF STORAGE FACILITY WITHIN FIVE BUILDINGS, AND A ONE (1) PARCEL SUBDIVISION ON A 4.56 ACRE SITE, LOCATED WEST OF JANA LANE, APPROXIMATELY 650 FEET SOUTH OF THE INTERSECTION

OF JANA LANE AND CLINTON KEITH ROAD AND KNOWN AS ASSESSOR'S PARCEL NUMBER 380-290-003

ORDINANCE NO. 20 (Introduction) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, AMENDING THE CITY OF WILDOMAR ZONING MAP FROM R-R (RURAL RESIDENTIAL) TO M-SC (MANUFACTURING-SERVICE COMMERCIAL) FOR ASSESSOR'S PARCEL NUMBER 380-290-003.

RESOLUTION 08-66 A RESOLUTION OF THE CITY COUNCIL OF WILDOMAR APPROVING PLOT PLAN (RC NUMBER) 23289.

RESOLUTION 08-67 A RESOLUTION OF THE CITY COUNCIL OF WILDOMAR APPROVING TENTATIVE PARCEL MAP NO. 35923, A ONE PARCEL SUBDIVISION OF 4.56 ACRES WHICH WILL ALLOW FOR INDIVIDUAL OWNERSHIP OF THE PERSONAL WAREHOUSE SPACES AND COMMON AREAS, LOCATED WEST OF JANA LANE, APPROXIMATELY 650 FEET SOUTH OF THE INTERSECTION OF JANA LANE AND CLINTON KEITH ROAD AND KNOWN AS ASSESSOR'S PARCEL NUMBER 380-290-003.

STAFF REPORT: Presented by Planning Director Wayne.

PUBLIC COMMENT: Steve Davis explained he was available for any questions and supported staff recommendation.

DISCUSSION: None.

The Clerk read the title of Ordinance No. 20.

MOTION: Council Member Farnam moved to approve adopt Resolution No. 08-65, seconded by Council Member Ade. Roll Call vote: - Ayes: 5, Nays: 0. Motion Carried.

Council Member Ade moved to approve introduction of Ordinance No. 20, seconded by Council Member Farnam. Roll Call vote: - Ayes: 5, Nays: 0. Motion Carried.

Council Member Ade moved to approve Resolution No. 08-66, seconded by Council Member Farnam. Roll Call vote: - Ayes: 5, Nays: 0. Motion Carried.

Council Member Ade moved to approve Resolution No. 08-67, seconded by Council Member Farnam. Roll Call vote: - Ayes: 5, Nays: 0. Motion Carried.

9. Review and approve the Agreement for Law Enforcement Services between the City of Wildomar and the County of Riverside.

STAFF REPORT: Presented by Terry Fitzwater.

PUBLIC COMMENT: None

DISCUSSION: Council Member Farnam asked if the Sheriff's Department was collecting fees from citations, would that present a credit to the City's cost.

Chief Fetherolf explained that citations written on state vehicle code violations, the fees would be redistributed from the State to the City. Also any City ordinance citation fees would go directly to the City.

Council Member Ade asked if the 16.8 deputy sheriff positions were equal to the service the City was currently receiving and Chief Fetherolf answered affirmatively.

Council Member Ade asked if the officers covering the City were comfortable with the amount of officers. Chief Fetherolf said yes, currently there were two deputies on graveyard shift and four during the day and evening shifts. He explained all the deputies were excited about the coverage for the City.

Council Member Farnam asked if Wildomar would have the same watch commander as Lake Elsinore and the Chief responded the sergeant on duty encompassed Wildomar and Lake Elsinore.

Council Member Moore asked if the .8 officers per 1,000 resident ratio was sufficient. The Chief replied that was what the City elected to "purchase" and the first year would be a trial year. He said they would return to Council with a very thorough report on services provided as the City looked at next year's contract. He clarified that the contract could be changed by amendment at any time, but only after the first year. This was a trial year.

Mayor Cashman asked if there would be officers on the school campuses. Chief Fetherolf said there was no school resource officers assigned out of the Wildomar contract.

Council Member Moore asked when the cars would be re-lettered "City of Wildomar" and Chief noted that it could occur when the City was ready.

MOTION: Council Member Swanson moved to approve the agreement for Law Enforcement Services between the City of Wildomar and the County of Riverside, seconded by Council Member Moore. Roll Call vote: - Ayes: 5, Nays: 0. Motion Carried.

CITY COUNCIL COMMENTS:

Council Member Farnam requested the City provide a flexible microphone stand for the speaker's podium.

Regarding the cemetery district, Mayor Cashman explained that he and Council Member Ade met and discussed information that needed to be researched from various sources. He said what was at stake was LAFCO's desire to combine Lake Elsinore cemetery district with Wildomar's cemetery district.

CITY MANAGER REPORT:

City Manager John Danielson introduced the City's new Finance Director, Misty Chen, who replaced Steve Stark.

The City Manger asked Council to consider how they liked the process used to culminate the law enforcement agreement as the next large agreement would be for fire services and if the process worked, staff would utilize it again.

He reminded everyone of the October 25, 2008 strategic visioning plan; time and location to be determined.

Mr. Danielson announced a luncheon celebration of the City's first 100 days tentatively set for October 8, 2008.

CITY ATTORNEY REPORT:

City Attorney Julie Hayward Biggs announced that the City would be attending their first League of California Cities Conference in Long Beach.

FUTURE AGENDA ITEMS:

None.

ADJOURNMENT:

No further business to come before the Council, Council Member Moore moved to adjourn the regular meeting of September 24, 2008, seconded by Council Member Swanson. A consensus was received by Council to adjourn.

The regular meeting of the Wildomar City Council adjourned at 8:30 P.M.

Respectfully submitted:

Sheryll Schroeder, MMC
City Clerk

CITY OF WILDOMAR – CITY COUNCIL
Agenda Item
ACTION ITEM 3
Meeting Date: October 8, 2008

TO: Mayor and Members of the City Council

FROM: Misty V. Cheng, Director of Finance

SUBJECT: Warrant Register dated September 24, 2008, September 26, 2008 and October 8, 2008

STAFF REPORT

RECOMMENDATION:

1. Approve Warrant Register dated September 24, 2008 in the amount of $1,051.58.
2. Approve Warrant Register dated September 26, 2008 in the amount of $5,022.57.
3. Approve Warrant Register dated October 8, 2008 in the amount of $173,509.75.

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 Warrant Register dated September 24, 2008, September 26, 2008, October 8, 2008 are submitted for approval.

DISCUSSION:

None.

FISCAL IMPACTS:

As indicated above, the Warrant Register for September 24, 2008 has a budgetary impact of $1,051.58, The Warrant Register for September 26, 2008 has a budgetary impact of $5,022.57. The Warrant Register for October 8, 2008 has a budgetary impact of $173,509.75. The total of all items contained in the Warrant Registers have a total budgetary impact of $179,583.90 which are included in the FY08-09 Budget.

ALTERNATIVES:

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

Submitted by:

Misty V. Cheng
Director of Finance

Approved by:

John Danielson
City Manager

Reviewed by:

Julie Hayward Biggs
City Attorney

Attachments: Warrant Register dated September 24, 2008; September 26, 2008; October 8, 2008.

4:58 PM

09/24/08

City of Wildomar
Check Detail
September 24, 2008

Type	Num	Date	Name	Item	Account	Paid Amount	Original Amount
Bill Pmt -Check	~~1348~~	9/24/2008	Riverside Div-Lea...		10 1000 1 Cash - ...		-60.00
Bill	1351	9/24/2008			10 411 20 Travel/M...	-60.00	60.00
TOTAL						-60.00	60.00
Bill Pmt -Check	~~1349~~	9/24/2008	Rotary Club of Me...		10 1000 1 Cash - ...		-330.00
Bill	1350	9/24/2008			10 411 20 Travel/M...	-330.00	330.00
TOTAL						-330.00	330.00
Bill Pmt -Check	~~1350~~	9/24/2008	Sheryll Schroeder		10 1000 1 Cash - ...		-361.58
Bill	1349	9/24/2008			10 413 21 Supplies/...	-361.58	361.58
TOTAL						-361.58	361.58
Bill Pmt -Check	~~1351~~	9/24/2008	TIP		10 1000 1 Cash - ...		-300.00
Bill	1348	9/24/2008			10 411 20 Travel/M...	-300.00	300.00
TOTAL						-300.00	300.00

$1051.58

City of Wildomar
Check Detail
September 26, 2008

Type	Num	Date	Name	Item	Account	Paid Amount	Original Amount
Bill Pmt -Check	**1352**	**9/26/2008**	**Unum**		**10 1000 1 Cash - ...**		**-624.05**
Bill		9/26/2008			10 411 13 Benefits	-624.05	624.05
TOTAL						-624.05	624.05
Bill Pmt -Check	**1353**	**9/26/2008**	**Guardian**		**10 1000 1 Cash - ...**		**-769.52**
Bill		9/26/2008			10 411 13 Benefits	-769.52	769.52
TOTAL						-769.52	769.52
Bill Pmt -Check	**1354**	**9/26/2008**	**Fitness Foundatio...**		**10 1000 1 Cash - ...**		**0.00**
TOTAL						0.00	0.00
Bill Pmt -Check	**1355**	**9/26/2008**	**Aetna**		**10 1000 1 Cash - ...**		**-3,579.00**
Bill		9/26/2008			10 411 13 Benefits	-3,579.00	3,579.00
TOTAL						-3,579.00	3,579.00
Bill Pmt -Check	**1356**	**9/26/2008**	**Fitness Foundatio...**		**10 1000 1 Cash - ...**		**-50.00**
Bill		9/26/2008			10 411 13 Benefits	-50.00	50.00
TOTAL						-50.00	50.00

$ 5022.57

City of Wildomar
Check Detail
October 8, 2008

Type	Num	Date	Name	Item	Account	Paid Amount	Original Amount
Bill Pmt -Check	**1357**	**10/8/2008**	**County of Riverside**		**10 1000 1 Cash - ...**		**-731.91**
Bill		10/8/2008			10 480 29 Misc. Ser...	-550.83	550.83
					10 480 29 Misc. Ser...	-140.08	140.08
					10 413 21 Supplies/...	-41.00	41.00
TOTAL						-731.91	731.91
Bill Pmt -Check	**1358**	**10/8/2008**	**CBC Technical**		**10 1000 1 Cash - ...**		**-304.17**
Bill		10/8/2008			10 411 21 Supplies/...	-269.42	269.42
					10 411 21 Supplies/...	-34.75	34.75
TOTAL						-304.17	304.17
Bill Pmt -Check	**1366**	**10/8/2008**	**DELL Marketing L.P**		**10 1000 1 Cash - ...**		**-1,413.33**
Bill		10/8/2008			10 411 21 Supplies/...	-1,413.33	1,413.33
TOTAL						-1,413.33	1,413.33
Bill Pmt -Check	**1367**	**10/8/2008**	**FedEx**		**10 1000 1 Cash - ...**		**-363.63**
Bill		10/8/2008			10 450 21 Supplies/...	-29.87	29.87
					10 450 21 Supplies/...	-158.31	158.31
					10 450 21 Supplies/...	-175.45	175.45
TOTAL						-363.63	363.63
Bill Pmt -Check	**1368**	**10/8/2008**	**FLC - Fitzwater Le...**		**10 1000 1 Cash - ...**		**-9,238.04**
Bill		10/8/2008			10 412 23 Contract...	-9,238.04	9,238.04
TOTAL						-9,238.04	9,238.04
Bill Pmt -Check	**1369**	**10/8/2008**	**Image Printing Sy...**		**10 1000 1 Cash - ...**		**-40.68**
Bill		10/8/2008			10 411 21 Supplies/...	-40.68	40.68
TOTAL						-40.68	40.68
Bill Pmt -Check	**1370**	**10/8/2008**	**Inland Empire Mag...**		**10 1000 1 Cash - ...**		**-12.00**
Bill		10/8/2008			10 411 21 Supplies/...	-12.00	12.00
TOTAL						-12.00	12.00

