

**SUBMITTAL TO THE FLOOD CONTROL AND  
WATER CONSERVATION DISTRICT BOARD  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

132B



**FROM:** General Manager-Chief Engineer

**SUBMITTAL DATE:**  
July 29, 2008

**SUBJECT:** Confirmation of FY 2008-2009 Benefit Assessment for the Elsinore Valley Area of Zone 3

**RECOMMENDED MOTION:**

The Board convene the public hearing concerning the Chief Engineer's "Report on Flood Control Benefit Assessment Program - Elsinore Valley (Zone 3)", dated July 2008, and concerning any protests with regard to the amount of the proposed benefit assessment to be levied; and adopt the following entitled resolution:

RESOLUTION F2008-19  
RESOLUTION ADOPTING BENEFIT ASSESSMENT TO  
PAY PRINCIPAL OF AND INTEREST ON THE BOND OF  
ZONE THREE OF THE RIVERSIDE COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT  
FOR FISCAL YEAR 2008-2009

**BACKGROUND:**

Continued on Page 2.

SJ:rlp

**WARREN D. WILLIAMS**  
General Manager-Chief Engineer

<b>FINANCIAL DATA</b>	Current F.Y. District Cost:	N/A	In Current Year Budget:	N/A
	Current F.Y. County Cost:	N/A	Budget Adjustment:	N/A
	Annual Net District Cost:	N/A	For Fiscal Year:	N/A

<b>SOURCE OF FUNDS:</b> N/A	<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:   
Alex Gann

County Executive Office Signature

FORM APPROVED COUNTY COUNSEL  
BY: Dale A. Gardner 6/4/08 DATE  
Departmental Concurrence

FISCAL PROCEDURES APPROVED  
IVAN M. CHAND, FINANCE DIRECTOR  
BY: Ivan M. Chand 6/29/08  
IVAN M. CHAND

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

Prev. Agn. Ref.: 11.4 of 6/24/08

District: 1<sup>st</sup>, 3<sup>rd</sup>, 5<sup>th</sup> Agenda Number:

11.4

**FLOOD CONTROL AND WATER CONSERVATION DISTRICT BOARD SUBMITTAL  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

**SUBJECT:** Confirmation of FY 2008-2009 Benefit Assessment  
for the Elsinore Valley Area of Zone 3

**SUBMITTAL DATE:** July 29, 2008

**Page 2**

**BACKGROUND:**

In 1983, the District's Act was amended to permit the Board of Supervisors to levy a benefit assessment pursuant to the Benefit Assessment Act of 1982, Chapter 6.4 of Part 1 of Division 2 of Title 5 of the Government Code, to pay the principal of and interest on bonds issued to finance any work or improvement (as authorized in the Act), if the issuance of bonds is approved at the same election at which the levying of the benefit assessment was approved.

In a special election held on November 4, 1986, the voters in the Elsinore Valley area of the District's Zone 3 approved the Benefit Assessment Program for Elsinore Valley (Zone 3), providing for the levy and collection of an annual assessment on each parcel of land within the area, to pay the debt service on bonds to be issued to fund construction of priority Elsinore Valley flood control projects. On February 17, 1993, a total of \$5,715,000.00 of bonds were sold to finance these projects.

The Benefit Assessment Program provides for the Chief Engineer to submit an annual program status report and that the Board, upon acceptance of the report, shall instruct the Clerk of the Board to set a time and place for a public hearing to hear and consider all protests.

At the conclusion of the hearing, the Board may adopt, revise, change, reduce or modify any assessment and shall make its determination upon each assessment described in the report. Thereafter, by Resolution, the Board shall confirm the assessments.

1 BOARD OF SUPERVISORS

RIVERSIDE COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT

2  
3 RESOLUTION NO. F2008-19  
4 RESOLUTION ADOPTING BENEFIT ASSESSMENT TO  
5 PAY PRINCIPAL OF AND INTEREST ON THE BOND OF  
6 ZONE THREE OF THE RIVERSIDE COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT  
FOR FISCAL YEAR 2008-2009

