

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

454 A



FROM: TLMA-Transportation Department

SUBMITTAL DATE:
March 7, 2005

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

RECOMMENDED MOTION: That the Board:

1. Adopt Resolution No. 2005-056, Resolution of the County of Riverside confirming the diagram and assessment for Street Lighting Zone 39 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated and levying assessments on all assessable lots and parcels of land therein for fiscal year 2005-06.
2. Direct the Auditor-Controller's office to establish an interest-bearing sub-fund of Fund 20300 to receive deposits and interest thereon from Street Lighting Zone 39 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated; in accordance with Section 22655-22656 of the Streets and Highways Code.

FORM APPROVED
COUNTY COUNSEL
FEB 25 2005
BY *[Signature]*

for Mark S. Bemas
George A. Johnson
Director of Transportation

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:	2005-2006
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

Jenny J. Buford

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

Prev. Agn. Ref.:

District: 2

Agenda Number:

3.45

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

March 7, 2005
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BACKGROUND:

On December 14, 2004, a public hearing was held to receive all testimony regarding the annexation of Street Lighting Zone 39 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated ("L&LM Dist. No. 89-1-C"). After closing the public hearing, the Board directed the Director of Transportation, or his/her designee, to tally the assessment ballots that had been received prior to the close of the hearing. The assessment ballots were to be tabulated on December 15, 2004 at 10:00 a.m. in Conference Room B on the 8th Floor of the County Administrative Center. The tabulation shows that votes representing 1 parcel out of a possible 1 parcel was cast, and that 1 vote (or 100%) was cast in favor of the annexation of Street Lighting Zone 39 of L&LM Dist. No. 89-1-C and the levy and enrollment of the special assessment.

The proposed busget for fiscal year 2005-06 for Street Lighting Zone 39 is \$193.00 that will result in an assessment for fiscal year 2005-06 within Street Lighting Zone 39 of \$40.04 per acre. Street Lighting Zone 39 includes 1 parcel totaling 4.82 acres.

Adoption of Resolution No. 2005- 056 confirms the assessment levy as indicated in the Engineer's Report for fiscal year 2005-06 for Street Lighting Zone 39 of L&LM Dist. No. 89-1-C and orders the placement of the annual assessment on the County's Assessment Roll for fiscal year 2005-06.

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

STREET LIGHTING ZONE 39

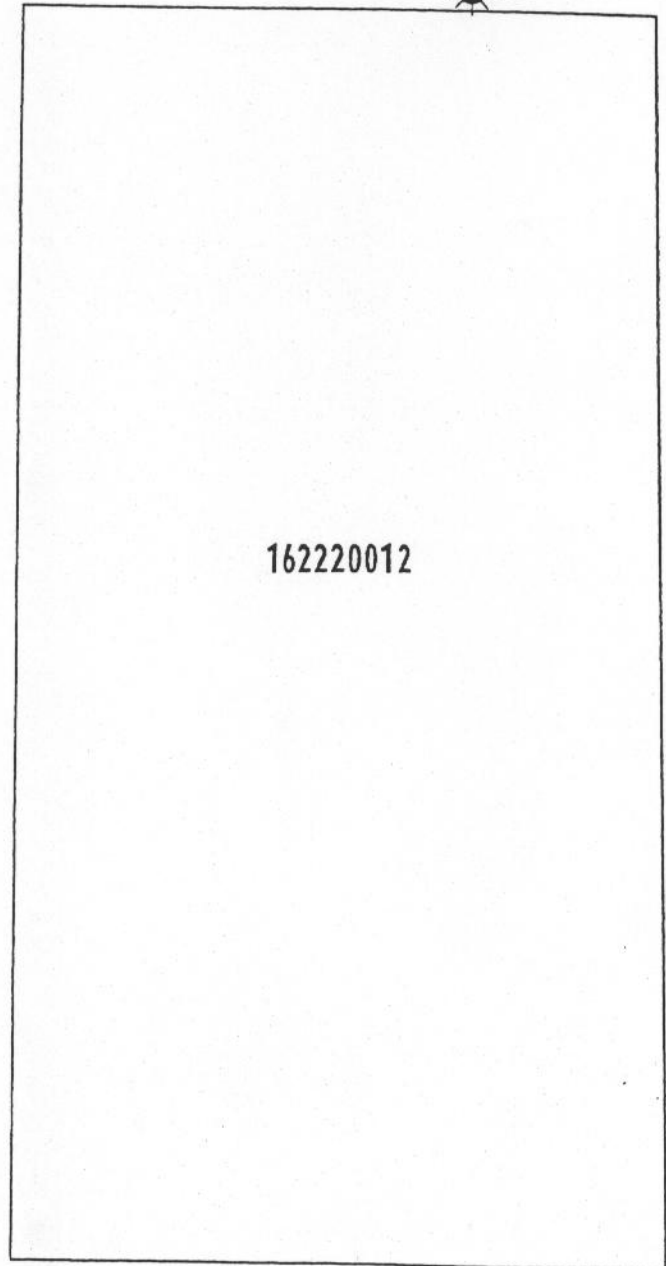
PORTION OF SECTION 27, T.2S.,R.6W.

