

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

355A



**FROM:** TLMA-Transportation Department

**SUBMITTAL DATE:**

July 2, 2004

**SUBJECT:** Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Consideration of New Improvements for Zone 11.

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

Resolution No. 2004-349, a Resolution of the County of Riverside initiating proceedings to consider New Improvements for Zone 11 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated and ordering preparation of the Engineer's Report regarding said New Improvement.

Resolution No. 2004-350, a Resolution of the County of Riverside declaring its intent to order a New Improvement for 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 equestrian trails; giving notice of and setting the time and place of the public hearing on the New Improvement for Zone 11, ordering an assessment ballot proceeding; and directing notice of the public hearing and ballot be mailed pursuant to Article XIID of the California Constitution.

Juan C. Perez  
Deputy Director of Transportation

George A. Johnson  
Director of Transportation

FORM APPROVED  
COUNTY COUNSEL

JUN 30 2004

*[Handwritten signature]*

<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** *[Handwritten signature]*

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

*[Faint background stamps: RECEIVED, COUNTY OF RIVERSIDE, JUL 2 2004]*

Prev. Agn. Ref.: | District: 1 | Agenda Number: **3.61<sub>a+b</sub>**

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

**SUBJECT:** Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Consideration of New Improvements for Zone 11.

July 2, 2004  
Page 2 of 2

**BACKGROUND:** Adoption of Resolution No. 2004-349 appoints the Director of the Transportation Department as the Engineer to prepare a Report regarding the proposed New Improvements for Zone 11 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated ("L&LM District No. 89-1-C").

Resolution No. 2004-350 declares the Board's intention of ordering a New Improvement for Zone 11 of L&LM District No. 89-1-C. The New Improvements for Zone 11 of L&LMD No. 89-1-C are for the maintenance and servicing of equestrian trails within public right-of-way located easterly of Wood Road in the Woodcrest area and includes 125 single-family residential lots.

The proposed additional assessment for fiscal year 2004-05 on all parcels within Zone 11 is \$10.20 per parcel for the New Improvement and in addition to an existing assessment of \$98.80 for landscaping will result in a total assessment per parcel of \$109.00. 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 11 will receive a notice of the public hearing and an assessment ballot, an impartial analysis, a copy of Resolution No. 2004-350 and an information sheet.

Assessment ballots must be returned prior to the conclusion of the public hearing. If, at the time designated for the tabulation of the assessment ballots, the assessment ballots submitted in favor of the New Improvement and levy of the additional assessment exceed the assessment ballots submitted in opposition of said New Improvement and levy, the New Improvement will be instituted for Zone of L&LMD No. 89-1-C.

3004 300 -1 0011-52  
RECORDED WITH DISTRICT CLERK  
AUG 11 2004

RESOLUTION NO. 2004-349

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE INITIATING PROCEEDINGS TO CONSIDER NEW IMPROVEMENT FOR 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 AND ORDERING PREPARATION OF ENGINEER'S REPORT REGARDING SAID NEW IMPROVEMENT**

**WHEREAS**, the Board of Supervisors (hereinafter the "Board of Supervisors") of the County of Riverside (hereinafter the "County") has by the adoption of Resolution No. 2004-251 on May 18, 2004, annexed Zone 11, as shown and described in Exhibit "A", which is attached hereto and made a part hereof, of Landscaping and Lighting Maintenance District No. 89-1-Consolidated (hereinafter, respectively, "Zone 11" and "L&LMD No. 89-1-C") of the County of Riverside, State of California, pursuant to the Landscaping and Lighting Act of 1972, Part 2 (commencing with Section 22500) of Division 15 of the California Streets and Highways Code (hereinafter, respectively, the "Act" and the Streets and Highways Code"); and

**WHEREAS**, the Board of Supervisors has been advised by the Transportation Department (hereinafter "Department") of the County that said Department has received a request from the owner of the property within Zone 11 that the Board of Supervisors initiate proceedings, pursuant to Section 22620 et seq. of the Streets and Highways Code, to allow for a new improvement to be provided by Zone 11; and

**WHEREAS**, such proceedings shall comply with the requirements of Article XIID of the California Constitution, requiring voter approval of the proposed new improvement and the resulting increase in the assessment to be levied by L&LMD No. 89-1-C for Zone 11; and

**WHEREAS**, the Director of the Department, or his designee, is a licensed and registered civil engineer, has expertise with respect to the formation and annexation of territory to a landscaping and lighting maintenance district, the proceedings required to add new improvements to such a district 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 proceeding to add a new improvement to

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1 Zone 11;

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

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

7 **Section 2. Allowance of New Improvement.** The Board of Supervisors proposes  
8 to initiate and conduct proceedings to allow for new improvement for Zone 11 pursuant to the Act and  
9 for increasing the annual assessment on all parcels within Zone 11 to pay the costs of the new  
10 improvement:

11 (a) The maintenance and servicing of equestrian trails within the public right-of-way,  
12 including weeding, ground sterilization and repair of fencing.