City of Wildomar
Check Detail
October 8, 2008

Type	Num	Date	Name	Item	Account	Paid Amount	Original Amount
Bill Pmt -Check	**1371**	**10/8/2008**	**Interwest Consulti...**		**10 1000 1 Cash - ...**		**-159,290.83**
Bill		10/8/2008			10 450 25 Contract...	-159,290.83	159,290.83
TOTAL						-159,290.83	159,290.83
Bill Pmt -Check	**1372**	**10/8/2008**	**Marsha Swanson**		**10 1000 1 Cash - ...**		**-586.76**
Bill		10/8/2008			10 411 20 Travel/M...	-586.76	586.76
TOTAL						-586.76	586.76
Bill Pmt -Check	**1373**	**10/8/2008**	**Misty V. Cheng**		**10 1000 1 Cash - ...**		**-6.00**
Bill		10/8/2008			10 420 20 Travel/M...	-6.00	6.00
TOTAL						-6.00	6.00
Bill Pmt -Check	**1374**	**10/8/2008**	**Murrieta Lock & S...**		**10 1000 1 Cash - ...**		**-58.72**
Bill		10/8/2008			10 480 29 Misc. Ser...	-58.72	58.72
TOTAL						-58.72	58.72
Bill Pmt -Check	**1375**	**10/8/2008**	**Naples Plaza Ltd.-...**		**10 1000 1 Cash - ...**		**-97.16**
Bill		10/8/2008			10 480 27 City Hall ...	-97.16	97.16
TOTAL						-97.16	97.16
Bill Pmt -Check	**1376**	**10/8/2008**	**Sheryll Schroeder**		**10 1000 1 Cash - ...**		**-75.95**
Bill		10/8/2008			10 413 21 Supplies/...	-75.95	75.95
TOTAL						-75.95	75.95
Bill Pmt -Check	**1377**	**10/8/2008**	**SOUTHERN CALIF...**		**10 1000 1 Cash - ...**		**-785.67**
Bill		10/8/2008			10 480 27 City Hall ...	-785.67	785.67
TOTAL						-785.67	785.67
Bill Pmt -Check	**1378**	**10/8/2008**	**The Press-Enterpri...**		**10 1000 1 Cash - ...**		**-504.90**
Bill		10/8/2008			10 413 21 Supplies/...	-504.90	504.90
TOTAL						-504.90	504.90

$ 173509.75

CITY OF WILDOMAR – CITY COUNCIL
Agenda Item
ACTION ITEM 4
Meeting Date: October 8, 2008

TO: Mayor and Members of the City Council

FROM: Misty V. Cheng, Director of Finance

SUBJECT: Treasurer's Report, July 2008

STAFF REPORT

RECOMMENDATION:

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

BACKGROUND/DISCUSSION:

Attached is the Treasurer's Report for Cash and Investments for the month of July 2008.

FISCAL IMPACTS:

None.

ALTERNATIVES:

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

Meeting Date: October 8, 2008

Submitted by:

Misty V. Cheng
Finance Director

Approved by:

John Danielson
City Manager

Reviewed by:

Julie Hayward Biggs
City Attorney

Attachments: Treasurer's Report, July 2008

CITY OF WILDOMAR
TREASURER'S REPORT FOR
CASH AND INVESTMENT PORTFOLIO
JULY 31, 2008

CITY CASH

FUND	ACCOUNT	INSTITUTION	BALANCE	RATE
GENERAL	GENERAL	WELLS FARGO	$ 20,855.77	0.00%
		TOTAL	$ 20,855.77	

FUND	ACCOUNT	INSTITUTION	BEGINNING BALANCE	+ DEPOSITS	(-) WITHDRAWALS	ENDING BALANCE	RATE
GENERAL	GENERAL	WELLS FARGO	$ 1.00	$ 20,854.77	$ 0.00	$ 20,855.77	0.00%
		TOTAL	$ 1.00	$ 20,854.77	$ 0.00	$ 20,855.77	

CITY INVESTMENT

FUND	ISSUER	BOOK VALUE	FACE VALUE	MARKET VALUE	PERCENT OF PORTFOLIO	DAYS TO MAT.	STATED RATE
GENERAL	LOCAL AGENCY INVESTMENT FUND	$ 0.00	$ 0.00	$ 0.00	100.00%	0	2.787%
	TOTAL	$ 0.00	$ 0.00	$ 0.00	100.00%		

CITY - TOTAL CASH AND INVESTMENT $ 20,855.77

CITY INVESTMENT

FUND	ISSUER	BEGINNING BALANCE	+ DEPOSITS/ PURCHASES	(-) WITHDRAWALS/ SALES/ MATURITIES	ENDING BALANCE	STATED RATE
GENERAL	LOCAL AGENCY INVESTMENT FUNDS	$ 0.00	$ 0.00	$ 0.00	$ 0.00	2.787%
	TOTAL	$ 0.00	$ 0.00	$ 0.00	$ 0.00	

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

10-3-08

Misty V. Cheng
Director of Finance/City Treasurer

Date

CITY OF WILDOMAR – CITY COUNCIL
Agenda Item
ACTION ITEM 5
Meeting Date: October 8, 2008

TO: Mayor and Members of the City Council

FROM: Misty V. Cheng, Director of Finance

SUBJECT: Treasurer's Report, August 2008

STAFF REPORT

RECOMMENDATION:

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

BACKGROUND/DISCUSSION:

Attached is the Treasurer's Report for Cash and Investments for the month of August 2008.

FISCAL IMPACTS:

None.

ALTERNATIVES:

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

Meeting Date: October 8, 2008

Submitted by:

Misty V. Cheng
Finance Director

Approved by:

John Danielson
City Manager

Reviewed by:

Julie Hayward Biggs
City Attorney

Attachments: Treasurer's Report, August 2008

CITY OF WILDOMAR
TREASURER'S REPORT FOR
CASH AND INVESTMENT PORTFOLIO
AUGUST 31, 2008

CITY CASH

FUND	ACCOUNT	INSTITUTION	BALANCE	RATE
GENERAL	GENERAL	WELLS FARGO	$ 2,297,920.52	0.00%
		TOTAL	$ 2,297,920.52	

FUND	ACCOUNT	INSTITUTION	BEGINNING BALANCE	+ DEPOSITS	(-) WITHDRAWALS	ENDING BALANCE	RATE
GENERAL	GENERAL	WELLS FARGO	$ 20,855.77	$ 2,718,020.15	$ (440,955.40)	$ 2,297,920.52	0.00%
		TOTAL	$ 20,855.77	$ 2,718,020.15	$ (440,955.40)	$ 2,297,920.52	

CITY INVESTMENT

FUND	ISSUER	BOOK VALUE	FACE VALUE	MARKET VALUE	PERCENT OF PORTFOLIO	DAYS TO MAT.	STATED RATE
GENERAL	LOCAL AGENCY INVESTMENT FUND	$ 0.00	$ 0.00	$ 0.00	100.00%	0	2.779%
	TOTAL	$ 0.00	$ 0.00	$ 0.00	100.00%		

CITY - TOTAL CASH AND INVESTMENT $ 2,297,920.52

CITY INVESTMENT

FUND	ISSUER	BEGINNING BALANCE	+ DEPOSITS/ PURCHASES	(-) WITHDRAWALS/ SALES/ MATURITIES	ENDING BALANCE	STATED RATE
GENERAL	LOCAL AGENCY INVESTMENT FUNDS	$ 0.00	$ 0.00	$ 0.00	$ 0.00	2.779%
	TOTAL	$ 0.00	$ 0.00	$ 0.00	$ 0.00	

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

Misty V. Cheng
Director of Finance/City Treasurer

10-3-08
Date

CITY OF WILDOMAR – COUNCIL
Agenda Item 6
DISCUSSION/ACTION ITEM
Meeting Date: September 24, 2008
October 8, 2008

TO: Mayor Cashman, Members of the City Council

FROM: Gary Wayne, Development Services

SUBJECT: Change of Zone No. 07630 (CZ07630), Plot Plan No. 23289 (PP 23289) and Tentative Parcel Map No. 35923 (PM35923) and Environmental Assessment No. 41742 (County project numbers ans City project number PI 08-0097)

STAFF REPORT

RECOMMENDATION:

Approve the project subject to the attached ordinance approving the Change of Zone.

BACKGROUND:

Change of Zone No. 07630 (CZ07630), Plot Plan No. 23289 (PP 23289) and Tentative Parcel Map No. 35923 (PM35923) were submitted to the County of Rivereside on February 5, 2008. The Project is located West of Jana Lane, approximately 650 feet south of the intersection of Jana Lane and Clinton Keith Road. On September 10, 2008 the City Council held a duly noticed public hearing to consider the above applications. The City Council continued that hearing to September 24, 2008 and directed staff to prepare documents and conditions of approval. The attached documents and conditions reflect Council's direction. Included for reference is the September 10, 2008 staff report to Council.

ALTERNATIVES:

1. Deny the Applications
2. Provide Staff with Further Direction

ATTACHMENTS:

1. Ordinance No. 20 approving change of zone (CZ 07630)

Submitted by:

Gary E. Wayne
Development Services

Approved by:

John Danielson
Interim City Manager

ORDINANCE NO. 20

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, AMENDING THE CITY OF WILDOMAR ZONING MAP FROM R-R (RURAL RESIDENTIAL) TO M-SC (MANUFACTURING-SERVICE COMMERCIAL) FOR ASSESSOR'S PARCEL NUMBER 380-290-003.

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

SECTION 1. Purpose and Authority

The purpose of this Ordinance is to amend the City of Wildomar's Zoning Map to assign revised zoning to Assessor's Parcel Number 380-290-003.

SECTION 2. Findings

A. CEQA
The proposal will not have a significant adverse impact on the environment and a Negative Declaration has been prepared and completed in accordance with the California Environmental Quality Act (CEQA) with supporting documentation on file in the Wildomar Planning Department.

B General Plan Consistency

The proposed Rezone implements and is consistent with the underlying General Plan land use designation of Business Park and it will not create problems detrimental to the public health, safety and general welfare of the residents of Wildomar.

SECTION 3. Action

. The City of Wildomar's Zoning Map for Assessor's Parcel Number 380-290-003 is hereby amended from land use district R-R (Rural Residential) to land use distract M-SC (Manufacturing-Service Commercial).

SECTION 4. Severability

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 5. Certification and Publication.

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. Effective Date

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

The foregoing Ordinance was introduced and placed upon its first reading at a regular meeting of the City Council of the City of Wildomar held on the 24th day of September, 2008 and thereafter passed and adopted at the regular meeting of said City Council on the 8th day of October, 2008 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

Bob Cashman, Mayor

ATTEST:

_____

Sheryll Schroeder, City Clerk

APPROVED AS TO FORM:

Julie Hayward Biggs, City Attorney

CITY OF WILDOMAR – CITY COUNCIL
Agenda Item
ACTION ITEM 7
Meeting Date: October 8, 2008

TO: Mayor and Members of the City Council

FROM: Misty V. Cheng, Director of Finance/City Treasurer

SUBJECT: Statement of Investment Policy

STAFF REPORT

RECOMMENDATION:

Staff recommends City Council to adopt Resolution No. 08-68 to adopt the City of Wildomar Statement of Investment Policy.

BACKGROUND:

Pursuant to California Government Code Sections 53600 and 53630 et seq. and 53646, the City of Wildomar must adopt an annual investment policy by resolution.

DISCUSSION:

The Statement of Investment Policy sets forth policies which shall govern the investment of the City's funds. It will be used by the City's Director of Finance/Treasurer and other City officials and staff, as well as all other third-party providers of investment or investment-related services. Its purpose is to direct the prudent investment and protection of the City's funds and investment portfolio.

FISCAL IMPACTS:

None.

ALTERNATIVES:

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

Submitted by:

Misty V. Cheng
Finance Director/City Treasurer

Approved by:

John Danielson
City Manager

Reviewed by:

Julie Hayward Biggs
City Attorney

Attachments: Statement of Investment Policy, Resolution No. 08-68

RESOLUTION NO. 08-68

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, ADOPTING STATEMENT OF INVESTMENT POLICY

WHEREAS, the City Council of the City of Wildomar ("City") has established a Statement of Investment Policy to set forth and identify policies of the City Council which may not otherwise be established in ordinances of the City, or which are restated to further amplify existing City policy; and

WHEREAS, all policies included in the Statement of Investment Policy are adopted by resolution; and

WHEREAS, the City Council wishes to adopt its Statement of Investment Policy; and

WHEREAS, such policy will provide for the safety of City investments, and secondarily ensure liquidity and yield, and

WHEREAS, such policy will enforce strict investment guidelines with regards to investments, external portfolio managers and capital wherewithal of brokering firms.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. That the City Council approves the adoption of the Statement of Investment Policy", as attached hereto as Exhibit "A",

SECTION 2. This policy will take effect immediately upon adoption.

