

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

538A



FROM: TLMA - Transportation Dept.

SUBMITTAL DATE:
July 9, 2007

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated,
Annexation of Location 3 to Zone 44

RECOMMENDED MOTION: That the Board:

1. Adopt resolution No. 2007-312, Resolution of the County of Riverside confirming the diagram and assessment for Location 3 of Zone 44 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 2007/08.
2. Direct the Auditor-Controller's office to establish an interest-bearing sub-fund 20300 to receive deposits and interest thereon from Location 3 of Zone 44 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated; in accordance with Section 22655-22656 of the Streets and Highways Code.

Juan C. Perez
Deputy Director of Transportation

[Signature]
George A. Johnson
Director of Transportation

JW:jp

(continued on next page)

FINANCIAL DATA

Current F.Y. Total Cost:	\$0.00	In Current Year Budget:	No
Current F.Y. Net County Cost:	\$0.00	Budget Adjustment:	No
Annual Net County Cost:	\$0.00	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

BY: *[Signature]*
Tina Grande

County Executive Office Signature

Policy
 Policy

Consent
 Consent

Dept's Recomm.:
Per Exec. Ofc.:

Prev. Agn. Ref.

District: 3

Agenda Number:

3.68

FORM APPROVED
COUNTY COUNSEL

JUN 28 2007
Departmental Concurrence
[Signature]
Date: A. Garner

The Honorable Board of Supervisors

RE: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Location 3 to Zone 44

Page 2 of 2

BACKGROUND: On June 12, 2007, a public hearing was held to receive all testimony regarding the annexation of Location 3 to Zone 44 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 13, 2007 at 10:00 a.m. in the Survey Conference Room on the 8th Floor of the County Administrative Center. The tabulation shows that votes representing 302 parcels out of a possible 302 were cast, and that 302 votes (or 100%) were cast in favor of the annexation of Location 3 to Zone 44 of L&LM Dist. No. 89-1-C and the levy and enrollment of the special assessment.

The proposed budget for fiscal year 2007/08 for Location 3 of Zone 44 is \$16,827.00 that will result in an assessment for fiscal year 2007/08 within Location 3 of Zone 44 of \$55.72 per parcel. Location 3 of Zone 44 includes 302 single-family residential lots. 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 2007.

Adoption of Resolution No. 2007-312 confirms the assessment levy as indicated in the Engineer's Report for fiscal year 2007/08 for Location 3 of Zone 44 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 2007/08.

RESOLUTION NO. 2007-312

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE ORDERING THE ANNEXATION OF LOCATION 3 TO ZONE 44 OF LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE AND CONFIRMING THE DIAGRAM AND ASSESSMENT FOR LOCATION 3 OF ZONE 44 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 2007/08

WHEREAS, on April 17, 2007 the Board of Supervisors (hereinafter the "Board of Supervisors") of the County of Riverside (hereinafter the "County") adopted Resolution No. 2007-152, 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 3 to Zone 44 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated (hereinafter "L&LMD No. 89-1-C") of the County pursuant to the 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 12, 2007 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 3 as shown on the equalized tax roll; and

WHEREAS, notice of said public hearing was duly published and mailed as required by Resolution No. 2007-152, 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 3 as shown on the equalized tax roll; and

WHEREAS, at 9:30 a.m. on June 12, 2007, as set forth in Resolution No. 2007-152, 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 designee, as an impartial person having no vested interest in the annexation of Location 3 to Zone 44

1 of L&LMD 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 302 parcels out of a possible 302 parcels and that 302 parcels (100
5 percent of the assessment ballots received) voted in favor of annexation of Location 3 to Zone 44 of
6 L&LMD No. 89-1-C and the levy of an annual assessment in said Location 3 beginning fiscal year
7 2007/08; and

8 **WHEREAS**, the Board of Supervisors may proceed, pursuant to Section 22631 of the Streets
9 and Highways Code, to adopt a resolution confirming the diagram and assessment, either as originally
10 proposed, or as changed by the Board of Supervisors, and the adoption of such a resolution shall
11 constitute the levy of an assessment on all assessable lots and parcels of land within Location 3 of
12 Zone 44 of L&LMD No. 89-1-C beginning fiscal year 2007/08.

