

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

353 A



**FROM:** TLMA-Transportation Department

**SUBMITTAL DATE:**  
July 2, 2004

**SUBJECT:** Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Zone 39.

**RECOMMENDED MOTION:** That the Board adopt the following Resolutions:

Resolution No. 2004-332, a Resolution of the County of Riverside initiating proceedings for the annexation of Zone 39 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated and ordering preparation of the Engineer's Report regarding the proposed annexation of Zone 39.

Resolution No. 2004-333, a Resolution of the County of Riverside declaring its intent to order the annexation of Zone 39 to 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; giving notice of and setting the time and place of the public hearing on the annexation of Zone 39, ordering an assessment ballot proceeding; and directing notice of the public hearing and assessment ballot be mailed pursuant to Article XIID 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

JUL 05 2004

BY

<b>FINANCIAL DATA</b>	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

<b>SOURCE OF FUNDS: Landscaping and Lighting Maintenance District No. 89-1-Consolidated</b>	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**

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

Prev. Agn. Ref: **ATTACHMENTS FILED WITH THE CLERK OF THE BOARD** | District: 1 | Agenda Number: **3.60<sub>a+b</sub>**

COUNTY OF RIVERSIDE  
RECEIVED DIRECTOR'S OFFICE  
JUL 05 2004

**SUBJECT:** Landscaping and Lighting Maintenance District No. 89-1-Consolidated Annexation of Zone 39.

July 2, 2004  
Page 2 of 2

**BACKGROUND:** Adoption of Resolution No. 2004-332 appoints the Director of the Transportation Department as the Engineer to prepare a Report regarding the proposed annexation of Zone 39 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated ("L&LM District No. 89-1-C").

Resolution No. 2004-333 declares the Board's intention of ordering the annexation of Zone 39 to L&LM District No. 89-1-C. Annexation of Zone 39 to L&LMD No. 89-1-C will fund the maintenance and servicing of landscaping improvements within public rights of way located easterly of Clark St. and southerly of Dawes St. in the Mead Valley area and includes 133 single-family residential lots.

The proposed budget of fiscal year 2004-05 for Zone 39 is \$6,016.00 that will result in an assessment for fiscal year 2004-05 within Zone 39 of \$47.00 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 Zone 39 will receive a notice of the public hearing and assessment ballot, an impartial analysis, a copy of Resolution No. 2004-333 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, Zone 39 will be annexed to L&LMD No. 89-1-C.

2004 JUL -1 11:12  
RECEIVED BUREAU OF THE CITY CLERK

**RESOLUTION NO. 2004-332**

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE INITIATING PROCEEDINGS FOR THE ANNEXATION OF ZONE 39 TO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1- CONSOLIDATED OF THE COUNTY OF RIVERSIDE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 AND ORDERING PREPARATION OF ENGINEER'S REPORT REGARDING SAID ANNEXATION**

**WHEREAS**, the Board of Supervisors (hereinafter the Board of Supervisors") of the County of Riverside (hereinafter the "County") has been advised by the Transportation Department (hereinafter "Department") of the County that said Department has received a request from the owners of property in the unincorporated area of the County (hereinafter "Zone 39"), as shown and described in Exhibit "A", which is attached hereto and made a part hereof, to be annexed to Landscaping and Lighting Maintenance District No. 89-1-Consolidated (hereinafter "L&LMD No. 89-1-C") of the County of Riverside, State of California, and the Board of Supervisors has determined that it is necessary and desirable to initiate proceedings for the annexation of Zone 39 to L&LMD No. 89-1-C pursuant to the Landscaping and Lighting Act of 1972, Part 2 (commencing with Section 22500) of Division 15 of Streets and Highways Code (hereinafter, respectively, the "Act" and the "Street and Highways Code"); and

**WHEREAS**, such proceedings shall comply with the requirements of Article XIID of the California Constitution requiring voter approval of the proposed assessment to be levied by L&LMD No. 89-1-C for Zone 39; and

**WHEREAS**, the Director of the Department, or his designee, is a licensed and registered civil engineer, has expertise with respect to the annexation of territory to landscaping and lighting maintenance districts and the levying of assessments for said purposes and, therefore, is able to serve as the engineer (hereinafter the "Engineer") for the County with regard to the annexation of Zone 39 to L&LMD No. 89-1-C.

**NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the

1 Board of Supervisors of the County of Riverside assembled in regular session on July 13, 2004 as  
2 follows:

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

5 **Section 2. Annexation.** The Board of Supervisors proposes to annex Zone 39 to  
6 L&LMD No. 89-1-C and to initiate and conduct proceedings therefore pursuant to the Act for the  
7 purpose of levying an annual assessment on all parcels within Zone 39 to pay the costs of the  
8 following services:

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

12 (b) The maintenance and servicing of irrigation and electrical facilities associated with  
13 the landscaping, including but not limited to electricity for operation of the irrigation  
14 system and water for irrigation.

