

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

561 A



FROM: TLMA-Transportation Department

SUBMITTAL DATE:

June 30, 2006

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Zone 62.

RECOMMENDED MOTION: That the Board:

1. Adopt Resolution No. 2006-236, Resolution of the County of Riverside confirming the diagram and assessment for Zone 62 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 62 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 *[Signature]*

[Signature]
George A. Johnson
Director of Transportation

FINANCIAL DATA	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

SOURCE OF FUNDS: 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]

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

Prev. Agn. Ref.:

District: 1

Agenda Number:

3.77

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Zone 62.

June 30, 2006

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BACKGROUND:

On June 6, 2006, a public hearing was held to receive all testimony regarding the annexation of Zone 62 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 8th Floor of the County Administrative Center. The tabulation shows that votes representing 115 parcels out of a possible 115 parcels were cast, and that 115 votes (or 100%) were cast in favor of the annexation of Zone 62 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 62 is \$14,398.00 that will result in an assessment for fiscal year 2006-07 within Zone 62 of \$125.20 per parcel. Zone 62 includes 115 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. 2006-236 confirms the assessment levy as indicated in the Engineer's Report for fiscal year 2006-07 for Zone 62 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. 2006-236

**RESOLUTION OF THE BOARD OF SUPERVISORS ORDERING THE ANNEXATION OF
ZONE 62 OF LANDSCAPING AND LIGHTING MAINTENANCE
DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE AND
CONFIRMING THE DIAGRAM AND ASSESSMENT FOR ZONE 62
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. 2006-098, 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 62 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 62 as shown on the equalized tax roll; and

WHEREAS, notice of said public hearing was duly published and mailed as required by Resolution No. 2006-098, 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 62 as shown on the equalized tax roll; and

WHEREAS, at 9:30 a.m. on June 6, 2006, as set forth in Resolution No. 2006-098, 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 62 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 115 parcels out of a possible 115 parcels and that 115 parcels (100
5 percent of the assessment ballots received) voted in favor of annexation of Zone 62 to L&LM Dist. No.
6 89-1-C and the levy of an annual assessment in said Zone 62 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 62 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 62 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 62 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 62 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 62 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 62
5 of L&LM Dist. No. 89-1C for the installation, maintenance and servicing of equestrian
6 trail and catch basin filtration system improvements in said Zone 62 during the fiscal
7 year 2006-07 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 equestrian trail and
10 catch basin filtration system improvements, and are not based upon the ownership of
11 such lots and parcels.

12 **Section 2. Annexation.** Zone 62, as proposed to be annexed to L&LM Dist. No. 89-1-
13 C, includes all the property subject to Tract Map No. 31353 in the County of Riverside, State of
14 California as described in Exhibit "A" attached hereto, shall be and is annexed into L&LM Dist. No. 89-
15 1-C.

16 **Section 3. Improvements.** The improvements authorized for Zone 62 of L&LM Dist. No.
17 89-1-C are:

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

21 (b) The maintenance and servicing of equestrian trail improvements within the
22 public right-of-way including weeding and grading.

23 **Section 4. Confirmation of Report.** The Report and the assessment diagram and the
24 assessment of estimated costs for the installation, maintenance and servicing of equestrian
25 trail and catch basin filtration system improvements in Zone 62 of L&LM Dist. No. 89-1-C for
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1 | fiscal year 2006-07 as contained in the Report are confirmed.

2 | **Section 5. Levy of Assessment.** Pursuant to Section 22631 of the Streets and Highways
3 | Code, the adoption of this resolution constitutes the levy of the assessment for the installation, and
4 | maintenance or servicing of equestrian trail and catch basin filtration system improvements in Zone 62
5 | of L&LM Dist. No. 89-1-C during fiscal year 2006-07, as contained in the Report, and such assessment
6 | is levied. The Clerk of the Board of Supervisors is directed to file a certified copy of this resolution,
7 | together with the diagram and assessment contained in the Report with the County Auditor-Controller
8 | of the County of Riverside, who, pursuant to Section 22645 of the Streets and Highways Code, shall
9 | enter on the County Tax Roll opposite each lot or parcel of land the amount assesses thereupon, as
10 | shown in said assessment.

11 | **Section 6. Effective Date.** This Resolution shall take effect from and after its date of
12 | adoption.

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16 | FORM APPROVED
17 | COUNTY COUNSEL

18 | JUN 22 2006

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EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

The boundaries of Zone 62 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 115 as shown Tract Map No. 31353 in the County of Riverside, State of California for fiscal year 2006-07.

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ZONE 62

PORTION OF SECTION 1, T.7S., R.4W.

ASSESSMENT DIAGRAM

TRACT NO. 31353
115 PARCELS



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