13 **NOW, THEREFOR, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the
14 Board of Supervisors of the County in regular session on July 17, 2007 as follows:

15 **Section 1. Findings.** The Board of Supervisors finds:

- 16 (a) the proceeding recitals are correct;
- 17 (b) compliance has been had with all the requirements of the Landscaping and
18 Lighting Act of 1972, being Part 2 (commencing with Section 22500) of Division
19 15 of the Streets and Highways Code, and Sections 53753 and 54954.6 of the
20 Government Code;
- 21 (c) a majority protest to the annexation of and annual assessment of Location 3 to
22 Zone 44 of L&LMD No. 89-1-C has not been filed;
- 23 (d) the tally of the assessment ballots timely received was 100 percent voted in
24 favor of the annexation of Location 3 to Zone 44 of L&LMD No. 89-1-C and the
25 levy of an annual assessment beginning fiscal year 2007/08, and 0 percent
26 voted no;

- 1 (e) the Board of Supervisors may proceed to adopt a resolution ordering the
2 annexation of Location 3 to Zone 44 of L&LMD No. 89-1-C;
- 3 (f) the Board of Supervisors may proceed to adopt a resolution confirming the
4 diagram and assessment for Location 3 of Zone 44 of L&LMD No. 89-1-C either
5 as originally proposed or as changed by it; and
- 6 (g) the assessments to be levied on the assessable lots and parcels of land within
7 Location 3 of Zone 44 of L&LMD No. 89-1-C for the installation, maintenance
8 and servicing of fossil filter improvements in said Location 3 during the fiscal
9 year 2007/08 as contained in the report of the Director of Transportation which
10 is on file with the Clerk of the Board of Supervisors (hereinafter the "Report") are
11 based on benefits derived by such lots and parcels from the availability of such
12 fossil filter improvements, and are not based upon the ownership of such lots
13 and parcels.

14 **Section 2. Annexation.** Location 3 of Zone 44, as proposed to be annexed to
15 L&LMD No. 89-1-C, includes all the property subject to Tract Map Nos. 30322, 31455 and 32171 in
16 the County of Riverside, State of California as described in Exhibit "A" attached hereto, shall be and is
17 annexed into L&LMD No. 89-1-C.

18 **Section 3. Improvements.** The improvements authorized for Location 3 of Zone 44
19 of L&LMD No. 89-1-C are:

- 20 (a) The maintenance and servicing of fossil filters within the public right-of-way
21 including the removal of petroleum hydrocarbons and other pollutants from
22 water runoff.

23 **Section 4. Confirmation of Report.** The Report and the assessment diagram and
24 the assessment of estimated costs for the installation, maintenance and servicing of fossil filter
25 improvements in Location 3 of Zone 44 of L&LMD No. 89-1-C for fiscal year 2007/08 as contained in
26 the Report are confirmed.

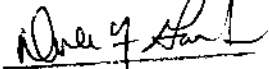
1 **Section 5. Levy of Assessment.** Pursuant to Section 22631 of the Streets and
2 Highways Code the adoption of this resolution constitutes the levy of the assessment for the
3 installation, and maintenance or servicing of fossil filter improvements in Location 3 of Zone 44 of
4 L&LMD No. 89-1-C during fiscal year 2007/08, as contained in the Report, and such assessment is
5 levied. The Clerk of the Board of Supervisors is directed to file a certified copy of this resolution,
6 together with the diagram and assessment contained in the Report with the County Auditor-Controller
7 of the County of Riverside, who, pursuant to Section 22645 of the Streets and Highways Code, shall
8 enter on the County Tax Roll opposite each lot or parcel of land the amount assessed thereupon, as
9 shown in said assessment.

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

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13
14 FORM APPROVED
 COUNTY CLERK

15 JUN 28 2007

16 BY



17 Dale A. Gardner
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EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

The boundaries of Location 3 to be annexed into Zone 44 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside are coterminous with the boundaries of lots 1 through 131 as shown on Tract Map No. 30322, lots 1 through 118 as shown on Tract Map No. 31455, and lots 1 through 53 as shown on Tract Map No.32171 in the County of Riverside, State of California for fiscal year 2007/08.

