

**SUBMITTAL TO THE FLOOD CONTROL AND  
WATER CONSERVATION DISTRICT BOARD  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

435 B



**FROM:** General Manager-Chief Engineer

**SUBMITTAL DATE:**

July 27, 2004

**SUBJECT:** Improvement District 4-2 of Zone Four  
(San Jacinto River)

**RECOMMENDED MOTION:**

Adopt Resolution F2004-25 authorizing the levy of a benefit assessment for Fiscal Year 2004-2005 on property located within Improvement District No. 4-2 of Zone Four (San Jacinto River).

**BACKGROUND:**

On September 1, 1987, the Board adopted Resolution No. F87-41, establishing Improvement District No. 4-2 of Zone Four (San Jacinto River) and authorizing the levy of benefit assessments. Resolution No. F2004-25, which has been approved by County Counsel, authorizes the levy of assessments for Fiscal Year 2004-2005 pursuant to provisions of Resolution No. F87-41, as necessary for the debt service on bonds issued and Resolution No. F88-13 on April 5, 1988 which authorized the sale and issuance of \$2,620,000 of Special Obligation Improvement Bonds.

**FINANCIAL:**

Benefit assessment will be levied on a total of 394 parcels in an aggregate amount of \$273,155.94.

*Warren D. Williams*  
WARREN D. WILLIAMS  
General Manager-Chief Engineer

**FINANCIAL DATA**

Current F.Y. District Cost:	N/A	In Current Year Budget:	N/A
Current F.Y. County Cost:	N/A	Budget Adjustment:	N/A
Annual Net District Cost:	N/A	For Fiscal Year:	N/A

**SOURCE OF FUNDS:** N/A

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

*K. Sifford*

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

Prev. Agn. Ref.:

District: 3rd

Agenda Number:

11.9

FORM APPROVED  
COUNTY COUNSEL

JUL 16 2004

*David...*  
Departmental Concurrence

*Warren D. Williams*  
BY

2  
3 RESOLUTION NO. F2004-25

4 RESOLUTION OF THE BOARD OF SUPERVISORS  
5 OF THE RIVERSIDE COUNTY FLOOD CONTROL  
6 AND WATER CONSERVATION DISTRICT  
7 AUTHORIZING THE LEVY OF A BENEFIT ASSESSMENT  
8 FOR IMPROVEMENT DISTRICT NO. 4-2 OF ZONE FOUR  
9 (SAN JACINTO RIVER)

10 WHEREAS, the Board of Supervisors (the "Board of Supervisors") of the Riverside  
11 County Flood Control and Water Conservation District (the "District") is the governing body of  
12 Improvement District No. 4-2 (San Jacinto River) of Zone Four of the District (the  
13 "Improvement Area"), created pursuant to the provisions of Chapter 48 of the Water Code  
14 Appendix of the State of California, the Riverside County Flood Control and Water Conservation  
15 District Act (the "District Law") and Chapter 6.4 commencing with Section 54703 of Part 1 of  
16 Division 2 of Title 5 of the Government Code of the State of California, commonly known as the  
17 Benefit Assessment Act of 1982 (the "Benefit Assessment Act"); and

18 WHEREAS, the Board of Supervisors has enacted Resolution No. F87-41 in  
19 accordance with the Benefit Assessment Act authorizing the levy of a benefit assessment on the  
20 property located within the Improvement Area; and

21 WHEREAS, the Board of Supervisors has enacted Resolution No. F88-13  
22 authorizing the sale and issuance of \$2,620,000 of Special Obligation Improvement Bonds,  
23 Series A (the "Bonds");

24 WHEREAS, the Board of Supervisors has completed all steps necessary to levy a  
25 benefit assessment in accordance with the procedures set forth in the District Law and the  
26 Benefit Assessment Act; now, therefore,

27 BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED by the Board of  
28 Supervisors of the Riverside County Flood Control and Water Conservation District in regular  
session assembled on July 27, 2004, as follows:

Section 1. Each of the above recitals is true and correct.

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Section 2. Pursuant to the provisions of Resolution No. F87-41 there is levied on a total of 394 parcels an aggregate benefit assessment of \$273,155.94 as set forth on a magnetic tape to be provided to the Auditor-Controller of the County by Albert A. Webb Associates, all of which comprise the Improvement Area of Fiscal Year 2004-2005.

Section 3. The rate of the benefit assessment set forth above does not exceed the amount previously authorized by Resolution No. F87-41.

Section 4. The proceeds of the benefit assessment shall be used to pay, in whole or in part, the costs of the following, in the following order of priority:

- A. \$256,005.00 for payment of principal of and interest on the Bonds.
- B. \$17,150.94 for payment of the administrative costs and other incidental expenses of the Improvement Area as provided for in Resolution No. F88-13, the District Law and Benefit Assessment Act.

The proceeds of the benefit assessment shall be used as set forth above, and shall not be used for any other purpose.

Section 5. The benefit assessment shall be collected in the same manner as ordinary ad valorem property taxes are collected and shall be subject to the same penalties and the same procedure and sale in cases of delinquency for other ad valorem taxes, and the District is hereby authorized to deduct reasonable administrative costs incurred in collecting the benefit assessment.

Section 6. All benefit assessments collected shall be paid by the District to the Trustee for deposit in the Bond Service Fund, the Reserve Fund, and the Administrative Expense Account pursuant to the terms of Resolution No. F88-13.

Section 7. The Auditor-Controller of the County is hereby directed to enter on the next County Assessment Tax Roll on which taxes will become due, opposite each lot or parcel of land affected, in a space marked "Flood Control ID 4-2", the installment of the benefit

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assessment, and the exact rate and amount of said benefit assessment levied pursuant to this resolution.

Section 8. The County Auditor-Controller shall then, at the close of the tax collection period, promptly render to the District a detailed report showing the amount and/or amounts of such benefit assessment installments, interest, penalties and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection and placing the benefit assessment on the County Tax Roll. Any expenses to be paid to the Auditor-Controller for carrying out the foregoing responsibilities shall be in accordance with a contract entered into between the District and the Auditor-Controller pursuant to Section 29304 of the Government Code and to be paid from the \$17,150.94 for administrative costs.

SJC:erf  
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