

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

852A



**FROM:** TLMA - Transportation Dept.

**SUBMITTAL DATE:**  
June 23, 2008

**SUBJECT:** Landscaping and Lighting Maintenance District No. 89-1-Consolidated, New Improvements for Zone 90 (Wildomar).

**RECOMMENDED MOTION:** That the Board:

1. Adopt resolution No. 2008-290, Resolution of the County of Riverside confirming the diagram and assessment for New Improvements for Zone 90 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.

**BACKGROUND:** On June 3, 2008, a public hearing was held to receive all testimony regarding the New Improvements for Zone 90 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated (L&LMD No. 89-1-C"). After closing the public hearing, the Board directed

\_\_\_\_\_  
Juan C. Perez  
Director of Transportation

JAW:jp

<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:	2008-09

<b>SOURCE OF FUNDS:</b> Landscaping and Lighting Maintenance District No. 89-1-Consolidated – 100%	<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: Tina Grande

County Executive Office Signature

FORM APPROVED COUNTY COUNSEL  
BY: Dale A. Gardner  
DATE: 6/19/08  
Department: Transportation

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

**Prev. Agn. Ref.** 04/15/08, 3.34 | **District:** 1 | **Agenda Number:**

**3.90**

The Honorable Board of Supervisors

RE: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, New  
Improvements for Zone 90 (Wildomar).

June 23, 2008

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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 June 4, 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 101 parcel(s) out of a possible 101 were cast, and that 101 vote(s) (or 100%) were cast in favor of the New Improvements for Zone 90 of L&LMD No. 89-1-C and the levy and enrollment of the special additional assessment.

The proposed additional assessment for fiscal year 2008-09 on all parcels within Zone 90 (which includes 101 single-family residential lots) is \$24.70 per parcel for the New Improvement (the maintenance and servicing of fossil filters) and is in addition to an existing assessment of \$273.24 (that provides for landscaping, trail, and fence maintenance and graffiti abatement) that will result in a total assessment per parcel of \$297.94. The proposed budget for the New Improvements for Zone 90 for fiscal year 2008-09 is \$2,496.00. 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. 2008-290 confirms the assessment levy as indicated in the Engineer's Report for fiscal year 2008-09 for Zone 90 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.

2 RESOLUTION NO. 2008-290

3  
4 **RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE ORDERING**  
5 **THE NEW IMPROVEMENTS FOR ZONE 90 OF LANDSCAPING AND LIGHTING MAINTENANCE**  
6 **DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE AND CONFIRMING THE**  
7 **DIAGRAM AND ASSESSMENT FOR NEW IMPROVEMENTS FOR ZONE 90 OF LANDSCAPING**  
8 **AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED AND LEVYING**  
9 **ASSESSMENTS ON ALL ASSESSABLE LOTS AND PARCELS OF LAND THEREIN FOR THE**  
10 **FISCAL YEAR 2008-09**

11 **WHEREAS**, on April 15, 2008 the Board of Supervisors (hereinafter the "Board of  
12 Supervisors") of the County of Riverside (hereinafter the "County") adopted Resolution No. 2008-180,  
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 New Improvements for Zone 90 of Landscaping and  
15 Lighting Maintenance District No. 89-1-Consolidated (hereinafter "L&LMD No. 89-1-C") of the County  
16 pursuant to the Landscaping and Lighting Act of 1972, being Part 2 (commencing with Section 22500)  
17 of Division 15 of the Streets and Highways Code, and giving notice of and setting a public hearing for  
18 9:30 a.m. on June 3, 2008 at the meeting room of the Board of Supervisors and requiring that the  
19 notice of the public hearing and assessment ballots be mailed to all owners of property within Zone 90  
20 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. 2008-180, 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 Zone 90 as shown on the equalized tax roll; and

25 **WHEREAS**, at 9:30 a.m. on June 3, 2008, as set forth in Resolution No. 2008-180, the Board  
26 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 New Improvements for Zone 90 of

1 L&LMD No. 89-1-C as required by Section 53753(e) of the Government Code to tally the assessment  
2 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 101 parcel(s) out of a possible 101 parcel(s) and that 101 parcel(s) (100  
5 percent of the assessment ballots received) voted in favor of the New Improvements for Zone 90 of  
6 L&LMD No. 89-1-C and the levy of an additional annual assessment in said Zone 90 beginning fiscal  
7 year 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 additional assessment, either  
10 as originally proposed, or as changed by the Board of Supervisors, and the adoption of such a  
11 resolution shall constitute the levy of an additional assessment on all assessable lots and parcels of  
12 land within Zone 90 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 July 1, 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 New Improvement for and additional annual  
22 assessment of Zone 90 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 New Improvement for Zone 90 of L&LMD No. 89-1-C and the levy of  
25 an additional 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 New  
2 Improvement for Zone 90 of L&LMD No. 89-1-C;
- 3 (f) the Board of Supervisors may proceed to adopt a resolution confirming the  
4 diagram and additional assessment for Zone 90 of L&LMD No. 89-1-C either as  
5 originally proposed or as changed by it; and
- 6 (g) the additional assessments to be levied on the assessable lots and parcels of  
7 land within Zone 90 of L&LMD No. 89-1-C for the installation, maintenance and  
8 servicing of the New Improvements (fossil filters) in said Zone 90 during the  
9 fiscal year 2008-09 as contained in the report of the Director of Transportation  
10 which is on file with the Clerk of the Board of Supervisors (hereinafter the  
11 "Report") are based on benefits derived by such lots and parcels from the  
12 availability of such fossil filter improvements, and are not based upon the  
13 ownership of such lots and parcels.

