

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

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FROM: TLMA – Transportation Dept. **SUBMITTAL DATE:** August 11, 2003

SUBJECT: Assessment levy for FY 2003-2004 for Zones 1, 3, 4, 5, 6, 7, 8, 9, 10, 16, 17, 19 and 21 of Landscaping & Lighting Maintenance District No. 89-1-Consolidated

RECOMMENDED MOTION:

That the Board conduct the public hearing and after concluding the hearing adopt:

Resolution No. 2003-380 confirming the diagram and assessment for Zones 1, 3, 4, 5, 6, 7, 8, 9, 10, 16, 17, 19 and 21 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated and levying assessments on all assessable lots and parcels of land therein for fiscal year 2003-2004.

Juan C. Perez
Deputy Director of Transportation

George A. Johnson
Director of Transportation

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By

FINANCIAL DATA:

CURRENT YEAR COST	\$0	ANNUAL COST:	\$943,505.00
NET COUNTY COST	\$0	IN CURRENT YEAR BUDGET:	Yes/ X No/
		BUDGET ADJUSTMENT	Yes/ X No/
		FY:2003-2004	

SOURCE OF FUNDS: Landscaping & Lighting Maintenance District No. 89-1-Consolidated

C.E.O. RECOMMENDATION:

APPROVE

County Executive Officer Signature

- Department Recommendation: Consent Policy
- Per Executive Office: Consent Policy

Prev. Agn. Ref.

Dist. 1, 2, 3 & 4

AGENDA NO.

9.15

FORM APPROVED COUNTY COUNSEL

BACKGROUND:

There is no assessment increase proposed in Zones 1, 3, 10, 16 and 21 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated ("L&LM Dist. No. 89-1-C") for fiscal year 2003-04.

Assessment increases are proposed for Zones 4, 5, 6, 7, 8, 9, 17 and 19 of L&LM Dist. No. 89-1-C for fiscal year 2003-04 in the amount of two percent (2%) over the assessment levied for fiscal year 2002-03. The two percent (2%) inflationary increase is consistent with the ballot proposition approved by the qualified electors when establishing said zones.

The assessment for fiscal year 2003-04 for L&LM Dist. No. 89-1-C, Zone 1 remains at \$178.53 per acre; and Zone 10 remains at \$ 315.58 per acre; and Zone 16 remains at \$ 45.98 per Equivalent Dwelling Unit (EDU); and Zone 21 remains at \$ 139.16 per parcel.

The proposed two percent (2%) inflationary increase in assessments for fiscal year 2003-04 for L&LM Dist. No. 89-1-C, Zones 4, 5, 6, 7, 8, 9, 17 and 19 are as follows:

	<u>Existing assessment in Fiscal Year 2002-03</u>	<u>Proposed increased assessment in Fiscal Year 2003-04</u>
Zone 4	\$ 23.88 per EDU	\$ 24.36 per EDU
Zone 5	\$ 36.46 per parcel	\$ 37.18 per parcel
Zone 6	\$170.48 per parcel	\$173.88 per parcel
Zone 7	\$ 3.86 per acre	\$ 3.94 per acre
Zone 8	\$ 36.16 per EDU	\$ 36.88 per EDU
Zone 9	\$ 32.64 per parcel	\$ 33.29 per parcel
Zone 17	\$394.56 per acre	\$402.42 per acre
Zone 19	\$152.02 per parcel	\$155.06 per parcel

Pursuant to the Landscaping and Lighting Act of 1972 and Resolution No. 2003-379, adopted on July 29, 2003, the Board of Supervisors noticed a public hearing for August 19, 2003, to receive testimony regarding the assessment levy for fiscal year 2003-04 for Zones 1, 3, 4, 5, 6, 7, 8, 9, 10, 16, 17, 19 and 21 of L&LM Dist. No. 89-1-C. Notice of the public hearing was given by publication of a certified copy of Resolution No. 2003-379 in The Press Enterprise at least ten (10) days prior to the public hearing date of August 19, 2003.

