

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

911A



FROM: TLMA - Transportation Dept.

SUBMITTAL DATE:
February 15, 2008

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated,
Annexation of Street Lighting Zone 79 (Romoland).

RECOMMENDED MOTION: That the Board:

1. Adopt resolution No. 2008-070, Resolution of the County of Riverside confirming the diagram and assessment of Street Lighting Zone 79 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 2008-09.
2. Direct the Auditor-Controller's office to establish an interest-bearing sub-fund 20300 to receive deposits and interest thereon from Street Lighting Zone 79 of Landscaping

George A. Johnson
George A. Johnson
Director of Transportation

JW:jp

FINANCIAL DATA	Current F.Y. Total Cost:	\$0	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$0	Budget Adjustment:	N/A
	Annual Net County Cost:	\$0	For Fiscal Year:	2007-08

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

C.E.O. RECOMMENDATION:

APPROVE

BY *Tina Grande*
Tina Grande

County Executive Office Signature

APPROVED BY COUNTY COUNSEL
 Dale A. Gardner 1/15/08
 DATE
 Departmental Concurrence
 DALE A. GARDNER

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

Prev. Agn. Ref. | District: 3 | Agenda Number:

3.74

2 RESOLUTION NO. 2008-070

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4 **RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE ORDERING**
5 **THE ANNEXATION OF STREET LIGHTING ZONE 79 TO LANDSCAPING AND LIGHTING**
6 **MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE AND**
7 **CONFIRMING THE DIAGRAM AND ASSESSMENT FOR STREET LIGHTING ZONE 79 OF**
8 **LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED AND**
9 **LEVYING ASSESSMENTS ON ALL ASSESSABLE LOTS AND PARCELS OF LAND THEREIN**
10 **FOR THE FISCAL YEAR 2008-09**

11 **WHEREAS**, on November 20, 2007 the Board of Supervisors (hereinafter the "Board of
12 Supervisors") of the County of Riverside (hereinafter the "County") adopted Resolution No. 2007-475,
13 pursuant to Section 22608 and Section 22585 et seq. of the Streets and Highways Code, declaring the
14 intention of the Board of Supervisors to order the annexation of Street Lighting Zone 79 to
15 Landscaping and Lighting Maintenance District No. 89-1-Consolidated (hereinafter "L&LMD No.
16 89-1-C") of the County pursuant to the Landscaping and Lighting Act of 1972, being Part 2
17 (commencing with Section 22500) of Division 15 of the Streets and Highways Code, and giving notice
18 of and setting a public hearing for 9:30 a.m. on January 8, 2008 at the meeting room of the Board of
19 Supervisors and requiring that the notice of the public hearing and assessment ballots be mailed to all
20 owners of property within Street Lighting Zone 79 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. 2007-475, 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 Street Lighting Zone 79 as shown on the equalized tax roll; and

25 **WHEREAS**, at 9:30 a.m. on January 8, 2008, as set forth in Resolution No. 2007-475, the
26 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 Street Lighting

1 Zone 79 to 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 owner of 1 parcel out of a possible 1 parcel and that 1 parcel (100 percent of the
5 assessment ballots received) voted in favor of annexation of Street Lighting Zone 79 to L&LMD No.
6 89-1-C and the levy of an annual assessment in said Street Lighting Zone 79 beginning fiscal year
7 2008-09; 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 Street Lighting
12 Zone 79 of L&LMD No. 89-1-C beginning fiscal year 2008-09.

13 **NOW, THEREFOR, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the
14 Board of Supervisors of the County in regular session on February 26, 2008 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 Street Lighting
22 Zone 79 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 Street Lighting Zone 79 to L&LMD No. 89-1-C and the
25 levy of an annual assessment beginning fiscal year 2008-09, and 0 percent
26 voted no;

- 1 (e) the Board of Supervisors may proceed to adopt a resolution ordering the
2 annexation of Street Lighting Zone 79 to 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 Street Lighting Zone 79 of L&LMD No. 89-1-C
5 either 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 Street Lighting Zone 79 of L&LMD No. 89-1-C for the provision of electricity to
8 all streetlights in said Street Lighting Zone 79 during the fiscal year 2008-09 as
9 contained in the report of the Director of Transportation which is on file with the
10 Clerk of the Board of Supervisors (hereinafter the "Report") are based on
11 benefits derived by such lots and parcels from the availability of such
12 streetlights, and are not based upon the ownership of such lots and parcels.

13 **Section 2. Annexation.** Street Lighting Zone 79, as proposed to be annexed to
14 L&LMD No. 89-1-C, includes all the property subject to Conditional Use Permit No. 03353 in the
15 County of Riverside, State of California as described in Exhibit "A" attached hereto, shall be and is
16 annexed into L&LMD No. 89-1-C.

17 **Section 3. Improvements.** The improvements authorized for Street Lighting
18 Zone 79 of L&LMD No. 89-1-C are:

- 19 (a) Providing electricity to all streetlights within the public right-of-way including
20 incidental costs and expenses.

