

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

138A



FROM: TLMA-Transportation Department

SUBMITTAL DATE:
August 7, 2006

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Zone 66.

RECOMMENDED MOTION: That the Board:

1. Adopt Resolution No. 2006-317, Resolution of the County of Riverside confirming the diagram and assessment for Zone 66 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 66 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

JUL 28 2006

BY *[Signature]*

[Signature: George A. Johnson]
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]*

Dept's Recomm.: Consent Policy X
Per Exec. Ofc.: Consent Policy X

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Zone 66.

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BACKGROUND:

On July 25, 2006, a public hearing was held to receive all testimony regarding the annexation of Zone 66 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 July 26, 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 37 parcels out of a possible 37 parcels were cast, and that 37 votes (or 100%) were cast in favor of the annexation of Zone 66 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 66 is \$8,000.00 that will result in an assessment for fiscal year 2006-07 within Zone 66 of \$216.22 per parcel. Zone 66 includes 37 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. 2006-317 confirms the assessment levy as indicated in the Engineer's Report for fiscal year 2006-07 for Zone 66 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. 2006-317

**RESOLUTION OF THE BOARD OF SUPERVISORS ORDERING THE ANNEXATION OF
ZONE 66 OF LANDSCAPING AND LIGHTING MAINTENANCE
DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE AND
CONFIRMING THE DIAGRAM AND ASSESSMENT FOR ZONE 66
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 June 6, 2006, the Board of Supervisors (hereinafter the "Board of Supervisors") of the County of Riverside (hereinafter the "County"), adopted Resolution No. 2006-181, 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 66 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 July 25, 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 66 as shown on the equalized tax roll; and

WHEREAS, notice of said public hearing was duly published and mailed as required by Resolution No. 2006-181, 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 66 as shown on the equalized tax roll; and

WHEREAS, at 9:30 a.m. on July 25, 2006, as set forth in Resolution No. 2006-181, 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 66 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 37 parcels out of a possible 37 parcels and that 37 parcels (100 percent of
5 the assessment ballots received) voted in favor of annexation of Zone 66 to L&LM Dist. No. 89-1-C and
6 the levy of an annual assessment in said Zone 66 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 66 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 August 15, 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 66 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 66 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 66 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 66 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 66
5 of L&LM Dist. No. 89-1C for the installation, maintenance and servicing of landscape
6 improvements in said Zone 66 during the fiscal year 2006-07 as contained in the report
7 of the Director of Transportation which is on file with the Clerk of the Board of
8 Supervisors (hereinafter the "Report") are based on benefits derived by such lots and
9 parcels from the availability of such landscape improvements, and are not based upon
10 the ownership of such lots and parcels.

11 **Section 2. Annexation.** Zone 66, as proposed to be annexed to L&LM Dist. No. 89-1-
12 C, includes all the property subject to Tract Map No. 28477 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 66 of L&LM Dist. No.
16 89-1-C are:

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

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

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 landscape
25 improvements in Zone 66 of L&LM Dist. No. 89-1-C for fiscal year 2006-07 as contained in the
26 Report are confirmed.

EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

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The boundaries of Zone 66 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 37 as shown on Tract Map No. 28477 in the County of Riverside, State of California for fiscal year 2006-07.

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

ZONE 66

PORTION OF SECTION 8, T.5S., R.2W.



SCALE: 1" = 100'

WESTERN VIEW DR

COLIN DR

457140022

457140021

RACHEL LN

JUNIPER FLATS RD

 DENOTES LANDSCAPED AND MAINTAINED PARKWAY



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 14, 2006

TRACT NO. 28477
37 LOTS

ASSESSMENT DIAGRAM