



Inland News

Suit aims to prevent county giving funds to cityhood efforts



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The Press-Enterprise

A Wildomar man's lawsuit against the county could derail communities from incorporating and put Menifee and Wildomar close to debt if they become cities.

Gerard Ste. Marie filed the suit Wednesday against the Riverside County Board of Supervisors after they voted to give Menifee and Wildomar money annually that would have been spent by the county on community services such as police. The money ranges from \$300,000 to \$1.3 million over the next decade if residents approve cityhood.

The deal allowed both communities to move forward with voting on cityhood by ensuring they would be financially sound.

Ste. Marie said the board cannot give taxpayer money to communities to spend because it constitutes an illegal gift. The suit does not ask the courts to intervene in the voting process scheduled for both Menifee and Wildomar residents in 2008. But if successful, the suit could prevent the county from helping other communities, such as Jurupa and Eastvale incorporate.

"The county has fueled this whole incorporation push for these areas," Ste. Marie said by phone Friday. "What happened was you had poorly planned areas with not enough of a sales tax base to support services. Now the county wants to dump off these areas."

Bob Cashman, who led Wildomar's cityhood drive, said the lawsuit is without merit. Even if the courts side with Ste. Marie, he said Wildomar residents will take it in stride.

"If it causes a problem, like always, we will look for a way around it," he said. "It's not going to affect our cityhood. It's now just a question of how much money is distributed after cityhood. That's for the attorneys to fight about."

Joe Daugherty, director of the Menifee Valley Incorporation Committee, declined to comment because he had not read the lawsuit.

Supervisor Bob Buster could not be reached for comment.

Wildomar and Menifee have worked for cityhood for the past decade.

Both communities had incorporation groups that gathered money to pay for financial reports. Those studies are need to present to the Local Agency Formation Commission to determine whether the communities have a strong enough tax base to be a financially sound city.

Wildomar and Menifee fiscal reports both showed that they could not survive as cities because of operating costs for new fire

stations. The community groups and supervisors worked to iron out a compromise where the county would split the operating costs.

But no contracts were drawn up because county officials said they were not sure how much that cost would be.

Instead, in July 2007, the supervisors agreed to give money to either community if they became cities. County officials said the funds would come from money they would have spent on services if the communities were still with the county.

During the Wildomar public hearing, Ste. Marie cautioned LAFCO commissioners that he believed the exchange of county money is considered an illegal gift of public money because it is not earmarked for any particular service. The money will go into the general funds.

LAFCO counsel said the county is allowed to give out money at its discretion and commissioners shouldn't worry about Ste. Marie's concerns.

Ste. Marie sued the county in the hope of preventing public money from being handed over to the cities if they incorporate.

"They are basically, flatly violating the Constitution," he said.

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Incorporating Cities

A lawsuit to stop the county from giving money to communities could hinder future cityhood efforts.

Menifee and Wildomar: They would lose a chunk of operating money in their first decade of cityhood.

Others pushing for incorporation: Eastvale, Bloomington, and Jurupa.