PASSED, APPROVED AND ADOPTED this 8th day of October, 2008 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Bob Cashman, Mayor

ATTEST:

Sheryll Schroeder, City Clerk

APPROVED AS TO FORM:

Julie Hayward Biggs, City Attorney

EXHIBIT A

CITY OF WILDOMAR

STATEMENT OF INVESTMENT POLICY

I. INTRODUCTION

The City Council of the City of Wildomar (the "City") recognizes its responsibility to prudently direct the investment of the City's funds on behalf of the City's existing and future residents. The City Council further recognizes that the City's investment assets are essential to the City's financial strength, the effective implementation of long range financial plans, and ultimately its ability to respond to the needs of the community.

The investment policies and practices of the City of Wildomar take into consideration that California statutes authorize the City of Wildomar to finance acquisition or construction of various projects and capital assets through the issuance and sale of municipal securities, including but not limited to general obligation bonds and revenue bonds. Depending on the type and the authority for the issuance and sale of the bond, the City's general fund and/or certain sources of city revenue may be pledged as security for the bonds. The bonding and the resulting security interest in city funds and revenue may supercede all or portions of this Policy.

This Statement sets forth policies which shall govern the investment of the City's funds. It will be used by the City's Director of Finance/Treasurer and other City officials and staff, as well as all other third-party providers of investment or investment-related services. Its purpose is to direct the prudent investment and protection of the City's funds and investment portfolio.

II. POLICY

It is the policy of the City to invest public funds in a manner which will provide the highest investment return with maximum security while meeting the daily cash flow demands of the City and conforming to all state and local statutes governing the investment of public funds.

III. SCOPE

This Investment Policy applies to all financial assets of the City of Wildomar. The following funds are covered by this Investment Policy and are accounted for in the City's Comprehensive Annual Financial Report:

A) General Fund
B) Special Revenue Funds
C) Debt Service Funds
D) Capital Project Funds

E) Enterprise Funds
F) Internal Services Funds
G) Trust and Agency Funds
H) Any new funds created by the City Council

IV. PRUDENCE

Investments shall be made in the context of the "Prudent Investor" standard pursuant to Government Code Section 53600.3 (see Attachments) which states in relevant part that:

"When investing, reinvesting, purchasing, acquiring, exchanging, selling, and managing public funds, a trustee shall act with care, skill, prudence, and diligence under the circumstances then prevailing, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency."

Investments shall be made with judgment and care under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation but for investment, considering the probable safety of their capital as well as the probable income to be derived.

All investments purchased shall have daily liquidity or a final stated maturity date, upon which the full principal value of the security will be received. Although the investment will mature at full principal value, it is recognized that the market will vary throughout the life of the security. In a diversified portfolio it must be further recognized that occasional measured losses are inevitable due to economic, bond market, or individual security credit analysis. These occasional losses must be evaluated and considered within the context of the overall return.

The "Prudent Investor" standard shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and the investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

V. OBJECTIVE

The City's cash management system is designed to accurately monitor and forecast expenditures and revenues, which enables the City to invest its funds to the fullest extent possible. The objective of the investment portfolio is to meet the short- and long-term cash flow demands of the City. To achieve this objective, the portfolio will be structured to provide safety of principal and liquidity, while attempting to receive the highest yield obtainable.

A. Safety of Principal

Safety of principal is the foremost objective of the City of Wildomar. Investments of the City shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. Each investment transaction shall seek to ensure that capital losses are avoided, whether from securities default, broker-dealer default or erosion of market value. To attain this objective, the City will diversify its investments by investing funds among a variety of securities and approved financial institutions. The City shall seek to preserve principal by mitigating the two types of risk in order of importance: credit risk and market risk.

1. **Credit Risk** Credit risk, defined as the risk of loss due to failure of an issuer of a security, shall be mitigated by purchasing U.S. Treasuries or high grade securities. All investments beyond Treasury securities will be diversified so that the failure of any one issuer would not unduly harm the City's cash flow. Credit risk shall also be mitigated by prequalifying financial institutions, broker/dealers, intermediaries and advisors with which the City does business. Investments must be limited to securities backed by the full faith and credit of: (1) the federal government, (2) other governmental agencies, or (3) agencies and institutions with collateral, including assets and insurance, assuring similar risk.

2. **Market or Interest Rate Risk** Interest rate risk is the risk that the market value of securities in the portfolio will fall due to changes in general interest rates. Interest rate risk may be mitigated by structuring the Funds so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity, and by investing operating funds primarily in shorter-term securities. The cash flow is updated on a daily basis and will be considered prior to the investment of securities, which will reduce the necessity to sell investments for liquidity purposes. Long-term securities shall not be purchased for the sole purpose of short-term speculation. Securities shall not be sold prior to maturity with the following exceptions, 1) a security whose credit declines or is expected to decline may be sold IF there is a reasonable expectation that the prompt payment of principal and interest becomes unlikely. A temporary or modest decline in a securities; credit rating should not in and of itself trigger a liquidation , 2) a security swap would improve the quality, yield, or target duration in the portfolio, or 3) liquidity needs of the portfolio require that the security be sold. The weighted average maturity of the funds will be limited to three years or less. Purchases of investments will be restricted to securities with a final stated maturity not to exceed five (5) years.

B. Liquidity

This refers to the ability to "cash in" at any moment in time with a minimal chance of losing some portion of principal or accrued interest. Liquidity is an important quality especially when the need for unexpected funds occurs. The City's investment portfolio will remain sufficiently liquid to enable the City to meet all operating requirements which might be reasonably anticipated.

C. Return On Investments

The City's investment portfolio shall be designed with the objective of attaining a benchmark rate of return throughout budgetary and economic cycles, commensurate with the City's investment risk constraints and the cash flow characteristics of the portfolio. A benchmark does not imply that the Director of Finance/City Treasurer will add additional risk to the portfolio in order to attain or exceed the benchmark.

VI. DELEGATION OF AUTHORITY

The City of Wildomar Resolution No. 08-68 delegates investment authority to the Director of Finance/City Treasurer. It further authorizes the Director of Finance/City Treasurer to invest or deposit the City's funds in accordance with California Government Code Sections 53600 and 53630 et seq. and all related State and Federal laws.

In the Director of Finance/City Treasurer's absence, and subject to City Council approval, the Director of Finance/City Treasurer may assign investment responsibilities to the City Manager. The Director of Finance/City Treasurer will provide prior written notification to the City Manager and the City Council regarding the assignment of responsibilities. In the event that the Director of Finance/City Treasurer is unable to assign responsibility, the City Manager may select a designee. In addition, at the discretion of the Director of Finance/City Treasurer, cash monitoring and investment responsibilities can be assigned to a designated assistant and a surety bond will be obtained by the City for said assistant.

The responsibility for establishing, monitoring and maintaining a strong system of investment controls and directing an independent audit of the investment function is delegated to the City Manager. The City Manager's designee(s) may assist in carrying out these functions.

The City Council's primary responsibilities over the investment function include establishing investment policies, annually reviewing such policies, reviewing monthly investment reports issued by the Director of Finance/City Treasurer and authorizing any deviations from the City's Investment Policy.

VII. ETHICS AND CONFLICTS OF INTEREST

The Director of Finance/City Treasurer and other employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program or which could impair their ability to make impartial investment decisions. The Director of Finance/City Treasurer and investment employees shall disclose any material interests in financial institutions with which they conduct business within their jurisdiction. They shall further disclose any large personal financial/investment positions that could be related to the performance of the investment portfolio and shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the City. The Director of Finance/City Treasurer and investment employees are required to file annual disclosure statements as required by the Fair Political Practices Commission (FPPC). During the course of the year, if there is an event subject to disclosure that could impair the ability of the Director of Finance/City Treasurer or investment employees to make impartial decisions, the City Council will be notified in writing within 10 days of the event.

VIII. QUALIFIED DEALERS

The City shall transact investments only with banks, savings and loans, investment security dealers and the State of California Local Agency Investment Fund. The purchase by the City of any investment, other than those purchased directly from the issuer, shall be purchased directly from an institution licensed by the State as a broker/dealer, as defined in Section 25004 of the Corporations Code, who is a member of the National Association of Securities Dealers, or a member of a Federally regulated securities exchange, a National or State Chartered Bank, a Federal or Savings Association, or a brokerage firm designated as a Primary Government Dealer by the Federal Reserve Bank. Exceptions to this rule will be made only after thorough research and documented confirmation of financial strength and reputation and after approval by the City Manager. Investment staff shall investigate dealers who wish to do business with the City in order to determine if they are adequately capitalized, market securities appropriate to the City's needs, and are recommended by managers of portfolios similar to the City's.

The City shall at least annually send a copy of the current investment policy to all dealers approved to do business with the City. Confirmation of receipt of this policy shall be considered as evidence that the dealer understands the City's investment policies, and intends to show the City only appropriate investments.

IX. AUTHORIZED AND SUITABLE INVESTMENTS

The investments set forth in this section are authorized investments pursuant to Section 53601 et seq. of the Government Code and are authorized investments for the City subject, however, to the prohibitions set forth in Section X of this Investment Policy.

A. Securities of the U.S. Government

U.S. Treasury Bills – issued by the U.S. Treasury and are available in maturities out to one year. They are non-interest bearing and sold on a discount basis. The face amount is paid at maturity.

U.S. Treasury Notes – issued by the U.S. Treasury with maturities from two to ten years. They are issued in coupon form and many issues are also available in registered form. Interest is payable at six month intervals until maturity.

U.S. Treasury Bonds – issued by the U.S. Treasury with maturities of ten years to thirty years. The City may purchase the interest and/or principal of a U.S. Treasury Bond. A principal only instrument is commonly called a "stripped" or "zero" coupon. Stripped coupons are sold at a discount basis. The face amount is paid at maturity.

B. Securities of U.S. Government Agencies

The capital of U.S. government agencies was initially financed by the United States Treasury. But as they have grown and operated profitably over the years, the Treasury's investment has been replaced in a large measure by private capital. At present, obligations of only a few agencies are backed by the full faith and credit of the U.S. Government. The obligations of all the federal agencies described in the following sections are not guaranteed by the U.S. Government with the exception of Government National Mortgage Association (GNMA), but are considered to be investments of the highest quality.

Federal National Mortgage Association – (Fannie Mae) a quasi public corporation created by an act of Congress to assist the home mortgage market by purchasing mortgages insured by the Federal Housing Administration and the Farmers Home Administration, as well as those guaranteed by the Veterans Administration. Fannie Mae issues Notes and Bonds and there is a strong secondary market in these securities. A secondary market means these instruments are actively traded, they are bought and sold daily. Bonds are issued for 15 and 30 year maturities with interest paid semi-annually. Interest is computed on a 30/360 day basis. Notes are issued with maturities of less than one year with interest paid at maturity.

Government National Mortgage Association – (Ginnie Mae) a wholly owned corporation instrumentality of the United States within the Department of Housing and Urban Development. A certificate collateralized by FHA/VA residential mortgages represents a share in a pool of FHA or VA mortgages.

Ginnie Mae's are registered securities. Original maturities range from 12 to 30 years with a 7 to 12 year assumed average life. (Assumed average life is due to prepayments of mortgages). Principal and interest are paid monthly and sent directly from the issuer of the pool, usually a mortgage banker, to the City.

Federal Home Loan Banks – (FHLB) provide credit to member lending institutions such as savings and loan associations, cooperative banks, insurance companies and savings banks. The agency offers bonds in the public market with maturities of 1 to 10 years. These bonds are usually offered on a quarterly basis depending on the current demands of the housing industry. Interest is paid semi-annually on a 30/360 day basis.

Federal Farm Credit Banks – debt instruments issued to meet the financial needs of farmers and the national agricultural industry, these issues enjoy an established secondary market. Discount notes are issued monthly with 6 and 9 month maturities. Longer term debentures (2-5 years) are also issued. Discount notes pay interest at maturity. Debentures pay interest semi-annually on a 30/360 day basis.

Federal Home Loan Mortgage Corporation – (Freddie Macs) A publicly held government-sponsored enterprise created in 1970 pursuant to the Federal Home Loan Mortgage Corporation Act, Title III of the Emergency Home Finance Act of 1970, as amended. Freddie Mac's statutory mission is to provide stability in the secondary market for home mortgages, to respond appropriately to the private capital market and to provide ongoing assistance to the secondary market for home mortgages by increasing the liquidity of mortgage investments and improving the distribution of investment capital available for home mortgage financing. Maturity can be from 1 to 30 years. These loans can be either set at a fixed rate or a variable rate.

