

**SUBMITTAL TO THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT BOARD  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

741 B



**FROM:** General Manager-Chief Engineer

**SUBMITTAL DATE:**  
July 31, 2007

**SUBJECT:** Confirmation of FY 2007-2008 Benefit Assessment for the Elsinore Valley Area of Zone 3

**RECOMMENDED MOTION:**

The Board convene the public hearing concerning the Chief Engineer's "Report on Flood Control Benefit Assessment Program - Elsinore Valley (Zone 3)", dated July 2007, and concerning any protests with regard to the amount of the proposed benefit assessment to be levied; and adopt the following entitled resolution:

**RESOLUTION F2007-16  
RESOLUTION ADOPTING BENEFIT ASSESSMENT TO PAY PRINCIPAL OF AND INTEREST ON THE BOND OF ZONE THREE OF THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT FOR FISCAL YEAR 2007-2008**

**BACKGROUND:**  
Continued on Page 2.

*Warren D. Williams*  
**WARREN D. WILLIAMS**  
General Manager-Chief Engineer

<b>FINANCIAL DATA</b>	Current F.Y. District Cost:	N/A	In Current Year Budget:	N/A
	Current F.Y. County Cost:	N/A	Budget Adjustment:	N/A
	Annual Net District Cost:	N/A	For Fiscal Year:	N/A

<b>SOURCE OF FUNDS:</b> N/A	<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: *Michael R. Shetler*  
Michael R. Shetler

County Executive Office Signature

FORM APPROVED  
COUNTY COUNSEL  
JUN 12 2007  
New 4/20/07  
Departmental Concurrence

Dale A. Gardner

FISCAL PROCEDURES APPROVED  
IVAN M. CHAND, FINANCE DIRECTOR  
BY: *Jeanine Rey-Hawkins*  
JEANINE REY-HAWKINS

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

**FLOOD CONTROL AND WATER CONSERVATION DISTRICT BOARD SUBMITTAL  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

**SUBJECT:** Confirmation of FY 2007-2008 Benefit Assessment  
for the Elsinore Valley Area of Zone 3

**SUBMITTAL DATE:** July 31, 2007  
**Page 2**

**BACKGROUND:**

In 1983, the District's Act was amended to permit the Board of Supervisors to levy a benefit assessment pursuant to the Benefit Assessment Act of 1982, Chapter 6.4 of Part 1 of Division 2 of Title 5 of the Government Code, to pay the principal of and interest on bonds issued to finance any work or improvement (as authorized in the Act), if the issuance of bonds is approved at the same election at which the levying of the benefit assessment was approved.

In a special election held on November 4, 1986, the voters in the Elsinore Valley area of the District's Zone 3 approved the Benefit Assessment Program for Elsinore Valley (Zone 3), providing for the levy and collection of an annual assessment on each parcel of land within the area, to pay the debt service on bonds to be issued to fund construction of priority Elsinore Valley flood control projects. On February 17, 1993, a total of \$5,715,000.00 of bonds were sold to finance these projects.

The Benefit Assessment Program provides for the Chief Engineer to submit an annual program status report and that the Board, upon acceptance of the report, shall instruct the Clerk of the Board to set a time and place for a public hearing to hear and consider all protests.

At the conclusion of the hearing, the Board may adopt, revise, change, reduce or modify any assessment and shall make its determination upon each assessment described in the report. Thereafter, by Resolution, the Board shall confirm the assessments.

SJC:seb

BOARD OF SUPERVISORSRIVERSIDE COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT

RESOLUTION NO. F2007-16  
 RESOLUTION ADOPTING BENEFIT ASSESSMENT TO  
 PAY PRINCIPAL OF AND INTEREST ON THE BOND OF  
 ZONE THREE OF THE RIVERSIDE COUNTY FLOOD CONTROL  
 AND WATER CONSERVATION DISTRICT  
 FOR FISCAL YEAR 2007-2008

WHEREAS, pursuant to Section 25.1 of the Riverside County Flood Control and Water Conservation District Act, Chapter 1122, Statutes of 1945, as amended (the "Act"), the Board of Supervisors (the "Board of Supervisors") of the Riverside County Flood Control and Water Conservation District (the "District") may, upon complying with the requirements of Chapter 6.4 (commencing with Section 54703) of Part 1 of Division 2 of Title 5 of the Government Code, the Benefit Assessment Act of 1982, including obtaining the approval of the voters as required by Section 54717 of the Government Code, levy a benefit assessment within any zone of the District to pay principal of and interest on bonds of the zone which are issued to finance the cost of any work or improvement, as authorized in the Act, in the zone, if the issuance of the bonds has also been approved by the voters at the same election at which the levying of the benefit assessment was approved; and

WHEREAS, pursuant to Section 25.1 of the Act, the Board of Supervisors determined that it was desirable that bonds be issued for the Elsinore Valley Area of Zone Three (the "Zone") to finance needed drainage and flood control improvements within the Zone which would be payable as to principal and interest from benefit assessments levied on parcels of land within the Zone; and