14 **Section 2. Annexation.** New Improvements for Zone 90, as proposed to be  
15 annexed to L&LMD No. 89-1-C, includes all the property subject to Tract Map No. 25122 in the County  
16 of Riverside, State of California as described in Exhibit "A" attached hereto, shall be and is annexed  
17 into L&LMD No. 89-1-C.

18 **Section 3. Improvements.** The improvements authorized for Zone 90 of L&LMD  
19 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.

23 **Section 4. Confirmation of Report.** The Report and the assessment diagram and  
24 the additional assessment of estimated costs for the installation, maintenance and servicing of fossil  
25 filter improvements in Zone 90 of L&LMD No. 89-1-C for fiscal year 2008-09 as contained in the  
26 Report are confirmed.



**EXHIBIT "A"**

**DESCRIPTION OF BOUNDARIES**

The boundaries of Zone 90 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside are coterminous with the boundaries of 101 parcel(s) as shown on Tract Map No. 25122 in the County of Riverside, State of California for fiscal year 2007/08.

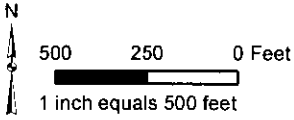
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LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED  
**ZONE 90**

PORTION OF SECTION 2, T.7S., R.4W.  
TRACT MAP NO. 25122 - 101 PARCELS

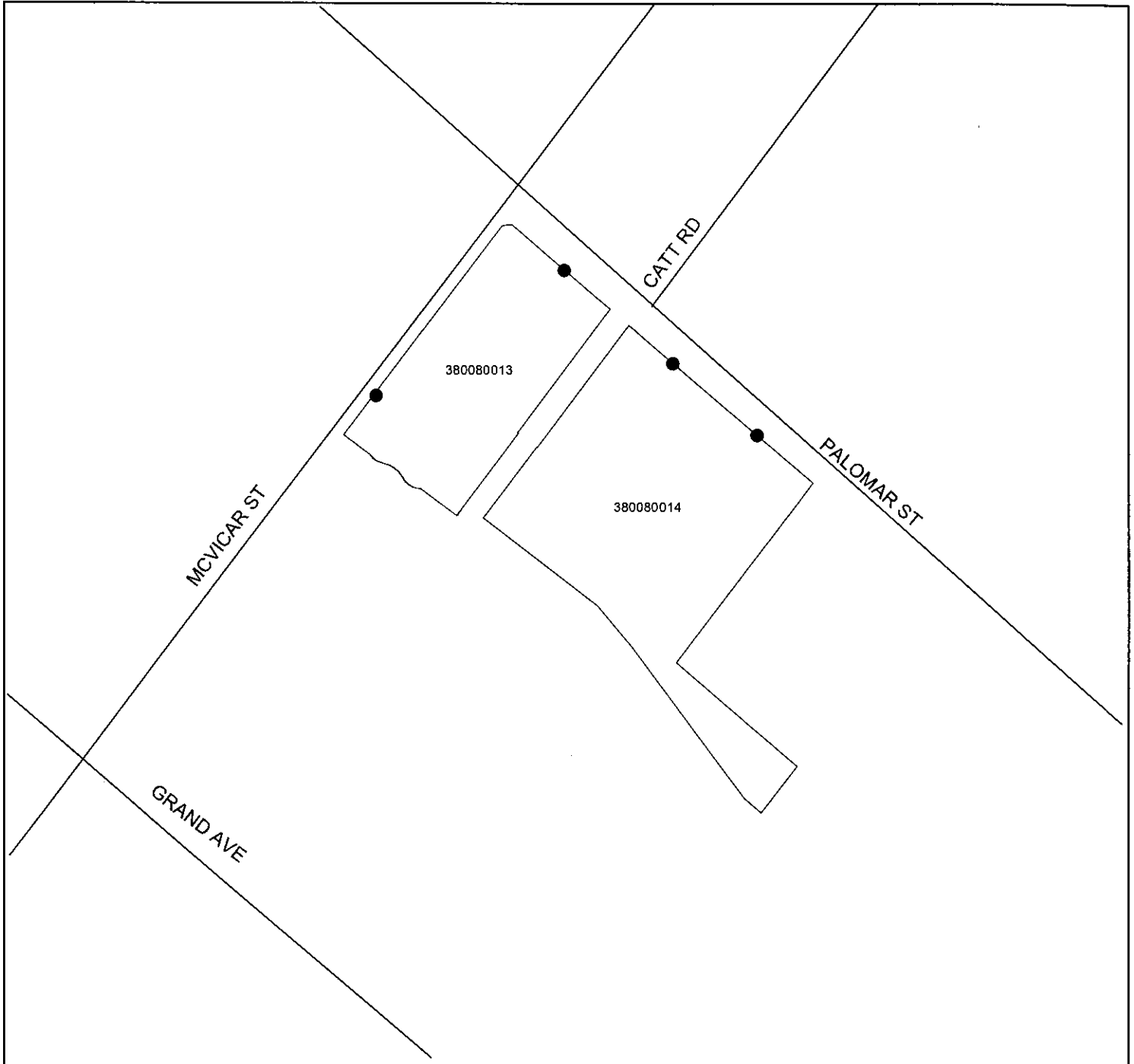


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# ASSESSMENT DIAGRAM

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● DENOTES MAINTAINED FOSSIL FILTER