C. Bonds

City Bonds – Bonds issued by the city, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by the City or by a department, board, agency, or authority of the City.

State Bonds – Registered state warrants or treasury notes or bonds of the State of California, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by the State or by a department, board, agency, or authority of the State.

Municipal Bonds – Bonds, notes, warrants, or other evidences of indebtness of any local agency within the State of California, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by the local agency, or by a department, board, agency, or authority of the local agency.

D. Time Deposits and Certificates of Deposit

Time Deposits are placed with commercial banks and savings and loan agencies. A time deposit is a receipt for funds deposited in a financial institution for a specified period of time at a specified rate of interest. Deposits of $100,000 (referred to as Jumbo C.D.'s) per institution are insured by the government and Certificates of Deposit can be supported by either 110% U.S. Government agency notes or 150% mortgages currently held by the bank or savings and loan. Purchases of negotiable certificates of deposit may not exceed 30 percent of the City's surplus money to be invested. Generally the time is 3 months to 2 years. Denominations can be any agreed upon amount and interest is normally calculated using actual number of days on a 360-day year and paid monthly. An institution must maintain a net worth to asset ratio of at least 3% and a positive earnings record, must be in compliance with the Financial Institution Reform Act (FIRREA) capital ratio requirements for risk-based, tangible, and core capital, and the institution must make available a current Federal Deposit Insurance Corporation (FDIC) call report or a Federal Home Loan Bank (FHLB) report. A call report presents the financial condition of the institution to the agency with oversight responsibility of that institution.

E. Negotiable Certificates of Deposit

Negotiable Certificates of Deposit are a form of Certificate of Deposit which has been an important money market instrument since 1961 when commercial banks began issuing them and a secondary market developed to provide liquidity. They are supported only by the strength of the institution from which they are purchased. Negotiable Certificates of Deposit may not exceed 30% of the City's surplus funds to be invested. Maturities range from 3 months to 2 years and are generally issued in blocks of $1 million, $5 million, $10 million, etc. Interest is paid semi-annually computed on a 30/360 day basis.

F. Bankers Acceptance Notes

As a money market instrument, this note is an attractive short-term investment. When a bank "accepts" such a time draft, it becomes, in effect, a predated certified check payable to the bearer at some future, specified date. Purchases of bankers acceptances may not exceed 180 days maturity or 40 percent of the City's surplus money that may be invested pursuant to this section. In addition, no more than 30 percent of the City's surplus funds may be invested in the bankers acceptances of any one commercial bank pursuant to this section.

G. Commercial Paper

Commercial paper is the trade name applied to unsecured promissory notes issued by finance and industrial companies to raise funds on a short term basis. Commercial paper of "prime" quality of the highest ranking or of the highest letter and numerical rating as provided for by Moody's Investors Service, Inc., or Standard and Poor's Corporation.

Eligible paper is further limited to issuing corporations that are organized and operating within the United States and having total assets in excess of five hundred million dollars ($500,000,000) and having an "A" or higher rating for the issuer's debt, other than commercial paper, if any, as provided for by Moody's Investors Service, Inc., or Standard and Poor's Corporation. Purchases of eligible commercial paper may not exceed 270 days maturity nor represent more than 10 percent of the outstanding paper of an issuing corporation. Purchases of commercial paper may not exceed 25 percent of the City's surplus money that may be invested pursuant to this section.

H. Repurchase Agreement

Investments in repurchase agreements are allowable but must comply with current Government code and a Master Repurchase Agreement must be signed with the bank or dealer.

Closely associated with the functioning of the Federal funds market is the negotiation of repurchase agreements. Banks may buy temporarily idle funds from a customer by selling U.S. Government or other securities with the contractual agreement to repurchase the same security on a future date determined by the negotiation. For the use of funds, the customer receives an interest payment from the bank; the interest rate reflects both the prevailing demand for Federal funds and the maturity of the "repo". Repurchase agreements are usually executed for $100,000 or more. The City will require physical delivery of the securities backing the "repo" to its safekeeping agent. The issuing institution must transfer on an ongoing basis sufficient securities to compensate for changing market conditions and to insure that adequate collateral is maintained in the City's safekeeping account. Repurchase agreements shall only be made with primary dealers of the Federal Reserve Bank of New York, the market value of securities that underlay the agreement must be valued at 102 percent or greater of the funds borrowed against those securities, and the value shall be adjusted no less than quarterly. Purchases of repurchase agreements may not exceed 20 percent of the City's surplus money to be invested. Generally, maturities range from 1 to 90 days (may not exceed one year) with interest paid at maturity.

I. Mutual Funds

Money Market Mutual Funds are another authorized investment allowing the City to maintain liquidity, receive competitive money market rates and remain diversified in pooled investments.
Mutual Funds are referred to in the California Government Code Section 53601 as "shares of beneficial interests issued by diversified management companies." The Mutual Fund must be restricted by its by-laws to the same investments allowed to the local agency. These investments are Treasury issues, Agency issues, Bankers Acceptances, Commercial Paper, Certificates of Deposit and Negotiable Certificates of Deposit. The quality rating and percentage restrictions in each investment category applicable to the local agency also applies to the Mutual Fund.

The purchase price of shares of the mutual fund shall not include any sales commission. Investments in mutual funds shall not exceed 10 percent of the City's surplus money.

J. Local Agency Investment Fund

The Local Agency Investment Fund (LAIF) of the State of California offers high liquidity because deposits can be wired to the City checking account in twenty-four hours. Interest is compounded on a daily basis.

LAIF is a special fund in the State Treasury which local agencies may use to deposit funds for investment. There is no minimum investment period and the minimum transaction is $5,000, in multiples of $1,000 above that, with a maximum of $40,000,000 for any agency. All interest is distributed to those agencies participating on a proportionate share determined by the amounts deposited and the length of time of the deposit. Interest is paid quarterly and deposited directly into the account on the 15th day of the month following the close of the quarter. The State keeps an amount for the reasonable costs of administration, not to exceed one-half of one percent of the gross earnings.

Interest rates are fairly high because of the pooling of the State surplus cash with the surplus cash deposited by local governments. This creates a multibillion-dollar money pool and allows diversified investments. In a high interest rate market, the City may produce higher yields than LAIF can, but in times of low interest rates, LAIF yields are generally higher.

K. Joint Powers Authority Investment Pools

Joint Powers Authority Investment Pools are organized pursuant to Section 6509.7 of the Government Code that invests in the securities and obligations under Sections 53601 of the California Government Code. To be eligible for City investments, the joint powers authority issuing the shares shall have retained an investment adviser that is registered or exempt from registration with the Securities and Exchange Commission, the adviser has not less than five years of experience investing in the securities and obligations authorized in under Section 53601 and the adviser has assets under management in excess of five hundred million dollars ($500,000,000).

X. PROHIBITED INVESTMENTS AND TRANSACTIONS

Investments not described herein, including, but not limited to, reverse repurchase agreements, zero coupon bonds, inverse floaters, common stocks, futures, options and derivatives are prohibited from use in the City's investment portfolio.

The City shall not engage in securities lending, short selling or other hedging strategies. The City shall not purchase or sell securities on margin.

XI. COLLATERALIZATION

Collateralization will be required on two types of investments: certificates of deposit and repurchase agreements. Deposits of $100,000 per institution are insured by the FDIC and Certificates of Deposit can be supported by either 110% U.S. Government agency notes of 150% mortgages currently held by the bank or savings and loan.

Collateral will always be held by an independent third party with whom the City has a current custodial agreement. A clearly marked evidence of ownership (safekeeping receipt) must be supplied to the City and retained. The right of collateral substitution is granted.

The City chooses to limit collateral to the following: Repurchase Agreements, Time Deposits and Certificates of Deposit.

XII. SAFEKEEPING AND CUSTODY

All security transactions, including collateral for repurchase agreements, entered into by the City shall be conducted on a delivery-versus-payment basis. Securities will be held by a third party custodial designated by the Director of Finance/City Treasurer and evidenced by safekeeping receipts.

XIII. DIVERSIFICATION

The City operates its investment pool with many State and self-imposed constraints. It does not buy stocks and it does not speculate. Assets shall be diversified to eliminate the risk of loss resulting from over concentration of assets in a specific maturity, a specific issuer, or a specific class of securities.

The City will diversify its investments by security type, institution and maturity/call dates. With the exception of U.S. Treasury securities and authorized pools, no more than 50% of the City's total investment portfolio will be invested in a single security type or with a single financial institution.

XIV. MAXIMUM MATURITIES

To the extent possible, the City will attempt to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow, the City will not directly invest in securities maturing more than 5 years from the date of purchase.

Reserve funds may be invested in securities exceeding five years if the maturity of such investments is made to coincide as nearly as practicable with the expected use of the funds.

XV. INTERNAL CONTROL

The Director of Finance/City Treasurer shall establish an annual process of independent review by an external auditor. This review will provide internal control by assuring compliance with the City's Investment Policy and for establishing internal controls that are designed to prevent losses due to fraud, negligence, and third-party misrepresentation.

Internal controls deemed most important shall include (but not limited to): avoidance of collusion; separation of duties and administrative controls; separating transaction authority from accounting and record keeping; custodial safekeeping; clear delegation of authority; management approval and review of investment transactions; specific limitations regarding securities losses and remedial action; written confirmation of telephone transactions; documentation of investment transactions and strategies; and monitoring of results.

XVI. PERFORMANCE STANDARDS

The investment portfolio shall be designed with the objective of obtaining a rate of return throughout budgetary and economic cycles, commensurate with the investment risk constraints and the cash flow needs.

The City's investment strategy is passive. Passive investment portfolio management generally indicates that the Director of Finance/City Treasurer will purchase an instrument and hold it through to call or maturity, and then reinvest the monies. Although the City's investment strategy is passive, this will not restrict the Director of Finance/City Treasurer from evaluating when swaps are appropriate or if the sale of an instrument is prudent prior to final maturity. Given this strategy, the basis used by the Director of Finance/City Treasurer to determine whether market yields are being achieved shall be the Local Agency Investment Funds (LAIF).

XVII. REPORTING

The Director of Finance/City Treasurer shall provide the City Council monthly investment reports which provide a clear picture of the status of the current investment portfolio. The management report shall include the type of investments, the issuers, maturity dates, par values, and the current market values of each component of the portfolio, including funds managed for the City by third party safekeeping custodians. The report will also include the source of the portfolio valuation. As specified in California Government Code Section 53646 (e), if all funds are placed in LAIF or FDIC-insured accounts, the foregoing report elements may be replaced by copies of the latest statements from such institutions. The report must also include a certification that the City will meet its expenditure obligations for the next six months as required by California Government Code Section 53646 (b)(3). The Director of Finance/City Treasurer shall maintain a complete and timely record of all investment transactions.

XVIII. INVESTMENT POLICY ADOPTION

The City's investment policy shall be adopted annually by resolution of the City Council. The policy shall be reviewed annually by the City Council and any modifications made thereto must be approved by the City Council.

CITY OF WILDOMAR – CITY COUNCIL **8**
Agenda Item ____
DISCUSSION/ACTION ITEM
Meeting Date: October 8, 2008

TO: Mayor and Members of the City Council

FROM: Juan C. Perez, Director of Transportation, County of Riverside acting on behalf of the City of Wildomar

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Street Lighting Zone 88

STAFF REPORT

RECOMMENDATION:

That the City Council adopt the following Resolutions:

Resolution No. 08-69, a Resolution of the City of Wildomar initiating proceedings for the annexation of Street Lighting Zone 88 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated and ordering preparation of the Engineer's Report regarding the proposed annexation of Street Lighting Zone 88.

Resolution No. 08-70, a Resolution of the City of Wildomar declaring its intention to order the annexation of Street Lighting Zone 88 to 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 streetlights; adopting the preliminary engineer's report; giving notice of and setting the time and place of the public hearing on the annexation of Street Lighting Zone 88, ordering a mailed ballot election; and directing notice of the public hearing and ballot be mailed pursuant to Article XIIID of the California Constitution.

BACKGROUND:

Adoption of Resolution No. 08-69 appoints the Director of the Riverside County Transportation Department, acting on behalf of the City of Wildomar, as the Engineer to prepare a Report regarding the proposed annexation of Street Lighting Zone 88 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated ("L&LMD No. 89-1-C").

