

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

354A



FROM: TLMA-Transportation Department

SUBMITTAL DATE:
July 2, 2004

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Location 2 to Zone 11.

RECOMMENDED MOTION: That the Board adopt the following Resolutions:

Resolution No. 2004-328, a Resolution of the County of Riverside initiating proceedings for the annexation of Location 2 to Zone 11 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated and ordering preparation of the Engineer's Report regarding the proposed annexation of Location 2.

Resolution No. 2004-329, a Resolution of the County of Riverside declaring its intent to order the annexation of Location 2 to Zone 11 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated of the County of Riverside pursuant to the Landscaping and Lighting Act of 1972 for the maintenance and servicing of landscaping and equestrian trails; giving notice of and setting the time and place of the public hearing on the annexation of Location 2, ordering an assessment ballot proceeding; and directing notice of the public hearing and assessment ballot be mailed pursuant to Article XIII D of the California Constitution and Section 4000 of the Elections Code.

Juan C. Perez
Deputy Director of Transportation

George A. Johnson
Director of Transportation

FORM APPROVED
COUNTY COUNSEL

JUN 30 2004

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 *[Handwritten Signature]*

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

Prev. Agn. Ref. **ATTACHMENTS FILED** District: 1 Agenda Number: **3.59**
WITH THE CLERK OF THE BOARD 206

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated Annexation of Location 2 to Zone 11.

July 2, 2004
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BACKGROUND: Adoption of Resolution No. 2004-328 appoints the Director of the Transportation Department as the Engineer to prepare a Report regarding the proposed annexation of Location 2 to Zone 11 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated ("L&LM District No. 89-1-C").

Resolution No. 2004-329 declares the Board's intention of ordering the annexation of Location 2 to Zone 11 of L&LM District No. 89-1-C. Annexation of Location 2 to Zone 11 of L&LMD No. 89-1-C will fund the maintenance and servicing of landscaping and equestrian trail improvements within public rights of way located easterly of Wood Rd.; northerly of Carpinus Dr.; easterly of Elkhorn Rd.; easterly of Hawkhill Ave.; and westerly of Cole Ave. in the Woodcrest area and includes 118 single-family residential parcels.

The proposed budget of fiscal year 2004-05 for Location 2 is \$12,862.00 that will result in an assessment for fiscal year 2004-05 within Location 2 of \$109.00 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 August 31, 2004 to receive testimony for and against the proposed assessment. Each property owner within the proposed Location 2 will receive a notice of the public hearing and an assessment ballot, an impartial analysis, a copy of Resolution No. 2004-329 and an information sheet.

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 said annexation and levy, Location 2 will be annexed to Zone 11 of L&LMD No. 89-1-C.

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2 **RESOLUTION NO. 2004-328**

3 **RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE INITIATING**
4 **PROCEEDINGS FOR THE ANNEXATION OF LOCATION 2 TO ZONE 11 OF LANDSCAPING AND**
5 **LIGHTING MAINTENANCE DISTRICT NO. 89-1- CONSOLIDATED OF THE COUNTY OF**
6 **RIVERSIDE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 AND ORDERING**
7 **PREPARATION OF ENGINEER'S REPORT REGARDING SAID ANNEXATION**

8 **WHEREAS**, the Board of Supervisors (hereinafter the Board of Supervisors") of the County of
9 Riverside (hereinafter the "County") has been advised by the Transportation Department (hereinafter
10 "Department") of the County that said Department has received an application from the owner (the
11 "Applicant") of all of the property within the unincorporated area of the County (hereinafter "Location
12 2"), as shown and described in Exhibit "A", which is attached hereto and made a part hereof, to be
13 annexed to Zone 11 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated
14 (hereinafter, respectively, "Zone 11" and "L&LMD No. 89-1-C") of the County of Riverside, State of
15 California, and the Board of Supervisors has determined that it is necessary and desirable to initiate
16 proceedings for the annexation of Location 2 to Zone 11 of L&LMD No. 89-1-C pursuant to the
17 Landscaping and Lighting Act of 1972, Part 2 (commencing with Section 29500) 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 Article XIID of the
21 California Constitution and Section 4000 of the Elections Code requiring voter approval of the
22 proposed assessment to be levied by L&LMD No. 89-1-C for Location 2 of Zone 11; and

23 **WHEREAS**, the Director of the Department, or his designee, is a licensed and registered
24 civil engineer, has expertise with respect to the annexation of territory to landscaping and lighting
25 maintenance districts and the levying of assessments for said purposes and, therefore, is able to
26 serve as the engineer (hereinafter the "Engineer") for the County with regard to the annexation of
Location 2 to Zone 11 of 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 July 13, 2004 as
3 follows:

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

6 **Section 2. Annexation.** The Board of Supervisors proposes to annex Location 2 to
7 Zone 11 of L&LMD No. 89-1-C and to initiate and conduct proceedings therefore pursuant to the Act
8 for the purpose of levying an annual assessment on all parcels within Location 2 to pay the costs of
9 the following services:

- 10 (a) The maintenance and servicing of equestrian trails within the public right-of way,
11 including weeding, ground sterilization and repair of fencing; and
- 12 (b) The maintenance and servicing of landscaping within the public right-of-way,
13 including the trimming, fertilizing, weeding and replanting of trees, shrubs, grass,
14 and other ornamental vegetation; and
- 15 (c) The maintenance and servicing of irrigation and electrical facilities associated
16 with the landscaping, including but not limited to electricity for operation of
17 the irrigation system and water for irrigation.

18 **Section 3. Boundaries and Designation.** The boundaries of Location 2 that
19 is proposed to be annexed to Zone 11 of L&LMD No. 89-1-C shall include all of the property as shown
20 and described in Exhibit "A".

21 **Section 4. Report.** The Director of the Department, or his designee, is hereby
22 Designated Engineer and is ordered to prepare and file a report with the Clerk of the Board
23 of Supervisors in accordance with Section 22565 et. seq. of the Streets and Highways Code and
24 Section 4 of Article XIID of the California Constitution

25 **Section 5. Effective Date.** This Resolution shall take effect from and after its
26 date of adoption.

EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

The boundaries of Location 2 of Zone 11 proposed to be annexed to Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside are coterminous with the boundaries of Lots 1 through 65 as shown on Tract Map No. 29646 and Lots 1 through 53 as shown on Tract Map No. 29646-1 in the County of Riverside, State of California.

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED, ZONE 11

LOCATION 2

PORTION OF SECTION 5, T.4S., R.4W.

TRACT NOS. 29646 & 29646-1

118 PARCELS

COLE AVE

321130014

WOOD RD

ELKHORN RD

HAWKHILL AVE

COLE AVE

CARPINUS DR

SCALE: 1" = 30'

ASSESSMENT DIAGRAM

- DENOTES EQUESTRIAN TRAIL MAINTENANCE
- ~~~~~ DENOTES LANDSCAPED AND MAINTAINED PARKWAY



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.

JUNE 21, 2004