

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

770



FROM: Economic Development Agency

SUBMITTAL DATE:
July 16, 2007

SUBJECT: Assessment Levy for Fiscal Year 2007-08 of Wildomar LMD 2006-1

RECOMMENDED MOTION: That the Board of Supervisors:

1. Conduct the public hearing; and
2. Adopt Resolution No. 2007-362, a Resolution of the County of Riverside confirming the diagram and assessment for Wildomar LMD 2006-1 and levying assessments on all assessable lots and parcels of land therein for Fiscal Year 2007-08.

BACKGROUND: For Fiscal Year (FY) 2006-07, the assessment amount within Wildomar 2006-1 was \$28 per equivalent dwelling unit. For Fiscal Year 2007-08, there will be no increase in the Wildomar LMD 2006-1, and the proposed annual assessment will remain at \$28 per equivalent dwelling unit. The amount levied for Fiscal Year 2007-08 is \$191,828.00. For the fiscal year in which the landscape improvements of all four parks are completed, the annual assessment may be increased to \$45, adjusted for inflation.

(continued on Page 2)

FORM APPROVED
COUNTY COUNSEL

JUL 16 2007

Departmental Concurrence

Dale A. Gardner

Robin Zimpfer

RZ:DL:SH:BB:A: [Signature]

SACSAWildomar LMD\Annual 07-08 Public Hearing.doc

Robin Zimpfer
Assistant County Executive Officer/EDA

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 340,653.34	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2007-08

COMPANION ITEM ON BOARD OF DIRECTORS AGENDA: N/A

SOURCE OF FUNDS: Wildomar LMD 2006-1

Positions To Be Deleted Per A-30
Requires 4/5 Vote

C.E.O. RECOMMENDATION: APPROVE

BY: *Jennifer L. Sargent*
Jennifer L. Sargent

County Executive Office Signature

Policy

Consent

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

Prev. Agn. Ref.: 9/12/06 3.24

District: 1

Agenda Number:

9.9

BACKGROUND (continued):

Pursuant to the Landscaping and Lighting Act of 1972 and Resolution No. 2007-338, a public hearing is required to receive testimony regarding the assessment levy for FY 2007-08 for Wildomar LMD 2006-1. Notice of public hearing was given by publication of a certified copy of Resolution No. 2007-338 in The Press Enterprise at least ten days prior to the public hearing date of July 31, 2007.

Upon close of the public hearing, staff recommends adoption of Resolution No. 2007-362 confirming the assessment levy, as indicated in the Engineer's Report for FY 2007-08 for Wildomar LMD 2006-1, and ordering the placement of the annual assessment on the County's Assessment Roll.

RESOLUTION NO. 2007-362

RESOLUTION OF THE BOARD OF SUPERVISORS CONFIRMING THE DIAGRAM AND ASSESSMENT FOR WILDOMAR LMD 2006-1 OF THE COUNTY OF RIVERSIDE AND LEVYING ASSESSMENTS ON ALL ASSESSABLE LOTS AND PARCELS OF LAND THEREIN FOR FISCAL YEAR 2007-08

WHEREAS, on July 17, 2007, the Board of Supervisors (hereinafter the "Board of Supervisors") of the County of Riverside (hereinafter the "County") adopted Resolution No. 2007-338, pursuant to Section 22624 of the Streets and Highways Code (hereinafter the "Streets and Highways Code"), which, among other things, scheduled a public hearing on the annual levy and collection of assessments on all lots and parcels of assessable land in Wildomar LMD 2006-1 for FY 2007-08 to pay the costs of the furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of the landscaping appurtenances including repair, removal or replacement, providing for the life and growth, health, and beauty of the landscaping. The removal of trimmings, rubbish, debris, and other solid waste, together with the necessary incidental expenses within Wildomar LMD 2006-1, for July 31, 2007, at the meeting room of the Board of Supervisors at 4080 Lemon Street, 1st Floor, Riverside, California; and

WHEREAS, notice of said public hearing was duly published as required by Resolution No. 2007-338 and Section 22626(a) of the Streets and Highways code; and

WHEREAS, at the time and place of said public hearing, as set forth in Resolution No. 2007-338, the Board of Supervisors held the public hearing and afforded all interested persons an opportunity to testify and be heard, and considered all oral statements and all written protests or communications made or filed by any interested persons and at the conclusion of said hearing determined that a majority protest had not been received; and

WHEREAS, the Board of Supervisors may proceed, pursuant to Section 22631 of the Streets and Highways Code, to adopt a resolution confirming the diagram and assessment, either as originally

1 proposed, or as changed by it, and the adoption of such a resolution shall constitute the levy of an
2 assessment on all assessable lots and parcels within Wildomar LMD 2006-1.

3 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the
4 Board of Supervisors of the County of Riverside in regular session on July 31, 2007, as follows:

5 **Section 1. Findings:** That the Board of Supervisors finds:

- 6 (a) the preceding recitals are correct;
- 7 (b) compliance has been had with all of the requirements of the Landscaping and
8 Lighting Act of 1972, Part 2 (commencing with Section 22500) of Division 15 of the
9 Streets and Highways Code;
- 10 (c) a majority protest to the annual levy for Wildomar LMD 2006-1 has not been filed;
11 and
- 12 (d) the Board of Supervisors may proceed to adopt a resolution confirming the diagram
13 and assessment for Wildomar LMD 2006-1 either as originally proposed or as
14 changed by it; and the assessments to be levied on the assessable lots and parcels
15 of land in Wildomar LMD 2006-1 during FY 2007-08 contained in the report to the
16 Director of the Economic Development Agency which is on file with the Clerk of the
17 Board of Supervisors (hereinafter the "Report") are based on benefits derived by
18 such lots and parcels.

19 **Section 2. Authorized Improvements for Wildomar LMD 2006-1.** The improvements
20 authorized for Wildomar LMD 2006-1 are:

- 21 (a) Furnishing of services and materials for the ordinary and usual maintenance,
22 operation, and servicing of the landscaping appurtenances including repair, removal
23 or replacement, providing for the life and growth, health, and beauty of the
24 landscaping.
- 25 (b) The removal of trimmings, rubbish, debris, and other solid waste, together with the
26 necessary incidental expenses.

1 **Section 3. Confirmation of Report.** The Report and the assessment diagram and the
2 assessment of the estimated costs for the installation, and maintenance and servicing of landscaping
3 improvements within Wildomar LMD 2006-1 for FY 2007-08 contained in the Report are confirmed.


4 **Section 4. Levy of Assessment.** Pursuant to Section 22631 of the Streets and
5 Highways Code, the adoption of this resolution constitutes the levy of the assessment for the
6 installation and maintenance and servicing improvements within Wildomar LMD 2006-1 for FY 2007-08
7 contained in the Report, and such assessment is levied. The Clerk of the Board of Supervisors is
8 directed to file a certified copy of this resolution, together with the diagram and assessment contained
9 in the Report with the County Auditor of the County of Riverside, who, pursuant to Section 22645 of
10 Streets and Highways Code, shall enter on the County Assessment Roll opposite each lot or parcel of
11 land the amount assessed thereupon, as shown in said assessment.

12 **Section 5. Effective Date.** This Resolution shall take effect from and after its date of
13 adoption.

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FORM APPROVED
COUNTY COUNSEL

JUL 17 2007

BY 
Dale A. Gardner