

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

128A



FROM: TLMA - Transportation Dept.

SUBMITTAL DATE:
January 5, 2004

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated,
Annexation of Zone 33

RECOMMENDED MOTION: That the Board adopt the following Resolutions:

Resolution No. 2004-012, a Resolution of the County of Riverside initiating proceedings for the annexation of Zone 33 into Landscaping and Lighting Maintenance District No. 89-1-Consolidated and ordering preparation of the Engineer's Report regarding the proposed annexation of Zone 33.

Resolution No. 2004-013, a Resolution of the County of Riverside declaring the intention to order the annexation of Zone 33 into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, and setting the time and place of the public hearing on annexation of Zone 33 to be consistent with the Landscaping and Lighting Act of 1972 and Article XIID of the California Constitution.

**Juan C. Perez
Deputy Director of Transportation**

[Handwritten Signature]

George A. Johnson
Director of Transportation

Departmental Concurrence

**FORM APPROVED
COUNTY COUNSEL**

DEC 24 2003

[Handwritten Signature]
Initials

FINANCIAL DATA	Current F.Y. Total Cost:	N/A	In Current Year Budget:	
	Current F.Y. Net County Cost:	N/A		Budget Adjustment:
	Annual Net County Cost:	N/A		For Fiscal Year:

SOURCE OF FUNDS: Landscaping and Lighting Maintenance District No. 89-1-Consolidated	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

[Handwritten Signature]

- Dept't Recomm.: Consent
- Per Exec. Ofc.: Consent
- Policy
- Policy

Prev. Agn. Ref. | **District: 1** | **Agenda Number:**

**ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD**

3.33

The Honorable Board of Supervisors

RE: Landscaping and Lighting Maintenance District No. 89-1-Consolidated,
Annexation of Zone 33

January 5, 2004

Page 2 of 2

BACKGROUND: Adoption of Resolution No. 2004-012 appoints the Director of the Transportation Department as the Engineer to prepare a Report regarding the proposed annexation of Zone 33 into Landscaping and Lighting Maintenance District No. 89-1-Consolidated (L&LM District No. 89-1-C).

Resolution No. 2004-013 declares the Board's intention of ordering the annexation of Zone 33 into L&LM Dist. No. 89-1-C. Annexation of Zone 33 into L&LM Dist. No. 89-1-C will fund the maintenance and servicing of landscaping improvements within public right-of-ways located northeasterly of Grand Ave. in the Wildomar area and includes 10 single-family residential lots.

The proposed budget of fiscal year 2004-2005 for Zone 33 is \$5,600.00 that will result in an assessment for fiscal year 2004-2005 within Zone 33 of \$560.00 per parcel. The annual assessment will be adjusted annually by the greater of 2% or the cumulative percentage increase in the CPI-U, if any, as it stands as of March of each year over the base index for March of 2004.

Consistent with the Board's direction regarding compliance with Article XIID of the California Constitution and the Landscaping and Lighting Act of 1972, the attached resolutions have been prepared and a public hearing scheduled for 9:30 a.m. on March 2, 2004 to receive testimony for and against the proposed assessment. Each property owner within the proposed Zone 33 will receive a notice of the public hearing and mail-in ballot, an impartial analysis, a copy of Resolution No. 2004-013 and an information sheet.

All ballots must be returned prior to the conclusion of the public hearing. If, at the time designated for the tabulation of the ballots, the ballots submitted in favor of the annexation and levy of the assessment exceed the ballots submitted in opposition of the annexation and levy of the assessment in Zone 33, Zone 33 will be annexed into L&LM Dist. No. 89-1-C.