BAIN ST

LIMONITE AVE



SCALE: 1" = 100'



1 PARCEL
PLOT PLAN NO. 15646

 DENOTES ENERGIZED STREETLIGHT*



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.

ASSESSMENT DIAGRAM

OCTOBER 1, 2004

RESOLUTION NO. 2005-056

RESOLUTION OF THE BOARD OF SUPERVISORS ORDERING THE ANNEXATION OF STREET LIGHTING ZONE 39 INTO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE AND CONFIRMING THE DIAGRAM AND ASSESSMENT FOR STREET LIGHTING ZONE 39 OF LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED AND LEVYING ASSESSMENTS ON ALL ASSESSABLE LOTS AND PARCELS OF LAND THEREIN FOR THE FISCAL YEAR 2005-06

WHEREAS, on October 26, 2004, the Board of Supervisors (hereinafter the "Board of Supervisors") of the County of Riverside (hereinafter the "County"), adopted Resolution No. 2004-467 pursuant to Section 22608 and Section 22585 et. seq. of the Streets and Highways Code, declaring the intention of the Board of Supervisors to order the annexation of Street Lighting Zone 39 into Landscaping and Lighting Maintenance District No. 89-1-Consolidated (hereinafter "L&LMD No. 89-1-C") of the County pursuant to Landscaping and Lighting Act of 1972, being Part 2 (commencing with Section 22500) of Division 15 of the Streets and Highways Code, and giving notice of and setting a public hearing for 9:30 a.m. on December 14, 2004 at the meeting room of the Board of Supervisors and requiring that the notice of the public hearing and assessment ballots be mailed to all owners of property within Street Lighting Zone 39 as shown on the equalized tax roll; and

WHEREAS, notice of said public hearing was duly published and mailed as required by Resolution No. 2004-467, Section 22626 of the Streets and Highways Code and Sections 53753 and 54954.6 of the Government Code and the assessment ballots were timely mailed to all owners of property within said Street Lighting Zone 39 as shown on the equalized tax roll; and

WHEREAS, at 9:30 a.m. on December 14, 2004, as set forth in Resolution No. 2004-467, the Board of Supervisors held a public hearing and afforded all interested persons an opportunity to be heard, and considered all oral statements and all written protest or communications made or filed by any interested persons, closed the public hearing and directed the Director of Transportation, or his/her designee, as an impartial person having no vested interest in the annexation of Street Lighting Zone 39

1 to L&LM Dist. No. 89-1-C as required by Section 53753(e) of the Government Code to tally the
2 assessment ballots that had been received prior to the close of the public hearing; and

3 WHEREAS, the tally of the assessment ballots show that assessment ballots were timely
4 received from the owners of 1 parcel out of a possible 1 parcel and that 1 parcel (100% percent of the
5 assessment ballots received) voted in favor of annexation of Street Lighting Zone 39 into L&LM Dist.
6 No. 89-1-C and the levy of an annual assessment in said Street Lighting Zone 39 beginning fiscal year
7 2005-06; and

8 WHEREAS, the Board of Supervisors may proceed, pursuant to Section 22631 of the Streets
9 and Highways Code, to adopt a resolution confirming the diagram and assessment, either as originally
10 proposed, or as changed by the Board, and the adoption of such a resolution shall constitute the levy of
11 an assessment on all assessable lots and parcels of land within Street Lighting Zone 39 of L&LM Dist.
12 No. 89-1-C beginning fiscal year 2005-06.

