



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

440B

FROM: General Manager-Chief Engineer

SUBMITTAL DATE:
July 26, 2011

SUBJECT: Confirmation of FY 2011-2012 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 2011, and concerning any protests with regard to the amount of the proposed benefit assessment to be levied; and adopt the following entitled resolution:

RESOLUTION F2011-17
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 2011-2012

BACKGROUND:

Continued on Page 2.

WARREN D. WILLIAMS
General Manager-Chief Engineer

FINANCIAL DATA	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

SOURCE OF FUNDS: N/A

Positions To Be Deleted Per A-30	<input type="checkbox"/>
Requires 4/5 Vote	<input type="checkbox"/>

APPROVE

C.E.O. RECOMMENDATION:

BY: Michael R. Shetler
Michael R. Shetler

County Executive Office Signature

- Policy
- Policy
- Consent
- Consent

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

FISCAL PROCEDURES APPROVED
DAN M. CHAND, FINANCE DIRECTOR

Warren Williams 6/26/11

FORM APPROVED COUNTY COUNSEL

BY: Dale A. Gardner 6/26/11

Departmental Concurrence

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

SUBJECT: Confirmation of FY 2011-2012 Benefit Assessment
for the Elsinore Valley Area of Zone 3

SUBMITTAL DATE: July 26, 2011

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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. F2011-17
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 2011-2012

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
14 any zone of the District to pay principal of and interest on bonds of the zone which are issued to
15 finance the cost of any work or improvement, as authorized in the Act, in the zone, if the
16 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

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

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

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

WHEREAS, on February 17, 1993, Riverside County Flood Control and Water
Conservation District sold \$5,715,000 of Limited Obligation Improvement Bonds for the
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
maturity.

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 -

FORM APPROVED COUNTY COUNSEL
BY: *Dale A. Gardner* 6/20/11
DALE A. GARDNER DATE

1 Elsinore Valley (Zone 3) dated July 2011 (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, considered and overruled all protests with respect to the amount of assessments to be for
10 Fiscal Year 2011-2012.

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 26, 2011, 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 and overruled. No majority protest occurred.

17 Section 3. The Fiscal Year 2011-2012 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 \$11.00 per benefit assessment unit for Tax Year 2011-
24 2012, and benefit assessments for Fiscal Year 2011-2012 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.

SJC:seb