15 **Section 3. Boundaries and Designation.** The boundaries of Zone 39 that is  
16 proposed to be annexed to L&LMD No. 89-1-C shall include all of the property as shown and  
17 described in Exhibit "A".

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

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

EXHIBIT "A"

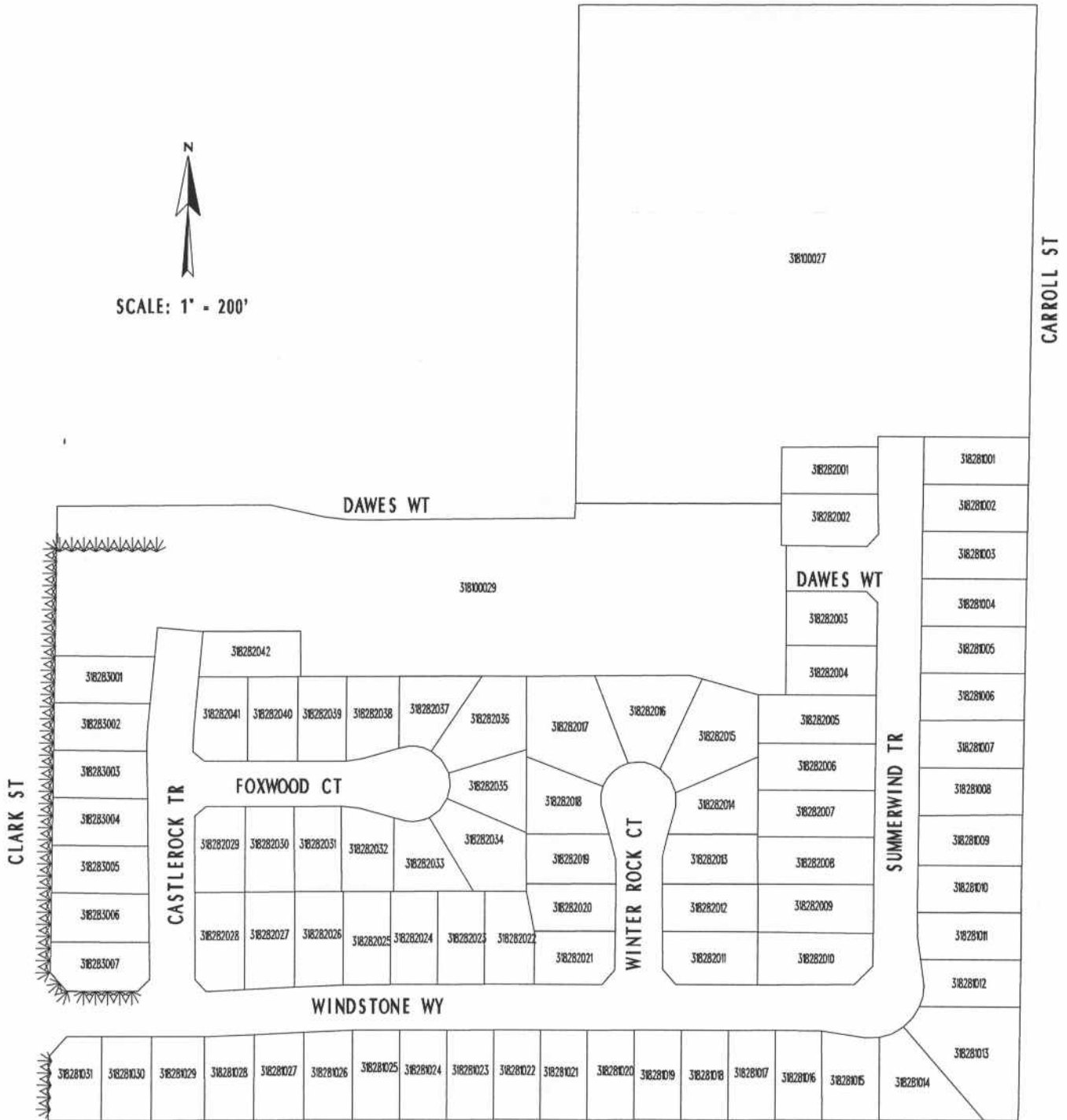
DESCRIPTION OF BOUNDARIES

The boundaries of Zone 39 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 48 as shown on Tract Map No. 23234; Lots 1 through 28 as shown on Tract Map No. 23234-1; Lots 1 through 15 as shown on Tract Map No. 23234-2; Lots 1 through 11 as shown on Tract Map No. 23234-3; and Lots 1 through 26 as shown on Tract Map No. 23234-4 in the County of Riverside, State of California.

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT  
 NO. 89-1-CONSOLIDATED  
**ZONE 39**  
 PORTION OF SECTION 10, T.4S.,R.4W.



SCALE: 1" = 200'



TRACT NOS. 23234, 23234-1, 23234-2, 23234-3 & 23234-4  
 128 PARCELS

~~~~~ DENOTES LANDSCAPED AND MAINTAINED PARKWAY



# ASSESSMENT DIAGRAM

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.

MINE 22 2004