

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

538A



**FROM:** TLMA - Transportation Dept.

**SUBMITTAL DATE:**  
June 2, 2008

**SUBJECT:** Landscaping and Lighting Maintenance District No. 89-1-Consolidated,  
Annexation of Zone 115 (Eastvale).

**RECOMMENDED MOTION:** That the Board:

1. Adopt resolution No. 2008-237, Resolution of the County of Riverside confirming the diagram and assessment of Zone 115 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 Zone 115 of Landscaping and Lighting

Juan C. Perez  
Director of Transportation

JW:jp

FORM APPROVED COUNTY COUNSEL  
 BY DALE A. GARDNER DATE 5/11/08  
 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.**  
03/18/08, 3.42  
05/06/08, 9.8

**District:** 2

**Agenda Number:**

**3.47**

The Honorable Board of Supervisors

RE: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Zone 115 (Eastvale).

June 2, 2008

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

**BACKGROUND:** On May 6, 2008, a public hearing was held to receive all testimony regarding the annexation of Zone 115 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 May 7, 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 4 lots out of a possible 4 were cast, and that 4 votes (or 100%) were cast in favor of the annexation of Zone 115 to L&LMD No. 89-1-C and the levy and enrollment of the special assessment.

The proposed budget for fiscal year 2008-09 for Zone 115 is \$2,712.00 that will result in an assessment for fiscal year 2008-09 within Zone 115 of \$12.10 per condominium parcel as shown as lots 49, 50, 59, and 60 on Tract Map No. 34014. Zone 115 includes 224 condominium parcels. 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. 2008-237 confirms the assessment levy as indicated in the Engineer's Report for fiscal year 2008-09 for Zone 115 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. 2008-237**

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE ORDERING THE ANNEXATION OF ZONE 115 TO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE AND CONFIRMING THE DIAGRAM AND ASSESSMENT FOR ZONE 115 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 March 18, 2008 the Board of Supervisors (hereinafter the "Board of Supervisors") of the County of Riverside (hereinafter the "County") adopted Resolution No. 2008-142, 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 Zone 115 to 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 May 6, 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 Zone 115 as shown on the equalized tax roll; and

**WHEREAS**, notice of said public hearing was duly published and mailed as required by Resolution No. 2008-142, 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 Zone 115 as shown on the equalized tax roll; and

**WHEREAS**, at 9:30 a.m. on May 6, 2008, as set forth in Resolution No. 2008-142, 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 Zone 115 to L&LMD

1 No. 89-1-C as required by Section 53753(e) of the Government Code to tally the assessment ballots  
2 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 owners of 4 lots out of a possible 4 lots and that 4 lots (100 percent of the  
5 assessment ballots received) voted in favor of annexation of Zone 115 to L&LMD No. 89-1-C and the  
6 levy of an annual assessment in said Zone 115 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 Zone 115 of  
11 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 June 10, 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 Zone 115 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 115 to L&LMD No. 89-1-C and the levy of an  
24 annual assessment beginning fiscal year 2008-09, and 0 percent voted no;
- 25 (e) the Board of Supervisors may proceed to adopt a resolution ordering the  
26 annexation of Zone 115 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 115 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 115 of L&LMD No. 89-1-C for the installation, maintenance and servicing  
6 of fossil filter and traffic signal improvements in said Zone 115 during the fiscal  
7 year 2008-09 as contained in the report of the Director of Transportation which  
8 is on file with the Clerk of the Board of Supervisors (hereinafter the "Report") are  
9 based on benefits derived by such lots and parcels from the availability of such  
10 fossil filter and traffic signal improvements, and are not based upon the  
11 ownership of such lots and parcels.

12 **Section 2. Annexation.** Zone 115, as proposed to be annexed to L&LMD No.  
13 89-1-C, includes all the property subject to Tract Map No. 34014 in the County of Riverside, State of  
14 California as described in Exhibit "A" attached hereto, shall be and is annexed into L&LMD No. 89-1-C.

15 **Section 3. Improvements.** The improvements authorized for Zone 115 of L&LMD  
16 No. 89-1-C are:

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

22 **Section 4. Confirmation of Report.** The Report and the assessment diagram and  
23 the assessment of estimated costs for the installation, maintenance and servicing of fossil filter and  
24 traffic signal improvements in Zone 115 of L&LMD No. 89-1-C for fiscal year 2008-09 as contained in  
25 the Report are confirmed.

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**Section 5. Levy of Assessment.** Pursuant to Section 22631 of the Streets and Highways Code the adoption of this resolution constitutes the levy of the assessment for the installation, and maintenance or servicing of fossil filter and traffic signal improvements in Zone 115 of L&LMD No. 89-1-C during fiscal year 2008-09, as contained in the Report, and such assessment is levied. The Clerk of the Board of Supervisors is directed to file a certified copy of this resolution, together with the diagram and assessment contained in the Report with the County Auditor-Controller of the County of Riverside, who, pursuant to Section 22645 of the Streets and Highways Code, shall enter on the County Tax Roll opposite each lot or parcel of land the amount assessed thereupon, as shown in said assessment.

