

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

239A



**FROM:** TLMA - Transportation Dept.

**SUBMITTAL DATE:**  
March 3, 2008

**SUBJECT:** Landscaping and Lighting Maintenance District No. 89-1-Consolidated,  
Annexation of Location 2 to Zone 111 (Eastvale).

**RECOMMENDED MOTION:** That the Board:

1. Adopt resolution No. 2008-123, Resolution of the County of Riverside confirming the diagram and assessment for Location 2 of Zone 111 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 Location 2 of Zone 111 of Landscaping

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

JW:jp

FORM APPROVED COUNTY COUNSEL  
BY *Alex Gardner* 2/19/08  
DATE  
ALEX GARDNER  
Departmental Concurrence

<b>FINANCIAL DATA</b>	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
<b>SOURCE OF FUNDS:</b> 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

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

Prev. Agn. Ref.

District: 2

Agenda Number:

**3.56**

The Honorable Board of Supervisors

RE: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of  
Location 2 to Zone 111 (Eastvale).

March 3, 2008

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and Lighting Maintenance District No. 89-1-Consolidated; in accordance with Section  
22655-22656 of the Streets and Highways Code.

**BACKGROUND:** On February 5, 2008, a public hearing was held to receive all testimony regarding the annexation of Location 2 to Zone 111 of 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 February 6, 2008 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 37 parcels out of a possible 37 were cast, and that 37 votes (or 100%) were cast in favor of the annexation of Location 2 to Zone 111 of L&LMD No. 89-1-C and the levy and enrollment of the special assessment.

The proposed budget for fiscal year 2008-09 for Location 2 of Zone 111 is \$2,435.00 that will result in an assessment for fiscal year 2008-09 within Location 2 of Zone 111 of \$65.82 per parcel. Location 2 of Zone 111 includes 37 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 2008.

Adoption of Resolution No. 2008-123 confirms the assessment levy as indicated in the Engineer's Report for fiscal year 2008-09 for Location 2 of Zone 111 of L&LMD No. 89-1-C and orders the placement of the annual assessment on the County's Assessment Roll for fiscal year 2008-09.

RESOLUTION NO. 2008-123

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE ORDERING THE ANNEXATION OF LOCATION 2 TO ZONE 111 OF LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE AND CONFIRMING THE DIAGRAM AND ASSESSMENT FOR LOCATION 2 OF ZONE 111 OF LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED AND LEVYING ASSESSMENTS ON ALL ASSESSABLE LOTS AND PARCELS OF LAND THEREIN FOR THE FISCAL YEAR 2008-09**

**WHEREAS**, on December 18, 2007 the Board of Supervisors (hereinafter the "Board of Supervisors") of the County of Riverside (hereinafter the "County") adopted Resolution No. 2007-526, pursuant to Section 22608 and Section 22585 et seq. of the Streets and Highways Code, declaring the intention of the Board of Supervisors to order the annexation of Location 2 to Zone 111 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated (hereinafter "L&LMD No. 89-1-C") of the County pursuant to the Landscaping and Lighting Act of 1972, being Part 2 (commencing with Section 22500) of Division 15 of the Streets and Highways Code, and giving notice of and setting a public hearing for 9:30 a.m. on February 5, 2008 at the meeting room of the Board of Supervisors and requiring that the notice of the public hearing and assessment ballots be mailed to all owners of property within Location 2 as shown on the equalized tax roll; and

**WHEREAS**, notice of said public hearing was duly published and mailed as required by Resolution No. 2007-526, Section 22626 of the Streets and Highways Code and Sections 53753 and 54954.6 of the Government Code and the assessment ballots were timely mailed to all owners of property within said Location 2 as shown on the equalized tax roll; and

**WHEREAS**, at 9:30 a.m. on February 5, 2008, as set forth in Resolution No. 2007-526, the 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 Location 2 to Zone 111

1 of 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 37 parcels out of a possible 37 parcels and that 37 parcels (100 percent of  
5 the assessment ballots received) voted in favor of annexation of Location 2 to Zone 111 of L&LMD No.  
6 89-1-C and the levy of an annual assessment in said Location 2 beginning fiscal year 2008-09; 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 Location 2 of  
11 Zone 111 of L&LMD No. 89-1-C beginning fiscal year 2008-09.

12 **NOW, THEREFOR, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the  
13 Board of Supervisors of the County in regular session on March 11, 2008 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 Location 2 to  
21 Zone 111 of 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 Location 2 to Zone 111 of L&LMD No. 89-1-C and the  
24 levy of an annual assessment beginning fiscal year 2008-09, and 0 percent  
25 voted no;
- 26

- 1 (e) the Board of Supervisors may proceed to adopt a resolution ordering the  
2 annexation of Location 2 to Zone 111 of 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 Location 2 of Zone 111 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 Location 2 of Zone 111 of L&LMD No. 89-1-C for the installation, maintenance  
8 and servicing of fossil filter and traffic signal improvements in said Location 2  
9 during the fiscal year 2008-09 as contained in the report of the Director of  
10 Transportation which is on file with the Clerk of the Board of Supervisors  
11 (hereinafter the "Report") are based on benefits derived by such lots and parcels  
12 from the availability of such fossil filter and traffic signal improvements, and are  
13 not based upon the ownership of such lots and parcels.