WHEREAS, pursuant to Section 54717 of the Government Code and Section 25.1 of the Act, the Board of Supervisors determined to submit to the eligible voters within the Zone the proposition with respect to the Zone incurring a bonded indebtedness for the purposes of funding the design, acquisition and construction of drainage and flood control improvements therein and therefor, and the annual levy of benefit assessments on property within the Zone for the payment of principal and interest on the bonds of the Zone; and

WHEREAS, a special election was held on November 4, 1986, at which a majority of the voters of the Zone voting at the election approved the levy of benefit assessments on property within the Zone for the payment of principal of and interest on the bonds of the Zone; and

WHEREAS, on February 17, 1993, Riverside County Flood Control and Water Conservation District sold \$5,715,000 of Limited Obligation Improvement Bonds for the Elsinore Valley Benefit Assessment District (Zone 3). The bonds will mature on September 1 of each year from 1993 through 2017. The bonds shall not be subject to redemption prior to maturity.

WHEREAS, pursuant to Section 54716 of the Government Code, the Board of Supervisors has caused a written report on the Flood Control Benefit Assessment Program -

1 Elsinore Valley (Zone 3) dated July 2007 (the "Report") to be prepared and filed with the Clerk  
2 of the Board of Supervisors containing the information with respect to the drainage and flood  
3 control improvements acquired and constructed within the Zone and the amount of the bonds of  
4 the Zone issued to finance such improvements; and

4 WHEREAS, the Clerk of the Board of Supervisors has caused a notice of the  
5 filing of the Report and of the time, date and place of hearing thereon to be published and posted  
6 as required by said Section 54716; and

6 WHEREAS, at a duly noticed hearing on said Report the Board of Supervisors  
7 heard and considered all protests with respect to the amount of assessments to be for Fiscal Year  
8 2007-2008.

8 NOW THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by  
9 the Board of Supervisors of the Riverside County Flood Control and Water Conservation District  
10 in regular session assembled on July 31, 2007, as follows:

11 Section 1. Each of the above recitals is true and correct.

12 Section 2. A public hearing was duly held on this date and all protests have been  
13 considered.

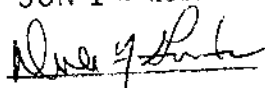
14 Section 3. The Fiscal Year 2007-2008 benefit assessments set forth in the Report  
15 prepared and presented to the Board of Supervisors and considered at said hearing are related to  
16 the benefit of the parcels in the Zone which will be derived from the provision and availability of  
17 the drainage and flood control improvements; the aggregate annual amount of the benefit  
18 assessment will not exceed the estimated annual cost of paying the principal of and interest on  
19 the \$5,715,000 of bonds sold on February 17, 1993, and the administrative expense therefore for  
20 the Zone at the recommended rate of \$20.00 per benefit assessment unit for Tax Year 2007-  
21 2008, and benefit assessments for Fiscal Year 2007-2008 as set forth in the Report are hereby  
22 confirmed.

19 Section 4. A copy of this Resolution duly certified by the Clerk of the Board be  
20 recorded in the office of the Recorder of the County of Riverside and a copy of this Resolution  
21 duly certified by the Clerk of the Board and the Report be filed with the Auditor-Controller of  
22 the County of Riverside.

22 SJC:seb

23 FORM APPROVED  
24 COUNTY COUNSEL

25 JUN 12 2007

26 BY 

27 Dale A. Gardner

ZONE 3 BENEFIT ASSESSMENT  
PUBLIC HEARING STATEMENT  
July 31, 2007

Mr. Chairman and Members of the Board:

In a special election held on November 4, 1986, voters in the Elsinore Valley approved Proposition "F", a Flood Control Benefit Assessment Program, which provides for the levy and collection of an annual benefit assessment on each parcel of land within the watershed to pay debt service on bonds issued to fund the construction of the needed flood control facilities. For the year that has just ended, the sixteenth year of assessments under this program, it is estimated that the Auditor will record a total collection of \$530,232.

Since the bond proceeds have been fully utilized, Zone 3 property tax revenues are being applied to remaining priority projects identified in Proposition F. In the current year's budget funds are allocated for the design of the Arroyo Del Toro Channel. This particular project, along with Lakeland Village – Adelfa Channel are reflected as being funded in the Five Year Capital Improvement Plan.

The District has determined that the current basic assessment rate of \$21.00 per benefit assessment unit can be reduced and still meet the ensuing year's debt service. Therefore, it is staff's recommendation that the Fiscal Year 2007-2008 rate be reduced from \$21.00 to \$20.00 per BAU.

Your adoption of Resolution No. F2007-16 today will confirm the Tax Year 2007-2008 assessments at the recommended rate of \$20.00 per benefit assessment unit, which will result in an approximate billing of \$582,955.

This concludes staff's presentation for the Zone 3 Benefit Assessment Program.

SJC:seb  
P8/114448