Resolution No. 08-70 declares the City Council's intention of ordering the annexation of Street Lighting Zone 88 to L&LMD No. 89-1-C. Annexation of Street Lighting Zone 88 to L&LMD No. 89-1-C will fund the provision of electricity for streetlights within public right-of-way located northeasterly of Hidden Springs Rd, and southeasterly of Clinton Keith Rd and includes 2 commercial parcels, totaling 17.06 acre(s).

Consistent with the City Council's direction regarding compliance with Article XIIID of the California Constitution and the Landscaping and Lighting Act of 1972, the attached resolutions have been prepared and a public hearing scheduled for 7:00 p.m. on December 3, 2008 to receive testimony for and against the proposed assessment. Each property owner within the proposed Street Lighting Zone 88 will receive a notice of the public hearing and mail-in ballot, an impartial analysis, a copy of Resolution No. 08-70, and an information sheet.

Ballots must be returned prior to the conclusion of the public hearing. If, at the time designated for the tabulation of the ballots, the ballots submitted in favor of the annexation and levy of the assessment exceed the ballots submitted in opposition of said annexation and levy, Street Lighting Zone 88 will be annexed to L&LMD No. 89-1-C.

There is only one individual/entity which owns all of the property within the proposed boundaries of Street Lighting Zone 88 and said property owner has executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election and public hearing to be held on December 3, 2008.

FISCAL IMPACTS:

The proposed budget for fiscal year 2009-10 for Zone 88 is $660.00 that will result in an assessment for fiscal year 2009-10 within Street Lighting Zone 88 of $38.68 per acre. The annual assessment will be adjusted annually by the greater of 2% or the cumulative percentage increase in the CPI-U for "electricity", if any, as it stands as of March of each year over the base index for March of 2008.

In addition to the Standard Annual Adjustment, beginning in the fiscal year in which the additional streetlight improvement on Clinton Keith Rd is completed, the annual assessments may be further increased. For the fiscal year in which the additional streetlight improvement is completed, the annual assessment may be increased to an amount not to exceed $58.02 per acre, adjusted for inflation. The Standard Annual Adjustment will be applied to this increased assessment in all subsequent fiscal years following the year in which the additional streetlight improvement on Clinton Keith Rd is completed. Under the proposed annexation, neither the assessment increases based on the Standard Annual Adjustment nor the further increases associated with the completion of the additional streetlight improvement on Clinton Keith Rd will require any further approval of the landowners within Street Lighting Zone 88.

ALTERNATIVES:

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

Meeting Date: October 8, 2008

Submitted by:

Juan C. Perez
Director of Transportation,
County of Riverside acting
on behalf of the City of Wildomar

Approved by:

John Danielson
Interim City Manager

Attachments:

Exhibit A
Resolution No. 08-69
Resolution No. 08-70

RESOLUTION NO. 08-69

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR INITIATING PROCEEDINGS FOR THE ANNEXATION OF STREET LIGHTING ZONE 88 TO 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

WHEREAS, the City Council (hereinafter the "City Council") of the City of Wildomar (hereinafter the "City") has been advised by the Transportation Department (hereinafter "Department") of the County of Riverside that said Department has received an application from the owner (the "Applicant") of all the property within the incorporated area of the City of Wildomar (hereinafter "Street Lighting Zone 88"), as shown and described in Exhibit "A", which is attached hereto and made a part hereof, to be annexed to Landscaping and Lighting Maintenance District No. 89-1-Consolidated (hereinafter "L&LMD No. 89-1-C") of the City of Wildomar, County of Riverside, State of California, and the City Council has determined that it is necessary and desirable to initiate proceedings for the annexation of Street Lighting Zone 88 to L&LMD No. 89-1-C pursuant to the Landscaping and Lighting Act of 1972, Part 2 (commencing with Section 22500) of Division 15 of the Streets and Highways Code (hereinafter, respectively, the "Act" and the "Street and Highways Code"); and

WHEREAS, such proceedings shall comply with the requirements of Article XIIID of the California Constitution and Section 4000 of the Elections Code requiring voter approval of the proposed assessment to be levied by L&LMD No. 89-1-C for Street Lighting Zone 88; and

WHEREAS, the Applicant has executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election to be held on December 3, 2008; and

WHEREAS, the Director of the Department acting on behalf of the City, or his designee, is a licensed and registered civil engineer, has expertise with respect to the annexation of territory to landscaping and lighting maintenance districts and the levying of assessments for said purposes and,

therefore, is able to serve as the engineer (hereinafter the "Engineer") acting on behalf of the City with regard to the annexation of Street Lighting Zone 88 to L&LMD No. 89-1-C.

NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the City Council of the City of Wildomar assembled in regular session on October 8, 2008 as follows:

Section 1. **Recitals.** The City Council hereby finds and determines that all the above recitals are true and correct.

Section 2. **Annexation.** The City Council proposes to annex Street Lighting Zone 88 to L&LMD No. 89-1-C and to initiate and conduct proceedings therefore pursuant to the Act for the purpose of levying an annual assessment on all parcels within Street Lighting Zone 88 to pay the costs of the following services:

(a) Providing electricity to all streetlights within the public right-of-way including incidental costs and expenses.

Section 3. **Boundaries and Designation.** The boundaries of Street Lighting Zone 88 that are proposed to be annexed to L&LMD No. 89-1-C shall include all of the property as shown and described in Exhibit "A".

Section 4. **Report.** The Director of the Department acting on behalf of the City, or his designee, is hereby designated Engineer and is ordered to prepare and file a report with the City Clerk in accordance with Sections 22608 and 22585 et. seq. of the Streets and Highways Code and Section 4 of Article XIIID of the California Constitution regarding said annexation and the levy.

Section 5. **Effective Date.** This Resolution shall take effect from and after its date of adoption.

PASSED, APPROVED, AND ADOPTED this 8th day of October, 2008.

Robert Cashman, Mayor

ATTEST:

Sheryll Schroeder, City Clerk

APPROVED AS TO FORM:

Julie Hayward Biggs, Interim City Attorney

EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

The boundaries of Street Lighting Zone 88 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the City of Wildomar are coterminous with the boundaries of APN 380-110-039 and 380-230-006 as shown on Assessment Roll in the City of Wildomar, County of Riverside, State of California in Fiscal Year 2009-10.

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED

STREET LIGHTING ZONE 88

PORTION OF SECTION 1, T.7S., R.4W.

CONDITIONAL USE PERMIT NO. 03504R1 - 2 PARCELS

CITY OF WILDOMAR

N

300 150 0 Feet

1 inch equals 300 feet

ASSESSMENT DIAGRAM

The County of Riverside assumes no warranty or legal responsibility for the information contained on this map. Data and information represented on this map is subject to updates, modifications and may not be complete or appropriate for all purposes. County GIS and other sources should be queried for the most current information. Do not copy or resell this map.

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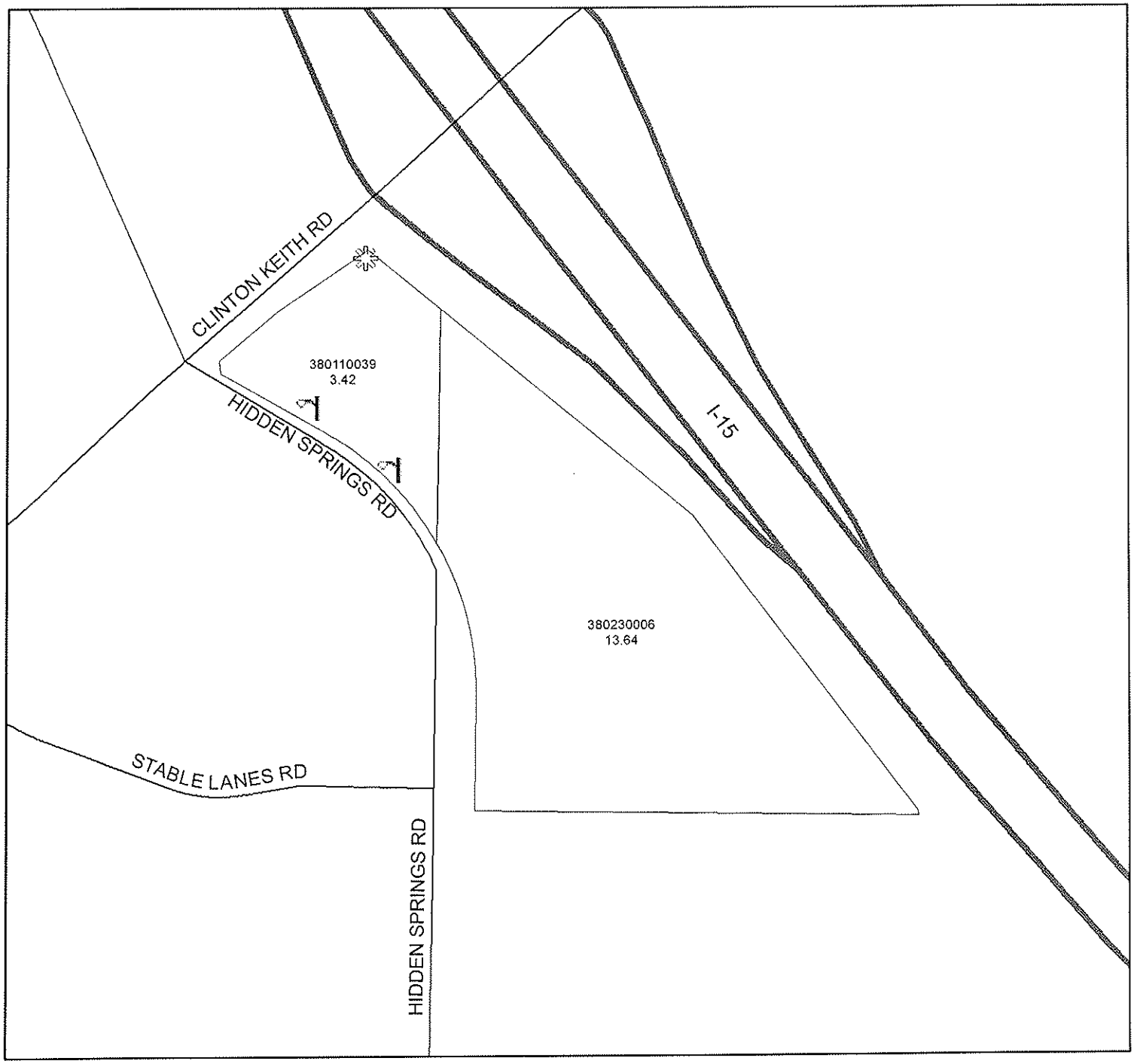

DENOTES MAINTAINED STREETLIGHT

TRANS_FUTURE_STREETLIGHT

DENOTES MAINTAINED TRAFFIC SIGNAL

RESOLUTION NO. 08-70

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR DECLARING ITS INTENT TO ORDER THE ANNEXATION OF STREET LIGHTING ZONE 88 TO 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 STREETLIGHTS; ADOPTING THE PRELIMINARY ENGINEER'S REPORT; GIVING NOTICE OF AND SETTING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE ANNEXATION OF STREET LIGHTING ZONE 88; 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 XIIID OF THE CALIFORNIA CONSTITUTION AND SECTION 4000 OF THE ELECTIONS CODE

WHEREAS, the City Council (hereinafter the "City Council") of the City of Wildomar (hereinafter the "City") has adopted Resolution No. 08-69 on October 8, 2008 initiating proceedings for the annexation of Street Lighting Zone 88 (hereinafter "Street Lighting Zone 88"), as described and shown in Exhibit "A", which is attached hereto and incorporated herein, to Landscaping and Lighting Maintenance District No.89-1-Consolidated of the City of Wildomar, County of Riverside, State of California, (hereinafter "L&LMD No. 89-1-C") pursuant to the Landscaping and Lighting Act of 1972 (hereinafter the "Act"), which is Part 2 (commencing with Section 22500) of Division 15 of the Streets and Highways Code (hereinafter the "Street and Highways Code"), and ordering the preparation of a report (hereinafter the "Report") regarding the proposed annexation of Street Lighting Zone 88 and the assessments to be levied within Street Lighting Zone 88 each fiscal year beginning fiscal year 2009-10 for providing electricity for streetlights within the public right-of-way within said Location; and

WHEREAS, such proceedings shall comply with the requirements of Article XIIID of the California Constitution (hereinafter "Article XIIID:"), the Act, and Section 4000 of the Elections Code requiring voter approval of the proposed assessment to be levied by L&LMD No. 89-1-C for Street Lighting Zone 88; and

WHEREAS, the City Council by Resolution No. 08-69 directed the Director of the Transportation Department acting on behalf of the City of Wildomar, or his designee (hereinafter the "Engineer"), to prepare and file the Report with the City Clerk in accordance with Sections 22608 and 22585 et. seq. of the Street and Highways Code and Section 4 of Article XIIID; and

WHEREAS, said Engineer has filed the Report with the City Clerk and the Report has been presented to and considered by the City Council; and

WHEREAS, the sole owner of property within the proposed boundaries of Street Lighting Zone 88 as the applicant (the "Applicant") for these proceedings has executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election to be held on December 3, 2008; and

WHEREAS, it is necessary that the City Council adopt a resolution of intention pursuant to Section 22624 of the Streets and Highways Code, which fixes and gives notice, pursuant to Section 22626 of the Streets and Highways Code, of the time and place of a public hearing on said Report, the annexation of Street Lighting Zone 88, and the assessments to be levied on parcels within Street Lighting Zone 88 beginning in fiscal year 2009-10;

NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the City Council of the City of Wildomar in regular session assembled on October 8, 2008 as follows:

Section 1. **Findings.** The City Council, after reviewing the Report, finds that:

(a) The foregoing recitals are true and correct;

(b) The Report contains all matters required by Sections 22565 through 22574 of the Streets and Highways Code and Section 4 of Article XIIID and may, therefore, be approved by the City Council;

(c) The annual assessment for fiscal year 2009-10 on all parcels within Street Lighting Zone 88 proposed to be annexed to L&LMD No. 89-1-C will be $38.68 per acre.

