

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

118A



**FROM:** TLMA - Transportation Dept.

**SUBMITTAL DATE:**  
July 21, 2008

**SUBJECT:** Landscaping and Lighting Maintenance District No. 89-1-Consolidated,  
Annexation of Zone 112 (Woodcrest).

**RECOMMENDED MOTION:** That the Board:

1. Adopt resolution No. 2008-337, Resolution of the County of Riverside confirming the diagram and assessment of Zone 112 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 112 of Landscaping and Lighting

Juan C. Perez  
Director of Transportation

JAW:jp

FORM APPROVED COUNTY COUNSEL  
BY: *Dale A. Gardner*  
DATE: 7/11/08  
DALE A. 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:	2008-09
<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. 05/20/08, 3.50  
07/15/08,

District: 1

Agenda Number:

The Honorable Board of Supervisors

RE: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of  
Zone 112 (Woodcrest).

July 21, 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 July 15, 2008, a public hearing was held to receive all testimony regarding the annexation of Zone 112 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 July 16, 2008 at 10:00 a.m. in the Survey Conference Room on the 8<sup>th</sup> Floor of the County Administrative Center. The tabulation shows that votes representing 131 parcels out of a possible 131 were cast, and that 131 votes (or 100%) were cast in favor of the annexation of Zone 112 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 112 is \$46,844.00 that will result in an assessment for fiscal year 2008-09 within Zone 112 of \$357.58 per parcel. Zone 112 includes 131 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. 2008-337 confirms the assessment levy as indicated in the Engineer's Report for fiscal year 2008-09 for Zone 112 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. 2008-337**

3 **RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE ORDERING**  
4 **THE ANNEXATION OF ZONE 112 TO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT**  
5 **NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE AND CONFIRMING THE DIAGRAM**  
6 **AND ASSESSMENT FOR ZONE 112 OF LANDSCAPING AND LIGHTING MAINTENANCE**  
7 **DISTRICT NO. 89-1-CONSOLIDATED AND LEVYING ASSESSMENTS ON ALL ASSESSABLE**  
8 **LOTS AND PARCELS OF LAND THEREIN FOR THE FISCAL YEAR 2008-09**

9 **WHEREAS**, on May 20, 2008 the Board of Supervisors (hereinafter the "Board of Supervisors")  
10 of the County of Riverside (hereinafter the "County") adopted Resolution No. 2008-223, pursuant to  
11 Section 22608 and Section 22585 et seq. of the Streets and Highways Code, declaring the intention of  
12 the Board of Supervisors to order the annexation of Zone 112 to Landscaping and Lighting  
13 Maintenance District No. 89-1-Consolidated (hereinafter "L&LMD No. 89-1-C") of the County pursuant  
14 to the Landscaping and Lighting Act of 1972, being Part 2 (commencing with Section 22500) of  
15 Division 15 of the Streets and Highways Code, and giving notice of and setting a public hearing for  
16 9:30 a.m. on July 15, 2008 at the meeting room of the Board of Supervisors and requiring that the  
17 notice of the public hearing and assessment ballots be mailed to all owners of property within  
18 Zone 112 as shown on the equalized tax roll; and

19 **WHEREAS**, notice of said public hearing was duly published and mailed as required by  
20 Resolution No. 2008-223, Section 22626 of the Streets and Highways Code and Sections 53753 and  
21 54954.6 of the Government Code and the assessment ballots were timely mailed to all owners of  
22 property within said Zone 112 as shown on the equalized tax roll; and

23 **WHEREAS**, at 9:30 a.m. on July 15, 2008, as set forth in Resolution No. 2008-223, the Board  
24 of Supervisors held a public hearing and afforded all interested persons an opportunity to be heard,  
25 and considered all oral statements and all written protest or communications made or filed by any  
26 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 112 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 131 parcel out of a possible 131 parcels and that 131 parcel (100 percent  
5 of the assessment ballots received) voted in favor of annexation of Zone 112 to L&LMD No. 89-1-C  
6 and the levy of an annual assessment in said Zone 112 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 112 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 July 29, 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 112 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 112 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 112 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 112 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 112 of L&LMD No. 89-1-C for the installation, maintenance and servicing  
6 of landscaping, multi-purpose trail, and fencing, and graffiti abatement  
7 improvements in said Zone 112 during the fiscal year 2008-09 as contained in  
8 the report of the Director of Transportation which is on file with the Clerk of the  
9 Board of Supervisors (hereinafter the "Report") are based on benefits derived by  
10 such lots and parcels from the availability of such landscaping, multi-purpose  
11 trail, and fencing, and graffiti abatement improvements, and are not based upon  
12 the ownership of such lots and parcels.

13 **Section 2. Annexation.** Zone 112, as proposed to be annexed to L&LMD No.  
14 89-1-C, includes all the property subject to Tract Map Nos. 22100, 22100-2, and 22100-3 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 Zone 112 of L&LMD  
18 No. 89-1-C are:

- 19 (a) The maintenance and servicing of landscaping and multi-purpose trails within  
20 the public right-of-way including the trimming, fertilizing, weeding and replanting  
21 of trees, shrubs, grass, and other ornamental vegetation; and
- 22 (b) The maintenance and servicing of irrigation and electrical facilities associated  
23 with the landscaping, including but not limited to electricity for operation of the  
24 irrigation system and water for irrigation; and
- 25 (c) Providing graffiti abatement services to walls and structures with the public right-  
26 of-way including incidental costs and expenses.



