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**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: Economic Development Agency

SUBMITTAL DATE: July 21, 2003

SUBJECT: Actions necessary to conduct an election to levy a parcel assessment in County Service Area 149 (Wine Country)

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Adopt Resolution No. 2003-331, Levying a Parcel Assessment to Finance Landscape Maintenance Services within County Service Area 149 (Wine Country);
- 2) Authorize the Economic Development Agency to conduct the mail out election and an assessment validation procedure to be concluded on September 23, 2003;
- 3) Direct the Clerk of the Board to advertise and set the public hearing for September 23, 2003 at 10:00 am; and
- 4) Approve the attached ballot question to be used in the election.

BACKGROUND: On July 15, 2003, the Board of Supervisors approved Resolution No. 2003-19, which established a Landscaping Maintenance Zone of Benefit within CSA 149. The Economic Development Agency has proposed to improve specified areas of the Temecula Valley Wine Country with the installation of landscaping within the public right of way. A funding mechanism needs to be established for the long-term maintenance of the improvements. These services must be supported by a parcel assessment, which may be collected only after receiving approval from the affected property owners. Economic Development Agency will conduct the necessary mailout election. Attached for approval is Resolution No. 2003-331 which will allow the imposition of these taxes, the proposed list of affected property owners (Exhibit "A"), and the ballot question to be used in the election (Exhibit "B"- Assessment Ballot).

County Counsel has approved the resolution and ballot as to form.

Bradley J. Hudson
Assistant County Executive Officer

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FINANCIAL DATA:

CURRENT YEAR COST: \$0
NET COUNTY COST: \$0
BUDGET ADJUSTMENT: NO
COMPANION ITEM ON BOARD OF DIRECTORS AGENDA: NO
SOURCE OF FUNDS: NA

ANNUAL COST: \$0
IN CURRENT YEAR BUDGET: YES
FOR FY: 2003/2004

BY
JUL 18 2003
ASSISTANT COUNTY COUNSEL

FORM APPROVED
COUNTY COUNSEL

C.E.O. RECOMMENDATIONS: APPROVE

County Executive Officer Signature:

Department Recommendation: Consent Policy
Per Executive Office: Consent Policy

2 RESOLUTION NO. 2003-331

3
4 LEVYING A PARCEL ASSESSMENT TO FINANCE
5 LANDSCAPE MAINTENANCE SERVICES
6 WITHIN COUNTY SERVICE AREA NO. 149

7 WHEREAS, pursuant to the Authority of Government Code Section 25210.1 et seq.,
8 County Service Area Law, the County of Riverside levies various charges for extended
9 governmental services;

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11 WHEREAS, pursuant to Riverside County Ordinance No. 573, a procedure for the levy
12 and collection of charges was established, allowing the annual setting of such charges,
13 assessments, and fees;

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15 WHEREAS, in November, 1996, a constitutional initiative, Proposition 218, was
16 approved by the voters of the State of California, with the express purpose of ensuring that all
17 taxes and most charges on property owners as subject to voter approval; and

18
19 BE IT RESOLVED, DETERMINED, AND ORDERED by the Board of Supervisors of
20 the County of Riverside, State of California, in regular session assembled on July 29, 2003, that
21 it is the intent of this Board to levy a parcel assessment for landscape maintenance services on
22 the property identified in Exhibit "A," attached hereto and incorporated by reference herein.

23
24 BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED that the parcel
25 assessment imposed by this resolution shall be retained in the CSA 149 Zone of Benefit fund to
26 be used only for purposes of financing landscape maintenance services.

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1 BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that such
2 assessments will be levied as follows;

3 1. Notice shall be mailed to owners of identified parcels containing the information
4 required by Article XIID, Section 4 (c) and (d) of the California Constitution.

5 2. Not less than 45 days after mailing of such notice a public hearing will be
6 conducted on September 23, 2003 to consider all protests and tabulate the ballots.

7 3. Implementation and collection of those assessments approved shall be pursuant to
8 the provisions of Riverside County Ordinance No. 573.

