

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

26 A



FROM: TLMA - Transportation Dept.

SUBMITTAL DATE:

January 8, 2014

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Zone 175 (Cabazon) District 5/5 [\$4,043]; L&LMD No. 89-1-C – 100%.

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. 2014-023, Resolution of the County of Riverside ordering the annexation, and confirming the diagram and assessment of Zone 175 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 175 for fiscal year 2014-15.
2. Direct the Auditor-Controller's office to establish an interest-bearing sub-fund 20300 to receive deposits and interest thereon from Zone 175 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated; in accordance with Section 22655-22656 of the Streets and Highways Code.

Patricia Romo
Assistant Director of Transportation

Juan C. Perez
Director of Transportation and
Land Management

FORM APPROVED COUNTY COUNSEL
BY: Dale A. Gardner 12/18/13
DALE A. GARDNER DATE
Departmental Concurrence

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0	\$ 4,043	\$ N/A	\$ 4,043	Consent <input checked="" type="checkbox"/> Policy <input type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

SOURCE OF FUNDS L&LMD No. 89-1-C – 100%	Budget Adjustment: N/A
There are no General Funds used in this project.	For Fiscal Year: 14/15

C.E.O. RECOMMENDATION:

APPROVE

BY:
Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

- A-30
- 4/5 Vote
- Positions Added
- Change Order

Prev. Agn. Ref.: 10/22/13, 3-63
12/10/13, 9-8

District: 5/5

Agenda Number:

3-19

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

FORM 11: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Zone 175 (Cabazon) District 5/5 [\$4,043]; L&LMD No. 89-1-C – 100%.

DATE: January 8, 2014

PAGE: 2 of 2

BACKGROUND:

Summary

On December 10, 2013, a public hearing was held to receive all testimony regarding the annexation of Zone 175 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated (L&LMD No. 89-1-C). After closing the public hearing, the Board of Supervisors 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 December 11, 2013, at 10:00 a.m. in Conference Room C on the 8th Floor of the County Administrative Center. The tabulation shows that votes representing one (1) parcel out of a possible one (1) were cast, and that one (1) vote (or 100%) was cast in favor of the annexation of Zone 175 to L&LMD No. 89-1-C and the levy and enrollment of the special assessment.

Adoption of Resolution No. 2014-023 confirms the assessment levy as indicated in the Engineer's Report for fiscal year 2014-15 for Zone 175 of L&LMD No. 89-1-C and orders the placement of the annual assessment on the County's Assessment Roll for fiscal year 2014-15.

Impact on Residents and Businesses

The new assessment is for the purpose of providing electricity to and the maintenance and servicing of traffic signals within the public right-of-way.

The property owners within the proposed boundaries of Zone 175, which are represented by Plot Plan No. 23635, as described in the attached Exhibit "A" (a two page exhibit containing a description and diagram) are impacted by the cost of this annexation. The property owners within the proposed boundaries of Zone 175 have petitioned the County of Riverside to annex their property to L&LMD No. 89-1-C and understand that this annexation will result in an assessment on their property to fund the maintenance and servicing of the aforementioned improvements (traffic signals).

SUPPLEMENTAL:

Additional Fiscal Information

The proposed budget for fiscal year 2014-15 for Zone 175 is \$4,042.50. This will result in an assessment for fiscal year 2014-15 within Zone 175 of \$4,042.50 per parcel. Zone 175 includes one (1) commercial parcel. The annual assessment may be adjusted annually by the greater of 2% or the cumulative percentage increase in the Consumer Price Index for all Urban Customers for electricity (CPI-U), if any, as it stands as of March of each year over the base index for March of 2014.

