

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

418A



**FROM:** TLMA - Transportation Dept.

**SUBMITTAL DATE:**  
December 28, 2011

**SUBJECT:** Landscaping and Lighting Maintenance District No. 89-1-Consolidated,  
Annexation of Zone 162 (French Valley).

**RECOMMENDED MOTION:** That the Board:

1. Adopt Resolution No. 2012-006, Resolution of the County of Riverside ordering the annexation, and confirming the diagram and assessment of Zone 162 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated, and levying assessments on all assessable lots and parcels of land therein within the boundaries of Zone 162 for fiscal year 2012-13.

*Juan C. Perez*  
Juan C. Perez  
Director of Transportation

*Patricia Romo*  
Patricia Romo  
Deputy Director of Transportation

MH:jp

<b>FINANCIAL DATA</b>	<b>Current F.Y. Total Cost:</b>	\$0	<b>In Current Year Budget:</b>	N/A
	<b>Current F.Y. Net County Annual Net County Cost:</b>	\$0	<b>Budget For Fiscal Year:</b>	N/A
		\$0		2011-12
<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"/>
There are no General Funds used in this project.				<b>Requires 4/5 Vote</b> <input type="checkbox"/>

**C.E.O. RECOMMENDATION:**

APPROVE

BY: *Michael R. Shetler*  
Michael R. Shetler

**County Executive Office Signature**

FORM APPROVED COUNTY COUNSEL  
BY: Dale A. Gardner 12/12/11  
DALE A. GARDNER Departmental Concurrence

Dept'  Per Exec.

Prev. Agn. Ref. 10/04/11, 3.23  
11/22/11, 9.7

District: 3

Agenda Number:

3.62

The Honorable Board of Supervisors

RE: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Zone 162 (French Valley).

December 28, 2011

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2. Direct the Auditor-Controller's office to establish an interest-bearing sub-fund 20300 to receive deposits and interest thereon from Zone 162 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated; in accordance with Section 22655-22656 of the Streets and Highways Code.

**BACKGROUND:** On November 22, 2011, a public hearing was held to receive all testimony regarding the annexation of Zone 162 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 November 23, 2011 at 10:00 a.m. in Conference Room C on the 8<sup>th</sup> Floor of the County Administrative Center. The tabulation shows that votes representing 249 parcels out of a possible 249 were cast, and that 249 votes (or 100%) were cast in favor of the annexation of Zone 162 to L&LMD No. 89-1-C and the levy and enrollment of the special assessment.

The proposed budget for fiscal year 2012-13 for Zone 162 is \$25,915 that will result in an assessment for fiscal year 2012-13 within Zone 162 of \$104.08 per parcel. Zone 162 includes 249 single-family residential lots. The annual assessment may 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 2011.

Adoption of Resolution No. 2012-006 confirms the assessment levy as indicated in the Engineer's Report for fiscal year 2012-13 for Zone 162 of L&LMD No. 89-1-C and orders the placement of the annual assessment on the County's Assessment Roll for fiscal year 2012-13.

2 RESOLUTION NO. 2012-006

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4 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE ORDERING  
5 THE ANNEXATION OF ZONE 162 TO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT  
6 NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE AND CONFIRMING THE DIAGRAM  
7 AND ASSESSMENT FOR ZONE 162 OF LANDSCAPING AND LIGHTING MAINTENANCE  
8 DISTRICT NO. 89-1-CONSOLIDATED AND LEVYING ASSESSMENTS ON ALL ASSESSABLE  
9 LOTS AND PARCELS OF LAND THEREIN WITHIN THE BOUNDARIES OF SAID ZONE FOR THE  
10 FISCAL YEAR 2012-13

