

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

621A



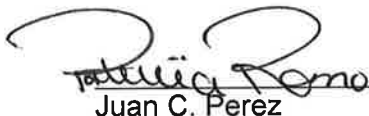
FROM: TLMA - Transportation Dept.

SUBMITTAL DATE:  
July 19, 2012

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated,  
Annexation of Zone 172 (French Valley).

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. 2012-163, Resolution of the County of Riverside ordering the annexation, and confirming the diagram and assessment of Zone 172 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 172 for fiscal year 2012-13.
2. Direct the Auditor-Controller's office to establish an interest-bearing sub-fund 20300

  
Juan C. Perez

Director of Transportation

Patricia Romo

Deputy Director of Transportation

MH:jp

FINANCIAL DATA	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:	2012-13
SOURCE OF FUNDS: Landscaping and Lighting Maintenance District No. 89-1-Consolidated – 100%				Positions To Be Deleted Per A-30 <input type="checkbox"/>
There are no General Funds used in this project.				Requires 4/5 Vote <input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY:

  
Tina Grande

County Executive Office Signature

FORM APPROVED COUNTY COUNSEL

BY:

DALE A. GARDNER

DATE

Departmental Concurrence

☒ Policy

☐ Consent

Dept's Recomm.:

☒ Policy

☐ Consent

Per Exec. Ofc.:

Prev. Agn. Ref. 05/01/12, 3.34  
06/19/12, 9.4

District: 3/3

Agenda Number:

3.67

The Honorable Board of Supervisors

RE: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Zone 172 (French Valley).

July 19, 2012

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to receive deposits and interest thereon from Zone 172 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated; in accordance with Section 22655-22656 of the Streets and Highways Code.

**BACKGROUND:** On June 19, 2012, a public hearing was held to receive all testimony regarding the annexation of Zone 172 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 June 20, 2012 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 502 parcels out of a possible 502 were cast, and that 502 votes (or 100%) were cast in favor of the annexation of Zone 172 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 172 is \$46,559 that will result in an assessment for fiscal year 2012-13 within Zone 172 of \$92.56 per parcel. Zone 172 includes 502 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 2012.

Adoption of Resolution No. 2012-163 confirms the assessment levy as indicated in the Engineer's Report for fiscal year 2012-13 for Zone 172 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. 2012-163**

3 **RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE ORDERING**  
4 **THE ANNEXATION OF ZONE 172 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 172 OF LANDSCAPING AND LIGHTING MAINTENANCE**  
7 **DISTRICT NO. 89-1-CONSOLIDATED AND LEVYING ASSESSMENTS ON ALL ASSESSABLE**  
8 **LOTS AND PARCELS OF LAND THEREIN WITHIN THE BOUNDARIES OF SAID ZONE FOR THE**  
9 **FISCAL YEAR 2012-13**

10 **WHEREAS**, on May 1, 2012 the Board of Supervisors (hereinafter the "Board of Supervisors")  
11 of the County of Riverside (hereinafter the "County") adopted Resolution No. 2012-091, pursuant to  
12 Section 22608 and Section 22585 et seq. of the Streets and Highways Code, declaring the intention of  
13 the Board of Supervisors to order the annexation of Zone 172 to Landscaping and Lighting  
14 Maintenance District No. 89-1-Consolidated (hereinafter "L&LMD No. 89-1-C") of the County pursuant  
15 to the Landscaping and Lighting Act of 1972, being Part 2 (commencing with Section 22500) of  
16 Division 15 of the Streets and Highways Code, and giving notice of and setting a public hearing for  
17 9:30 a.m. on June 19, 2012 at the meeting room of the Board of Supervisors and requiring that the  
18 notice of the public hearing and assessment ballots be mailed to all owners of property within  
19 Zone 172 as shown on the equalized tax roll; and

20 **WHEREAS**, notice of said public hearing was duly published and mailed as required by  
21 Resolution No. 2012-091, Section 22626 of the Streets and Highways Code and Sections 53753 and  
22 54954.6 of the Government Code and the assessment ballots were timely mailed to all owners of  
23 property within said Zone 172 as shown on the equalized tax roll; and

24 **WHEREAS**, at 9:30 a.m. on June 19, 2012, as set forth in Resolution No. 2012-091, the Board  
25 of Supervisors held a public hearing and afforded all interested persons an opportunity to be heard,  
26 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 172 to L&LMD