14 **Section 2. Annexation.** Location 2 of Zone 111, as proposed to be annexed to  
15 L&LMD No. 89-1-C, includes all the property subject to Tract Map No. 31643 in the County of  
16 Riverside, State of California as described in Exhibit "A" attached hereto, shall be and is annexed into  
17 L&LMD No. 89-1-C.

18 **Section 3. Improvements.** The improvements authorized for Location 2 of  
19 Zone 111 of L&LMD No. 89-1-C are:

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

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

1 traffic signal improvements in Location 2 of Zone 111 of L&LMD No. 89-1-C for fiscal year 2008-09 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 and traffic signal improvements in Location 2 of  
6 Zone 111 of L&LMD No. 89-1-C during fiscal year 2008-09, 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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23 FORM APPROVED COUNTY COUNSEL  
24 BY DALE A. GARDNER 2/19/08  
DATE

**EXHIBIT "A"**

**DESCRIPTION OF BOUNDARIES**

The boundaries of Location 2 to be annexed into Zone 111 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside are coterminous with the boundaries of 37 parcel(s) as shown on Tract Map No. 31643 in the County of Riverside, State of California for fiscal year 2008-09.

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

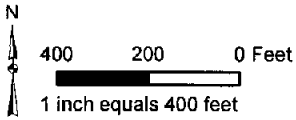
**ZONE 111, LOCATION 2**

PORTION OF SECTION 3, T.3S., R.7W.

TRACT MAP NO. 31643 - 37 PARCELS

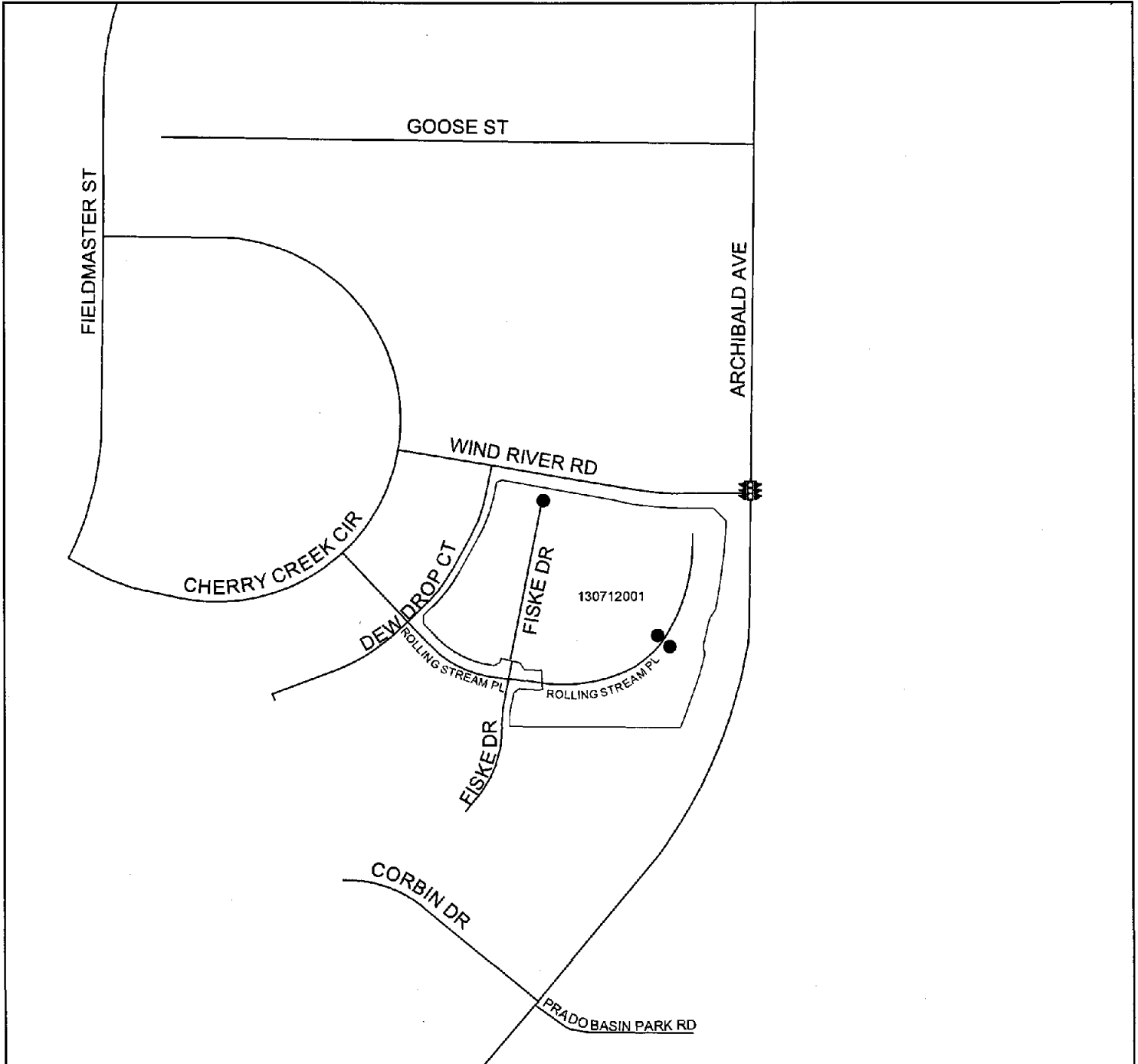


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**ASSESSMENT DIAGRAM**

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- DENOTES MAINTAINED FOSSIL FILTER
- ⚡ DENOTES MAINTAINED TRAFFIC SIGNAL