

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

869A



**FROM:** TLMA - Transportation Dept.

**SUBMITTAL DATE:**  
July 24, 2007

**SUBJECT:** Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Zone 92

**RECOMMENDED MOTION:** That the Board:

1. Adopt resolution No. 2007-374, Resolution of the County of Riverside confirming the diagram and assessment of Zone 92 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 92 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 24 2007

Deputy District Counsel

BY *[Signature]*  
Dale A. Gardner

*[Signature]*  
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 *[Signature]*  
Tina Grande

**County Executive Office Signature**

Policy  
 Policy

Consent  
 Consent

Dept Recomm.:  
Per Exec. Ofc.:

Prev. Agn. Ref.

District: 4

Agenda Number:

**3.136**

The Honorable Board of Supervisors

RE: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation  
of Zone 92

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 92 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 22 parcels out of a possible 22 were cast, and that 22 votes (or 100%) were cast in favor of the annexation of Zone 92 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 92 is \$13,344.00 that will result in an assessment for fiscal year 2007/08 within Zone 92 of \$606.54 per parcel. Zone 92 includes 22 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. 2007-374 confirms the assessment levy as indicated in the Engineer's Report for fiscal year 2007/08 for Zone 92 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. 2007-374

3  
4 **RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE ORDERING**  
5 **THE ANNEXATION OF ZONE 92 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 92 OF LANDSCAPING AND LIGHTING MAINTENANCE**  
8 **DISTRICT NO. 89-1-CONSOLIDATED AND LEVYING ASSESSMENTS ON ALL ASSESABLE**  
9 **LOTS AND PARCELS OF LAND THEREIN FOR THE FISCAL YEAR 2007/08**

10  
11 **WHEREAS**, on May 15, 2007 the Board of Supervisors (hereinafter the "Board of Supervisors")  
12 of the County of Riverside (hereinafter the "County") adopted Resolution No. 2007-219, pursuant to  
13 Section 22608 and Section 22585 et seq. of the Streets and Highways Code, declaring the intention of  
14 the Board of Supervisors to order the annexation of Zone 92 to Landscaping and Lighting  
15 Maintenance District No. 89-1-Consolidated (hereinafter "L&LMD No. 89-1-C") of the County pursuant  
16 to the Landscaping and Lighting Act of 1972, being Part 2 (commencing with Section 22500) of  
17 Division 15 of the Streets and Highways Code, and giving notice of and setting a public hearing for  
18 9:30 a.m. on July 17, 2007 at the meeting room of the Board of Supervisors and requiring that the  
19 notice of the public hearing and assessment ballots be mailed to all owners of property within Zone 92  
20 as shown on the equalized tax roll; and

21 **WHEREAS**, notice of said public hearing was duly published and mailed as required by  
22 Resolution No. 2007-219, Section 22626 of the Streets and Highways Code and Sections 53753 and  
23 54954.6 of the Government Code and the assessment ballots were timely mailed to all owners of  
24 property within said Zone 92 as shown on the equalized tax roll; and

25 **WHEREAS**, at 9:30 a.m. on July 17, 2007, as set forth in Resolution No. 2007-219, the Board  
26 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 Zone 92 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 22 parcels out of a possible 22 parcels and that 22 parcels (100 percent of  
5 the assessment ballots received) voted in favor of annexation of Zone 92 to L&LMD No. 89-1-C and  
6 the levy of an annual assessment in said Zone 92 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 92 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 92 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 92 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 92 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 92 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 92 of L&LMD No. 89-1-C for the installation, maintenance and servicing of  
6 landscaping, multi-purpose trail, and graffiti abatement improvements in said  
7 Zone 92 during the fiscal year 2007/08 as contained in the report of the Director  
8 of 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 landscaping, multi-purpose trail, and graffiti  
11 abatement improvements, and are not based upon the ownership of such lots  
12 and parcels.

13 **Section 2. Annexation.** Zone 92, as proposed to be annexed to L&LMD No.  
14 89-1-C, includes all the property subject to Tract Map No. 29423 in the County of Riverside, State of  
15 California as described in Exhibit "A" attached hereto, shall be and is annexed into L&LMD No. 89-1-C.

16 **Section 3. Improvements.** The improvements authorized for Zone 92 of L&LMD  
17 No. 89-1-C are:

- 18 (a) The maintenance and servicing of landscaping and multi-purpose trails within  
19 the public right-of-way including the trimming, fertilizing, weeding and replanting  
20 of trees, shrubs, grass, and other ornamental vegetation; and
- 21 (b) The maintenance and servicing of irrigation and electrical facilities associated  
22 with the landscaping, including but not limited to electricity for operation of the  
23 irrigation system and water for irrigation; and
- 24 (c) Providing graffiti abatement services to walls and structures with the public right-  
25 of-way including incidental costs and expenses.
- 26



**EXHIBIT "A"**

**DESCRIPTION OF BOUNDARIES**

The boundaries of Zone 92 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside are coterminous with the boundaries of 22 parcel(s) as shown on Tract Map No. 29423 in the County of Riverside, State of California for fiscal year 2007/08.

