

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

563 A



**FROM:** TLMA-Transportation Department

**SUBMITTAL DATE:**

June 30, 2006

**SUBJECT:** Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Zone 61.

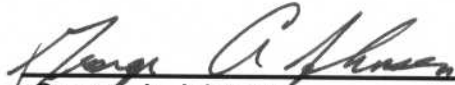
**RECOMMENDED MOTION:** That the Board:

1. Adopt Resolution No. 2006-235, Resolution of the County of Riverside confirming the diagram and assessment for Zone 61 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 2006-07.
2. Direct the Auditor-Controller's office to establish an interest-bearing sub-fund 20300 to receive deposits and interest thereon from Zone 61 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

JUN 22 2006

BY 

  
George A. Johnson  
Director of Transportation

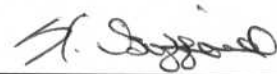
<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2006-07

<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**



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

Prev. Agn. Ref.:

District: 3

Agenda Number:

3.76

**SUBJECT:** Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Zone 61.

June 30, 2006  
Page 2 of 2

**BACKGROUND:**

On June 6, 2006, a public hearing was held to receive all testimony regarding the annexation of Zone 61 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 June 7, 2006 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 31 parcels out of a possible 31 parcels were cast, and that 31 votes (or 100%) were cast in favor of the annexation of Zone 61 of L&LM Dist. No. 89-1-C and the levy and enrollment of the special assessment.

The proposed budget for fiscal year 2006-07 for Zone 61 is \$2,100.00 that will result in an assessment for fiscal year 2006-07 within Zone 61 of \$67.74 per parcel. Zone 61 includes 31 single family residential parcels. 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.

Adoption of Resolution No. 2006-235 confirms the assessment levy as indicated in the Engineer's Report for fiscal year 2006-07 for Zone 61 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 2006-07.

RESOLUTION NO. 2006-235

**RESOLUTION OF THE BOARD OF SUPERVISORS ORDERING THE ANNEXATION OF  
ZONE 61 OF LANDSCAPING AND LIGHTING MAINTENANCE  
DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE AND  
CONFIRMING THE DIAGRAM AND ASSESSMENT FOR ZONE 61  
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 2006-07**

**WHEREAS**, on April 11, 2006, the Board of Supervisors (hereinafter the "Board of Supervisors") of the County of Riverside (hereinafter the "County"), adopted Resolution No. 2006-096, 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 Zone 61 to 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 June 6, 2006 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 Zone 61 as shown on the equalized tax roll; and

**WHEREAS**, notice of said public hearing was duly published and mailed as required by Resolution No. 2006-096, 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 Zone 61 as shown on the equalized tax roll; and

**WHEREAS**, at 9:30 a.m. on June 6, 2006, as set forth in Resolution No. 2006-096, 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 Zone 61 to L&LM Dist. No. 89-1-C as

1 required by Section 53753(e) of the Government Code to tally the assessment ballots that had been  
2 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 31 parcels out of a possible 31 parcels and that 31 parcels (100 percent of  
5 the assessment ballots received) voted in favor of annexation of Zone 61 to L&LM Dist. No. 89-1-C and  
6 the levy of an annual assessment in said Zone 61 beginning fiscal year 2006-07; 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 Zone 61 of L&LM Dist. No. 89-1-C  
11 beginning fiscal year 2006-07.

12 **NOW, THEREFOR, BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the  
13 Board of Supervisors of the County in regular session on July 11, 2006 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 Zone 61 of L&LM Dist.  
20 No. 89-1-C has not been filed;
- 21 (d) the tally of the assessment ballots timely received was 100 percent voted in favor of the  
22 annexation of Zone 61 to L&LM Dist. No. 89-1-C and the levy of an annual assessment  
23 beginning fiscal year 2006-07, and 0 percent voted no;
- 24 (e) the Board of Supervisors may proceed to adopt a resolution ordering the annexation  
25 Zone 61 to 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 Zone 61 of L&LM Dist. No. 89-1-C either as originally proposed or as  
3 changed by it; and

4 (g) the assessments to be levied on the assessable lots and parcels of land within Zone 61  
5 of L&LM Dist. No. 89-1C for the installation, maintenance and servicing of catch basin  
6 filtration system improvements in said Zone 61 during the fiscal year 2006-07 as  
7 contained in the report of the Director of Transportation which is on file with the Clerk of  
8 the Board of Supervisors (hereinafter the "Report") are based on benefits derived by  
9 such lots and parcels from the availability of such catch basin filtration system  
10 improvements, and are not based upon the ownership of such lots and parcels.

11 **Section 2. Annexation.** Zone 61, as proposed to be annexed to L&LM Dist. No. 89-1-  
12 C, includes all the property subject to Tract Map No. 31301 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 Zone 61 of L&LM Dist. No.  
16 89-1-C are:

17 (a) The maintenance and servicing of catch basin filtrations systems within the  
18 public right-of-way including the removal of petroleum hydrocarbons and  
19 other pollutants from water runoff.

20 **Section 4. Confirmation of Report.** The Report and the assessment diagram and the  
21 assessment of estimated costs for the installation, maintenance and servicing of catch basin  
22 filtration systems in Zone 61 of L&LM Dist. No. 89-1-C for fiscal year 2006-07 as  
23 contained in the Report are confirmed.