**Section 6. Effective Date.** This Resolution shall take effect from and after its date of adoption.

FORM APPROVED COUNTY COUNSEL  
BY: DALE A. GARDNER 5/19/08  
DATE

**EXHIBIT "A"**

**DESCRIPTION OF BOUNDARIES**

The boundaries of Zone 115 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside are coterminous with the boundaries of Lots 49, 50, 59 and 60 as shown on Tract Map No. 34014 in the County of Riverside, State of California for fiscal year 2008-09.

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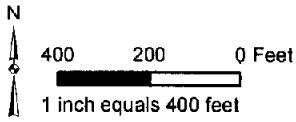
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED  
**ZONE 115**

PORTION OF SECTION 36, T.2S., R.7W.  
TRACT MAP NO. 30414 - 224 CONDOMINIUM PARCELS

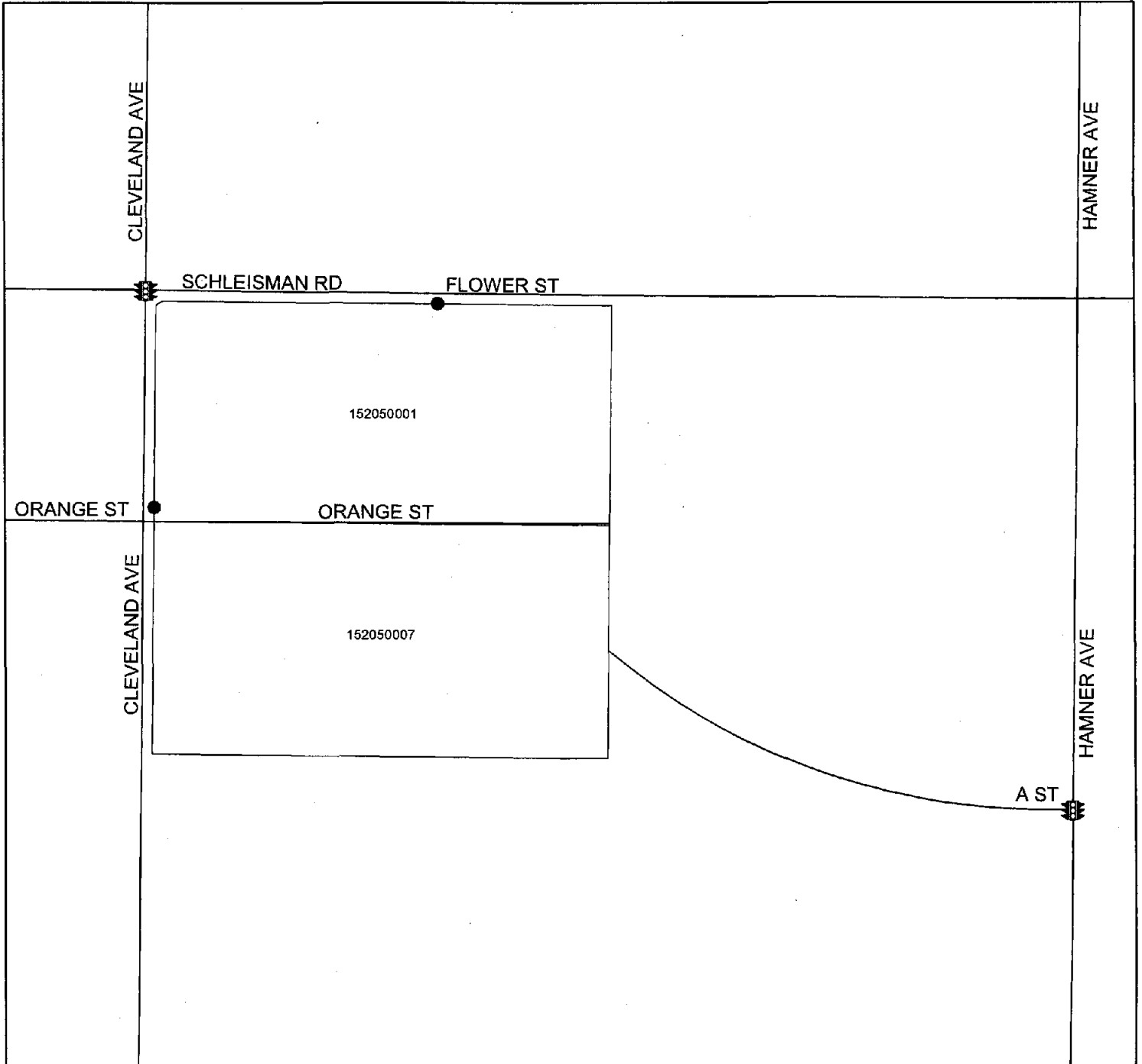


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**ASSESSMENT DIAGRAM**



- DENOTES MAINTAINED FOSSIL FILTER
- ⦿ DENOTES MAINTAINED TRAFFIC SIGNAL