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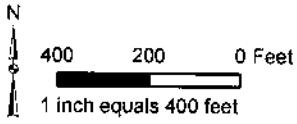
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED  
**ZONE 92**

PORTION OF SECTION 13, T.6S., R.7E.  
TRACT MAP NO. 29423 - 22 PARCELS

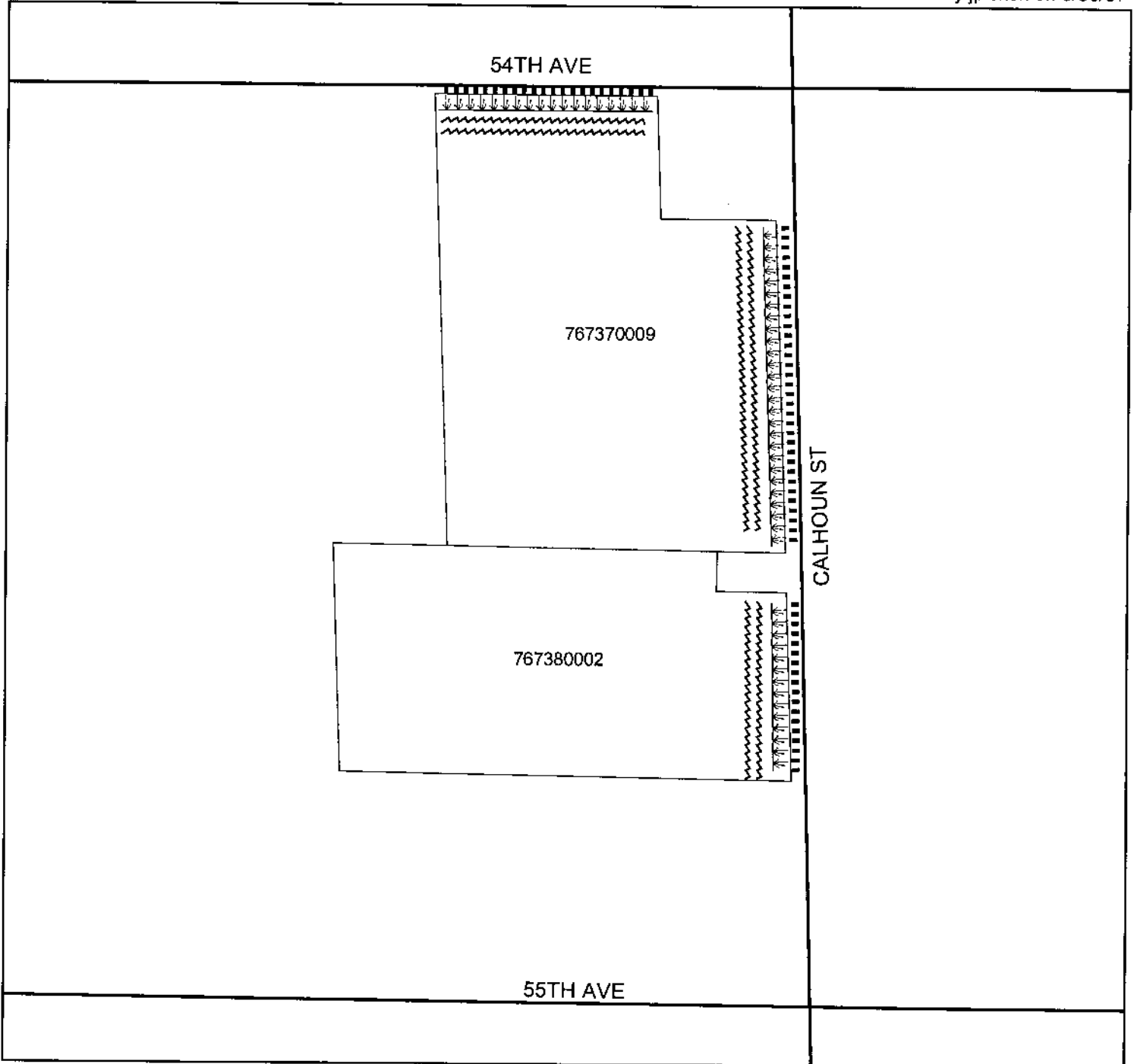


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# ASSESSMENT DIAGRAM



DENOTES LANDSCAPED AND MAINTAINED PARKWAY

DENOTES MAINTAINED MULTI-PURPOSE TRAIL

DENOTES MAINTAINED GRAFFITI ABATEMENT