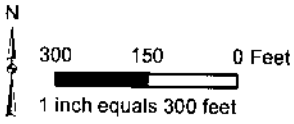
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LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED

ZONE 44, LOCATION 03A

PORTION OF SECTION 33, T.5S., R.2W

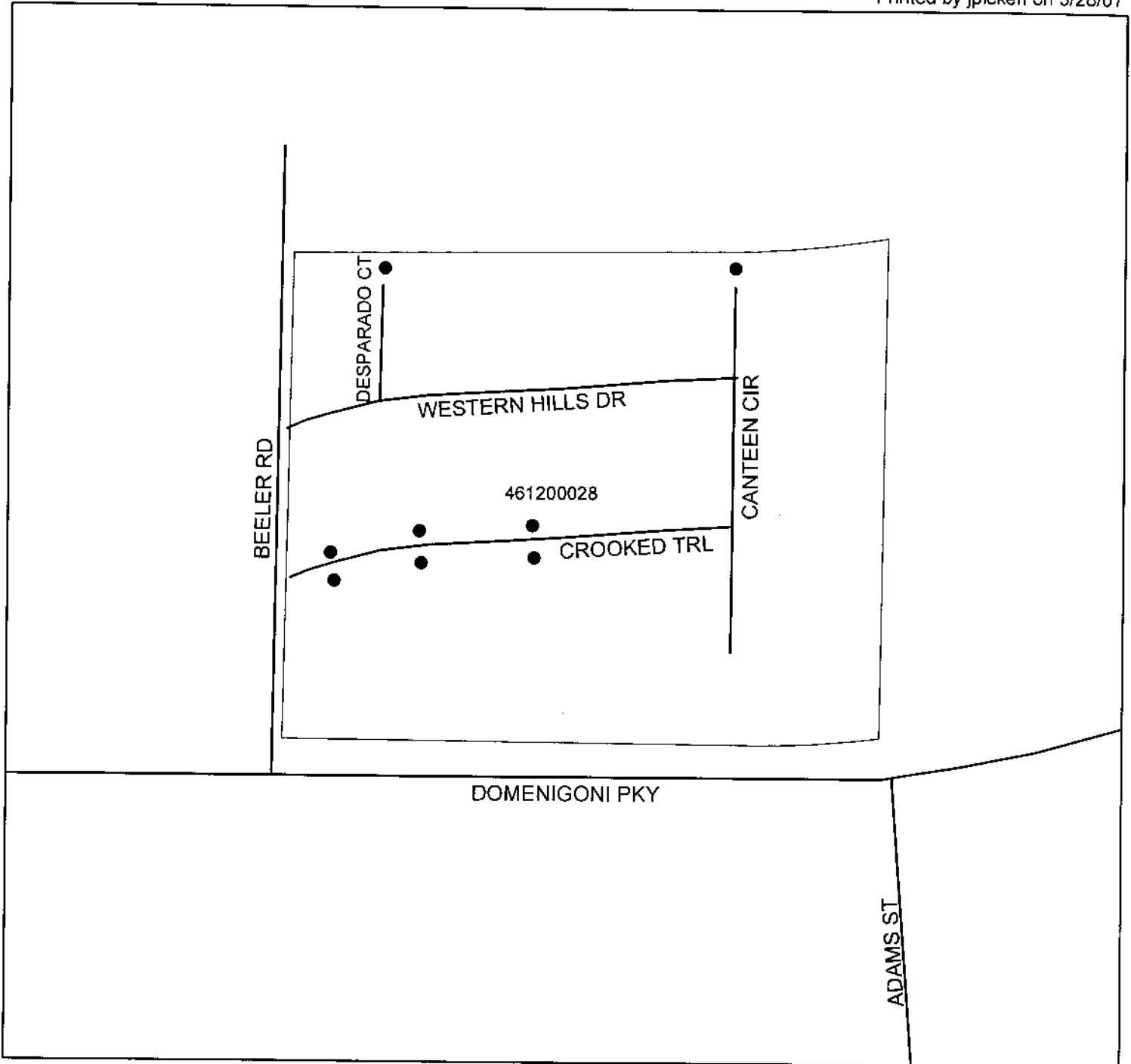
TRACT MAP NO. 30322 - 131 PARCELS



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ASSESSMENT DIAGRAM

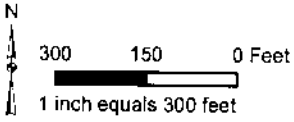
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● DENOTES MAINTAINED FOSSIL FILTER