21 **Section 4. Confirmation of Report.** The Report and the assessment diagram and
22 the assessment of estimated costs for the provision of electricity to all streetlights in Street Lighting
23 Zone 79 of L&LMD No. 89-1-C for fiscal year 2008-09 as contained in the Report are confirmed.

24 **Section 5. Levy of Assessment.** Pursuant to Section 22631 of the Streets and
25 Highways Code the adoption of this resolution constitutes the levy of the assessment for the provision
26 of electricity to all streetlights in Street Lighting Zone 79 of L&LMD No. 89-1-C during fiscal year

EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

The boundaries of Street Lighting Zone 79 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside are coterminous with the boundaries of APN 331-180-018 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2008-09.

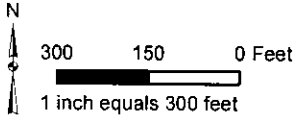
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LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED

STREET LIGHTING ZONE 79

PORTION OF SECTION 14, T5.S., R3.W.

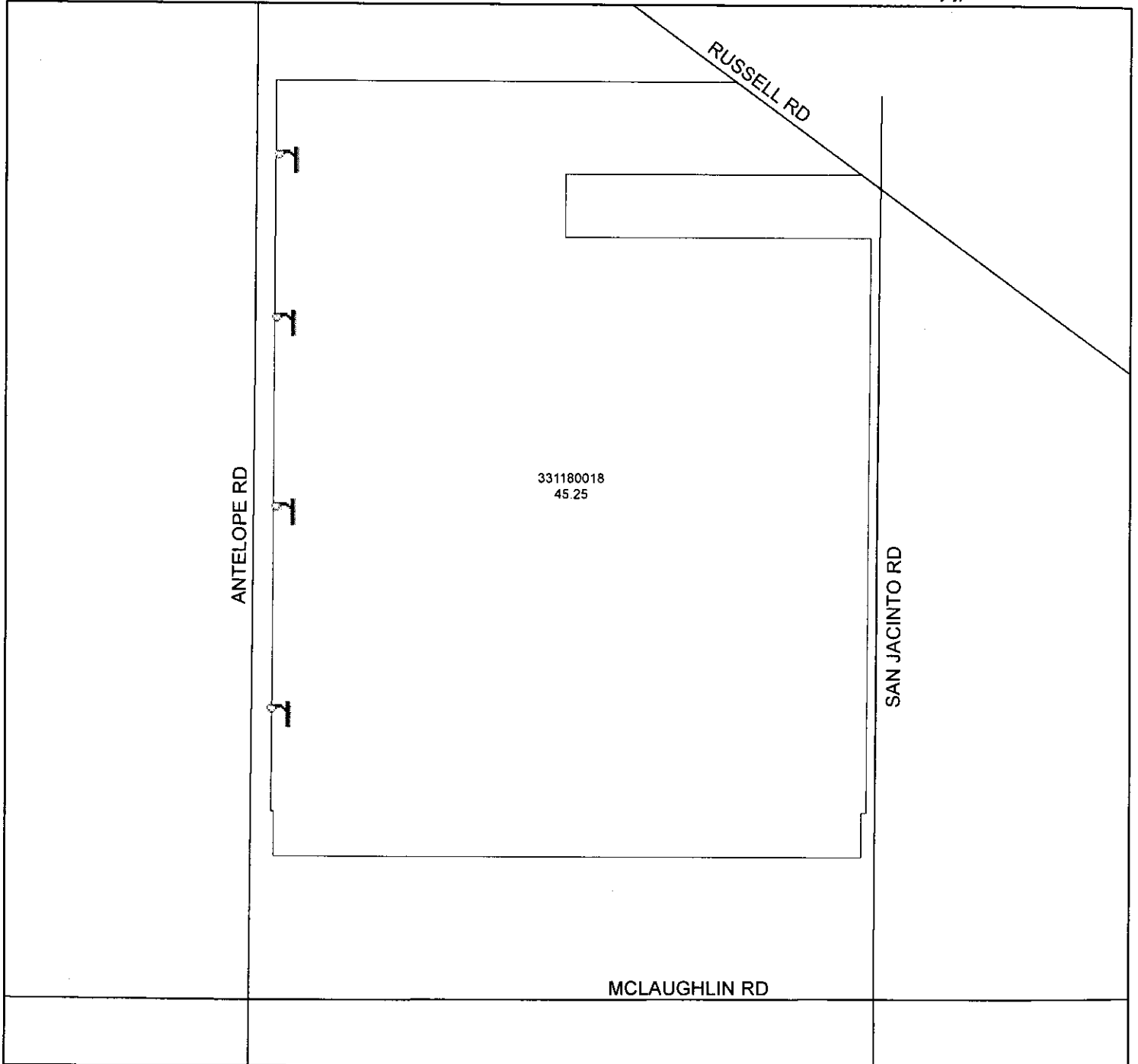
CUP 03353 NO. - 1 PARCEL



The County of Riverside assumes no warranty of 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 resell this map.

ASSESSMENT DIAGRAM

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 DENOTES MAINTAINED STREETLIGHT