Contract History and Price Reasonableness

N/A

ATTACHMENTS:

- A. Resolution No. 2014-023
- B. Exhibit A

2 RESOLUTION NO. 2014-023

3
4 **RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE ORDERING**
5 **THE ANNEXATION OF ZONE 175 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 175 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 2014-15**

11 **WHEREAS**, on October 22, 2013 the Board of Supervisors (hereinafter the "Board of
12 Supervisors") of the County of Riverside (hereinafter the "County") adopted Resolution No. 2013-226,
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 175 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 December 10, 2013 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 175 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. 2013-226, 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 175 as shown on the equalized tax roll; and

25 **WHEREAS**, at 9:30 a.m. on December 10, 2013, as set forth in Resolution No. 2013-226, 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 175 to L&LMD

FORM APPROVED COUNTY COUNSEL

BY *[Signature]* DATE 12/18/13

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 1 parcel out of a possible 1 parcel and that 1 parcel (100 percent of the
5 assessment ballots received) voted in favor of annexation of Zone 175 to L&LMD No. 89-1-C and the
6 levy of an annual assessment in said Zone 175 beginning fiscal year 2014-15; 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 175 of
11 L&LMD No. 89-1-C beginning fiscal year 2014-15.

12 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the
13 Board of Supervisors of the County in regular session on January 28, 2014 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 175 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 annexation of Zone 175 to L&LMD No. 89-1-C and the levy of an annual
24 assessment beginning fiscal year 2014-15, and 0 percent voted no;
- 25 (e) the Board of Supervisors may proceed to adopt a resolution ordering the
26 annexation of Zone 175 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 175 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 175 of L&LMD No. 89-1-C for the maintenance and servicing of, and the
6 provision of electricity for, traffic signal improvements in said Zone 175 during
7 the fiscal year 2014-15 as contained in the report of the Director of
8 Transportation which is on file with the Clerk of the Board of Supervisors
9 (hereinafter the "Report") are based on benefits derived by such lots and parcels
10 from the availability of such traffic signal improvements, and are not based upon
11 the ownership of such lots and parcels.

12 **Section 2. Annexation.** Zone 175, as proposed to be annexed to L&LMD No.
13 89-1-C, includes all the property subject to Plot Plan No. 23635 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 175 of L&LMD
16 No. 89-1-C are:

- 17 (a) Providing electricity to and the maintenance and servicing of traffic signals within
18 the public right-of-way including incidental costs and expenses.

19 **Section 4. Confirmation of Report.** The Report and the assessment diagram and
20 the assessment of estimated costs for the maintenance and servicing of, and the provision of
21 electricity for, traffic signals improvements in Zone 175 of L&LMD No. 89-1-C for fiscal year 2014-15
22 as contained in the Report are confirmed.

23 **Section 5. Levy of Assessment.** Pursuant to Section 22631 of the Streets and
24 Highways Code the adoption of this resolution constitutes the levy of the assessment for the
25 maintenance and servicing of, and the provision of electricity for, traffic signals improvements in
26 Zone 175 of L&LMD No. 89-1-C during fiscal year 2014-15, as contained in the Report, and such

1 assessment is levied. The Clerk of the Board of Supervisors is directed to file a certified copy of this
2 resolution, together with the diagram and assessment contained in the Report with the County Auditor-
3 Controller of the County of Riverside, who, pursuant to Section 22645 of the Streets and Highways
4 Code, shall enter on the County Tax Roll opposite each lot or parcel of land the amount assessed
5 thereupon, as shown in said assessment.

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

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EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

The boundaries of Zone 175 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside, are coterminous with the boundaries of APN 519-110-041 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2014-15.

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ZONE 175

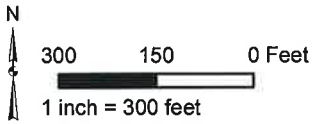
PORTION OF SECTION 7, T.3S., R.2E.

