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Cityhood votes face lawsuit

By: CHRIS BAGLEY - Staff Writer
Wildomar resident challenges county's plan to provide funding

A Wildomar resident seeks to block the transfer of several million dollars to the would-be cities of Wildomar and Menifee Valley after they incorporate, a move he contends would violate state law, according to his lawsuit against Riverside County.

The lawsuit, filed in Riverside Superior Court on Wednesday by Gerard Ste. Marie, does not directly challenge recent decisions to allow the two communities to incorporate. But the funds that St. Marie is targeting are seen as crucial for supporting public services if the two communities incorporate.

The Board of Supervisors, the five-member panel named as the defendant in the lawsuit, signed off July 31 on a plan to pay the two cities for fire protection and services it would no longer have to provide directly to their respective residents.

Financial planners for the county have estimated that Wildomar's incorporation would save the county about \$2.2 million from July 2008 through June 2018. Planners estimated that Menifee Valley's incorporation would save

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the county \$3.8 million to \$14 million, depending on its boundaries, which would include Menifee, Sun City, Quail Valley and possibly parts of Romoland.

Ste. Marie contends that Article 16, Section 6, of the state Constitution prohibits the county from transferring the money without guarantees that the cities would use it to fund particular services.

Supervisors Jeff Stone, whose district includes Menifee and Sun City, and Bob Buster, who represents the 22,000 residents of Wildomar, have generally supported the cityhood efforts, while insisting that voters in the two areas be given the chance to vote.

"They're funding their political ambitions at the cost of the taxpayers' of the county," Ste. Marie said Thursday.

Both supervisors criticized the lawsuit when reached Thursday afternoon.

"I think it's nonsense," Buster said of the lawsuit. "The county would have to spend that money if the communities did not incorporate."

"I think it's going to be deemed frivolous," Stone said.

Using \$25,000 of his own money, Ste. Marie raised a similar objection and others in the spring a move that delayed a vote on Wildomar's cityhood from May to August. But State Controller John Chiang dismissed the objection, and the cityhood bid was approved 6-0 by a panel representing Riverside County and the various cities located within it. Residents in Wildomar are expected to vote on incorporation on Feb. 5.

Voters in Menifee Valley, whose population the panel estimates as high as 60,500, could vote on cityhood as soon as June, with the city incorporating as soon as Oct. 1.

Ste. Marie and other opponents have generally argued that incorporation could lead to higher taxes for Wildomar residents. Critics of the effort distrust a financial analysis completed earlier this year, performed for a leading pro-cityhood group, that projected Wildomar to be able to support a city government and city services. They point to a separate 2006 report that found a less favorable financial climate.

Sheryl Ade, a leader of WIN, called Ste. Marie's lawsuit frivolous.

"It doesn't surprise me," she added. "This guy seems to be making a living on that kind of thing."

-- Staff writer Brian Eckhouse contributed to this article. Contact staff writer Chris Bagley at (951) 676-4315, Ext. 2615, or cbagley@californian.com.

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Comments On This Story

Note: Comments reflect the views of readers and not necessarily those of the North County Times or its staff.

Charles wrote on Nov 1, 2007 11:03 PM:

" Why don't Buster and Stone give other cities money for police and fire, what makes these people in Wildomar so special? They're giving them more than Lake Elsinore gets from the county and Wildomar isn't even a city. "

To Charles wrote on Nov 2, 2007 6:39 AM:

" You ask a very good question! I suspect it won't be long before other Riverside county cities want a real answer, not just a curt, off-the-cuff response from Supervisors and WIN supporters. Can't wait to see how many of these other cities wake up to the possibilities of "free" county funds and start queuing up for their share. Wildomar voters would be wise to ask themselves just how financially viable cityhood is if the county has to chip in funds from the very beginning – and what kind of mess they may end up in if the county can't or won't deliver on Bob Buster's questionable promises. It all boils down to the fact that there isn't enough tax revenue to support a new city – certainly not in light of the present economic conditions and the real estate downturn. If you vote for cityhood, the tax raises won't be far behind! You can call them anything you want – fees, assessments, fines, or surcharges - they all add up to more taxes. "

Where'sours wrote on Nov 2, 2007 7:22 AM:

" If the county board of supervisors wanted to get rid of the financial burden of Wildomar they should of let Murrieta annex them and there would not of been this mess. The county needs to pull their head out. If they start handing out funds to these cities that knowingly cannot support themselves, they better think twice and give funds to all cities and pay Murrieta back their 8 million dollars for their public safety they never paid. "

Think about it! wrote on Nov 2, 2007 8:29 AM:

" Bob Buster doesn't just "generally support" Wildomar cityhood. That's a gigantic understatement of the facts. He has been pushing this community relentlessly towards incorporation. When he saw that LAFCO might not approve a vote for cityhood, he started stuffing offers of county money into the equation. He's that desperate to off load Wildomar before more problems surface. Supervisor Buster's behavior is outrageous. He continues to intervene in the established political process, and is pulling strings to get his handpicked WIN candidates elected to the city council. It's time to tell Buster and his Wildomar Incorporate Now cronies we've had enough of this manipulation and dirty politics. "

Chris Bagley -- Staff Writer wrote on Nov 2, 2007 11:52 AM:

" I'm Chris Bagley, the reporter who wrote this article. For those who are interested, I'm putting up a couple of related links that you can copy and paste into your browser window. The first is Article 16, Section 6, of the California Constitution, which Gerard Ste. Marie cites in his lawsuit: <http://tinyurl.com/2jmb5e>. And here's a map of the three possible boundaries for Menifee Valley: <http://tinyurl.com/29o5bm>. Area 2 goes east to Menifee Road and north to Ethanac Road. Area 3 includes parts of Romoland farther to the north and east. "

