

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

873A



**FROM:** TLMA - Transportation Dept.

**SUBMITTAL DATE:**  
July 24, 2007

**SUBJECT:** Landscaping and Lighting Maintenance District No. 89-1-Consolidated,  
Annexation of Zone 86

**RECOMMENDED MOTION:** That the Board:

1. Adopt resolution No. 2007-370, Resolution of the County of Riverside confirming the diagram and assessment of Zone 86 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 Zone 86 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated; in accordance with Section 22655-22656 of the Streets and Highways Code.

Dale A. Gardner

*George A. Johnson*  
George A. Johnson  
Director of Transportation

JW:jp

(continued on next page)

<b>FINANCIAL DATA</b>	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:	2007-08
<b>SOURCE OF FUNDS:</b> Landscaping and Lighting Maintenance District No. 89-1-Consolidated – 100%			<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
			<b>Requires 4/5 Vote</b>	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:**

**APPROVE**

BY *Tina Grande*  
Tina Grande

**County Executive Office Signature**

Policy  
 Policy

Consent  
 Consent

Dept. Recomm.:  
Per Exec. Ofc.:

Prev. Agn. Ref.

District: 3

Agenda Number:

**3.128**

FORM APPROVED  
COUNTY COUNSEL

JUL 24 2007

Department of Concurrence

The Honorable Board of Supervisors

RE: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation  
of Zone 86

July 24, 2007

Page 2 of 2

**BACKGROUND:** On July 17, 2007, a public hearing was held to receive all testimony regarding the annexation of Zone 86 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated (L&LMD 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 18, 2007 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 68 parcels out of a possible 68 were cast, and that 68 votes (or 100%) were cast in favor of the annexation of Zone 86 to L&LMD No. 89-1-C and the levy and enrollment of the special assessment.

The proposed budget for fiscal year 2007/08 for Zone 86 is \$13,305.00 that will result in an assessment for fiscal year 2007/08 within Zone 86 of \$195.66 per parcel. Zone 86 includes 68 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. 2007-370 confirms the assessment levy as indicated in the Engineer's Report for fiscal year 2007/08 for Zone 86 of L&LMD No. 89-1-C and orders the placement of the annual assessment on the County's Assessment Roll for fiscal year 2007/08.

2 **RESOLUTION NO. 2007-370**

3  
4 **RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE ORDERING**  
5 **THE ANNEXATION OF ZONE 86 TO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT**  
6 **NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE AND CONFIRMING THE DIAGRAM**  
7 **AND ASSESSMENT FOR ZONE 86 OF LANDSCAPING AND LIGHTING MAINTENANCE**  
8 **DISTRICT NO. 89-1-CONSOLIDATED AND LEVYING ASSESSMENTS ON ALL ASSESSABLE**  
9 **LOTS AND PARCELS OF LAND THEREIN FOR THE FISCAL YEAR 2007/08**

10 **WHEREAS**, on May 15, 2007 the Board of Supervisors (hereinafter the "Board of Supervisors")  
11 of the County of Riverside (hereinafter the "County") adopted Resolution No. 2007-162, pursuant to  
12 Section 22608 and Section 22585 et seq. of the Streets and Highways Code, declaring the intention of  
13 the Board of Supervisors to order the annexation of Zone 86 to Landscaping and Lighting  
14 Maintenance District No. 89-1-Consolidated (hereinafter "L&LMD No. 89-1-C") of the County pursuant  
15 to the Landscaping and Lighting Act of 1972, being Part 2 (commencing with Section 22500) of  
16 Division 15 of the Streets and Highways Code, and giving notice of and setting a public hearing for  
17 9:30 a.m. on July 17, 2007 at the meeting room of the Board of Supervisors and requiring that the  
18 notice of the public hearing and assessment ballots be mailed to all owners of property within Zone 86  
19 as shown on the equalized tax roll; and

20 **WHEREAS**, notice of said public hearing was duly published and mailed as required by  
21 Resolution No. 2007-162, Section 22626 of the Streets and Highways Code and Sections 53753 and  
22 54954.6 of the Government Code and the assessment ballots were timely mailed to all owners of  
23 property within said Zone 86 as shown on the equalized tax roll; and

24 **WHEREAS**, at 9:30 a.m. on July 17, 2007, as set forth in Resolution No. 2007-162, the Board  
25 of Supervisors held a public hearing and afforded all interested persons an opportunity to be heard,  
26 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 Zone 86 to L&LMD No.