11 WHEREAS, on October 4, 2011 the Board of Supervisors (hereinafter the "Board of  
12 Supervisors") of the County of Riverside (hereinafter the "County") adopted Resolution No. 2011-238,  
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 annexation of Zone 162 to Landscaping and Lighting  
15 Maintenance District No. 89-1-Consolidated (hereinafter "L&LMD No. 89-1-C") of the County pursuant  
16 to the Landscaping and Lighting Act of 1972, being Part 2 (commencing with Section 22500) of  
17 Division 15 of the Streets and Highways Code, and giving notice of and setting a public hearing for  
18 9:30 a.m. on November 22, 2011 at the meeting room of the Board of Supervisors and requiring that  
19 the notice of the public hearing and assessment ballots be mailed to all owners of property within  
20 Zone 162 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. 2011-238, 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 162 as shown on the equalized tax roll; and

25 WHEREAS, at 9:30 a.m. on November 22, 2011, as set forth in Resolution No. 2011-238, the  
26 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 162 to L&LMD

FORM APPROVED COUNTY COUNSEL  
BY: Dale A. Gardner 12/12/11  
DALE A. GARDNER DATE

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 owner of 249 parcels out of a possible 249 parcels and that 249 parcels (100  
5 percent of the assessment ballots received) voted in favor of annexation of Zone 162 to L&LMD No.  
6 89-1-C and the levy of an annual assessment in said Zone 162 beginning fiscal year 2012-13; 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 162 of  
11 L&LMD No. 89-1-C beginning fiscal year 2012-13.

12 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the  
13 Board of Supervisors of the County in regular session on January 10, 2012 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 162 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 162 to L&LMD No. 89-1-C and the levy of an  
24 annual assessment beginning fiscal year 2012-13, and 0 percent voted no;
- 25 (e) the Board of Supervisors may proceed to adopt a resolution ordering the  
26 annexation of Zone 162 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 162 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 162 of L&LMD No. 89-1-C for the installation, the maintenance and  
6 servicing of fossil filter and traffic signal improvements, and the provision of  
7 electricity for traffic signals in said Zone 162 during the fiscal year 2012-13 as  
8 contained in the report of the Director of Transportation which is on file with the  
9 Clerk of the Board of Supervisors (hereinafter the "Report") are based on  
10 benefits derived by such lots and parcels from the availability of such fossil filter  
11 and traffic signal improvements, and are not based upon the ownership of such  
12 lots and parcels.

13 **Section 2. Annexation.** Zone 162, as proposed to be annexed to L&LMD No.  
14 89-1-C, includes all the property subject to Tract Map No. 31871 in the County of Riverside, State of  
15 California as described in Exhibit "A" attached hereto, shall be and is annexed into L&LMD No. 89-1-C.

16 **Section 3. Improvements.** The improvements authorized for Zone 162 of L&LMD  
17 No. 89-1-C are:

18 (a) The maintenance and servicing of fossil filters within the public right-of-way  
19 including the removal of petroleum hydrocarbons and other pollutants from  
20 water runoff; and

21 (b) Providing electricity to and the maintenance and servicing of traffic signals within  
22 the public right-of-way including incidental costs and expenses.

23 **Section 4. Confirmation of Report.** The Report and the assessment diagram and  
24 the assessment of estimated costs for the installation, the maintenance and servicing of fossil filter and  
25 traffic signal improvements, and the provision of electricity for traffic signals in Zone 162 of L&LMD No.  
26 89-1-C for fiscal year 2012-13 as contained in 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, the maintenance and servicing of fossil filter and traffic signal improvements, and the provision of electricity for traffic signals in Zone 162 of L&LMD No. 89-1-C during fiscal year 2012-13, 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.

**EXHIBIT "A"**  
**DESCRIPTION OF BOUNDARIES**

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The boundaries of Zone 162 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside, are coterminous with the boundaries of 249 parcel(s) as shown on Tract Map No. 31871 in the County of Riverside, State of California for fiscal year 2012-13.

# ZONE 162

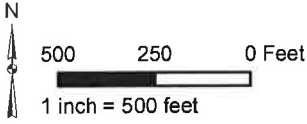
PORTION OF SECTION 17, T.7S., R.2W.

