

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



421

A

FROM: TLMA-Transportation Department

SUBMITTAL DATE:
 July 19, 2004

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Zones 1, 3, 4, 5, 6, 7, 8, 9, 10, 14, 15, 16, 17, 19, 21, 24, 25, 26, 28, 29, 30, and Street Lighting Zones 1, 2, 3, 4, 5 and 6.

RECOMMENDED MOTION: That the Board adopt the following Resolutions:

Resolution No. 2004-334, a Resolution of the County of Riverside ordering preparations of the Engineer's Report regarding proposed assessments to be levied and collected for fiscal year 2004-05 within Zones 1, 3, 4, 5, 6, 7, 8, 9, 10, 14, 15, 16, 17, 19, 21, 24, 25, 26, 28, 29, 30, and Street Lighting Zones 1, 2, 3, 4, 5 and 6 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated.

Resolution No. 2004-335, a Resolution of the County of Riverside declaring its intention to levy and collect assessments within Zones 1, 3, 4, 5, 6, 7, 8, 9, 10, 14, 15, 16, 17, 19, 21, 24, 25, 26, 28, 29, 30, and Street Lighting Zones 1, 2, 3, 4, 5 and 6 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated for fiscal year 2004-05, setting the time and place of the public hearing on the annual assessment and ordering notice of the public hearing to be given consistent with the Landscaping and Lighting Act of 1972.

Juan C. Perez
 Deputy Director of Transportation

George A. Johnson
 Director of Transportation

COUNTY COUNSEL

JUL 19 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 Officer Signature

[Handwritten Signature]

- Consent
- Policy
- Consent
- Policy

3004 707 51 6W15-23
 RECEIVED RIVERSIDE COUNTY

ATTACHMENTS FILED WITH THE CLERK OF THE BOARD | District: 1, 2, 3, 4 & 5 | Agenda Number:

3.64

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Zones 1, 3, 4, 5, 6, 7, 8, 9, 10, 14, 15, 16, 17, 19, 21, 24, 25, 26, 28, 29, 30, and Street Lighting Zones 1, 2, 3, 4, 5 and 6.

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BACKGROUND: Landscaping and Lighting Maintenance District No. 89-1-Consolidated (District) maintains and services 49 landscape strips throughout Riverside County. The District contains 21 separate landscaping zones of benefits and 6 street lighting zones of benefits:

Zone 1 – is located in the Bermuda Dunes area
Zone 3 – is located in the Menifee, Sun City, Nuevo and Wildomar areas
Zone 4 – is located in the Indian Hills area
Zone 5 – is located in the Sky Country area
Zone 6 – is located in the Glen Avon area
Zone 7 – is located in the Mira Loma area
Zone 8 – is located in the Home Gardens area
Zone 9 – is located in Mira Loma area
Zone 10 – is located in the El Cerrito area
Zone 14 – is located in the Rubidoux area
Zone 15 – is located in the La Sierra area
Zone 16 – is located in the Rubidoux area
Zone 17 – is located in the Mira Loma area
Zone 19 – is located in the Murrieta area
Zone 21 – is located in the Mira Loma area
Zone 24 – is located in the Temecula area
Zone 25 – is located in the Menifee area
Zone 26 – is located in the Woodcrest area
Zone 28 – is located in the Wildomar area
Zone 29 – is located in the Wildomar area
Zone 30 – is located in the Wildomar area

Street Lighting Zone 1 – is located in the Menifee area
Street Lighting Zone 2 – is located in the Anza area
Street Lighting Zone 3 – is located in the Perris area
Street Lighting Zone 4 – is located in the Palm Desert area
Street Lighting Zone 5 – is located in the Mira Loma area
Street Lighting Zone 6 – is located in the Sun City area

Zone 1

The proposed assessment for fiscal year 2004-05 for Zone 1 of the District is \$178.52 per acre. The actual rate property owners pay is based on the parcel size and there are 112 parcels, 99 parcels have charges substantially less than \$100.00 and the average assessment to these parcels is \$55.62.

Established prior to the adoption of Proposition 218 (the "Proposition"), Zone 1 and the annual assessment then being levied was set by the provisions of the Proposition. Consequently, the annual assessment levied in Zone 1 has not been increased since

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the effective date of the Proposition and no increase is being proposed for fiscal year 2004-05.

The proposed budget for fiscal year 2004-05 is \$14,695.

Zone 3

The proposed assessment for fiscal year 2004-05 for Zone 3 of the District is \$77.68 per parcel and there are 3,438 parcels.

