

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

806



**FROM:** TLMA-Transportation Department

**SUBMITTAL DATE:**

May 10, 2004

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

**RECOMMENDED MOTION:** That the Board, as a result of a majority protest having been received, abandon all proceedings for the annexation of Zone 33 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated of the County of Riverside.

FORM APPROVED  
COUNTY COUNSEL

MAY 09 2004

*George A. Johnson*

George A. Johnson  
Director of Transportation

**FINANCIAL DATA**

Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	No
Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
Annual Net County Cost:	\$ 0	For Fiscal Year:	2004-2005

**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

*Barbara Hummer*

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

COUNTY OF RIVERSIDE

OFFICE OF THE COUNTY CLERK

OFFICE EXECUTIVE

MAY 11 2004

RECEIVED RIVERSIDE COUNTY

Prev. Agn. Ref.:

District: 1

Agenda Number:

3.48

**SUBJECT:** Landscaping and Lighting Maintenance District No. 89-1-Consolidated,  
Annexation of Zone 33.  
May 10, 2004

Page 2 of 2

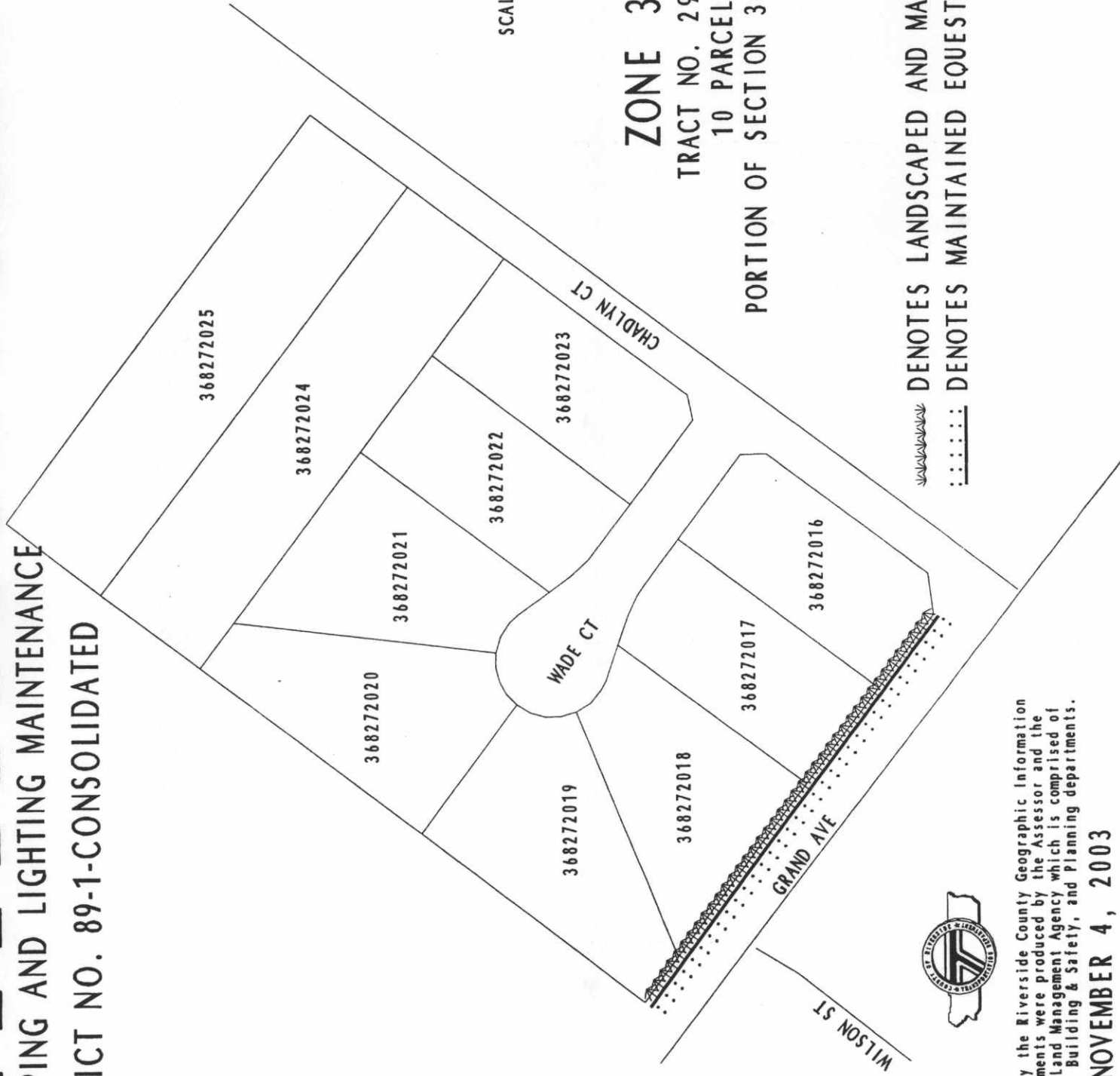
**BACKGROUND:**

On May 4, 2004, a public hearing was held to receive all testimony regarding the annexation of Zone 33 to 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 May 5, 2004 at 10:00 a.m. in Conference Room B on the 8<sup>th</sup> Floor of the County Administrative Center. The tabulation shows that votes representing 8 parcels out of a possible 10 parcels were cast, and that 8 votes ( or 100%) were cast against the annexation of Zone 33 of L&LM Dist. No. 89-1-C and the levy and enrollment of the special assessment. Pursuant to Section 22593 of the Streets and Highways Code, this represents a majority protest and the proceedings for the annexation of Zone 33 must be abandoned.

Transportation Dept. staff has met with the property owners affected by the failure of this election. Staff has presented options to the property owners to address this issue, including: 1) Combining this zone with a larger adjacent existing zone, which would spread the cost over a wider area and lower the assessment amount (this would require another election to be held next year), and 2) Replace the landscaping with low-maintenance hardscape improvements. The property owners have asked for two weeks to consider each option before making a final decision. Staff will continue to work closely with the affected property owners in an effort to reach a satisfactory solution.

It should be noted that it is the Transportation Department's current practice to have the assessments in place prior to sale of the homes, in order for the property owner to be fully aware of all costs at the time of home purchase. We continue to make every effort to assure that this standard process occurs in all cases, and have strengthened our procedures and requirements to assure this.

**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**