13 **Section 3. Report.** The Director of the Department, or his designee, is hereby  
14 designated Engineer and is ordered to prepare and file a report with the Clerk of the Board of  
15 Supervisors in accordance with Sections 22565 et. seq. of the Streets and Highways Code and  
16 Section 4 of Article XIID of the California Constitution.

17 **Section 5. Effective Date.** This resolution shall take effect from and after its date of  
18 adoption.

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EXHIBIT "A"

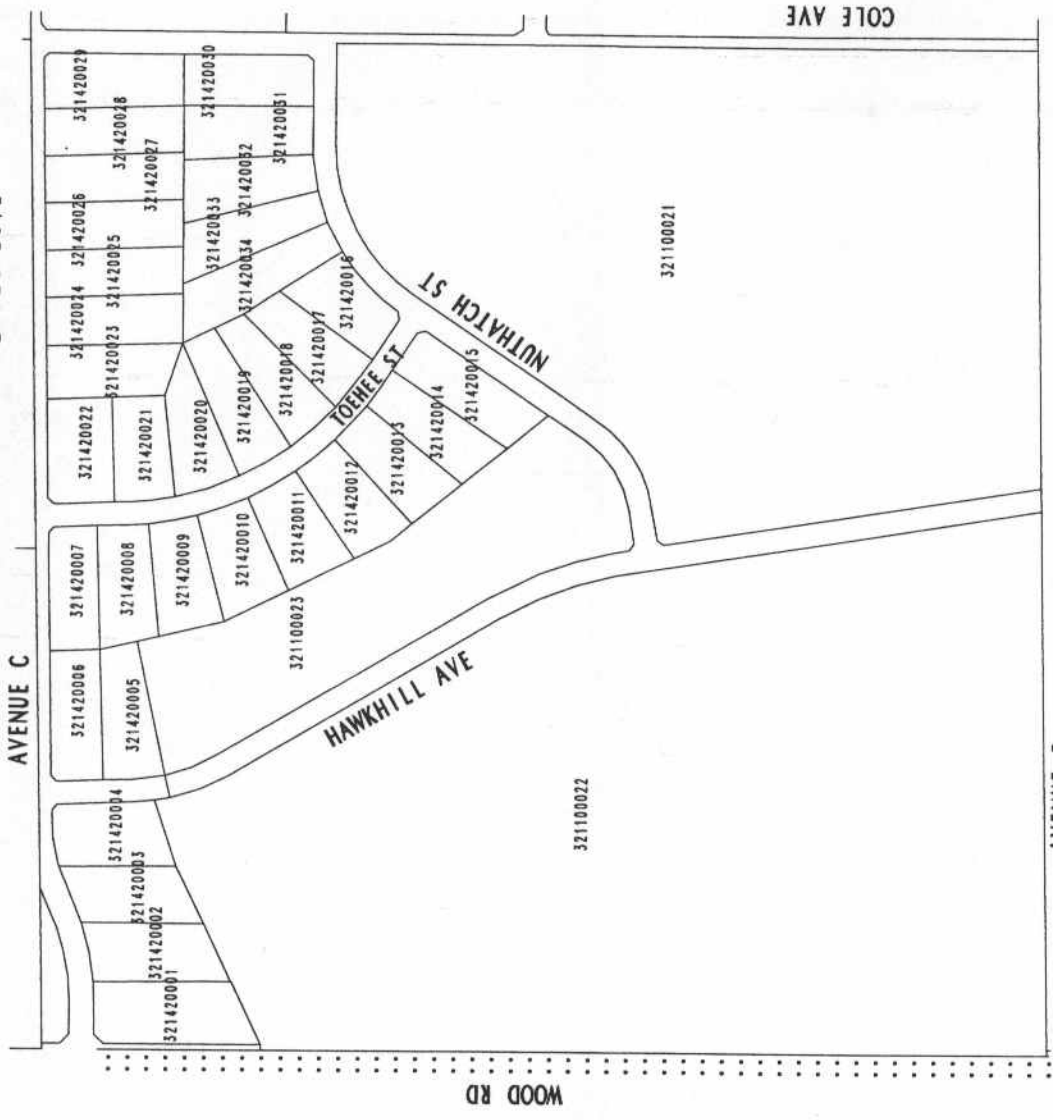
DESCRIPTION OF BOUNDARIES

The boundaries 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 91 as shown on Tract Map No. 25012; and Lots 1 through 34 as shown on Tract Map No. 25012-1 in the County of Riverside, State of California.

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

**ZONE 11  
ASSESSMENT DIAGRAM**



SCALE: 1" = 500'

..... DENOTES MAINTAINED EQUESTRIAN TRAIL

TRACT NOS. 25012 & 25012-1  
125 PARCELS  
PORTION OF SECTION 5, T.4S., R.4W.



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.  
MARCH 4, 2004