

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

ASDA



FROM: TLMA – Transportation Dept. **SUBMITTAL DATE:** September 15, 2003

SUBJECT: Landscaping & Lighting Maintenance District No. 89-1-Consolidated,
Annexation of Street Lighting Zone 6

RECOMMENDED MOTION: That the Board:

Adopt Resolution No. 2003-440, Resolution of the County of Riverside confirming the diagram and assessment for Street Lighting Zone 6 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 2003-04.

George A. Johnson
George A. Johnson
Director of Transportation

FORM APPROVED
COUNTY COUNSEL

AUG 28 2003
Judy Davis

FINANCIAL DATA:

CURRENT YEAR COST	\$0	ANNUAL COST:	\$ 182.48
NET COUNTY COST	\$0	IN CURRENT YEAR BUDGET:	Yes/ No/ X
		BUDGET ADJUSTMENT	Yes/ No/ X
		FY:2003-2004	

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

C.E.O. RECOMMENDATION: **APPROVE**

George A. Johnson
County Executive Officer Signature

Department Recommendation: Consent Policy
Per Executive Office: Consent Policy

Prev. Agn. Ref.

Dist. 3

AGENDA NO.

3.50

The Honorable Board of Supervisors
RE: L&LMD No. 89-1-Consolidated
September 15, 2003

Page 2 of 2

BACKGROUND:

On September 9, 2003, a public hearing was held to receive all testimony regarding the annexation of Street Lighting Zone 6 into Landscaping and Lighting Maintenance District No. 89-1-Consolidated ("L&LM Dist. No. 89-1-C"). After closing the public hearing, the Board directed the Director of Transportation, or his/her designee, to tally the ballots that had been received prior to the close of the hearing. The ballots were to be tabulated on September 10, 2003 at 10:00 a.m. in Conference Room B on the 8th Floor of the County Administrative Center. The tabulation shows that votes representing 1 parcel out of a possible 1 parcel was cast, and that 1 vote (or 100%) was in favor of the annexation of Street Lighting Zone 6 of L&LM Dist. No. 89-1-C and the levy and enrollment of the special assessment.

Adoption of Resolution No. 2003-440 confirms the assessment levy as indicated in the Engineer's Report for fiscal year 2003-04 for Street Lighting Zone 6 of L&LM Dist. No. 89-1-C and orders the placement of the annual assessment on the County's Assessment Roll for fiscal year 2003-04.

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3 **RESOLUTION NO. 2003-440**

4 **RESOLUTION OF THE BOARD OF SUPERVISORS ORDERING THE ANNEXATION**
5 **OF STREET LIGHTING ZONE 6 INTO LANDSCAPING AND LIGHTING**
6 **MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF**
7 **RIVERSIDE AND CONFIRMING THE DIAGRAM AND ASSESSMENT FOR**
8 **STREET LIGHTING ZONE 6 OF LANDSCAPING AND LIGHTING MAINTENANCE**
9 **DISTRICT NO. 89-1-CONSOLIDATED AND LEVYING ASSESSMENTS ON ALL**
10 **ASSESSABLE LOTS AND PARCELS OF LAND THEREIN**
11 **FOR THE FISCAL YEAR 2003-2004**

12 WHEREAS, on July 15, 2003, the Board of Supervisors (hereinafter the "Board of
13 Supervisors") of the County of Riverside (hereinafter the "County"), adopted Resolution
14 No. 2003-277, pursuant to Section 22608 and Section 22585 et. seq. of the Streets and
15 Highways Code, declaring the intention of the Board of Supervisors to order the
16 annexation of Street Lighting Zone 6 into Landscaping and Lighting Maintenance
17 District No. 89-1-consolidated (hereinafter "L&LM Dist. No. 89-1-C") of the County
18 pursuant to Landscaping and Lighting Act of 1972, being Part 2 (commencing with
19 Section 22500) of Division 15 of the Streets and Highways Code, and giving notice of
20 and setting a public hearing for 10:00 a.m. on September 9, 2003 at the meeting room
21 of the Board of Supervisors and requiring that notice of the public hearing and ballots be
22 mailed to all owners of property within Street Lighting Zone 6 as shown on the equalized
23 tax roll; and

24 WHEREAS, notice of said public hearing was duly published and mailed as
25 required by Resolution No. 2003-277, Section 22608 of the Streets and Highways Code
and Sections 53753 and 54954.6 of the Government Code and ballots were timely
mailed to all owners of property within said Street Lighting Zone 6 as shown on the
equalized tax roll; and