7 WHEREAS, pursuant to Section 25.1 of the Riverside County Flood Control and  
8 Water Conservation District Act, Chapter 1122, Statutes of 1945, as amended (the "Act"), the  
9 Board of Supervisors (the "Board of Supervisors") of the Riverside County Flood Control and  
10 Water Conservation District (the "District") may, upon complying with the requirements of  
11 Chapter 6.4 (commencing with Section 54703) of Part 1 of Division 2 of Title 5 of the  
12 Government Code, the Benefit Assessment Act of 1982, including obtaining the approval of the  
13 voters as required by Section 54717 of the Government Code, levy a benefit assessment within  
any zone of the District to pay principal of and interest on bonds of the zone which are issued to  
finance the cost of any work or improvement, as authorized in the Act, in the zone, if the  
issuance of the bonds has also been approved by the voters at the same election at which the  
levying of the benefit assessment was approved; and

14 WHEREAS, pursuant to Section 25.1 of the Act, the Board of Supervisors  
15 determined that it was desirable that bonds be issued for the Elsinore Valley Area of Zone Three  
16 (the "Zone") to finance needed drainage and flood control improvements within the Zone which  
would be payable as to principal and interest from benefit assessments levied on parcels of land  
within the Zone; and

17 WHEREAS, pursuant to Section 54717 of the Government Code and Section 25.1  
18 of the Act, the Board of Supervisors determined to submit to the eligible voters within the Zone  
19 the proposition with respect to the Zone incurring a bonded indebtedness for the purposes of  
20 funding the design, acquisition and construction of drainage and flood control improvements  
therein and therefor, and the annual levy of benefit assessments on property within the Zone for  
the payment of principal and interest on the bonds of the Zone; and

21 WHEREAS, a special election was held on November 4, 1986, at which a  
22 majority of the voters of the Zone voting at the election approved the levy of benefit assessments  
23 on property within the Zone for the payment of principal of and interest on the bonds of the  
Zone; and

24 WHEREAS, on February 17, 1993, Riverside County Flood Control and Water  
25 Conservation District sold \$5,715,000 of Limited Obligation Improvement Bonds for the  
26 Elsinore Valley Benefit Assessment District (Zone 3). The bonds will mature on September 1 of  
each year from 1993 through 2017. The bonds shall not be subject to redemption prior to  
27 maturity.

28 WHEREAS, pursuant to Section 54716 of the Government Code, the Board of  
Supervisors has caused a written report on the Flood Control Benefit Assessment Program -

1 Elsinore Valley (Zone 3) dated July 2008 (the "Report") to be prepared and filed with the Clerk  
2 of the Board of Supervisors containing the information with respect to the drainage and flood  
3 control improvements acquired and constructed within the Zone and the amount of the bonds of  
4 the Zone issued to finance such improvements; and

5 WHEREAS, the Clerk of the Board of Supervisors has caused a notice of the  
6 filing of the Report and of the time, date and place of hearing thereon to be published and posted  
7 as required by said Section 54716; and

8 WHEREAS, at a duly noticed hearing on said Report the Board of Supervisors  
9 heard and considered all protests with respect to the amount of assessments to be for Fiscal Year  
10 2008-2009.

11 NOW THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by  
12 the Board of Supervisors of the Riverside County Flood Control and Water Conservation District  
13 in regular session assembled on July 29, 2008, as follows:

14 Section 1. Each of the above recitals is true and correct.

15 Section 2. A public hearing was duly held on this date and all protests have been  
16 considered.

17 Section 3. The Fiscal Year 2008-2009 benefit assessments set forth in the Report  
18 prepared and presented to the Board of Supervisors and considered at said hearing are related to  
19 the benefit of the parcels in the Zone which will be derived from the provision and availability of  
20 the drainage and flood control improvements; the aggregate annual amount of the benefit  
21 assessment will not exceed the estimated annual cost of paying the principal of and interest on  
22 the \$5,715,000 of bonds sold on February 17, 1993, and the administrative expense therefore for  
23 the Zone at the recommended rate of \$19.00 per benefit assessment unit for Tax Year 2008-  
24 2009, and benefit assessments for Fiscal Year 2008-2009 as set forth in the Report are hereby  
25 confirmed.

26 Section 4. A copy of this Resolution duly certified by the Clerk of the Board be  
27 recorded in the office of the Recorder of the County of Riverside and a copy of this Resolution  
28 duly certified by the Clerk of the Board and the Report be filed with the Auditor-Controller of  
the County of Riverside.

SJ:rlp

FORM APPROVED COUNTY COUNSEL  
BY DALE A. GARDNER 6/4/08  
DATE