



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

FROM: General Manager-Chief Engineer

SUBMITTAL DATE:
July 26, 2005

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

RECOMMENDED MOTION:

Adopt Resolution F2005-19 authorizing the levy of a benefit assessment for Fiscal Year 2005-2006 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. F2005-19, which has been approved by County Counsel, authorizes the levy of assessments for Fiscal Year 2005-2006 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 \$252,522.50.

for
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

FORM APPROVED
COUNTY COUNSEL
JUL 18 2005

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

Prev. Agn. Ref.: DISTRICT BOARD **District:** 3rd **Agenda Number:**

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3 **RESOLUTION NO. F2005-19**

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 26,2005 as follows:

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

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2 Section 2. Pursuant to the provisions of Resolution No. F87-41 there is levied on a
3 total of 394 parcels an aggregate benefit assessment of \$252,522.50 as set forth on a magnetic
4 tape to be provided to the Auditor-Controller of the County by Albert A. Webb Associates, all of
5 which comprise the Improvement Area of Fiscal Year 2005-2006.

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

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

10 A. \$225,502.50 for payment of principal of and interest on the Bonds.

11 B. \$22,897.00 for payment of the administrative costs and other incidental
12 expenses of the Improvement Area as provided for in Resolution No. F88-
13 13, the District Law and Benefit Assessment Act.

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

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

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

24 Section 7. The Auditor-Controller of the County is hereby directed to enter on the
25 next County Assessment Tax Roll on which taxes will become due, opposite each lot or parcel of
26 land affected, in a space marked "Flood Control ID 4-2", the installment of the benefit
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2 assessment, and the exact rate and amount of said benefit assessment levied pursuant to this
3 resolution.

4 Section 8. The County Auditor-Controller shall then, at the close of the tax
5 collection period, promptly render to the District a detailed report showing the amount and/or
6 amounts of such benefit assessment installments, interest, penalties and percentages so collected
7 and from what property collected, and also provide a statement of any percentages retained for
8 the expense of making any such collection and placing the benefit assessment on the County Tax
9 Roll. Any expenses to be paid to the Auditor-Controller for carrying out the foregoing
10 responsibilities shall be in accordance with a contract entered into between the District and the
11 Auditor-Controller pursuant to Section 29304 of the Government Code and to be paid from the
12 \$22,897.00 for administrative costs.

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14 SJC:erf

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20 FORM APPROVED
21 COUNTY COUNSEL

22 JUL 18 2005

23 BY Wang