

939A

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



**FROM:** TLMA-Transportation Department

**SUBMITTAL DATE:**  
May 15, 2006

**SUBJECT:** Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Zone 58.

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

Resolution No. 2006-166, a Resolution of the County of Riverside initiating proceedings for the annexation of Zone 58 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated and ordering preparation of the Engineer's Report regarding the proposed annexation of Zone 58.

Resolution No. 2006-167, a Resolution of the County of Riverside declaring its intent to order the annexation of Zone 58 to 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 streetlights; giving notice of and setting the time and place of the public hearing on the annexation of Zone 58, ordering a mailed ballot election; and directing notice of the public hearing and ballot be mailed pursuant to Article XIID of the California Constitution.

FORM APPROVED  
COUNTY COUNSEL

MAY 4 2006

BY *[Signature]*

*[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:</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**

*[Signature]*

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

Prev. Agn. Ref.:

District: 1

Agenda Number:

3 . 43

**SUBJECT:** Landscaping and Lighting Maintenance District No. 89-1-Consolidated Annexation of Zone 58.

May 15, 2006  
Page 2 of 2

**BACKGROUND:** Adoption of Resolution No. 2006-166 appoints the Director of the Transportation Department as the Engineer to prepare a Report regarding the proposed annexation of Zone 58 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated ("L&LM District No. 89-1-C").

Resolution No. 2006-167 declares the Board's intention of ordering the annexation of Zone 58 to L&LM District No. 89-1-C. Annexation of Zone 58 to L&LMD No. 89-1-C will fund the maintenance and servicing of landscaping and provide electricity for streetlights within public rights of way located northerly of Van Buren Blvd.; easterly of Albarian St.; northerly and southterly of Graceful Ct.; and easterly and westerly of Graceful Wy. in the El Sobrante area and includes 9 single-family residential lots.

The proposed budget of fiscal year 2006-07 for Zone 58 is \$5,776.00 that will result in an assessment for fiscal year 2006-07 within Zone 58 of \$641.78 per lot. 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 2006.

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 July 11, 2006 to receive testimony for and against the proposed assessment. Each property owner within the proposed Zone 58 will receive a notice of the public hearing and mail-in ballot, an impartial analysis, a copy of Resolution No. 2006-167 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, Zone 58 will be annexed to L&LMD No. 89-1-C.

The individuals/entities which own all of the property within the proposed boundaries of Zone 58 have executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election and public hearing to be held on July 11, 2006.

RESOLUTION NO. 2006-166

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE INITIATING PROCEEDINGS FOR THE ANNEXATION OF ZONE 58 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 an application from the owner (the “Applicant”) of all of the property within the unincorporated area of the County (hereinafter “Zone 58”), as shown and described in Exhibit “A”, which is attached hereto and made a part hereof, to be annexed to Landscaping and Lighting Maintenance District No. 89-1-Consolidated (hereinafter, “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 Zone 58 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 Zone 58; and

**WHEREAS**, the Applicants have executed a “Waiver and Consent Regarding Date of Assessment Ballot Election” allowing for the election to be held on July 11, 2006; and

**WHEREAS**, the Director of the Transportation 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

1 Zone 58 to L&LMD No. 89-1-C.

2 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the  
3 Board of Supervisors of the County of Riverside assembled in regular session on May 23, 2006 as  
4 follows:

5 **Section 1. Recitals.** The Board of Supervisors hereby finds and determines that all  
6 the above recitals are true and correct.

7 **Section 2. Annexation.** The Board of Supervisors proposes to annex Zone 58 of  
8 L&LMD No. 89-1-C and to initiate and conduct proceedings therefore pursuant to the Act for the  
9 purpose of levying an annual assessment on all parcels within Zone 58 to pay the costs of the  
10 following services:

11 (a) The maintenance and servicing of landscaping within the public right-of-way,  
12 including the trimming, fertilizing, weeding and replanting of trees, shrubs, grass, and other  
13 ornamental vegetation; and

14 (b) The maintenance and servicing of irrigation and electrical facilities associated  
15 with the landscaping, including but not limited to electricity for operation of the irrigation system and  
16 water for irrigation.

17 (c) Providing electricity to all streetlights within the public right-of-ways, including  
18 incidental costs and expenses.

19 **Section 3. Boundaries and Designation.** The boundaries of Zone 58 that is  
20 proposed to be annexed to L&LMD No. 89-1-C shall include all of the property as shown and  
21 described in Exhibit "A".

22 **Section 4. Report.** The Director of the Transportation Department of the County, or  
23 his designee, is hereby designated Engineer and is ordered to prepare and file a report with the Clerk  
24 of the Board of Supervisors in accordance with Sections 22608 and 22585 et. seq. of the Streets  
25 and Highways Code and Section 4 of Article XIID of the California Constitution regarding said  
26 annexation and the levy.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

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

FORM APPROVED  
COUNTY COUNCIL  
MAY 4 2006  
BY 

**EXHIBIT "A"**

**DESCRIPTION OF BOUNDARIES**

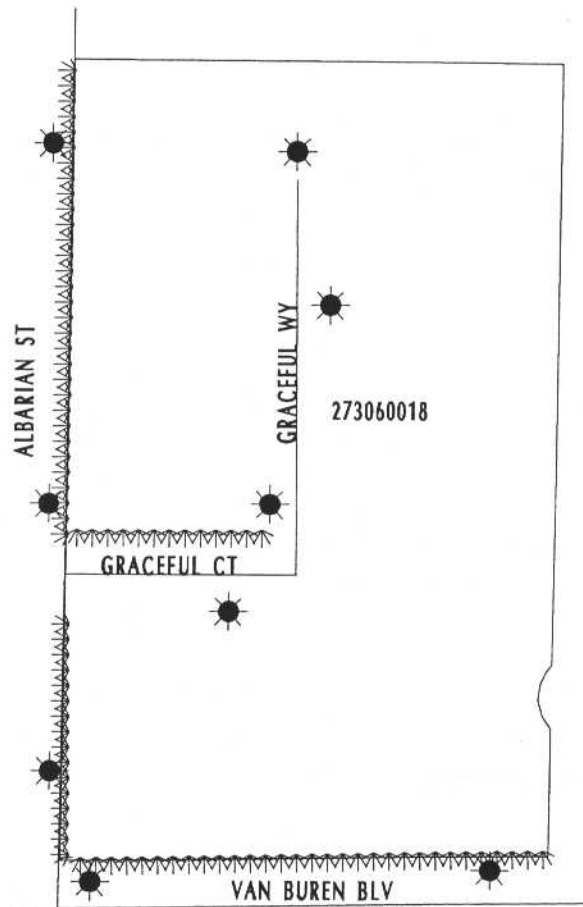
The boundaries of Zone 58 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside are coterminous with the boundaries of Lots 1 through 9 as shown on Tract Map No. 31322 in the County of Riverside, State of California for fiscal year 2006-07.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT  
 NO. 89-1-CONSOLIDATED  
**ZONE 58**  
 PORTION OF SECTION 26, T.3S., R.5W.  
 TRACT NO. 31322  
 9 LOTS



SCALE: 1" = 200'



~~~~~ DENOTES LANDSCAPED AND MAINTAINED PARKWAY

☀ 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.

MAY 1, 2006