1 WHEREAS, at 10:00 a.m. on September 9, 2003, as set forth in Resolution No.
2 2003-277, the Board of Supervisors held a public hearing and afforded all interested
3 persons an opportunity to be heard, and considered all oral statements and all written
4 protests or communications made or filed by any interested persons, closed the public
5 hearing and directed the Director of Transportation, or his/her designee, as an impartial
6 person having no vested interest in the annexation of Street Lighting Zone 6 into L&LM
7 Dist. No. 89-1-C as required by Section 53753(e) of the Government Code to tally the
8 ballots that had been received prior to the close of the public hearing; and

9 WHEREAS, the tally of the ballots show that ballots were timely received from the
10 owner of 1 parcel out of a possible 1 parcel and that 1 parcel (100 percent of the ballots
11 received) voted in favor of annexation of Street Lighting Zone 6 into L&LM Dist. No. 89-
12 1-C and the levy of an annual assessment in said Street Lighting Zone 6 beginning
13 fiscal year 2003-2004; and

14 WHEREAS, the Board of Supervisors may proceed, pursuant to Section 22631 of
15 the Streets and Highways Code, to adopt a resolution confirming the diagram and
16 assessment, either as originally proposed, or as changed by the Board, and the
17 adoption of such a resolution shall constitute the levy of an assessment on all
18 assessable lots and parcels of land within Street Lighting Zone 6 of L&LM Dist. No. 89-
19 1-C beginning fiscal year 2003-2004.

20 NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED
21 by the Board of Supervisors of the County assembled in regular session on September
22 23, 2003 as follows:

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

- 24 (a) the proceeding recitals are correct.
- 25 (b) compliance has been had with all of the requirements of the Landscaping

1 and Lighting Act of 1972, being Part 2 (commencing with Section 22500) of
2 Division 15 of the Streets and Highways Code, and Sections 53753 and
3 54954.6 of the Government Code;

4 (c) a majority protest to the annexation of and annual assessment of Street
5 Lighting Zone 6 of L&LM Dist. No. 89-1-C has not been filed.

6 (d) the tally of the mailed ballots timely received was 100 percent voted in favor
7 of the annexation of Street Lighting Zone 6 into L&LM Dist. No. 89-1-C and
8 the levy of an annual assessment beginning fiscal year 2003-2004, and 0
9 percent voted no;

10 (e) the Board of Supervisors may proceed to adopt a resolution ordering the
11 annexation of Street Lighting Zone 6 into L&LM Dist. No. 89-1-C;

12 (f) the Board of Supervisors may proceed to adopt a resolution confirming the
13 diagram and assessment for Street Lighting Zone 6 of L&LM Dist. No. 89-1-
14 C either as originally proposed or as changed by it; and

15 (g) the assessments to be levied on the assessable lots and parcels of land
16 within Street Lighting Zone 6 of L&LM Dist. No. 89-1-C for the funding of
17 energized streetlights in said Street Lighting Zone 6 during the fiscal year
18 2003-2004 as contained in the report of the Director of Transportation which
19 is on file with the Clerk of the Board of Supervisors (hereinafter the "Report")
20 are based on benefits derived by such lots and parcels from the availability
21 of such landscaping improvements, and are not based upon the ownership
22 of such lots and parcels.

23 Section 2. Annexation. Street Lighting Zone 6, as proposed to be annexed into
24 L&LM Dist. No. 89-1-C, includes all the property subject to Public Use Permit No.
25 608R1 as described in Exhibit "A" attached hereto, shall be and is annexed into L&LM
Dist. No. 89-1-C.

1 Section 3. Improvements. The improvements authorized for Street Lighting
2 Zone 6 of L&LM Dist. No. 89-1-C are:

3 (a) funding of energized streetlights.

4 (b) servicing of any of the foregoing.

5 Section 4. Confirmation of Report. The Report and the assessment diagram
6 and the assessment of estimated costs for the funding of energized streetlights in
7 Street Lighting Zone 6 of L&LM Dist. No. 89-1-C for the fiscal year 2003-2004 as
8 contained in the Report are confirmed.