2 RESOLUTION NO. 2004-012

3
4 **RESOLUTION OF THE BOARD OF SUPERVISORS INITIATING PROCEEDINGS FOR THE**
5 **ANNEXATION OF ZONE 33 INTO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT**
6 **NO. 89-1- CONSOLIDATED OF THE COUNTY OF RIVERSIDE PURSUANT TO**
7 **THE LANDSCAPING AND LIGHTING ACT OF 1972 AND ORDERING PREPARATION**
8 **OF ENGINEER’S REPORT REGARDING SAID ANNEXATION**

9 WHEREAS, the Board of Supervisors (hereinafter the Board of Supervisors”) of the County of
10 Riverside (hereinafter the “County”) has been advised by the Transportation Department (hereinafter
11 “Department”) of the County that said Department has received a request from the owners of property
12 in the unincorporated area of the County (hereinafter “Zone 33”), as shown and described in Exhibit “A”,
13 which is attached hereto and made a part hereof, to be annexed into Landscaping and Lighting
14 Maintenance District No. 89-1-Consolidated (hereinafter “L&LMD No. 89-1-C”) of the County of
15 Riverside, State of California, and the Board of Supervisors has determined that it is necessary and
16 desirable to initiate proceedings for the annexation of Zone 33 into L&LMD No. 89-1-C pursuant to the
17 Landscaping and Lighting Act of 1972, Part 2 (commencing with Section 22500) of Division 15 of
18 Streets and Highways Code (hereinafter, respectively, the “Act” and the “Street and Highways Code”);
19 and

20 WHEREAS, such proceedings shall comply with the requirements of Articles XIID of the
21 California Constitution, requiring voter approval of the proposed assessment to be levied by L&LMD
22 No. 89-1-C for Zone 33; and

23 WHEREAS, the Director of the Transportation Department, or his designee, is a licensed and
24 registered civil engineer, has expertise with respect to the annexation of territory to landscaping and
25 lighting maintenance districts and the levying of assessments for said purposes and, therefore, is able
26 to serve as the engineer (hereinafter the “Engineer”) for the County with regard to the annexation of
Zone 33 into L&LMD No. 89-1-C.

1 NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the
2 Board of Supervisors of the County of Riverside assembled in regular session on January 13, 2004 as
3 follows:

4 Section 1. Recitals. The Board of Supervisors hereby finds and determines that all the
5 above recitals are true and correct.

6 Section 2. Annexation. The Board of Supervisors proposes to annex Zone 33 into L&LMD
7 No. 89-1-C and to initiate and conduct proceedings therefore pursuant to the Act for the purpose of
8 levying an annual assessment on all parcels within Zone 33 to pay the costs of the following services
9 and improvements:

10 (a) The maintenance and servicing of landscaping, fencing and equestrian trails
11 within the public right-of-way, including the trimming, fertilizing, weeding and replanting of trees, shrubs,
12 grass, other ornamental vegetation; and,

13 (b) The maintenance and servicing of irrigation facilities.

14 Section 3. Boundaries and Designation. The boundaries of Zone 33 that is proposed to be
15 annexed into L&LMD No. 89-1-C shall include all of the property as shown and described in Exhibit "A".

16 Section 4. Report. The Director of the Transportation Department of the County, or his
17 designee, is hereby designated Engineer and is ordered to prepare and file a report with the Clerk of
18 the Board of Supervisors in accordance with Sections 22608 and 22585 et. seq. of the Streets and
19 Highways Code and Section 4 of Article XIID of the California Constitution regarding said annexation
20 and the levy.

21 Section 5. Effective Date. This Resolution shall take effect from and after its date of adoption.
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EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

The boundaries of Zone 33 proposed to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside are coterminous with the boundaries of Lots 1-20 of Tract Map No. 29511, in the County of Riverside, State of California as shown on Map recorded in Map Book 310, Pages 90-91, inclusive, all Records of the Recorder, Riverside County, California.

LANDSCAPING AND LIGHTING MAINTENANCE
DISTRICT NO. 89-1-CONSOLIDATED



ZONE 33
TRACT NO. 29511
10 PARCELS
PORTION OF SECTION 34, T.6S., R.4W.

 DENOTES LANDSCAPED AND MAINTAINED PARKWAY
 DENOTES MAINTAINED EQUESTRIAN TRAIL



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.

NOVEMBER 4, 2003