1 89-1-C as required by Section 53753(e) of the Government Code to tally the assessment ballots that  
2 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 owner of 68 parcels out of a possible 68 parcels and that 68 parcels (100 percent of  
5 the assessment ballots received) voted in favor of annexation of Zone 86 to L&LMD No. 89-1-C and  
6 the levy of an annual assessment in said Zone 86 beginning fiscal year 2007/08; 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 of Supervisors, and the adoption of such a resolution shall  
10 constitute the levy of an assessment on all assessable lots and parcels of land within Zone 86 of  
11 L&LMD No. 89-1-C beginning fiscal year 2007/08.

12 **NOW, THEREFOR, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the  
13 Board of Supervisors of the County in regular session on July 31, 2007 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  
17 Lighting Act of 1972, being Part 2 (commencing with Section 22500) of Division  
18 15 of the Streets and Highways Code, and Sections 53753 and 54954.6 of the  
19 Government Code;
- 20 (c) a majority protest to the annexation of and annual assessment of Zone 86 of  
21 L&LMD No. 89-1-C has not been filed;
- 22 (d) the tally of the assessment ballots timely received was 100 percent voted in  
23 favor of the annexation of Zone 86 to L&LMD No. 89-1-C and the levy of an  
24 annual assessment beginning fiscal year 2007/08, and 0 percent voted no;
- 25 (e) the Board of Supervisors may proceed to adopt a resolution ordering the  
26 annexation of Zone 86 to L&LMD No. 89-1-C;

- 1 (f) the Board of Supervisors may proceed to adopt a resolution confirming the  
2 diagram and assessment for Zone 86 of L&LMD 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  
5 Zone 86 of L&LMD No. 89-1-C for the installation, maintenance and servicing of  
6 fossil filter, traffic signal, and bridge light improvements in said Zone 86 during  
7 the fiscal year 2007/08 as contained in the report of the Director of  
8 Transportation which is on file with the Clerk of the Board of Supervisors  
9 (hereinafter the "Report") are based on benefits derived by such lots and parcels  
10 from the availability of such fossil filter, traffic signal, and bridge light  
11 improvements, and are not based upon the ownership of such lots and parcels.

12 **Section 2. Annexation.** Zone 86, as proposed to be annexed to L&LMD No.  
13 89-1-C, includes all the property subject to Tract Map Nos. 30266-1 and 30266-2 in the County of  
14 Riverside, State of California as described in Exhibit "A" attached hereto, shall be and is annexed into  
15 L&LMD No. 89-1-C.

16 **Section 3. Improvements.** The improvements authorized for Zone 86 of L&LMD  
17 No. 89-1-C are:

- 18 (a) The maintenance and servicing of fossil filters within the public right-of-way  
19 including the removal of petroleum hydrocarbons and other pollutants from  
20 water runoff; and
- 21 (b) Providing electricity to and the maintenance and servicing of bridge lights and  
22 traffic signals within the public right-of-way including incidental costs and  
23 expenses.

24 **Section 4. Confirmation of Report.** The Report and the assessment diagram and  
25 the assessment of estimated costs for the installation, maintenance and servicing of fossil filter, traffic  
26

1 signal, and bridge light improvements in Zone 86 of L&LMD No. 89-1-C for fiscal year 2007/08 as  
2 contained in the Report are confirmed.

3           **Section 5. Levy of Assessment.** Pursuant to Section 22631 of the Streets and  
4 Highways Code the adoption of this resolution constitutes the levy of the assessment for the  
5 installation, and maintenance or servicing of fossil filter, traffic signal, and bridge light improvements in  
6 Zone 86 of L&LMD No. 89-1-C during fiscal year 2007/08, as contained in the Report, and such  
7 assessment is levied. The Clerk of the Board of Supervisors is directed to file a certified copy of this  
8 resolution, together with the diagram and assessment contained in the Report with the County Auditor-  
9 Controller of the County of Riverside, who, pursuant to Section 22645 of the Streets and Highways  
10 Code, shall enter on the County Tax Roll opposite each lot or parcel of land the amount assessed  
11 thereupon, as shown in said assessment.