(d) Beginning in the fiscal year in which the additional streetlight improvements on Clinton Keith Rd are completed, the annual assessment and all subsequent annual assessments will be increased accordingly. The annual assessment may be increased

to an amount not to exceed $58.02 per acre, adjusted for inflation, in the fiscal year in which the additional streetlight improvements on Clinton Keith Rd are completed as detailed in the Report. Subsequent annual assessments will be increased, without regard to the $58.02 per parcel ceiling, in accordance with the standard annual adjustment formula outlined in Section 5 of this Resolution.

Section 2. **Intent.** The City Council hereby declares its intention to order the annexation of Street Lighting Zone 88, as described and shown in Exhibit "A", to L&LMD No. 89-1-C, and to levy and collect an annual assessment on all assessable lots and parcels of property within Street Lighting Zone 88 commencing with the fiscal year 2009-10 as set forth in the Report. The Report expressly states that there are no parcels or lots within Street Lighting Zone 88 that are owned by a federal, state or other local governmental agency that will benefit from the services to be financed by the annual assessments. The annual assessments will be collected at the same time and in the same manner as property taxes are collected, and all laws providing for the collection and enforcement of property taxes shall apply to the collection and enforcement of said assessments.

Section 3. **Boundaries.** All the property within boundaries of Street Lighting Zone 88 is proposed to be annexed into L&LMD No. 89-1-C and shall include that property in the incorporated area of the City as described and shown in Exhibit "A".

Section 4. **Description of Services to be Provided.** The service authorized for Street Lighting Zone 88 of L&LMD No. 89-1-C is the provision of electricity to all streetlights within the public right-of-way including incidental costs and expenses.

Section 5. **Amount to be Levied.** The assessment to be levied upon each parcel that benefits from the annexation of Street Lighting Zone 88 of L&LMD No. 89-1-C will be $36.68 per acre for fiscal year 2009-10. As stated in the Report, the total budget for Street Lighting Zone 88 for the fiscal year 2009-10 is $660.00; there are 2 parcels that are to be assessed that aggregate to 17.06 acres. The annual assessment will be increased by the greater of two percent (2.0%) or the cumulative percentage increase, if any, in the Consumer Price Index for all Urban Consumers ("CPI-U") for the Los

Angeles-Riverside-Orange County California Standard Metropolitan Statistical area ("Index") published by the Bureau of Labor Statistics of the United States Department of Labor. The annual CPI-U adjustment will be based on the cumulative increase, if any, in the Index as it stands on March of each year over the base Index for March of 2008. The annual assessment increase derived from the application of the foregoing formula is referred to as the "Standard Annual Adjustment." In addition to the Standard Annual Adjustment, beginning in the fiscal year in which the additional streetlight improvements on Clinton Keith Rd are completed, the annual assessments may be further increased. For the fiscal year in which the additional streetlight improvements are completed, the annual assessment may be increased to an amount not to exceed $58.02 per parcel, adjusted for inflation. The Standard Annual Adjustment will be applied to this increased assessment in all subsequent fiscal years following the year in which the additional streetlight improvements on Clinton Keith Rd are completed without regard to the $58.02 per acre, inflation adjusted, assessment ceiling required during the fiscal year the streetlight improvements were first completed. Except for assessment increases associated with the completion of the additional streetlight improvements on Clinton Keith Rd, and assessment increases resulting from the application of the Standard Annual Adjustment, any other increase in the annual assessment requires a majority approval of all the property owners within Street Lighting Zone 88. The City Council will levy the assessment in each subsequent fiscal year until the City Council undertakes proceedings for the dissolution of Street Lighting Zone 88 of L&LMD No. 89-1-C. The annual assessment will fund the services described in Section 4 of this Resolution. For further particulars, reference is to be made to the Report on file in the Office of the City Clerk.

Section 6. **The Property to be Annexed.** The property to be annexed into L&LMD No. 89-1-C is Street Lighting Zone 88. The boundaries of Street Lighting Zone 88 are located within the incorporated area of the City and are described and shown in the Report and Exhibit "A".

Section 7. **Report.** The Report, which is on file with the City Clerk and which has been presented to the City Council, is hereby approved. Reference is made to the Report for a full and detailed description of the services, the boundaries of Street Lighting Zone 88, and the annual

assessment to be levied upon assessable lots and parcels within Street Lighting Zone 88 proposed to be annexed to L&LMD No. 89-1-C.

Section 8. **Public Hearing.** The question of whether Street Lighting Zone 88 shall be annexed into L&LMD No. 89-1-C and an annual assessment levied beginning with fiscal year 2009-10 shall be considered at a public hearing (hereinafter the "Public Hearing") to be held on December 3, 2008, at 7:00 p.m. at the meeting room of the City Council of the City of Wildomar at Wildomar City Hall, 23873 Clinton Keith Rd Suite 201, Wildomar, CA 92595.

Section 9. **Majority Protest.** Each owner of record of property within Street Lighting Zone 88 is to receive by mail an assessment ballot that shall conform to the requirements of Section 4 of Article XIIID and Section 4000 of the California Elections Code. The assessment ballots are to be returned prior to the Public Hearing. L&LMD No. 89-1-C shall not impose assessments on property within the boundaries of Street Lighting Zone 88 if there is a majority protest with regard to the annexation of Street Lighting Zone 88. A majority protest exists if, upon the conclusion of the Public Hearing, the tabulation of the assessment ballots submitted in opposition to the annexation and assessment of Street Lighting Zone 88 exceeds the assessment ballots in favor of the annexation and assessment of Street Lighting Zone 88.

Section 10. **Information.** Any property owner desiring additional information regarding Street Lighting Zone 88 of L&LMD No. 89-1-C, the Report, or the proposed assessment is to contact Ms. Judy A. Watterlond, Technical Engineering Unit Supervisor, Transportation Department of the County of Riverside, 4080 Lemon Street, 8th Floor, Riverside, California, 92501 or by telephone at (951) 955-6829.

Section 11. **Notice of the Public Hearing.** Notice of Public Hearing with regard to the annexation of Street Lighting Zone 88 to L&LMD No. 89-1-C shall be given consistent with Section 22626 of the Streets and Highways Code and Section 4 of Article XIIID. The City Clerk shall give notice of the Public Hearing by causing a certified copy of this Resolution to be published once in *The Press Enterprise* at least ten (10) days prior to the date of the Public Hearing that is December 3, 2008. Publication of this Resolution is to be effected by the City Clerk. Notice shall also be given by mailing

first-class, postage prepaid, those notices, as prepared by County of Riverside, assessment ballot and information sheets as required by Section 4 of Article XIIID and Section 4000 of the California Elections Code to all owners of record of property within Street Lighting Zone 88 as shown on the last equalized assessment roll of the County of Riverside. Mailing is to be made by the Engineer and deposited with the U. S. Post Office at least forty-five (45) days prior to the Public Hearing on December 3, 2008.

Section 12. **Effective Date.** This Resolution shall take effect from and after its date of adoption.

PASSED, APPROVED, AND ADOPTED this 3rd day of December, 2008.

Robert Cashman, Mayor

ATTEST:

Sheryll Schroeder, City Clerk

APPROVED AS TO FORM:

Julie Hayward Biggs, Interim City Attorney

EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

The boundaries of Street Lighting Zone 88 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the City of Wildomar are coterminous with the boundaries of APN 380-110-039 and 380-230-006 as shown on Assessment Roll in the City of Wildomar, County of Riverside, State of California in Fiscal Year 2009-10.

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED

STREET LIGHTING ZONE 88

PORTION OF SECTION 1, T.7S., R.4W.

CONDITIONAL USE PERMIT NO. 03504R1 - 2 PARCELS

CITY OF WILDOMAR

N

300 150 0 Feet

1 inch equals 300 feet

ASSESSMENT DIAGRAM

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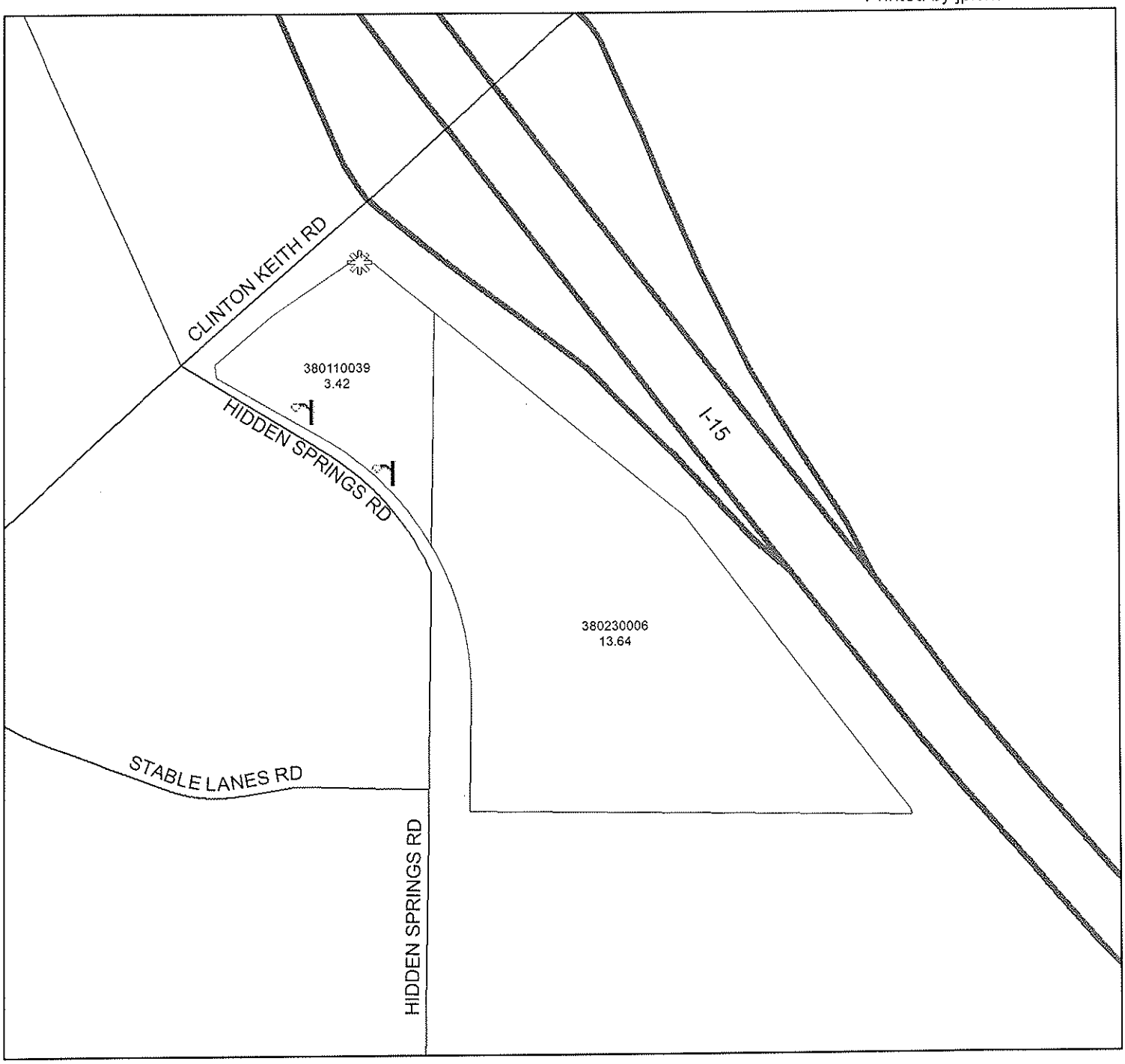