PLOT PLAN NO. 23635

1 PARCEL

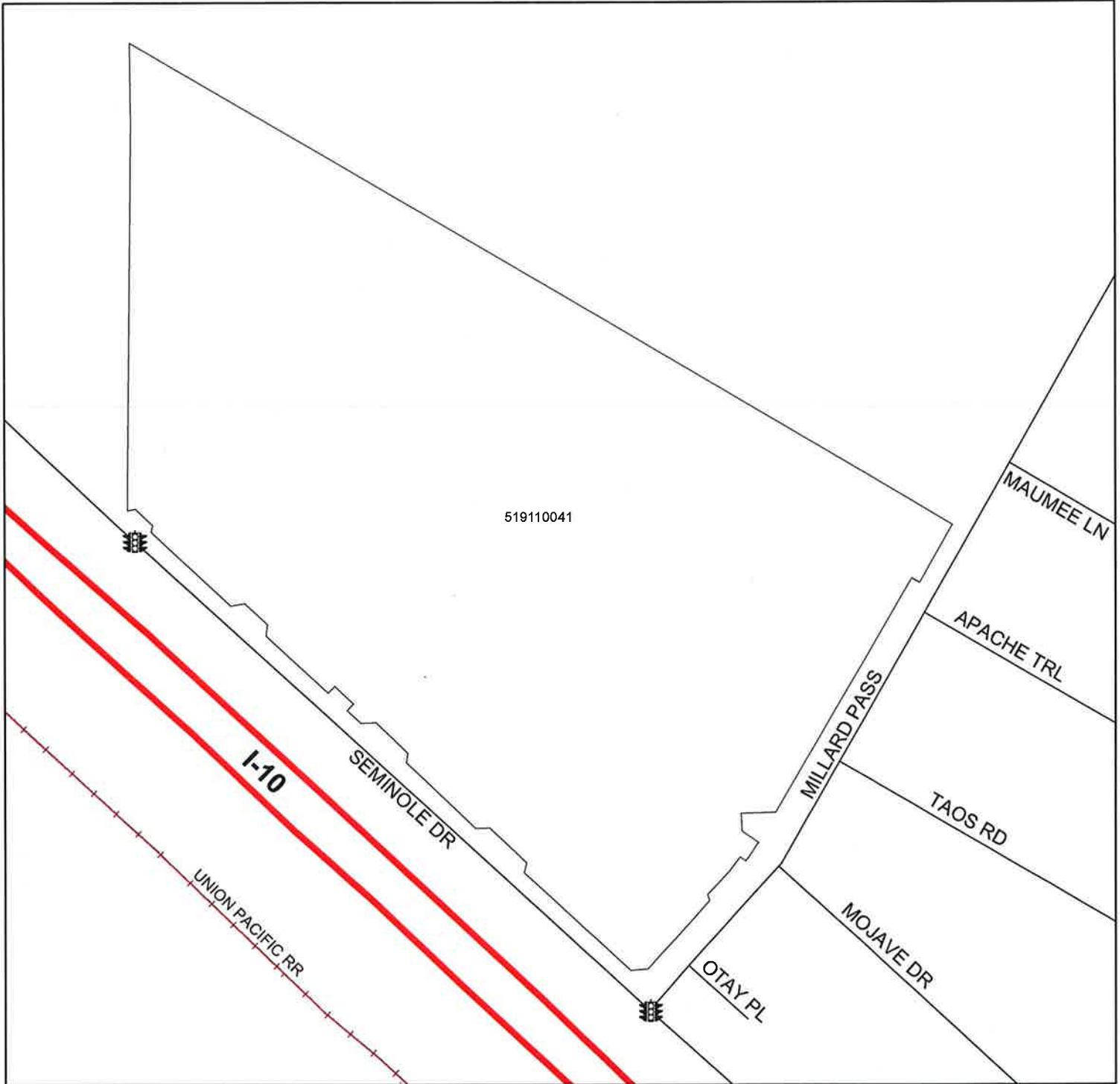


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ASSESSMENT DIAGRAM

Printed by jpickeri on 8/21/2013



DENOTES MAINTAINED TRAFFIC SIGNAL