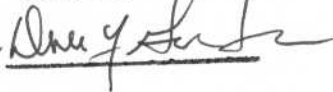
24 **Section 5. Levy of Assessment.** Pursuant to Section 22631 of the Streets and Highways  
25 Code, the adoption of this resolution constitutes the levy of the assessment for the installation, and  
26 maintenance or servicing of catch basin filtration system improvements in Zone 61 of L&LM Dist. No.

1 89-1-C during fiscal year 2006-07, as contained in the Report, and such assessment is levied. The  
2 Clerk of the Board of Supervisors is directed to file a certified copy of this resolution, together with the  
3 diagram and assessment contained in the Report with the County Auditor-Controller of the County of  
4 Riverside, who, pursuant to Section 22645 of the Streets and Highways Code, shall enter on the  
5 County Tax Roll opposite each lot or parcel of land the amount assesses thereupon, as shown in said  
6 assessment.

7 **Section 6.** **Effective Date.** This Resolution shall take effect from and after its date of  
8 adoption.

9  
10  
11 FORM APPROVED  
12 COUNTY COUNSEL

13 JUN 22 2006

14 BY 

**EXHIBIT "A"**  
**DESCRIPTION OF BOUNDARIES**

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The boundaries of Zone 61 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 31 as shown Tract Map No. 31301 the County of Riverside, State of California for fiscal year 2006-07.

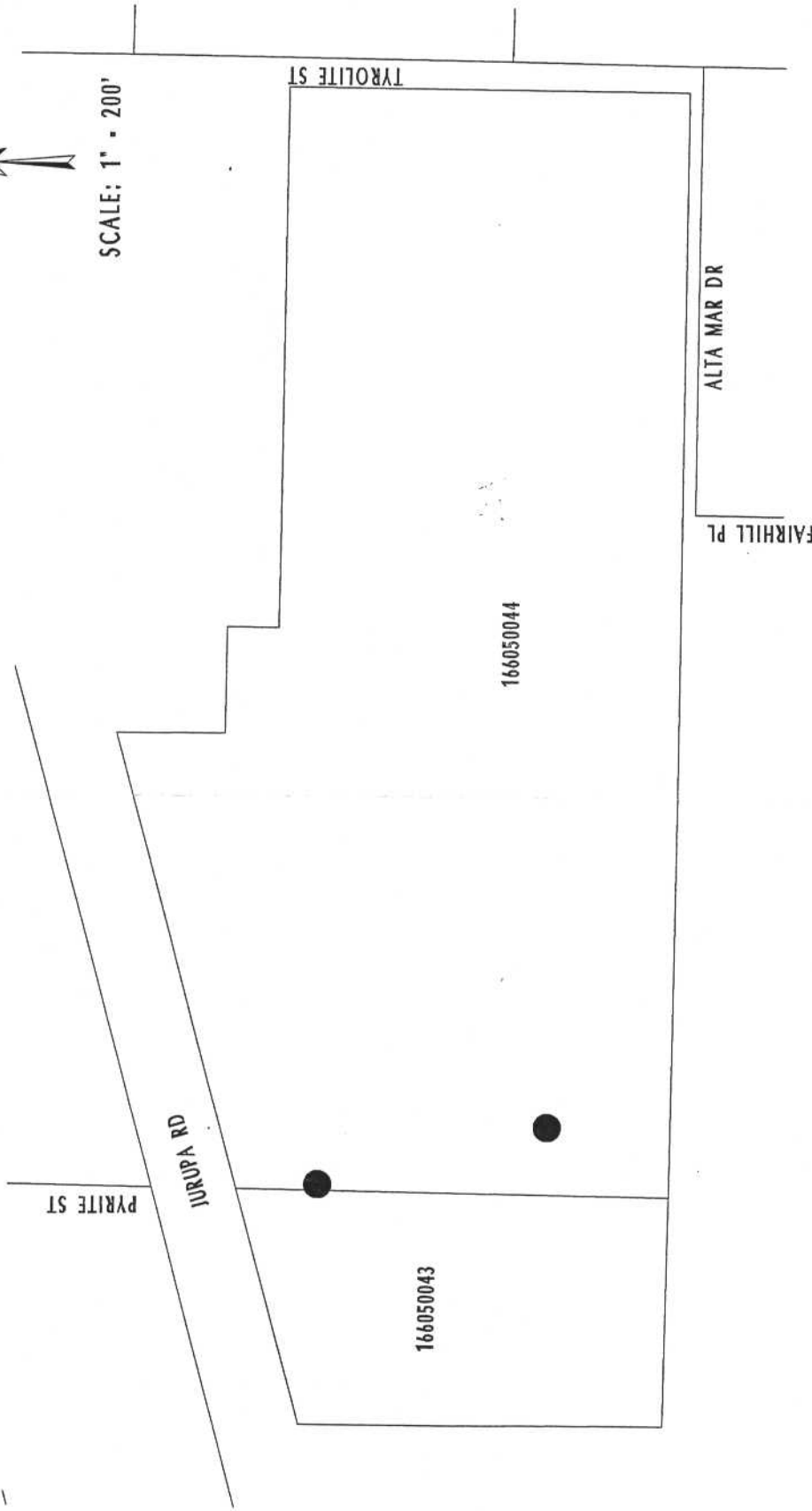
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED

ZONE 61

PORTION OF SECTION 13, T.2S., R.6W.  
TRACT NO. 31301



SCALE: 1" = 200'



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 8, 2006

● DENOTES CATCH BASIN FILTRATION SYSTEM

ASSESSMENT DIAGRAM