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED
ZONE 44, LOCATION 03B

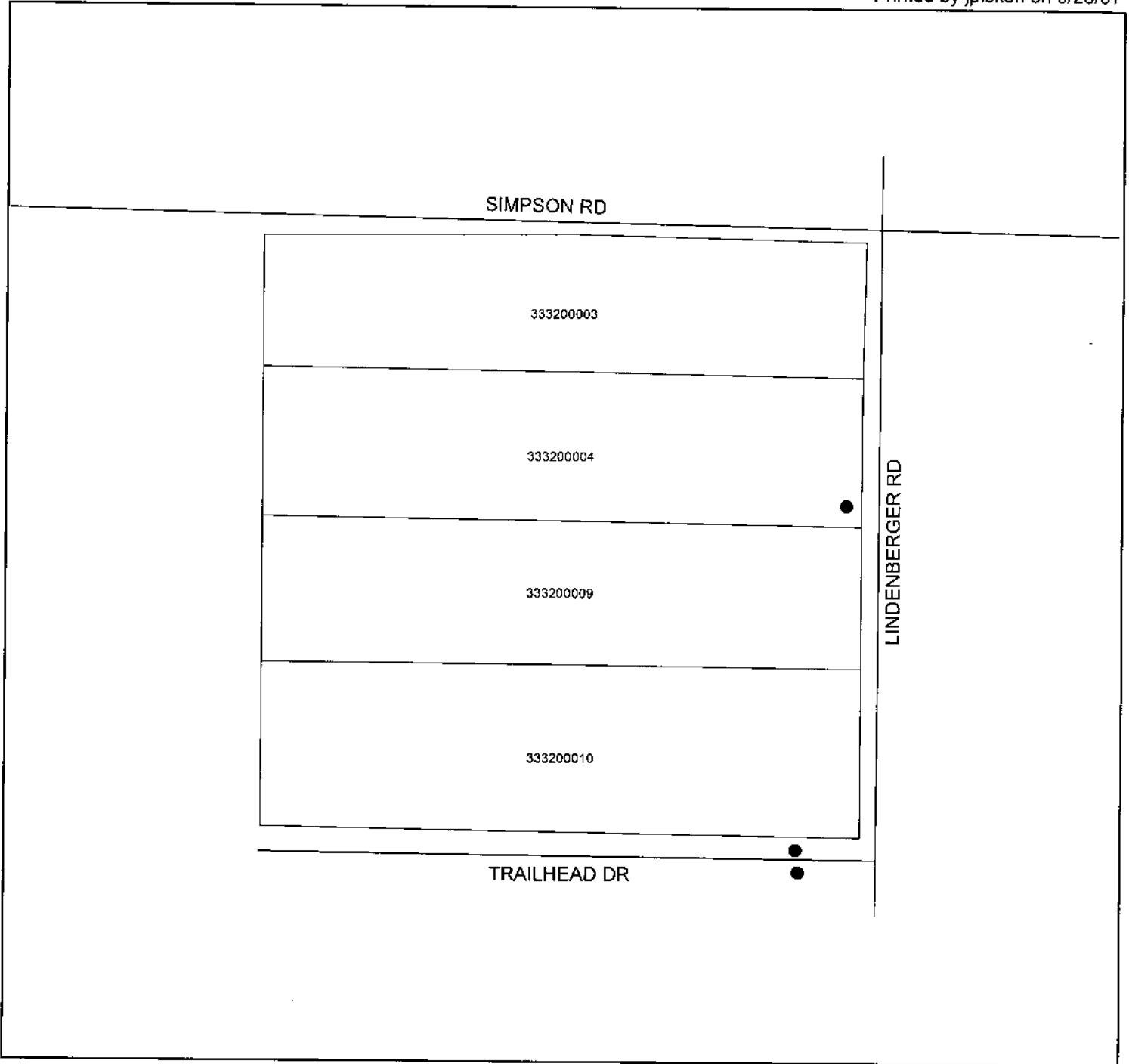
PORTION OF SECTION 25, T.5S., R.3W
TRACT MAP NO. 31455 - 118 PARCELS