Adoption of Resolution No. 2003-380 confirms the assessment levy, as indicated in the Engineer's Report for fiscal year 2003-04 for L&LM Dist. No. 89-1-C and orders the placement of the annual assessment of the County's Assessment Roll.

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2 **RESOLUTION NO. 2003-380**

3 **RESOLUTION OF THE BOARD OF SUPERVISORS CONFIRMING THE DIAGRAM**
4 **AND ASSESSMENT FOR ZONES 1, 3, 4, 5, 6, 7, 8, 9, 10, 16, 17, 19 AND 21 OF**
5 **LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT**
6 **NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE AND LEVYING**
7 **ASSESSMENTS ON ALL ASSESSABLE LOTS AND PARCELS OF LAND**
8 **THEREIN FOR FISCAL YEAR 2003-2004**

9 WHEREAS, on July 29, 2003 the Board of Supervisors (hereinafter the "Board of
10 Supervisors") of the County of Riverside (hereinafter the "County"), adopted Resolution No.
11 2003-379, pursuant to Section 22624 of the Streets and Highways Code, which among
12 other things, scheduled a public hearing on the annual levy and collection of assessments
13 on all lots and parcels of assessable land in thirteen Zones (hereinafter "Zone 1", "Zone
14 3", "Zone 4", "Zone 5", "Zone 6", "Zone 7", "Zone 8", "Zone 9", "Zone 10", "Zone 16", "Zone
15 17", "Zone 19", "Zone 21" and, collectively "Zones", and, collectively "Zones") of
16 Landscaping and Lighting Maintenance District No. 89-1-Consolidated (hereinafter "L&LM
17 Dist. No. 89-1-C") for fiscal year 2003-2004 to pay the costs of the installation and planting
18 of landscaping; the installation of irrigation or electrical facilities; and the maintenance and
19 servicing of such landscaping improvements, for 10:00 a.m. on August 19, 2003, at the
20 meeting room of the Board of Supervisors at 4080 Lemon Street, 1st Floor, Riverside,
21 California; and

22 WHEREAS, notice of said public hearing was duly published as required by
23 Resolution No. 2003-379 and Section 22626(a) of the Streets and Highways Code; and

24 WHEREAS, at the time and place of said public hearing, as set forth in Resolution
25 No. 2003-379, the Board of Supervisors held the public hearing and afforded all interested
26 persons an opportunity to testify and be heard, and considered all oral statements and all
27 written protests or communications made or filed by any interested persons and at the
28 conclusion of said hearing determined that a majority protest had not been received; and

WHEREAS, the Board of Supervisors may proceed, pursuant to Section 22631 of
the Streets and Highways Code, to adopt a resolution confirming the diagram and

1 assessment, either as originally proposed, or as changed by it, and the adoption of such a
2 resolution shall constitute the levy of an assessment on all assessable lots and parcels of
3 land within Zones 1, 3, 4, 5, 6, 7, 8, 9, 10, 16, 17, 19, and 21 of L&LM Dist. No. 89-1-C for
4 fiscal year 2003-2004;

5 NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED
6 by the Board of Supervisors in regular session assembled on August 19, 2003 as follows:

7 Section 1. Findings. The Board of Supervisors finds:

8 (a) the preceding recitals are correct;

9 (b) compliance has been had with all of the requirements of the Landscaping
10 and Lighting Act of 1972, Part 2 (commencing with Section 22500) of Division 15 of the
11 Streets and Highways Code;

12 (c) a majority protest to the annual levy for existing Zones 1, 3, 4, 5, 6, 7, 8, 9,
13 10, 16, 17, 19, and 21 of L&LM Dist. No. 89-1-C has not been filed;

14 (d) the Board of Supervisors may proceed to adopt a resolution confirming the
15 diagram and assessment for Zones 1, 3, 4, 5, 6, 7, 8, 9, 10, 16, 17, 19, and 21 of L&LM
16 Dist. No. 89-1-C either as originally proposed or as changed by it; and