DENOTES MAINTAINED STREETLIGHT

TRANS_FUTURE_STREETLIGHT

DENOTES MAINTAINED TRAFFIC SIGNAL

TO: Mayor and Members of the City Council

FROM: Juan C. Perez, Director of Transportation, County of Riverside acting on behalf of the City of Wildomar

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

STAFF REPORT

RECOMMENDATION:

That the City Council:

With regard to the annexation of Location 53 to Zone 3 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated, conduct the public hearing and, after closing the public hearing, direct the County of Riverside Director of Transportation, or his designee, who the City Council finds to be an impartial person as that term is used in Section 53753(e) of the Government Code, to tally all ballots received prior to the close of public hearing. All ballots received prior to the close of the public hearing will be tallied at 10:00 a.m. on Thursday, October 9, 2008 in Conference Room B on the 8th Floor of the County Administrative Center, 4080 Lemon Street, Riverside, California. Staff is directed to cause the appropriate resolution, based on the election tally, to be prepared and returned to the City Council for its consideration.

BACKGROUND:

Pursuant to the Landscaping and Lighting Act of 1972 and Resolution 08-58 adopted August 13, 2008, the City of Wildomar City Council noticed a public hearing for October 8, 2008, to receive testimony regarding the annexation of Location 53 to Zone 3 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated (L&LMD No. 89-1-C). Annexation of Location 53 to Zone 3 will fund the maintenance and servicing of landscaping within public rights-of-way located northerly of Canyon Dr and includes 50 single-family residential lots.

On August 14, 2008 a notice of the public hearing and mail-in ballot, an impartial analysis, a copy of Resolution No. 08-58, and an information sheet was mailed to all property owners within Location 53, proposed for annexation to L&LMD No. 89-1-C. Pursuant to the notice, all ballots must be returned prior to the conclusion of the public hearing.

Notice of the public hearing was also given by publication of a certified copy of Resolution No. 08-58 in The Press Enterprise at least ten (10) days prior to the public hearing date.

Section 53753 of the Government Code has been amended. It requires that the City Council after conducting the public hearing designate an impartial person, having no vested interest in the outcome of the proposed annexation, to tally the ballots received by the close of the public hearing at a specified time, date and place.

ALTERNATIVES:

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

Submitted by:

Juan C. Perez
Director of Transportation,
County of Riverside acting
on behalf of the City of Wildomar

Approved by:

John Danielson
Interim City Manager

CITY OF WILDOMAR
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

ENGINEER'S REPORT FOR FISCAL YEAR 2009-10

for

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED STREET LIGHTING ZONE 88,

PREPARED BY:

RIVERSIDE COUNTY
TRANSPORTATION DEPARTMENT
SEPTEMBER 24, 2008

AGENCY: **CITY OF WILDOMAR, COUNTY OF RIVERSIDE, CALIFORNIA**

PROJECT: **LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED - STREET LIGHTING ZONE 88 ANNEXATION**

TO: **CITY COUNCIL**

ENGINEER'S REPORT
FOR FISCAL YEAR 2009-10

Pursuant to the provisions of Section 22565 through 22574 of the Landscaping and Lighting Act of 1972, said act being Part 2 of Division 15 of the Streets and Highways Code of the State of California, Section 4 of Article XIIID of the California Constitution, and direction from the City of Wildomar City Council of Riverside County, California submitted herewith is the Report for Landscaping and Lighting Maintenance District No. 89-1-Consolidated - Street Lighting Zone 88 Annexation consisting of four (4) parts as follows:

PART I

A general description and plans of street lighting services proposed to be funded.

PART II

An estimate of the cost of the street lighting services including incidental costs and expenses in connection therewith for fiscal year 2009-10, is as set forth on the lists thereof, attached hereto.

PART III

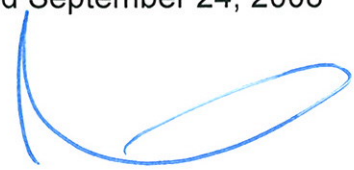
A diagram displaying each streetlight to be energized illustrating the parcels receiving the service, the lines and dimensions of each parcel of land within said Street Lighting Zone 88, as the same exists on the maps of the Assessor of Riverside County for fiscal year 2009-10 is filed in the Office of the Riverside County Transportation Department. A reduced copy thereof is filed herewith and made a part hereof. Any changes in organization for said District (i.e. annexation) is discussed in this part.

PART IV

A proposed assessment of the total costs and expense of the proposed street lighting services for fiscal year 2009-10 upon each parcel of land within said Street Lighting Zone 88, in proportion to the estimated benefits to be received by such parcels from said streetlights, is set forth upon the assessment roll filed herewith and made a part hereof.

There is only one property owner within the proposed boundaries of Street Lighting Zone 88 and said property owner has executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election and public hearing to be held on December 3, 2008; a copy of said waiver is filed herewith and made a part hereof.

Dated September 24, 2008



Juan C. Perez, Director of Transportation
County of Riverside, California;
acting on behalf of the City of Wildomar

PART I

DESCRIPTION OF SPECIFICATIONS
FOR STREET LIGHTING SERVICES
FOR FISCAL YEAR 2009-10
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT
NO. 89-1-CONSOLIDATED, STREET LIGHTING ZONE 88
CITY OF WILDOMAR, COUNTY OF RIVERSIDE, CALIFORNIA

Specifications

Specifications displaying the street lighting services are shown on Street Lighting Zone 88 exhibit within the public right-of-way:

Provision of electricity to all streetlights within the public right-of-way to be funded by Street Lighting Zone 88 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated including incidental costs and expenses:

- Northeasterly of Hidden Springs Rd
- Southeasterly of Clinton Keith Rd

Description of Services

Services to be funded include electrical costs for street lighting, and incidental administrative costs.

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED

STREET LIGHTING ZONE 88

PORTION OF SECTION 1, T.7S., R.4W.

CONDITIONAL USE PERMIT NO. 03504R1 - 2 PARCELS

CITY OF WILDOMAR

N

300 150 0 Feet

1 inch equals 300 feet

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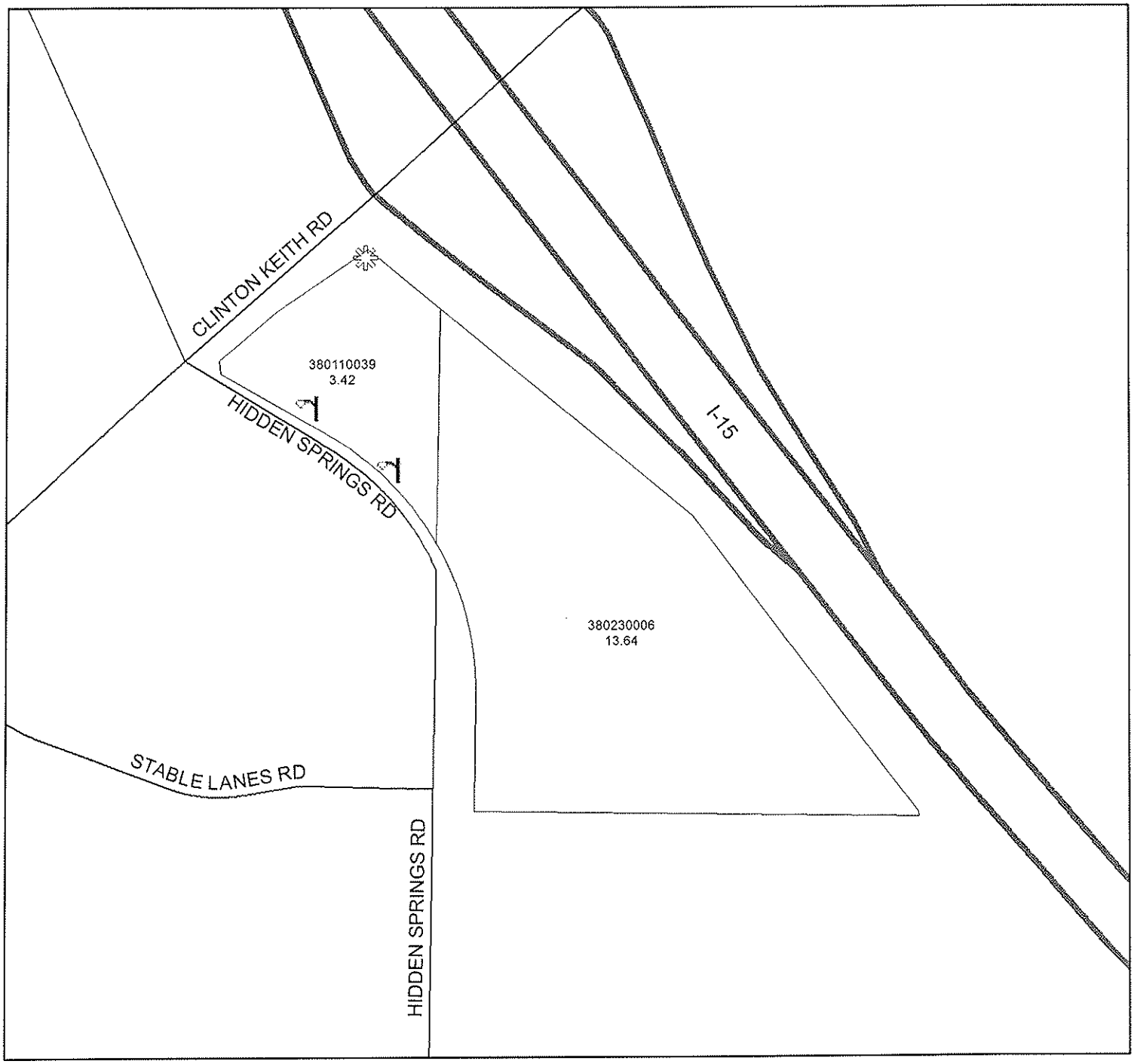

DENOTES MAINTAINED STREETLIGHT

TRANS_FUTURE_STREETLIGHT

DENOTES MAINTAINED TRAFFIC SIGNAL

PART II

ENGINEER'S ESTIMATE OF COSTS AND EXPENSES
FOR STREET LIGHTING SERVICES
FOR FISCAL YEAR 2009-10
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT
NO. 89-1-CONSOLIDATED, STREET LIGHTING ZONE 88
CITY OF WILDOMAR, COUNTY OF RIVERSIDE, CALIFORNIA

The cost estimate contains each of the items specified in Section 22569 of the Landscaping and Lighting Act of 1972.

Cost Estimate for Street Lighting Zone 88

Costs for Provision of Electricity	
Servicing[1] of the Streetlights	$600.00
Administrative Costs[2]	60.00
Total Amount to be Assessed for FY 2009-10	**$660.00**

[1]Servicing means funding of energy costs.

[2]Administrative Costs include County administration, preparation of Engineer's Report, and County Auditor-Controller fees.

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED
CITY OF WILDOMAR
STREET LIGHTING ZONE 88
SUMMARY
ANNUAL BUDGET
FISCAL YEAR 2009-10

QTY	TYPE	COST PER	TOTAL	ANNUAL ADM COST	ANNUAL RATE
2	Streetlights	$ 300.00	$ 600.00	$ 60.00	$ 660.00

TOTAL BUDGET	**$ 660.00**
FISCAL YEAR 2009-10 ASSESSMENT	**$38.68/acre**

17.06 acre(s)

Utility Provider: SCE

PART II

ENGINEER'S ESTIMATE OF COSTS AND EXPENSES FOR STREET LIGHTING SERVICES FOR FUTURE CLINTON KEITH RD STREETLIGHT LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED, STREET LIGHTING ZONE 88 CITY OF WILDOMAR, COUNTY OF RIVERSIDE, CALIFORNIA

The cost estimate contains each of the items specified in Section 22569 of the Landscaping and Lighting Act of 1972.