13 NOW, THEREFOR, BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED by the Board
14 of Supervisors of the County in regular session on March 15, 2005 as follows:

15 Section 1. Findings. The Board of Supervisors finds:

- 16 (a) the proceeding recitals are correct;
- 17 (b) compliance has been had with all the requirements of the Landscaping and Lighting Act
18 of 1972, being Part 2 (commencing with Section 22500) of Division 15 of the Streets and
19 Highways Code, and Sections 53753 and 54954.6 of the Government Code;
- 20 (c) a majority protest to the annexation of and annual assessment of Street Lighting Zone
21 39 of L&LM Dist. No. 89-1-C has not been filed;
- 22 (d) the tally of the assessment ballots timely received was 100 percent voted in favor of the
23 annexation of Street Lighting Zone 39 into L&LM Dist. No. 89-1-C and the levy of an
24 annual assessment beginning fiscal year 2005-06, and 0 percent voted no;
- 25 (e) the Board of Supervisors may proceed to adopt a resolution ordering the annexation of
26 Street Lighting Zone 39 into L&LM Dist. No. 89-1-C;

1 (f) the Board of Supervisors may proceed to adopt a resolution confirming the diagram and
2 assessment for Street Lighting Zone 39 of L&LM Dist. No. 89-1-C either as originally
3 proposed or as changed by it; and

4 (g) the assessments to be levied on the assessable lots and parcels of land within Street
5 Lighting Zone 39 of L&LM Dist. No. 89-1C for the provision of electricity to all streetlights
6 in said Street Lighting Zone 39 during the fiscal year 2005-06 as contained in the report
7 of the Director of Transportation which is on file with the Clerk of the Board of
8 Supervisors (hereinafter the "Report") are based on benefits derived by such lots and
9 parcels from the availability of such streetlights, and are not based upon the ownership
10 of such lots and parcels.

11 Section 2. Annexation. Street Lighting Zone 39, as proposed to be annexed into L&LM Dist.
12 No. 89-1-C, includes all the property subject to Plot Plan No. 15646 in the County of Riverside, State of
13 California as described in Exhibit "A" attached hereto, shall be and is annexed into L&LM Dist. No. 89-
14 1-C.

15 Section 3. Improvements. The improvements authorized for Street Lighting Zone 39 of
16 L&LM Dist. No. 89-1-C are:

17 (a) provision of electricity to all streetlights within the public right-of way including incidental
18 costs and expenses.

19 Section 4. Confirmation of Report. The Report and the assessment diagram and the
20 assessment of estimated costs for the provision of electricity to all streetlights in Street Lighting Zone
21 39 of L&LM Dist. No. 89-1-C for fiscal year 2005-06 as contained in the Report are confirmed.

22 Section 5. Levy of Assessment. Pursuant to Section 22631 of the Streets and Highways
23 Code, the adoption of this resolution constitutes the levy of the assessment for the provision of
24 electricity to all streetlights in Street Lighting Zone 39 of L&LM Dist. No. 89-1-C during fiscal year 2005-
25 06, as contained in the Report, and such assessment is levied. The Clerk of the Board of Supervisors is
26 directed to file a certified copy of this resolution, together with the diagram and assessment contained

1 in the Report with the County Auditor of the County of Riverside, who, pursuant to Section 22645 of the
2 Streets and Highways Code, shall enter on the County Tax Roll opposite each lot or parcel of land the
3 amount assesses thereupon, as shown in said assessment.

4 Section 6. Effective Date. This Resolution shall take effect from and after its date of
5 adoption.

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EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

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The boundaries of Street Lighting Zone 39 to be annexed into Landscaping and Lighting Maintenance District No 89-1-Consolidated, of the County of Riverside are coterminous with the boundaries of APN 162220012 as shown on the Assessment Roll in the County of Riverside, State of California for fiscal year 2004-2005.