

845A

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



FROM: TLMA-Transportation Department

SUBMITTAL DATE:
October 6, 2006

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Location 4 to Zone 26.

RECOMMENDED MOTION: That the Board:

1. Adopt Resolution No. 2006-387, Resolution of the County of Riverside confirming the diagram and assessment for Location 4 of Zone 26 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.

FORM APPROVED
COUNTY COUNSEL

SEP 25 2006

BY *[Signature]*

Juan C. Perez
Deputy Director of Transportation

[Signature]

George A. Johnson
Director of Transportation

FINANCIAL DATA	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:	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]*

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

SEP 21 11 10 AM '06

Prev. Agn. Ref.: | District: 1 | Agenda Number:

3.51

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Location 4 to Zone 26.

October 6, 2006

Page 2 of 2

BACKGROUND:

On August 29, 2006, a public hearing was held to receive all testimony regarding the annexation of Location 4 to Zone 26 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 30, 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 67 parcels out of a possible 67 parcels were cast, and that 67 votes (or 100%) were cast in favor of the annexation of Location 4 to Zone 26 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 Location 4 of Zone 26 is \$7,616.00 that will result in an assessment for fiscal year 2006-07 within Location 4 of Zone 26 of \$113.68 per parcel. 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 of March of each year over the base index for March of 2006. Location 4 of Zone 26 includes 67 single family residential parcels.

Adoption of Resolution No. 2006-387 confirms the assessment levy as indicated in the Engineer's Report for fiscal year 2006-07 for Location 4 of Zone 26 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. 2006-387

**RESOLUTION OF THE BOARD OF SUPERVISORS ORDERING THE ANNEXATION OF
LOCATION 4 TO ZONE 26 OF LANDSCAPING AND LIGHTING MAINTENANCE
DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE AND
CONFIRMING THE DIAGRAM AND ASSESSMENT FOR LOCATION 4 OF ZONE 26
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 July 11, 2006, the Board of Supervisors (hereinafter the "Board of Supervisors") of the County of Riverside (hereinafter the "County"), adopted Resolution No. 2006-275, 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 4 to Zone 26 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 29, 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 Location 4 of Zone 26 as shown on the equalized tax roll; and

WHEREAS, notice of said public hearing was duly published and mailed as required by Resolution No. 2006-275, 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 4 of Zone 26 as shown on the equalized tax roll; and

WHEREAS, at 9:30 a.m. on August 29, 2006, as set forth in Resolution No. 2006-275, 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 4 to Zone 26

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 67 parcels out of a possible 67 parcels and that 67 parcels (100 percent of
5 the assessment ballots received) voted in favor of annexation of Location 4 to Zone 26 of L&LM Dist.
6 No. 89-1-C and the levy of an annual assessment in said Location 4 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 Location 4 of Zone 26 of L&LM Dist.
11 No. 89-1-C beginning fiscal year 2006-07.

12 NOW, THEREFOR, BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED by the Board
13 of Supervisors of the County in regular session on October 17, 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 Location 4 of Zone 26
20 of L&LM Dist. 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 Location 4 to Zone 26 of L&LM Dist. No. 89-1-C and the levy of an annual
23 assessment 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 of Location 4 to Zone 26 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 4 of Zone 26 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 4 of Zone 26 of L&LM Dist. No. 89-1-C for the installation, maintenance and servicing of
6 landscaping improvements in said Location 4 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 landscaping and multi-purpose trail
10 improvements, and are not based upon the ownership of such lots and parcels.

11 Section 2. Annexation. Location 4, as proposed to be annexed to Zone 26 of L&LM Dist.
12 No. 89-1-C, includes all the property subject to Tract Map Nos. 30011 and 30011-1 in the County of
13 Riverside, State of California as described in Exhibit "A" attached hereto, shall be and is annexed into
14 L&LM Dist. No. 89-1-C.

15 Section 3. Improvements. The improvements authorized for Location 4 of Zone 26 of L&LM
16 Dist. No. 89-1-C are:

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

20 (b) The maintenance and servicing of irrigation and electrical facilities associated with the
21 landscaping, including but not limited to electricity for operation of the irrigation system
22 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 landscaping and multi-
25 purpose trail improvements in Location 4 of Zone 26 of L&LM Dist. No. 89-1-C for fiscal year 2006-07
26 as contained in the Report are confirmed.

EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

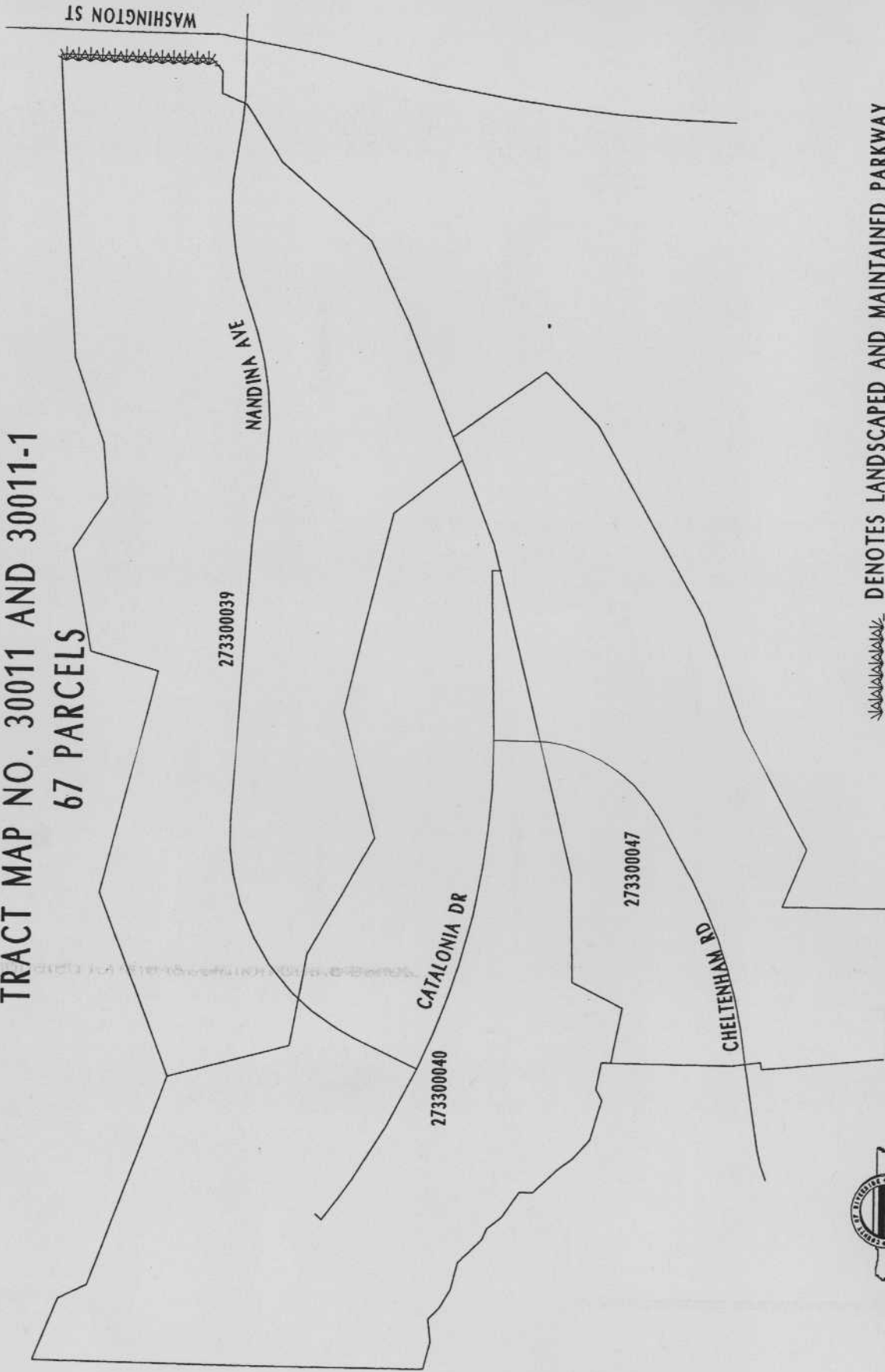
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The boundaries of Location 4 to be annexed into Zone 26 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside are coterminous with the boundaries of Lots 1 through 56 as shown on Tract Map No. 30011 and Lots 1 through 11 as shown on Tract Map No. 30011-1 in the County of Riverside, State of California for fiscal year 2006-07.

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED
ZONE 26, LOCATION 4
 PORTION OF SECTION 35, T.3S.R.5W.
 TRACT MAP NO. 30011 AND 30011-1
 67 PARCELS



SCALE: 1" = 300'



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.

JUNE 21, 2006

 DENOTES LANDSCAPED AND MAINTAINED PARKWAY

ASSESSMENT DIAGRAM