TRACT MAP NO. 31871

249 PARCELS

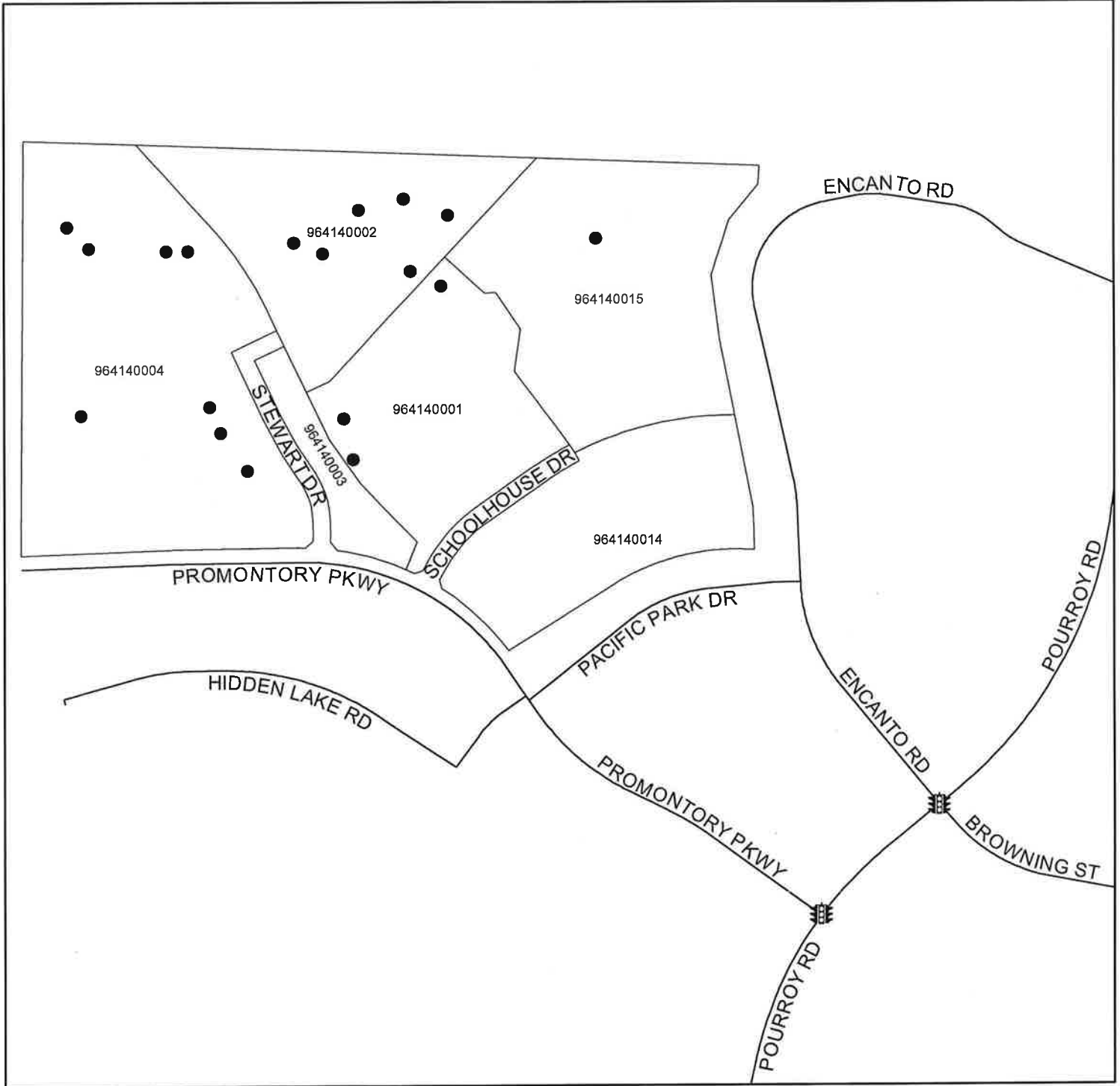


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## ASSESSMENT DIAGRAM

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- DENOTES MAINTAINED FOSSIL FILTER
- ⓧ DENOTES MAINTAINED TRAFFIC SIGNAL