

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

252A



**FROM:** TLMA-Transportation Department

**SUBMITTAL DATE:**  
October 17, 2005

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

**RECOMMENDED MOTION:** That the Board:

1. Adopt Resolution No. 2005-449, Resolution of the County of Riverside confirming the diagram and assessment for Location 2 of Zone 29 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.

FORM APPROVED  
COUNTY COUNSEL

OCT 17 2005

*[Handwritten signature]*  
B. [unclear]

*[Handwritten signature: George A. Johnson]*  
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:	2005-2006

<b>SOURCE OF FUNDS:</b> 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**  
*[Handwritten signature: James J. Bufalino]*

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

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

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**BACKGROUND:**

On August 30, 2005, a public hearing was held to receive all testimony regarding the annexation of Location 2 to Zone 29 of 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 August 31, 2005 at 10:00 a.m. in Conference Room B on the 8<sup>th</sup> Floor of the County Administrative Center. The tabulation shows that votes representing 8 parcels out of a possible 10 parcels were cast, and that 5 votes (or 63%) were cast in favor of the annexation of Location 2 to Zone 29 of L&LM Dist. No. 89-1-C and the levy and enrollment of the special assessment.

The proposed budget for 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. Location 2 of Zone 29 includes 10 single family residential parcels.

Adoption of Resolution No. 2005-449 confirms the assessment levy as indicated in the Engineer's Report for fiscal year 2005-06 for Location 2 of Zone 29 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.

RESOLUTION NO. 2005-449

**RESOLUTION OF THE BOARD OF SUPERVISORS ORDERING THE ANNEXATION OF  
LOCATION 2 TO ZONE 29 OF LANDSCAPING AND LIGHTING MAINTENANCE  
DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE AND  
CONFIRMING THE DIAGRAM AND ASSESSMENT FOR LOCATION 2 OF ZONE 29  
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 July 12, 2005, the Board of Supervisors (hereinafter the "Board of Supervisors") of the County of Riverside (hereinafter the "County"), adopted Resolution No.2005-138, 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 Location 2 to Zone 29 of 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 August 30, 2005 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 Location 2 as shown on the equalized tax roll; and

**WHEREAS**, notice of said public hearing was duly published and mailed as required by Resolution No. 2005-138, 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 Location 2 of Zone 29 as shown on the equalized tax roll; and

**WHEREAS**, at 9:30 a.m. on August 30, 2005, as set forth in Resolution No. 2005-138, 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 Location 2 to Zone 29

1 of 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 8 parcels out of a possible 10 parcels and that 5 parcels (63 percent of the  
5 assessment ballots received) voted in favor of annexation of Location 2 to Zone 29 of L&LM Dist. No.  
6 89-1-C and the levy of an annual assessment in said Location 2 beginning fiscal year 2005-06; and

7 **WHEREAS**, the Board of Supervisors may proceed, pursuant to Section 22631 of the Streets  
8 and Highways Code, to adopt a resolution confirming the diagram and assessment, either as originally  
9 proposed, or as changed by the Board, and the adoption of such a resolution shall constitute the levy of  
10 an assessment on all assessable lots and parcels of land within Location 2 of Zone 29 of L&LM Dist.  
11 No. 89-1-C beginning fiscal year 2005-06.

12 **NOW, THEREFOR, BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the  
13 Board of Supervisors of the County in regular session on October 25, 2005 as follows:

14 **Section 1. Findings.** The Board of Supervisors finds:

- 15 (a) the proceeding recitals are correct;
- 16 (b) compliance has been had with all the requirements of the Landscaping and Lighting Act  
17 of 1972, being Part 2 (commencing with Section 22500) of Division 15 of the Streets and  
18 Highways Code, and Sections 53753 and 54954.6 of the Government Code;
- 19 (c) a majority protest to the annexation of and annual assessment of Location 2 to Zone 29  
20 of L&LM Dist. No. 89-1-C has not been filed;
- 21 (d) the tally of the assessment ballots timely received was 63 percent voted in favor of the  
22 annexation of Location 2 to Zone 29 of L&LM Dist. No. 8-1-C and the levy of an annual  
23 assessment beginning fiscal year 2005-06, and 27 percent voted no;
- 24 (e) the Board of Supervisors may proceed to adopt a resolution ordering the annexation of  
25 Location 2 to Zone 29 of L&LM Dist. No. 89-1-C;
- 26

- 1 (f) the Board of Supervisors may proceed to adopt a resolution confirming the diagram and  
2 assessment for Location 2 of Zone 29 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 Location  
5 2 of Zone 29 of L&LM Dist. No. 89-1C for the installation, maintenance and servicing of  
6 landscaping, and multi-purpose trail improvements in said Location 2 during the fiscal  
7 year 2005-06 as contained in the report of the Director of Transportation which is on file  
8 with the Clerk of the Board of Supervisors (hereinafter the "Report") are based on  
9 benefits derived by such lots and parcels from the availability of such landscaping and  
10 multi-purpose trail improvements, and are not based upon the ownership of such lots  
11 and parcels.

12 **Section 2. Annexation.** Location 2 of Zone 29, as proposed to be annexed to L&LM  
13 Dist. No. 89-1-C, includes all the property subject to Tract Map No. 29511 in the County of Riverside,  
14 State of California as described in Exhibit "A" attached hereto, shall be and is annexed into L&LM Dist.  
15 No. 89-1-C.