To Chris wrote on Nov 2, 2007 12:18 PM:

" You put up Article 16, but your original reference in the story is Article 15. Which is correct? "

Murrieta Resident wrote on Nov 2, 2007 12:50 PM:

" I'm a Murrieta resident and I'm in favor of Wildomar incorporation. Wildomar has one of the worse graffiti problems in the county among other issues. Look at what Lake Elsinore is trying to do cleaning things up, making it more difficult for scofflaws and criminals, etc. It will benefit all of us with the same type of improvement programs going on in Wildomar "

What I Dont Understand wrote on Nov 2, 2007 3:50 PM:

" Wha i dont understand is why Lake Elsinore and Murrieta as a whole hasnt annex'ed the who area, a large part of wildomar is already considered part of Lake Elsinore, and a large part is considered Murrieta at least in the people's eye's. as for the Menifee incorporation i dont agree with the county's actions but think they are on a gooc track. "

All Hail Gerard wrote on Nov 2, 2007 4:30 PM:

" I fail to understand Ste. Marie's intentions for continually attempting to exert his personal will and agenda over the will of the people in the effected areas. If the people of Wildomar and Menifee Valley don't want cityhood, they will vote against it. If they want it, they will vote for it. It's the will of the majority that's important in a free and democratic society. Perhaps he would prefer another form of government? "

Concerned-1 wrote on Nov 2, 2007 4:34 PM:

" Like Rose Rosanadana used to say "It's always something!" In this case, somebody. This guy suing is ridiculous. Whether you are for incorporation or against it, let the people decide. This is a selfish, and egotistical ploy. "

Murrieta Resident wrote on Nov 2, 2007 7:13 PM:

" There's Grafitti, but where are you seeing so much of it that you think it's one of the worst Grafitti areas in the county. I live here so I'm very interested in knowing what and where your seeing this so I can take a look too. Please advise. "

To Where'sours wrote on Nov 2, 2007 8:18 PM:

" Either you weren't here and or you weren't aware, but the County did offer up Wildomar to Murrieta. But the offer was all of Wildomar, not just the new and revenue generating part that Murrieta tried to take. When Buster said all or no deal, Murrieta backed away. "

information for all wrote on Nov 2, 2007 9:13 PM:

" Whether you agree with him or not, Ste. Marie is putting his money where his mouth is. I have yet to decide on cityhood or not, but I am sick and tired of WIN and Buster forcing cityhood down our throat. If cityhood is such a good idea, why did the first financial study say otherwise? Even with the vehicle tax back in play, we still don't have the money. So now the county bends the rules to get ride of us!?! I think it is starting to smell funny. Back to Ste. Marie, all of his efforts are getting attention and spawning an open discussion. A healthy debate of the issues leads to more informed voters. The more WIN tries to silence and dismiss Ste. Marie the more I wonder what their true agenda is. Now I will go out on a limb here and say the last thing I want is a bunch of uniformed voters just flipping a coin on election day. The will of the people is important in a democratic society, but it is not paramount. The majority cannot impose an unfair burden on the minority. Though it may be over dramatic, look how many congress men and women voted to invade Iraq on the misinformation of WMDs? I in no way mean to trivialize the war or intend to equate it to Wildomar, the bottom line is more information would have been nice. As far as ego goes, I have yet to see Ste. Marie on a soap box or using any of this attention for personal gain. Most articles I read he has been unavailable for comment, not trying to spin or distort the issues. Let the debate continue. "

To Where's ours wrote on Nov 3, 2007 7:37 AM:

" The Wildomar Incorporate Now (WIN) group was behind the all-or-nothing decision Buster made about annexation. They ran an active and sometime vicious campaign to defeat Murrieta's annexation bid. They understood any annexation would prevent them from pushing Wildomar to incorporation and cityhood. WIN didn't care then what the residents of Wildomar wanted, and they don't care about that now. They are intent on turning our community into an over-developed, tax revenue-generating city where they get to be big fish in their own little pond. They want to run Wildomar and everybody in it. "

Mark E. wrote on Nov 5, 2007 12:29 PM:

" The article stated what most of us with common sense realized long ago. The fight over cityhood has more to do with paranoid consevatives who are afraid their taxes may go up, even though there is not any proof whatsoever that support that conclusion. Secondly, the residents of Menifee and Wildomar have been paying into a tax base that goes to the county rather than to our local services and needs. The county is, in reality, giving the communities money that was paid by residents of Menifee and Wildomar, and spent on county services. People need to wake up and open their ignorant eyes. Establishing cityhood would be the most economical solution. "

Reardon wrote on Nov 5, 2007 1:16 PM:

" Mark E: I have no dog in this fight -- I live elsewhere, but common sense, and two experiences in incorporation, tell me that communities incorporate so as to gain control of development. Unfortunately, as a city comes the responsibility to build a City Hall, hire police, take over fire responsibility, hire permit people, inspectors, transportation...etc. Very quickly, the new City Management discovers that in order to pay for such overhead, they must approve every building permit submitted - including one for a six-story candy-striped massage parlor - in

order to raise the kind of sales taxes and permit money required to run a City. There may well be good reasons to incorporate a community -- but control of development, or getting taxes closer to home, is certainly not one of them. "

Wes wrote on Nov 5, 2007 3:16 PM:

" Well stated, Mark E. "

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