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ASSESSMENT DIAGRAM

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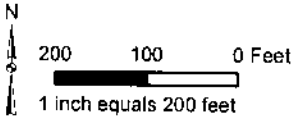
● DENOTES MAINTAINED FOSSIL FILTER

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

ZONE 44, LOCATION 03D

PORTION OF SECTION 29, T.6S., R.2W

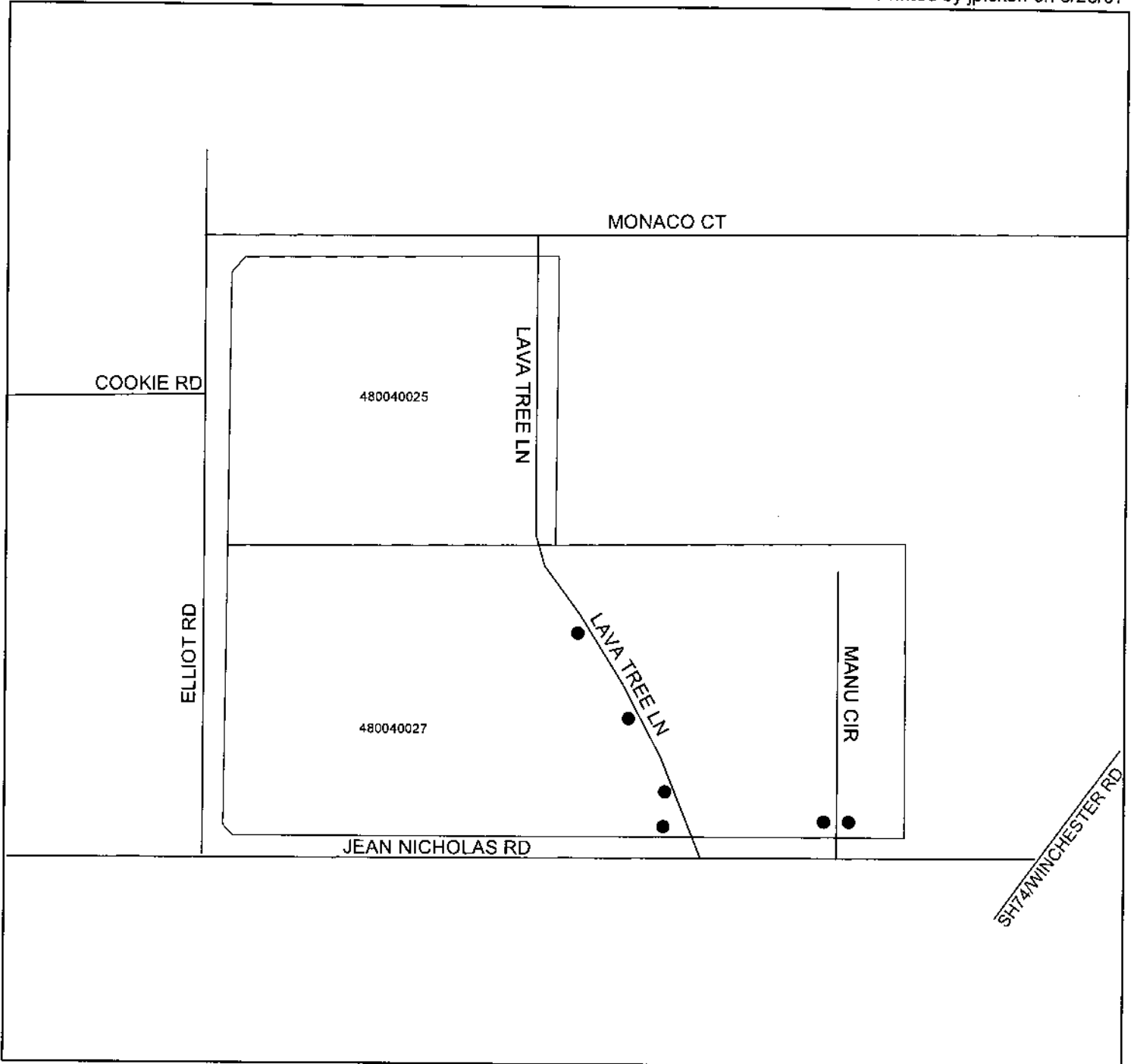
TRACT MAP NO. 32171 - 53 PARCELS



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