17 (e) the assessments to be levied on the assessable lots and parcels of land in
18 Zones 1, 3, 4, 5, 6, 7, 8, 9, 10, 16, 17, 19, and 21 of L&LM Dist. No. 89-1-C
19 for the installation and planting of landscaping; the installation of irrigation or
20 electrical facilities; and the maintenance and servicing of such landscaping
21 improvements in said district during fiscal year 2003-2004 contained in the
22 report to the Director of Transportation which is on file with the Clerk of the
23 Board of Supervisors (hereinafter the "Report") are based on benefits derived
24 by such lots and parcels from the availability of such landscaping
25 improvements, and are not based upon the ownership or value of such lots
26 and parcels.

27 Section 2. Improvements. The improvements authorized for Zones 1, 3, 4, 5,
28 6, 7, 8, 9, 10, 16, 17, 19, and 21 of L&LM Dist. No. 89-1-C are:

- 1 (a) the installation and planting of landscaping, including trees, shrubs, grass
2 and other ornamental vegetation;
3 (b) the installation of irrigation or electrical facilities; and
4 (c) the maintenance or servicing of any of the foregoing.

5 Section 1. Improvements. The improvements authorized for Zones 1, 3, 4, 5, 6,
6 7, 8, 9, 10, 16, 17, 19 and 21 of L&LM Dist. No. 89-1-C are:

- 7 (a) The installation and planting of landscaping, including trees, shrubs, grass
8 and other ornamental vegetation; and,
9 (b) The installation of irrigation and electrical facilities; and
10 (c) The maintenance or servicing of any of the foregoing.

11 In addition, Zone 4 is authorized to provide the following:

- 12 (1) Weed abatement and debris clean-up of multi-purpose trails;
13 (2) Maintenance, repair and/or replacement of multi-purpose trail lighting;
14 (3) Maintenance, repair and/or replacement of off-leash dog park facilities.

15 In addition, Zone 5 is authorized to provide the following:

- 16 (1) Weed abatement and debris clean-up of multi-purpose trails;
17 (2) Maintenance, repair and/or replacement of wood lodge-pole fencing.

18 In addition, Zone 16 is authorized to provide the following:

- 19 (1) Maintenance, repair and/or replacement of decorative and monument
20 lighting;
21 (2) Debris clean-up and sweeping of adjacent sidewalks.

22 In addition, Zone 19 is authorized to provide the following:

- 23 (1) Maintenance, repair and/or replacement of catch basin filtration system.

24 In addition, Zone 21 is authorized to provide the following:

- 25 (1) Weed abatement and debris clean-up of multi-purpose trails.

26 Section 3. Confirmation of Report. The Report and the assessment diagram and
27 the assessment of the estimated costs of the installation, and maintenance and servicing of
28 landscaping improvements in Zones 1, 3, 4, 5, 6, 7, 8, 9, 10, 16, 17, 19, and 21 of L&LM

1 | Dist. No. 89-1-C for fiscal year 2003-2004 contained in the Report are confirmed.

2 | Section 4. Levy of Assessment. Pursuant to Section 22631 of the Streets and
3 | Highways Code, the adoption of this resolution constitutes the levy of the assessment for
4 | the installation, and maintenance and servicing of landscaping improvements in Zones 1,
5 | 3, 4, 5, 6, 7, 8, 9, 10, 16, 17, 19, and 21 of L&LM Dist. No. 89-1-C for fiscal year 2003-2004
6 | contained in the Report, and such assessment is levied. The Clerk of the Board of
7 | Supervisors is directed to file a certified copy of this resolution, together with the diagram
8 | and assessment contained in the Report with the County Auditor of the County of
9 | Riverside, who, pursuant to Section 22645 of Streets and Highways Code, shall enter on
10 | the County Assessment Roll opposite each lot or parcel of land the amount assessed
11 | thereupon, as shown in said assessment.

12 | Section 5. Effective Date. This Resolution shall take effect from and after its date
13 | of adoption.
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