CITY OF WILDOMAR
CITY COUNCIL REGULAR MEETING
GENERAL BUSINESS
Agenda Staff Report # 3.4
Meeting Date: June 10, 2026

SUBJECT: 20-Acre Park Amendments to Purchase and Sale Agreement, Grant of Access Easements, and Water License Agreement

SUBMITTED BY: Jason Farag, Public Works Director/City Engineer

PREPARED BY: Ninette Eva, Associate Engineer

ACTION:
1. Approve and authorize the City Manager to execute the Amendment to Agreement of Purchase and Sale and Joint Escrow Instructions with CAFH Order at Wildomar, Inc.

2. Approve and authorize the City Manager to execute the Amendment to Grant of Access Easements with CAFH Order at Wildomar, Inc. and related Certificate of Acceptance.

3. Approve and authorize the City Manager to execute the Third Amendment to Water License Agreement with CAFH Order at Wildomar, Inc. and related Certificate of Acceptance.

SUMMARY:
The proposed amendments will provide additional time for the City to complete park-related improvements while design, permitting, and coordination efforts continue. The amendments will also allow the City to maintain access and continue using the existing irrigation facilities until permanent City-owned facilities are constructed.

BACKGROUND:
The City's Planned Parks Network in the General Plan identifies a proposed 20-Acre Park (Park) located northeast of Palomar Street and southwest of Gierson Avenue. The Park is planned to include a network of trails, picnic tables, exercise stations, interpretive panel, a community garden, a butterfly/pollinator garden, drinking fountains, pet stations, a disk golf course, bird observation area, raptor perch, solar lighting, bench seating, lawn playfield, shade structures, gates, restrooms, and natural drainage swales. Improvements associated with the Park include parking lots, utilities, and a new bridge over the existing flood control channel. The bridge will connect the City's 0.49-acre vacant parcel adjacent to Palomar Street, which will be used for parking, to the Park.

The 20-acre park property and the adjacent 0.49-acre parking lot parcel were acquired by the City on June 29, 2023, from CAFH Order at Wildomar, Inc. Concurrent with the property acquisition, the City entered into the following related agreements with CAFH.

1. Agreement of Purchase and Sale and Joint Escrow Instructions
2. Grant of Access Easements
3. Water License Agreement

Because several improvements and utility facilities associated with the project are still under design and require the Riverside County Flood Control and Elsinore Valley Municipal District's approvals, amendments to the existing agreements are necessary to provide additional time for completion of the City's obligations and transition to permanent facilities.

DISCUSSION:

Purchase and Sale Agreement Amendment

As part of the original Purchase and Sale Agreement, the City agreed to complete several post-closing obligations, including installation of a screened fence, installation of gates at existing bridge access points, and construction of a future pedestrian bridge connecting the park property and the adjacent parking parcel.

The proposed amendment extends the deadlines for these obligations and modifies provisions related to the walking bridge gate. The amendment would:

- Extend the deadline for installation of the screened fence to February 28, 2027.
- Extend the deadline for installation of the existing pedestrian and existing vehicle bridge gates to February 28, 2027.
- Revise the obligation related to the walking bridge gate for the existing pedestrian bridge to accommodate future coordination with the Riverside County Flood Control and Water Conservation District on park access from Pasadena Street.
- Extend the deadline for construction of the future pedestrian bridge to September 30, 2027, and allow the park to be open to the public ahead of the bridge installation provided access is not taken from Palomar Street.

These revisions provide additional flexibility while the City finalizes park design, secures approvals, and completes the construction.

A copy of the Amendment to Purchase Agreement is included as Attachment A.

Access Easement Amendment

The original Grant of Access Easements established a temporary Maintenance Access Easement and a perpetual Emergency Access Easement benefiting the park property.

The proposed amendment extends the term of the Maintenance Access Easement through September 30, 2027. The extension will allow the City to continue accessing the property through CAFH's property and across the existing vehicle bridge for maintenance, project development activities, and implementation of park-related improvements while permanent access arrangements and park facilities are completed.

The Emergency Access Easement remains unchanged.

A copy of the Access Easement Amendment is included as Attachment B.

Water License Agreement

At the time of property acquisition, the City entered into a Water License Agreement allowing temporary use of CAFH's existing water infrastructure to irrigate the park property and adjacent parking parcel.

The City is currently pursuing approvals and design of permanent water facilities, including a new water meter, irrigation, and related utility improvements. Until those facilities are installed

and operational, the City will require continued use of CAFH's existing water system. The proposed Third Amendment extends the Water License Agreement through September 30, 2027, or until the City installs and uses its own water facilities, whichever occurs first.

The amendment maintains the City's obligation to pay CAFH $333.33 per month for water usage during the term of the agreement.

A copy of the Third Amendment is included as Attachment C.

Since the acquisition of the park property, Staff has been working with the design consultant, Architerra, to complete the design of the obligations noted above. Initial opening of the park property for public use, in the property's existing condition, is expected to be complete by Winter 2026. The initial opening is planned to provide access to the park property from Gierson Ave., with a temporary gravel parking lot located within the park southwest of Gierson Ave. Completion of the new bridge and parking lot on Palomar St. is planned to occur by September 2027, which will provide access to the park from Palomar St.

Future phases of the park are being designed but have not yet been scheduled. Once the design of those phases is complete and final cost estimates are available, a potential schedule based on available funding can be prepared.

FISCAL IMPACT:
The City is responsible to pay CAFH's attorney's fees related to the amendment of the Agreement, Access Easement, and Water License Agreement. The proposed Purchase Agreement Amendment and Access Easement Amendment have no fiscal impacts beyond City legal costs, CAFH legal costs, staff costs, and future obligations already anticipated as part of development of the 20-Acre Park Project.

In addition to legal and staff expenses, the Third Amendment to Water License Agreement requires the City to continue paying CAFH $333.33 per month for use of the existing water facilities. Assuming the agreement remains in effect through September 30, 2027, the estimated annual cost is approximately $4,000.

Project costs are covered by the project budget included in the existing FY 25/26 budget and the proposed FY 26/27 budget. Water use costs are covered by the City's park maintenance budgets.

ATTACHMENTS:
Presentation
A - Amendment to Purchase Agreement
B - Amendment to Grant of Access Easements
C - Amendment to Water License Agreement