FORM APPROVED COUNTY COUNSEL  
BY: *DALEA GARDNER* DATE: *6/27/12*

No. 89-1-C as required by Section 53753(e) of the Government Code to tally the assessment ballots that had been received prior to the close of the public hearing; and

**WHEREAS**, the tally of the assessment ballots show that assessment ballots were timely received from the owner of 502 parcels out of a possible 502 parcels and that 502 parcels (100 percent of the assessment ballots received) voted in favor of annexation of Zone 172 to L&LMD No. 89-1-C and the levy of an annual assessment in said Zone 172 beginning fiscal year 2012-13; and

**WHEREAS**, the Board of Supervisors may proceed, pursuant to Section 22631 of the Streets and Highways Code, to adopt a resolution confirming the diagram and assessment, either as originally proposed, or as changed by the Board of Supervisors, and the adoption of such a resolution shall constitute the levy of an assessment on all assessable lots and parcels of land within Zone 172 of L&LMD No. 89-1-C beginning fiscal year 2012-13.

**NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the Board of Supervisors of the County in regular session on July 31, 2012 as follows:

**Section 1. Findings.** The Board of Supervisors finds:

- (a) the proceeding recitals are correct;
- (b) compliance has been had with all the requirements of the Landscaping and Lighting Act of 1972, being Part 2 (commencing with Section 22500) of Division 15 of the Streets and Highways Code, and Sections 53753 and 54954.6 of the Government Code;
- (c) a majority protest to the annexation of and annual assessment of Zone 172 of L&LMD No. 89-1-C has not been filed;
- (d) the tally of the assessment ballots timely received was 100 percent voted in favor of the annexation of Zone 172 to L&LMD No. 89-1-C and the levy of an annual assessment beginning fiscal year 2012-13, and 0 percent voted no;
- (e) the Board of Supervisors may proceed to adopt a resolution ordering the annexation of Zone 172 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 172 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 172 of L&LMD No. 89-1-C for the maintenance and servicing of fossil  
6 filters and traffic signals, and the provision of electricity for traffic signals  
7 improvements in said Zone 172 during the fiscal year 2012-13 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 fossil filters and traffic signals  
11 improvements, and are not based upon the ownership of such lots and parcels.

12 **Section 2. Annexation.** Zone 172, as proposed to be annexed to L&LMD No.  
13 89-1-C, includes all the property subject to Tract Map No. 30433 in the County of Riverside, State of  
14 California as described in Exhibit "A" attached hereto, shall be and is annexed into L&LMD No. 89-1-C.

15 **Section 3. Improvements.** The improvements authorized for Zone 172 of L&LMD  
16 No. 89-1-C are:

- 17 (a) The maintenance and servicing of fossil filters within the public right-of-way  
18 including the removal of petroleum hydrocarbons and other pollutants from  
19 water runoff; and
- 20 (b) Providing electricity to and the maintenance and servicing of traffic signals within  
21 the public right-of-way including incidental costs and expenses.

22 **Section 4. Confirmation of Report.** The Report and the assessment diagram and  
23 the assessment of estimated costs for the maintenance and servicing of fossil filters and traffic signals,  
24 and the provision of electricity for traffic signals improvements in Zone 172 of L&LMD No. 89-1-C for  
25 fiscal year 2012-13 as contained in the Report are confirmed.

1                   **Section 5.    Levy of Assessment.** Pursuant to Section 22631 of the Streets and  
2 Highways Code the adoption of this resolution constitutes the levy of the assessment for the  
3 maintenance and servicing of fossil filters and traffic signals, and the provision of electricity for traffic  
4 signals improvements in Zone 172 of L&LMD No. 89-1-C during fiscal year 2012-13, as contained in  
5 the Report, and such assessment is levied. The Clerk of the Board of Supervisors is directed to file a  
6 certified copy of this resolution, together with the diagram and assessment contained in the Report  
7 with the County Auditor-Controller of the County of Riverside, who, pursuant to Section 22645 of the  
8 Streets and Highways Code, shall enter on the County Tax Roll opposite each lot or parcel of land the  
9 amount assessed thereupon, as shown in said assessment.

10                   **Section 6.    Effective Date.** This Resolution shall take effect from and after its date  
11 of adoption.  
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