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10
11 FORM APPROVED
12 COUNTY COUNSEL

13 JUL 18 2003

14 BY 
15 ASSISTANT COUNTY COUNSEL
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Exhibit "A"

Assessor Parcel Number

Zone A

Area 1

- 1) 951-060-008 Churon Winery
- 2) 943-090-027 Hart Winery
- 3) 951-020-007 Thornton Winery
- 4) 943-120-019 Longshadow Ranch Winery
- 5) 943-120-023 Mount Palomar Winery
- 6) 943-260-001 Callaway Vineyard & Winery
- 7) 951-100-001 Stuart Cellars
- 8) 927-630-020 Baily Vineyard & Winery
- 9) 943-110-007 Miramonte Winery
- 10) 943-240-004 Falkner Winery
- 11) 942-230-001 Ponte Winery
- 12) 942-230-003 South Coast Winery
- 13) 942-170-002 Wilson Creek Winery & Vineyard
- 14) 951-140-042 Van Roekel Vineyards & Winery

Area 2

- 15) 951-140-056 Cilurzo Vineyard & Winery

Area 3

- 16) 941-290-002 Filsinger Vineyard & Winery
- 17) 927-630-012 Keyways Vineyard & Winery
- 18) 942-200-011 Palumbo Family Vineyards & Winery

EXHIBIT "B"

ASSESSMENT BALLOT

CREATION OF A LANDSCAPE MAINTENANCE ZONE OF BENEFIT
WITHIN COUNTY SERVICE AREA NO. 149 – WINE COUNTRY
OF THE COUNTY OF RIVERSIDE

INSTRUCTIONS:

1. HOW TO COMPLETE THIS BALLOT:

In the space provided below, indicate your vote by placing a cross (+) in the space opposite your choice with a pen. Sign this ballot in the space provided for your signature. By signing this ballot you are certifying that you own the parcel of land and are authorized to sign this ballot. **YOUR VOTE WILL BE DISQUALIFIED IF YOU DO NOT SIGN THIS BALLOT IN THE SPACE INDICATED BELOW.**

2. RETURNING YOUR BALLOT:

Return this **entire page** in the enclosed envelope by depositing it in the U.S. Mail to the address shown on the enclosed postage paid return envelope or by hand delivery to Riverside County Economic Development Agency, 3525 14th Street, Riverside, CA 92501.

3. DEADLINE FOR THE RETURN OF BALLOT:

If returned by deposit in the U.S. Mail, the envelope must be deposited in the U.S. Mail and received by the County prior to the hearing scheduled for September 23, 2003. If delivered by hand, the ballot will be accepted at the Economic Development Agency 3525 14th Street, Riverside, California until the time set for the public hearing on September 23, 2003, at 9:00 a.m. **IF THE BALLOT IS NOT RECEIVED BY THE TIMES INDICATED, YOUR BALLOT WILL NOT BE ACCEPTED.**

If a two-thirds (2/3) majority of the ballots received are in favor of the assessment, the New Landscape Maintenance Zone of Benefit will begin in fiscal year 2004-2005.

The total special annual assessment to be levied in the proposed Zone A to pay for the landscape maintenance is \$2,750.00 per parcel, per year on specific winery parcels within the area identified above.

The amount to be assessed on your parcel, for fiscal year 2004-05 is listed in the box below as the "Assessment Amount". This assessment may increase a maximum of 2% annually. The assessment cannot be increased beyond that 2% without a two-thirds (2/3) majority vote of the property owners of record.

VOTE HERE:

Do you agree that the parcels described as the Zone of Benefit shall be annexed into Zone A of CSA 149 (Wine Country) and that an annual special assessment shall be levied at a rate of \$2,750.00 per parcel, per year to maintain the landscape improvements located in the Temecula Valley Wine Country which will be constructed by the Economic Development Agency? Such services shall be commencing in Fiscal Year 2004-05 and said assessment may increase up to 2% annually for inflation.	YES	()
	NO	()

Name
Address

Parcel Number XXX-XXX-XXX
Assessment Amount \$2,750.00

Signature of Property Owner of Record

I certify that I am the owner of this parcel for which this ballot is to be cast and am authorized to cast this vote