Cost Estimate for Street Lighting Zone 88

Costs for Provision of Electricity	
Servicing[1] of the Streetlights	$300.00
Administrative Costs[2]	30.00
Total Additional Amount to be Assessed in Fiscal Year in which Additional Improvements are Completed	**$330.00**

[1]Servicing means funding of energy costs.

[2]Administrative Costs include County administration, preparation of Engineer's Report, and County Auditor-Controller fees.

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED
CITY OF WILDOMAR
STREET LIGHTING ZONE 88
SUMMARY
ANNUAL BUDGET
FOR FUTURE CLINTON KEITH RD STREETLIGHT

QTY	TYPE	COST PER	TOTAL	ANNUAL ADM COST	ANNUAL RATE
1	Streetlights	$ 300.00	$ 300.00	$ 30.00	$ 330.00

TOTAL BUDGET	**$ 330.00**
FUTURE ANNUAL ASSESSMENT	**$ 19.34/acre**

17.06 acre(s)

Utility Provider: SCE

PART III

ASSESSMENT DIAGRAM AND CHANGES IN ORGANIZATION FOR FISCAL YEAR 2009-10 LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED, STREET LIGHTING ZONE 88 CITY OF WILDOMAR, COUNTY OF RIVERSIDE, CALIFORNIA

Assessment Diagram

A reduced copy of the Assessment Diagram is filed herewith and made a part hereof.

Changes in Organization

Street Lighting Zone 88

A map displaying all streetlights within Street Lighting Zone 88 Annexation as shown on the following Exhibit is filed herewith and made a part hereof changes the organization for this District for Fiscal Year 2009-10.

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED

STREET LIGHTING ZONE 88

PORTION OF SECTION 1, T.7S., R.4W.

CONDITIONAL USE PERMIT NO. 03504R1 - 2 PARCELS

CITY OF WILDOMAR

N

300 150 0 Feet

1 inch equals 300 feet

ASSESSMENT DIAGRAM

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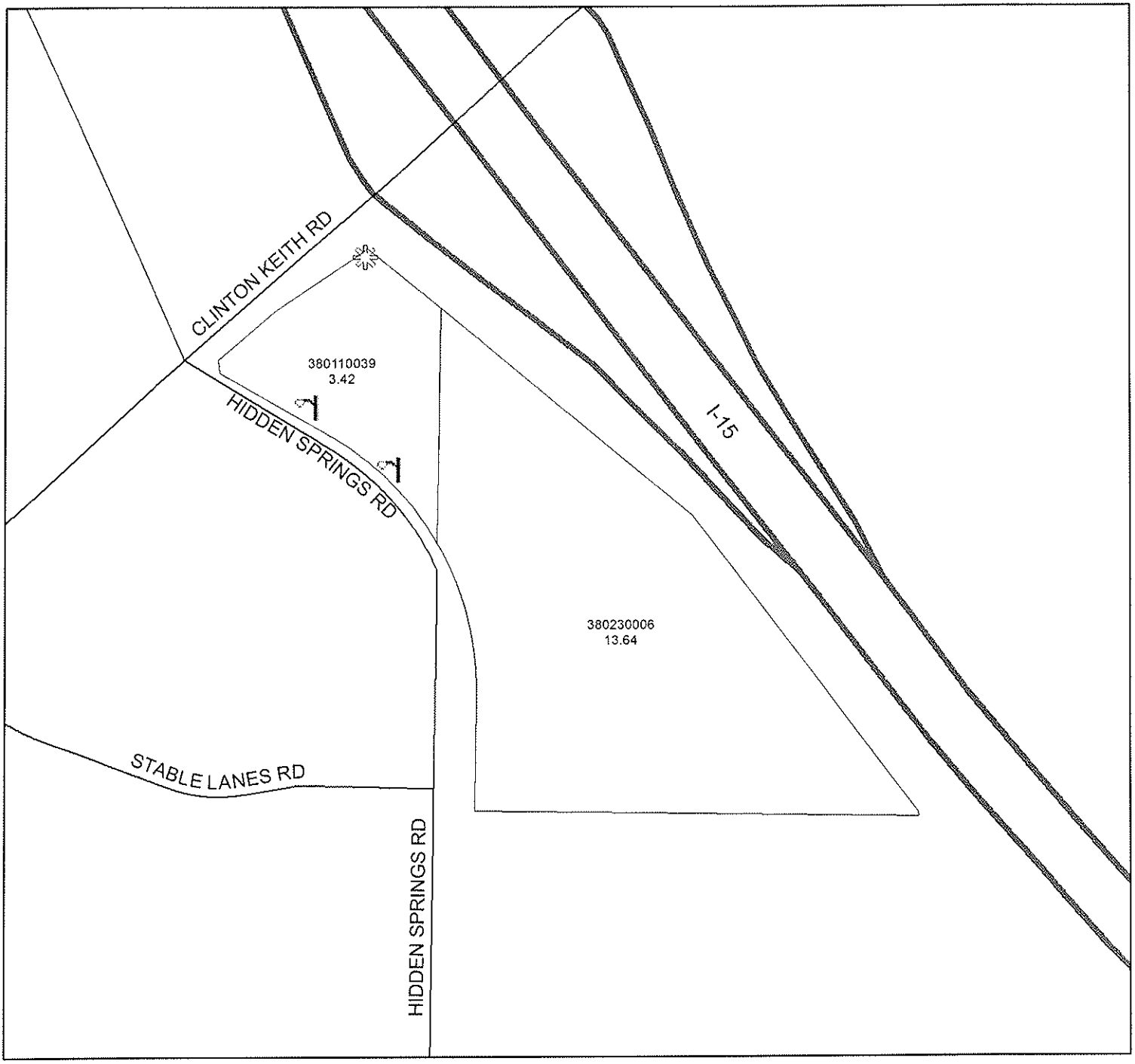

DENOTES MAINTAINED STREETLIGHT

TRANS_FUTURE_STREETLIGHT

DENOTES MAINTAINED TRAFFIC SIGNAL

PART IV

ASSESSMENT FOR FISCAL YEAR 2009-10
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT
NO. 89-1-CONSOLIDATED, STREET LIGHTING ZONE 88
CITY OF WILDOMAR, COUNTY OF RIVERSIDE, CALIFORNIA

"LANDSCAPING AND LIGHTING ACT OF 1972", DIVISION 16 OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA

WHEREAS, on October 8, 2008 the City of Wildomar City Council of the County of Riverside, State of California, did, pursuant to the provisions of the "Landscaping and Lighting Act of 1972", being Division 15 of the Streets and Highways Code of the State of California, adopt Resolution No. 08-69 ordering the preparation of the engineer's report for a special assessment district known and designated as:

Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Street Lighting Zone 88 (herein referred to as "District"); and,

WHEREAS, the City Council, did direct the appointed Engineer to make and file a "Report", in accordance with Article 4 (commencing with Section 22565) of Chapter 1 of Part 2 of Division 15 of the Streets and Highways Code, being an article of the aforementioned Landscaping and Lighting Act of 1972.

WHEREAS, Section 22567 of said Article 4 states the "Report" shall consist of the following;

a. Specifications for the street lighting services
b. An estimate of the street lighting services
c. A diagram for the assessment district
d. An assessment of the estimated costs for the street lighting services

NOW, THEREFORE, I, the appointed ENGINEER, acting on behalf of the City of Wildomar, pursuant to the 'Landscaping Act of 1972", do hereby submit the following:

1. Pursuant to the provisions of law the costs and expenses of the District have been assessed upon the parcels of land in the District benefited thereby in direct proportion and relation to the estimated benefits to be received by each of said parcels. For particulars as to the identification of said parcel, reference is made to the Assessment Diagram, a reduced copy of which is included herein.

2. As required by law, a Diagram is filed herewith, showing the District, as well as the boundaries and dimensions of the respective parcels and subdivisions of land within said District as the same exist each of which subdivisions of land or parcels or lots, respectively, have been given a separate number upon said Diagram and in the Assessment Roll contained herein.

3. The separate numbers given the subdivisions and parcels of land, as shown on said Assessment Diagram and Assessment Roll, correspond with the numbers assigned to each parcel by the Riverside County Assessor. Reference is made to the County Assessment Roll for a description of the lots or parcels.

4. There are no parcels or lots within Street Lighting Zone 88 that are owned by a federal, state or other local governmental agency that will benefit from the services to be provided by the assessments to be collected.

Method of Assessment Apportionment

The law requires and the statutes provide that assessments, as levied pursuant to the "Landscaping and Lighting Act of 1972" be based on the benefit properties receive. The statutes do not specify the method or formula that should be used to apportion the assessment in any special assessment district proceedings.

The funding of energized streetlights provides direct and special benefit to those properties located within Street Lighting Zone 88 in Landscaping and Lighting Maintenance District No. 89-1-Consolidated (DISTRICT). Streetlights enhance the properties within the DISTRICT, improve neighborhood property protection, increase traffic safety by improving visibility, and provide an enhanced quality of life and sense of well being for properties within the DISTRICT.

The costs and expenses for energizing streetlight improvements are apportioned on a per acre basis.

The dollar per acre value for Fiscal Year 2009-10 for Street Lighting Zone 88 is as follows:

Total Budget =	$660.00	
Total No. Acres	17.06 =	$38.68/acre

The assessment for Fiscal Year 2009-10 for Street Lighting Zone 88 that is to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated will be $38.68 per acre. The annual assessment may be increased to an amount not to exceed $58.02 per acre, adjusted for inflation per parcel, starting the fiscal year in which the additional streetlight improvements on Clinton Keith Rd. are completed. The annual assessment will be increased by the greater of two percent (2.0%) or the cumulative percentage increase, if any, in the Consumer Price Index for all Urban Consumers ("CPI-U") for "electricity" for the Los Angeles-Riverside-Orange County California Standard Metropolitan Statistical area ("Index") published by the Bureau of Labor Statistics of United States Department of Labor. The annual "CPI-U" "electricity" adjustment will be based on the cumulative increase, if any, in the Index as it stands on March of each year over the base Index for March of 2008. Any increase larger than the greater of 2.0% or the "CPI-U" "electricity" annual adjustment requires a majority approval of all the property owners within Street Lighting Zone 88.

Waiver and Consent Regarding Date of Assessment Ballot Election

There is only one property owner within the proposed boundaries of Street Lighting Zone 88 and said property owner has executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election and public hearing to be held on December 3, 2008; a copy of said waiver is filed herewith and made a part hereof.

In conclusion, it is my opinion that the assessments for Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Street Lighting Zone 88 have been spread in direct accordance with the benefits that each parcel receives from the items being financed.

Dated September 24, 2008

Juan C. Perez, Director of Transportation
County of Riverside, California;
acting on behalf of the City of Wildomar

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE CITY OF WILDOMAR, CALIFORNIA

WAIVER AND CONSENT REGARDING DATE OF ASSESSMENT BALLOT ELECTION

The undersigned, an authorized representative of Wildomar Square Partners LLC (the "Owner") owns property within the incorporated area of the City of Wildomar (the "City") represented by the following Assessors Parcel Numbers for fiscal year 2009-10 (the "Property"): APN(s) 380-110-039 and 380-230-006.

The Owner has made application that the Property be annexed as Street Lighting Zone 88 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated of the City ("L&LMD No. 89-1-C") and certifies the following:

1. The Owner waives the requirements of Section 4000 of the Elections Code of the State of California (the "Elections Code") that the mailed ballot election required for annexation and the levy of an annual assessment must be held on an established mailed ballot election date pursuant to Section 1500 of the Election Code; and

2. The Owner consents to the mailed assessment ballot election with respect to the levy of an annual assessment on the Property being held on December 3, 2008

OWNER: Wildomar Square Partners LLC
(Name of Company as Stated in Initial Paragraph)

By: _____
Signature

Name: DAVID HARTENSTEIN
Print

Title: ITS MANAGING MEMBER

APN	ACRES	ASSESSMENT
380-110-039	3.42	132.28
380-230-006	13.64	527.60