13 of the 30 Locations within Zone 3 were established prior to the adoption of the Proposition. The annual assessment for these Locations, and for each of the Location annexed to Zone 3, was set as of the effective date of the Proposition. Consequently, the annual assessment levied for all of the Locations within Zone 3 is the same and has not increased since the effective date of the Proposition. No increase in the annual assessment for Zone 3 is being proposed for fiscal year 2004-05.

The proposed budget for fiscal year 2004-05 is \$267,063.

As to all of the following Zones, the mailed assessment ballot proposition approved by the property owners provides that the annual assessment will be increased each year by the greater of two percent (2%) or the cumulative percentage increase, if any, in the Consumer Price Index for the Los Angeles-Riverside Orange County California Standard Metropolitan Statistical Area (the "Index") as the Index stands as of March of each calendar year. For fiscal year 2004-5, the proposed annual assessment for each of the following Zones has been increased by 2%.

Zone 4

The proposed assessment for fiscal year 2004-05 for Zone 4 is based on an Equivalent Dwelling Unit (EDU) rate of \$24.84 per year as follows:

Single Family lot	=	1 EDU	=	\$24.84 per year
Multi-Family lot	=	0.7 EDU	=	\$17.38 per year
Commercial acre	=	8 EDUs	=	\$198.72 per year
Industrial acre	=	4 EDUs	=	\$99.36 per year
1,000 sq. ft. of Church building	=	0.5 EDUs	=	\$12.42 per year

The proposed budget for fiscal year 2004-05 is \$172,495.

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Zone 5

The proposed assessment for fiscal year 2004-05 for Zone 5 of the District is \$38.68 per parcel and there are 1,409 parcels. The proposed budget for fiscal year 2004-05 is \$52,399.

Zone 6

The proposed assessment for fiscal year 2004-05 for Zone 6 of the District is \$177.00 per parcel and there are 30 parcels. The proposed budget for fiscal year 2004-05 is \$5,310.

Zone 7

The proposed assessment for fiscal year 2004-05 for Zone 7 of the District is \$4.01 per acre. The actual rate property owners pay is based on the parcel size and there are 168 parcels, 140 parcels have charges substantially less than \$50.00 and the average assessment to these parcels is \$15.35. The proposed budget for fiscal year 2004-05 is \$8,817.

Zone 8

The proposed assessment for fiscal year 2004-05 for Zone 8 of the District is \$37.74 per parcel and there are 2,882 parcels. The proposed budget for fiscal year 2004-05 is \$130,776.

Zone 9

The proposed assessment for fiscal year 2004-05 for Zone 9 of the District is \$33.90 per parcel and there are 493 parcels. The proposed budget for fiscal year 2004-05 is \$16,720.

Zone 17

The proposed assessment for fiscal year 2004-05 for Zone 17 of the District is \$410.44 per acre. The actual rate property owners pay is based on the parcel size and there is 1 parcel. The proposed budget for fiscal year 2004-05 is \$10,023.

Zone 19

The proposed assessment for fiscal year 2004-05 for Zone 19 of the District is \$158.16 per parcel and there are 185 parcels. The proposed budget for fiscal year 2004-05 is \$29,259.

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Zone 21

The proposed assessment for fiscal year 2004-05 for Zone 21 of the District is \$140.62 per parcel and there are 160 parcels. The proposed budget for fiscal year 2004-05 is \$22,500.

With regard to the following Zones and Street Lighting Zones, the facilities for which the levy is being made have not been completed by the developer and accepted by the County, but it is anticipated that said facilities will be completed and accepted during fiscal year 2004-05. Consequently, no inflationary adjustment is warranted with regard to the annual assessment to be enrolled for fiscal year 2004-05.

Zone 10

The proposed assessment for fiscal year 2004-05 for Zone 10 of the District is \$315.58 per acre. The actual rate property owners pay is based on the parcel size and there are 26 parcels. The proposed budget for fiscal year 2004-05 is \$24,050.

Zone 14

The proposed assessment for fiscal year 2004-05 for Zone 14 is based on an Equivalent Dwelling Unit (EDU) rate of \$44.60 per year as follows:

Single Family lot	=	1 EDU	=	\$ 44.60 per year
Multi-Family lot	=	0.7 EDU	=	\$ 31.22 per year
Commercial acre	=	8 EDUs	=	\$356.80 per year
Industrial acre	=	4 EDUs	=	\$178.40 per year
1,000 sq. ft. of Church building	=	0.5 EDUs	=	\$ 22.30 per year

The proposed budget for fiscal year 2004-05 is \$54,860.

Zone 15

The proposed assessment for fiscal year 2004-05 for Zone 15 of the District is \$315.90 per parcel and there are 61 parcels. The proposed budget for fiscal year 2004-05 is \$19,270.