9 Section 5. Levy of Assessment. Pursuant to Section 22631 of the Streets
10 and Highways Code, the adoption of this resolution constitutes the levy of the
11 assessment for the funding of energized streetlights in Street Lighting Zone 6 of L&LM
12 Dist. No. 89-1-C during fiscal year 2003-2004, as contained in the Report, and such
13 assessment is levied. The Clerk of the Board of Supervisors is directed to file a certified
14 copy of this resolution, together with the diagram and assessment contained in the
15 Report with the County Auditor of the County of Riverside, who, pursuant to Section
16 22645 of the Streets and Highways Code, shall enter on the County Tax Roll opposite
17 each lot or parcel of land the amount assesses thereupon, as shown in said
18 assessment.

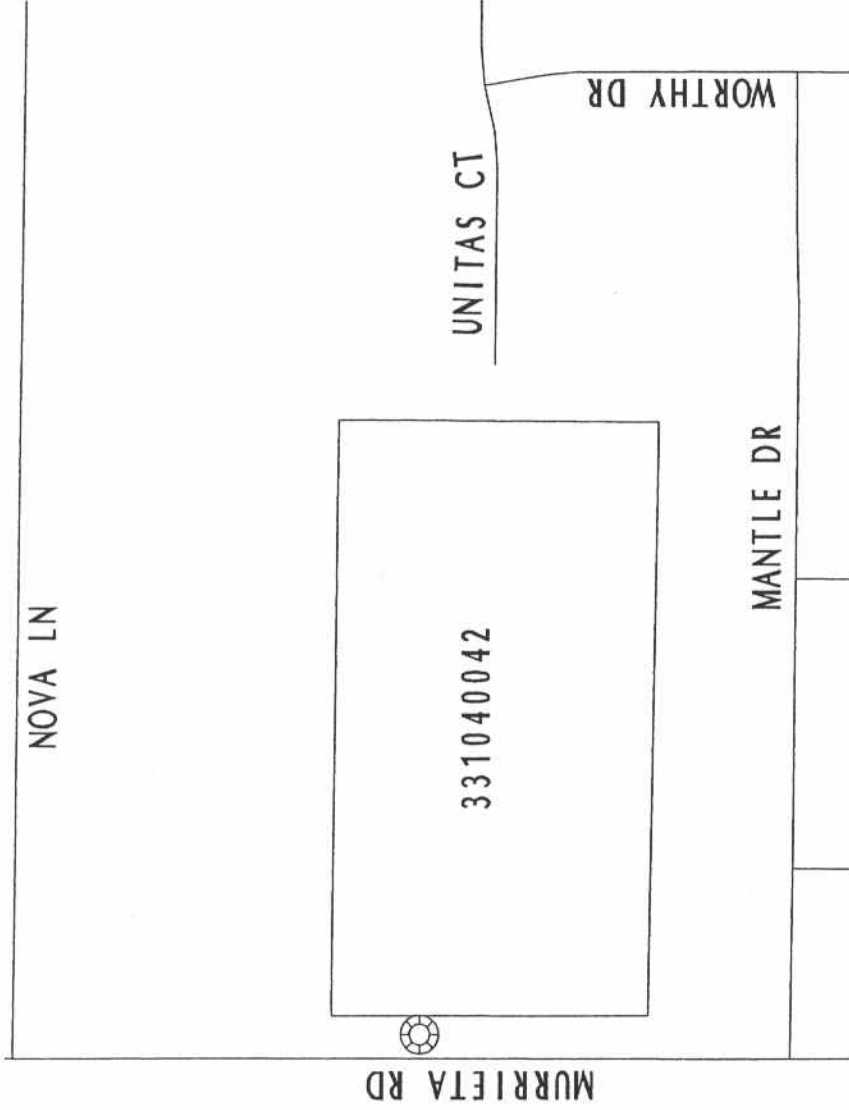
19 Section 6. Effective Date. This Resolution shall take effect from and after
20 its date of adoption.

DESCRIPTION OF BOUNDARIES

The boundaries of Street Lighting Zone 6 to be annexed into Landscaping and Lighting Maintenance District No 89-1-Consolidated, of the County of Riverside are coterminous with the boundaries of APN 331040042 as shown on the Assessment Roll in the County of Riverside, State of California for fiscal year 2002-2003.

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LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED
STREET LIGHTING ZONE 6
PORTION OF SECTION 16, T.5S., R.3W.



SCALE: 1" = 200'

PUP 608R1
1 PARCEL

 DENOTES ENERGIZED STREETLIGHT



This map was made by the Riverside County Geographic Information System. The map elements were produced by the Assessor and the Transportation and Land Management Agency which is comprised of the Transportation, Building & Safety, and Planning departments.

MAY 27, 2003