

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

234A



**FROM:** TLMA-Transportation Department

**SUBMITTAL DATE:**  
July 1, 2005

**SUBJECT:** Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Location 2 to Zone 29.

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

Resolution No. 2005-137, a Resolution of the County of Riverside initiating proceedings for the annexation of Location 2 to Zone 29 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated and ordering preparation of the Engineer's Report regarding the proposed annexation of Location 2.

Resolution No. 2005-138, a Resolution of the County of Riverside declaring its intent to order the annexation of Location 2 to Zone 29 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 landscaping and equestrian trails; giving notice of and setting the time and place of the public hearing on the annexation of Location 2, 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.

FORM APPROVED  
COUNTY COUNSEL

JUN 9 8 2005  
BY *[Signature]*

Juan C. Perez  
Deputy Director of Transportation

*[Signature]*  
George A. Johnson  
Director of Transportation

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2005-06

<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** *[Signature: Bronda King]*

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:

3.87

**SUBJECT:** Landscaping and Lighting Maintenance District No. 89-1-Consolidated Annexation of Location 2 to Zone 29.

July 1, 2005  
Page 2 of 2

**BACKGROUND:** Adoption of Resolution No. 2005-137 appoints the Director of the Transportation Department as the Engineer to prepare a Report regarding the proposed annexation of Location 2 to Zone 29 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated ("L&LM District No. 89-1-C").

Resolution No. 2005-138 declares the Board's intention of ordering the annexation of Location 2 to Zone 29 of L&LM District No. 89-1-C. Annexation of Location 2 to Zone 29 of L&LMD No. 89-1-C will fund the maintenance and servicing of landscaping and equestrian trail improvements within public rights of way located northeasterly of Grand Ave.; in the Wildomar area and includes 10 single-family residential parcels.

The proposed budget of fiscal year 2005-06 for Location 2 is \$700.00 that will result in an assessment for fiscal year 2005-06 within Location 2 of \$70.00 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 2005.

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 30, 2005 to receive testimony for and against the proposed assessment. Each property owner within the proposed Location 2 will receive a notice of the public hearing and an assessment ballot, an impartial analysis, a copy of Resolution No. 2005-138 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, Location 2 will be annexed to Zone 29 of L&LMD No. 89-1-C.

RESOLUTION NO. 2005-137

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE INITIATING PROCEEDINGS FOR THE ANNEXATION OF LOCATION 2 TO ZONE 29 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 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 “Location 2”), as shown and described in Exhibit “A”, which is attached hereto and made a part hereof, to be annexed to Zone 29 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated (hereinafter, respectively, “Zone 29” and “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 Location 2 to Zone 29 of L&LMD No. 89-1-C pursuant to the Landscaping and Lighting Act of 1972, Part 2 (commencing with Section 29500) 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 and Section 4000 of the Elections Code requiring voter approval of the proposed assessment to be levied by L&LMD No. 89-1-C for Location 2 of Zone 29; 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 Location 2 to Zone 29 of 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 12, 2005 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 Location 2 to  
6 Zone 29 of L&LMD No. 89-1-C and to initiate and conduct proceedings therefore pursuant to the Act  
7 for the purpose of levying an annual assessment on all parcels within Location 2 to pay the costs of  
8 the following services:

- 9 (a) The maintenance and servicing of equestrian trails within the public right-of way,  
10 including weeding, ground sterilization and repair of fencing; and  
11 (b) The maintenance and servicing of landscaping within the public right-of-way,  
12 including the trimming, fertilizing, weeding and replanting of trees, shrubs, grass,  
13 and other ornamental vegetation; and  
14 (c) The maintenance and servicing of irrigation and electrical facilities associated  
15 with the landscaping, including but not limited to electricity for operation of  
16 the irrigation system and water for irrigation.

17 **Section 3. Boundaries and Designation.** The boundaries of Location 2 that  
18 is proposed to be annexed to Zone 29 of L&LMD No. 89-1-C shall include all of the property as shown  
19 and described in Exhibit "A".

