

ORDINANCE NO. 08-04

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF WILDOMAR, CALIFORNIA, ADDING
CHAPTER 3.02 TO THE WILDOMAR MUNICIPAL CODE
ESTABLISHING A SPECIAL GAS TAX STREET
IMPROVEMENT FUND

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

SECTION 1. Addition of Chapter 3.02. Chapter 3.02, "Special Gas Tax Street Improvement Fund," is hereby added to Title 3, "Revenue and Finance," of the Wildomar Municipal Code, and shall read as follows:

"Chapter 3.02

SPECIAL GAS TAX STREET IMPROVEMENT FUND

Sections:

3.02.010 Created.

3.02.020 Moneys Included.

3.02.030 Expenditures.

3.02.010 Created. To comply with the provisions of Section 2113 of the California Streets and Highways Code, and to avail the City of the benefits of Sections 2106 and 2107 of the Streets and Highways Code, there is hereby created in the City treasury a special fund to be known as the "Special Gas Tax Street Improvement Fund."

3.02.020 Moneys Included. All moneys received by the City from the State of California's Highway Users Tax Fund, as provided in Sections 2106 and 2107 of the Streets and Highways Code, shall be paid into the Special Gas Tax Street Improvement Fund.

3.02.030 Expenditures. All moneys in the Special Gas Tax Street Improvement Fund shall be expended subject to the provisions of Chapter 3 of Division 3 of the California Streets and Highways Code."

SECTION 2. Declaration of Facts Constituting Urgency. The City has just become incorporated, and is responsible for the maintenance and improvement of public roads. It is necessary that the City immediately identify a source of funding for this activity. To be eligible for money from the State Highway Users Tax Fund, State law requires the City to establish a Special Gas Tax Street Improvement Fund. Therefore, the City Council finds that this ordinance is necessary for the immediate

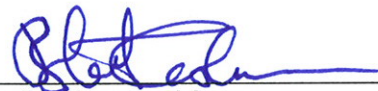
preservation of the public peace, health, and safety, and declares that it shall take effect immediately upon its adoption.

SECTION 3. Severability. If any section, subsection, sentence, clause, or phrase 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 and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional, without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 4. Effective Date. This ordinance shall take immediate effect upon its passage by the City Council.

SECTION 5. Publication. The City Clerk shall cause this ordinance to be published or posted in accordance with Government Code section 36933.

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



Bob Cashman, Mayor

ATTEST:



John Danielson, Interim City Clerk

APPROVED AS TO FORM:



Julie Hayward Biggs, Interim City Attorney

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

I, John Danielson, Interim City Clerk of the City of Wildomar, do hereby certify that the foregoing Ordinance No. 08-04 was duly adopted by the City Council of the City of Wildomar at a special first meeting, held on the 1st day of July, 2008, by the following vote of the Council:

AYES: Cashman; Swanson; Moore; Farnam; Ade

NOES: None

ABSTAIN: None

ABSENT: None



John Danielson, Interim City Clerk