16 **Section 3. Improvements.** The improvements authorized for Location 2 of Zone 29 of  
17 L&LM Dist. No. 89-1-C are:

- 18 (a) The maintenance and servicing of landscaping and multi-purpose trails within the public  
19 right-of- way, including the trimming, fertilizing, weeding and replanting of trees, shrubs,  
20 grass, and other ornamental vegetation; and
- 21 (b) The maintenance and servicing of irrigation and electrical facilities associated with the  
22 landscaping, including but not limited to electricity for operation of the irrigation system  
23 and water for irrigation.

24 **Section 4. Confirmation of Report.** The Report and the assessment diagram and the  
25 Assessment of estimated cost for the installation, maintenance and servicing of landscaping  
26 and multi-purpose trail improvements in Location 2 of Zone 29 of L&LM Dist. No. 89-1-C for fiscal



EXHIBIT "A"

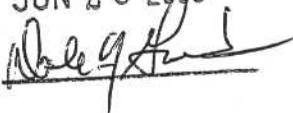
DESCRIPTION OF BOUNDARIES

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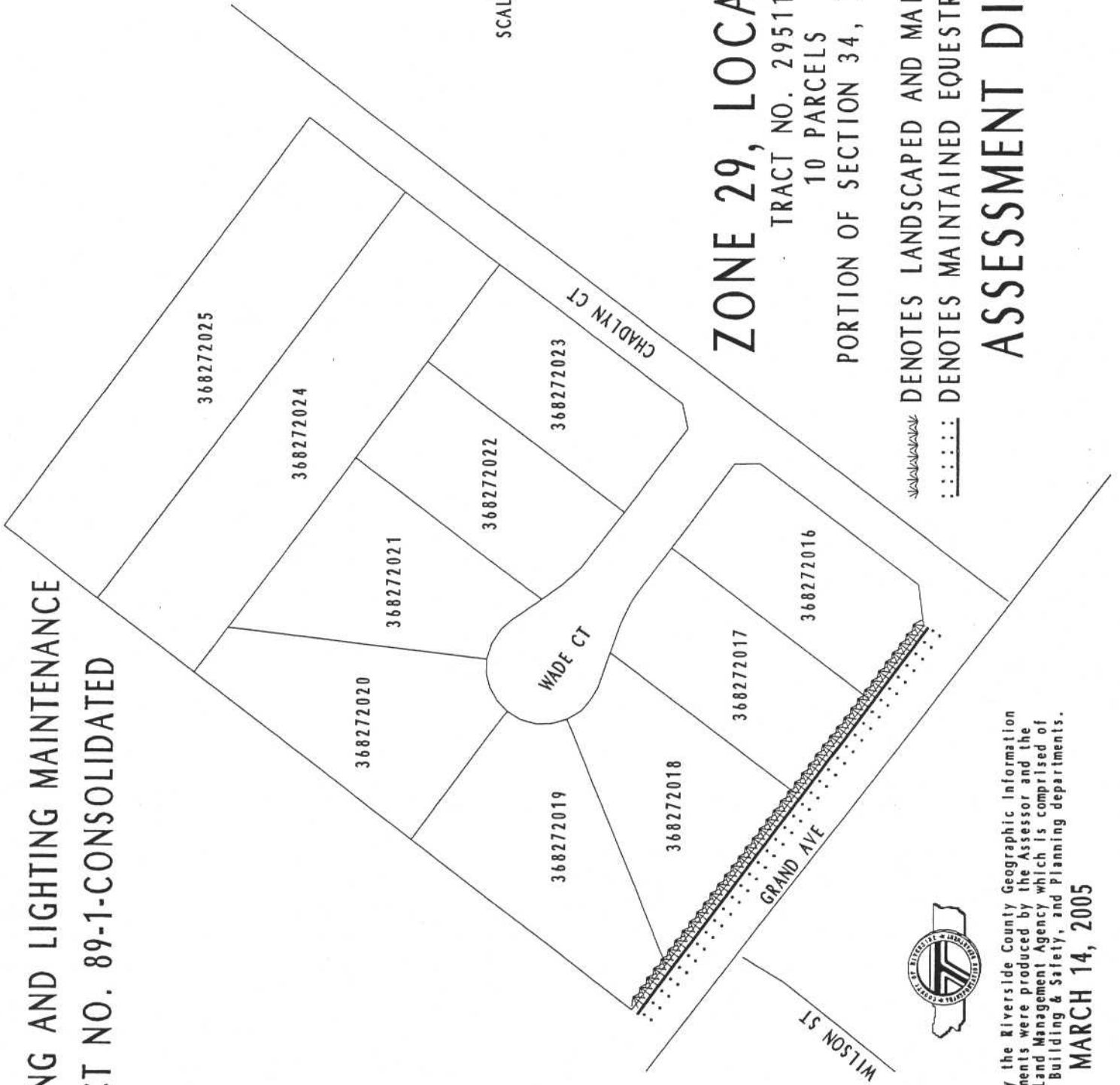
The boundaries of Location 2 of Zone 29 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside are coterminous with the boundaries of Lots 1 through 10 as shown Tract Map No. 29511 in the County of Riverside, State of California for fiscal year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