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

**ZONE 112**

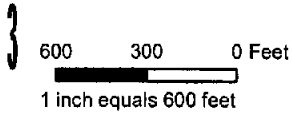
PORTION OF SECTIONS 26 & 35, T.3S., R.5W.

TRACT MAP NOS. 22100, 22100-2, & 22100-3

131 PARCELS

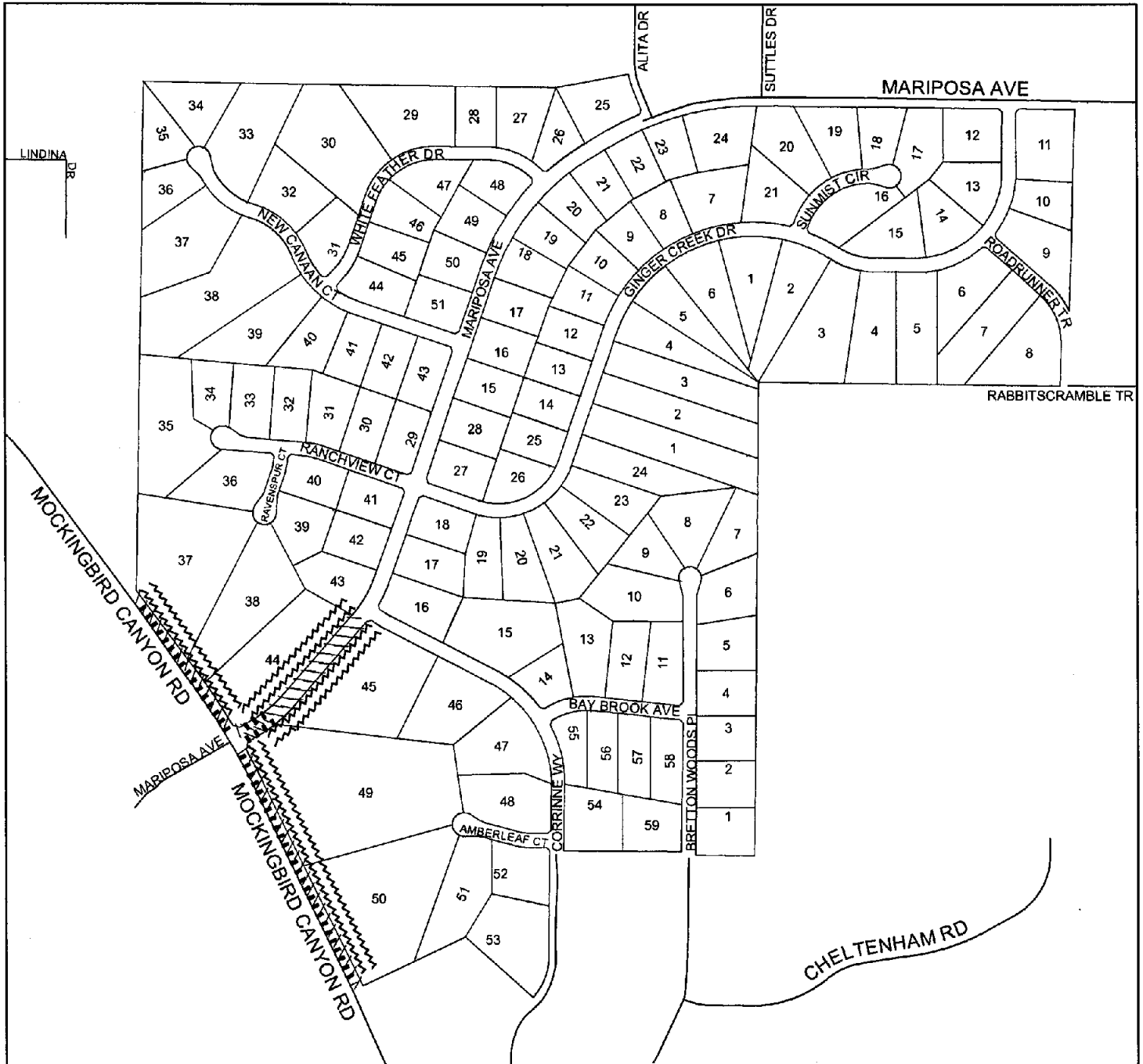


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**ASSESSMENT DIAGRAM**

Printed by jpickeri on 4/4/08



- ////// DENOTES LANDSCAPED AND MAINTAINED PARKWAY
- DENOTES MAINTAINED MULTI-PURPOSE TRAIL AND FENCE
- ~~~~~ DENOTES MAINTAINED GRAFFITI ABATEMENT

**EXHIBIT "A"**

**DESCRIPTION OF BOUNDARIES**

The boundaries of Zone 112 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 1 through 21 as shown on Tract Map No. 22100, of lots 1 through 59 as shown on Tract Map No. 22100-2, and of lots 1 through 51 as shown on Tract Map No. 22100-3 in the County of Riverside, State of California for fiscal year 2008-09.

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