Zone 16

The proposed assessment for fiscal year 2004-05 for Zone 16 is based on an Equivalent Dwelling Unit (EDU) rate of \$45.98 per year as follows:

Single Family lot	=	1 EDU	=	\$ 45.98 per year
Multi-Family lot	=	0.7 EDU	=	\$ 32.18 per year

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Commercial acre	=	8 EDUs	=	\$367.84 per year
Industrial acre	=	4 EDUs	=	\$183.92 per year
1,000 sq. ft. of Church building	=	0.5 EDUs	=	\$ 22.99 per year

The proposed budget for fiscal year 2004-05 is \$250,269.

Zone 24

The proposed assessment for fiscal year 2004-05 for Zone 24 of the District is \$100.00 per parcel and there are 120 parcels. The proposed budget for fiscal year 2004-05 is \$12,000.

Zone 25

The proposed assessment for fiscal year 2004-05 for Zone 25 of the District is \$137.70 per parcel and there are 777 parcels. The proposed budget for fiscal year 2004-05 is \$107,000.

Zone 26

The proposed assessment for fiscal year 2004-05 for Zone 26 of the District is \$111.46 per parcel and there are 96 parcels. The proposed budget for fiscal year 2004-05 is \$10,700.

Zone 28

The proposed assessment for fiscal year 2004-05 for Zone 28 of the District is \$87.76 per parcel and there are 98 parcels. The proposed budget for fiscal year 2004-05 is \$8,600.

Zone 29

The proposed assessment for fiscal year 2004-05 for Zone 29 of the District is \$70.00 per parcel and there are 130 parcels. The proposed budget for fiscal year 2004-05 is \$9,100.

Zone 30

The proposed assessment for fiscal year 2004-05 for Zone 30 of the District is \$137.18 per parcel and there are 78 parcels. The proposed budget for fiscal year 2004-05 is \$10,700.

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Street Lighting Zone 1

The proposed assessment for fiscal year 2004-05 for Street Lighting Zone 1 of the District is \$183.00 per parcel and there is 1 parcel. The proposed budget for fiscal year 2004-05 is \$183.

Street Lighting Zone 2

The proposed assessment for fiscal year 2004-05 for Street Lighting Zone 2 of the District is \$118.00 per parcel and there is 1 parcel. The proposed budget for fiscal year 2004-05 is \$118.

Street Lighting Zone 3

The proposed assessment for fiscal year 2004-05 for Street Lighting Zone 3 of the District is \$544.00 per parcel and there is 1 parcel. The proposed budget for fiscal year 2004-05 is \$544.

Street Lighting Zone 4

The proposed assessment for fiscal year 2004-05 for Street Lighting Zone 4 of the District is \$366.00 per parcel and there is 1 parcel. The proposed budget for fiscal year 2004-05 is \$366.

Street Lighting Zone 5

The proposed assessment for fiscal year 2004-05 for Street Lighting Zone 5 of the District is \$364.00 per parcel and there is 1 parcel. The proposed budget for fiscal year 2004-05 is \$364.

Street Lighting Zone 6

The proposed assessment for fiscal year 2004-05 for Street Lighting Zone 6 of the District is \$183.00 per parcel and there is 1 parcel. The proposed budget for fiscal year 2004-05 is \$183.

Resolution 2004-335 sets a public hearing for August 10, 2004 at 9:30 a.m. at which time the Board is to consider both oral and written comments from any individual owning property within any of the Zones or Street Lighting Zones with regard to proposed assessment for fiscal year 2004-05 for the Zone or Street Lighting Zone in which the individual owns property.

2 **RESOLUTION NO. 2004-334**

3 **RESOLUTION OF THE BOARD OF SUPERVISORS ORDERING**
4 **PREPARATION OF ENGINEER'S REPORT REGARDING PROPOSED**
5 **ASSESSMENTS TO BE LEVIED AND COLLECTED FOR FISCAL**
6 **YEAR 2004-05 WITHIN ZONES 1, 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 19, 21,**
7 **24, 25, 26, 28, 29, AND 30 AND STREET LIGHTING ZONES 1, 2, 3, 4, 5**
8 **AND 6 OF LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT**
9 **NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE PURSUANT**
10 **TO THE LANDSCAPING AND LIGHTING ACT OF 1972**