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

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15  
16 FORM APPROVED  
COUNTY COUNSEL

17 JUL 24 2007

18 BY *Dale A. Gardner*

19 Dale A. Gardner  
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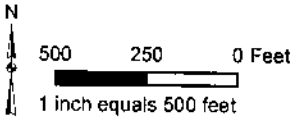
**EXHIBIT "A"**  
**DESCRIPTION OF BOUNDARIES**

The boundaries of Zone 86 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside are coterminous with the boundaries of 68 parcel(s) as shown on Tract Map Nos. 30266-1 and 30266-2 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 86

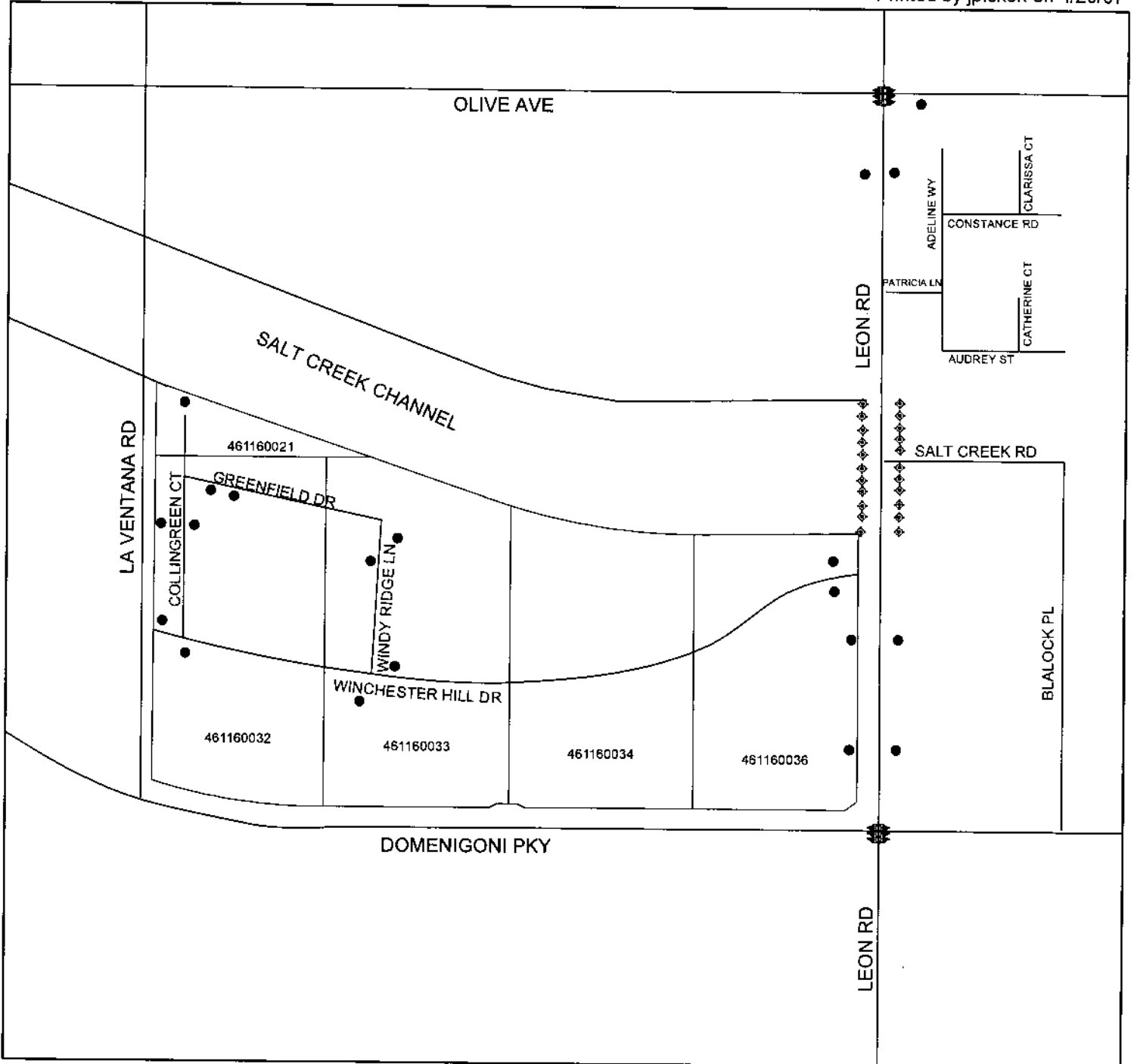
PORTION OF SECTION 31, T.5S., R.2W  
TRACT MAP NOS. 30266-1 & 30266-2 - 68 PARCELS



The County of Riverside assumes no warranty or legal responsibility for the information contained on this map. Data and information represented on this map is subject to updates, modifications and may not be complete or appropriate for all purposes. County GIS and other sources should be queried for the most current information. Do not copy or reuse this map.

## ASSESSMENT DIAGRAM

Printed by jpickeri on 4/20/07



- DENOTES MAINTAINED FOSSIL FILTER
- ◆ DENOTES MAINTAINED BRIDGE LIGHT
- Ⓣ DENOTES MAINTAINED TRAFFIC SIGNAL