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

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

26 FORM APPROVED  
COUNTY COUNSEL

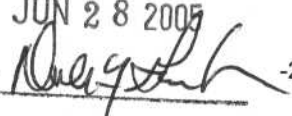
JUN 28 2005  
BY  -2-

EXHIBIT "A"

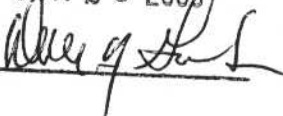
DESCRIPTION OF BOUNDARIES

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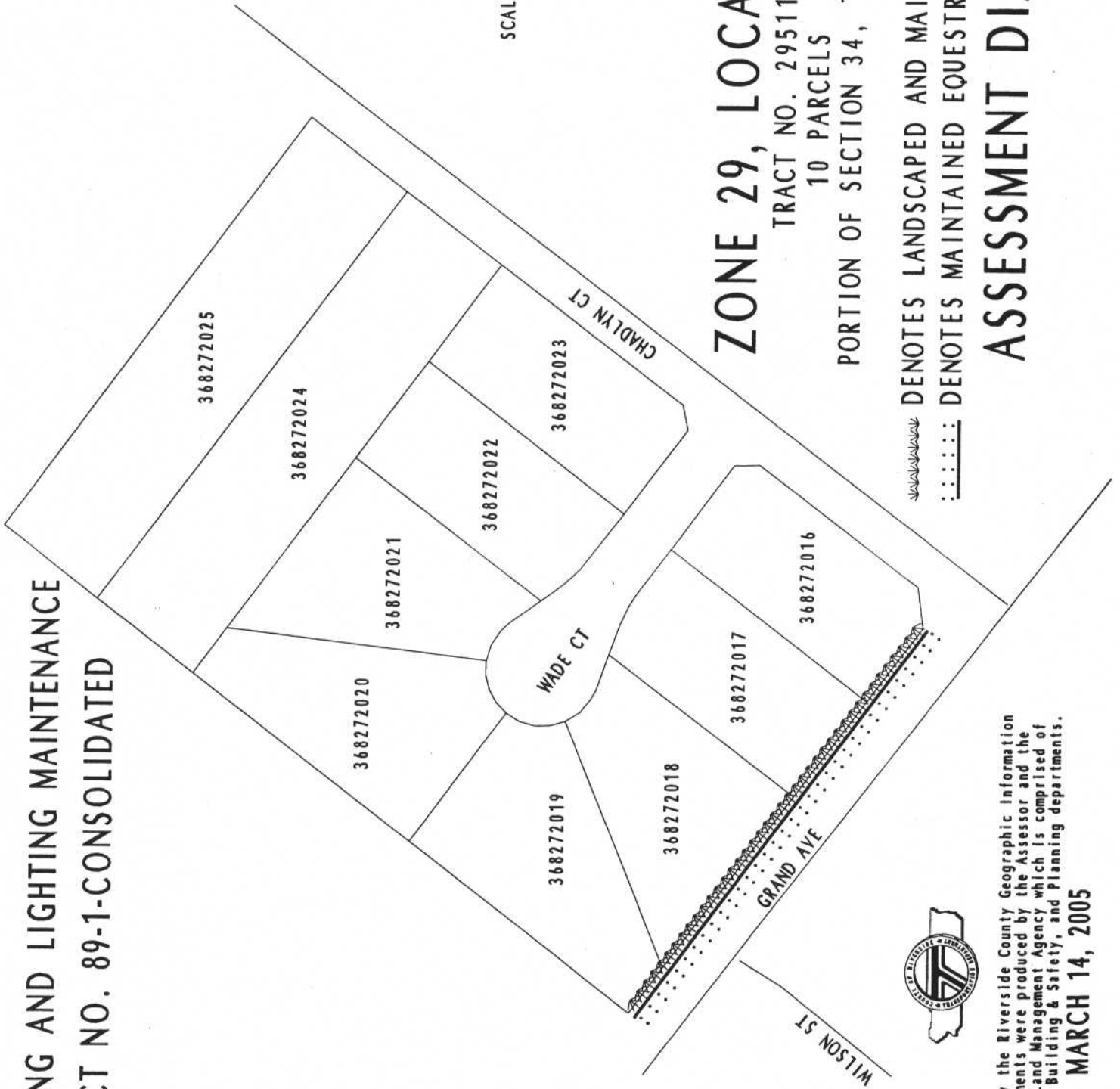
The boundaries of Location 2 of Zone 29 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside are coterminous with the boundaries of Lots 1 through 10 as shown Tract Map No. 29511 in the County of Riverside, State of California for fiscal year 2005-06.

FORM APPROVED  
COUNTY COUNSEL

JUN 28 2005

BY 

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



**ZONE 29, LOCATION 2**

TRACT NO. 29511  
10 PARCELS

PORTION OF SECTION 34, T.6S., R.4W.

 DENOTES LANDSCAPED AND MAINTAINED PARKWAY  
 DENOTES MAINTAINED EQUESTRIAN TRAIL

**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.

**MARCH 14, 2005**