11 WHEREAS, the Board of Supervisors (the "Board of Supervisors") of the County of
12 Riverside (hereinafter the "County") has conducted proceedings for and has established
13 Landscaping and Lighting Maintenance District No. 89-1-Consolidated of the County of
14 Riverside, State of California ("L&LM Dist. No. 89-1-C") pursuant to the Landscaping and
15 Lighting Act of 1972, Part 2 (commencing with Section 22500) of Division 15 of the Streets and
16 Highways Code (the "Streets and Highways Code"); in which there have been established
17 zones for the installation and planting of landscaping; the installation of equestrian trails; the
18 installation of fencing; the installation of catch basin filtration systems; the installation of
19 irrigation or electrical facilities; and the maintenance and servicing of such landscaping,
20 equestrian trails, fencing and catch basin filtration systems; and street lighting zones for the
21 provision of electricity for the streetlights within the public rights-of-way; and

22 WHEREAS, there has been established within L&LM Dist. No. 89-1-C, prior to July 1,
23 2003, 21 zones that provide for the installation of landscaping and the maintenance thereof and
24 have been identified as "Zone 1", "Zone 3", "Zone 4", "Zone 5", "Zone 6", "Zone 7", "Zone 8",
25 "Zone 9", "Zone 10", "Zone 14", "Zone 15", "Zone 16", "Zone 17", "Zone 19", "Zone 21", "Zone
26 24", "Zone 25", "Zone 26", "Zone 28", "Zone 29", and "Zone 30" (collectively, the "Zones"); and 6
27 zones that provide electricity for streetlights within the public rights-of-way and have been
28 identified as "Street Lighting Zone 1", "Street Lighting Zone 2", "Street Lighting Zone 3", "Street
Lighting Zone 4", "Street Lighting Zone 5", and "Street Lighting Zone 6" (collectively, the "Street
Lighting Zones"); and

///

1 WHEREAS, it is necessary that the Board of Supervisors adopt a resolution pursuant to
2 Section 22622 of the Streets and Highways Code, ordering the preparation and filing of an
3 Engineer's Report (the "Report") and Section 22565 et seq. of the Streets and Highways Code
4 with regard to the annual assessments which are proposed to be levied on assessable lots and
5 parcels of land within Zones 1, 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 19, 21, 24, 25, 26, 28, 29, 30
6 and Street Lighting Zones 1, 2, 3, 4, 5 and 6 of L&LM Dist. No. 89-1-C for fiscal year 2004-05;

7 NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED by
8 the Board of Supervisors of the County assembled in regular session on July 27, 2004 as
9 follows:

10 Section 1. Authorized Improvements for Zones. The improvements authorized for
11 Zones 1, 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 19, 21, 24, 25, 26, 28, 29, 30 of L&LM Dist. No. 89-1-
12 C are:

- 13 (a) The installation and planting of landscaping, including trees, shrubs, grass
14 and other ornamental vegetation; and,
- 15 (b) The installation of irrigation and electrical facilities; and
- 16 (c) The maintenance or servicing of any of the foregoing.

17 The following Zones have been authorized to provide the additional specified services:

18 Zone 4:

- 19 (1) Weed abatement and debris clean up of multi-purpose trails;
- 20 (2) Maintenance, repair and/or replacement of multi-purpose trail lighting; and
- 21 (3) Maintenance, repair and/or replacement of off-leash dog park facilities.

22 Zone 5:

- 23 (1) Weed abatement and debris clean-up of multi-purpose trails; and
- 24 (2) Maintenance, repair and/or replacement of wood lodge-pole fencing.

25 Zone 15:

- 26 (1) Maintenance, repair and/or replacement of catch basin filtration system.

27 Zone 16:

- 28 (1) Maintenance, repair and/or replacement of decorative and monument

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lighting; and

(2) Debris clean up and sweeping of adjacent sidewalks.

Zone 19:

(1) Maintenance, repair and/or replacement of catch basin filtration system.

Zone 21:

(1) Weed abatement and debris clean up of multi-purpose trails.

Section 2. Authorized Improvements for Street Lighting Zones. The improvements authorized for Street Lighting Zones 1, 2, 3, 4, 5 and 6 of L&LM Dist. No. 89-1-C are:

(a) Provision of electricity to all streetlights within the public right-of-ways including incidental costs and expenses.

Section 3. Report. The Director of Transportation of the County, or his designee, is hereby designated the engineer (the "Engineer") for L&LM Dist. No. 89-1-C and is directed to prepare and file with the Clerk of the Board of Supervisors the Report, pursuant to Sections 22565 through 22574 of the Streets and Highways Code, with regard to the assessments proposed to be levied on assessable lots and parcels of land within Zones 1, 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 19, 21, 24, 25, 26, 28, 29, 30 to pay the costs of the maintenance and servicing of landscaping improvements and Street Lighting Zones 1, 2, 3, 4, 5 and 6 to pay the cost of providing electricity for streetlights within the public rights-of-way for fiscal year 2004-05.