

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

121A



FROM: TLMA - Transportation Dept.

SUBMITTAL DATE:
July 14, 2014

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Zone 188 (Valle Vista) District 3/3 [\$766]; L&LMD No. 89-1-C – 100%.

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. 2014-160, Resolution of the County of Riverside ordering the annexation, and confirming the diagram and assessment of Zone 188 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 188 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 188 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated; in accordance with Section 22655-22656 of the Streets and Highways Code.

FORM APPROVED COUNTY COUNSEL
BY: DALE A. GARDNER DATE: 6/23/14
Departmental Concurrence

Juan C. Perez, Director of Transportation and Land Management

Patricia Romo
Patricia Romo
Assistant Director of Transportation

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 766	\$	\$ N/A	\$ 766	Consent <input type="checkbox"/> Policy <input checked="" 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*
Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

Prev. Agn. Ref.: 4/29/14, 3-25
6/17/14, 9-11

District: 3/3

Agenda Number:

3-58

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 188

(Valle Vista) District 3/3 [\$766]; L&LMD No. 89-1-C – 100%.

DATE: July 14, 2014

PAGE: 2 of 2

BACKGROUND:

Summary

On June 17, 2014, a public hearing was held to receive all testimony regarding the annexation of Zone 188 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 June 18, 2014 at 10:00 a.m. in Conference Room C on the 8th Floor of the County Administrative Center. The tabulation shows that votes representing 1 parcel out of a possible 1 were cast, and that 1 vote (or 100%) was cast in favor of the annexation of Zone 188 to L&LMD No. 89-1-C and the levy and enrollment of the special assessment.

Adoption of Resolution No. 2014-160 confirms the assessment levy as indicated in the Engineer's Report for fiscal year 2014-15 for Zone 188 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 the maintenance and servicing of streetlights, the remote monitoring of the irrigation activity on Caltrans right-of-way, and ensuring the possible future maintenance and servicing of parkway landscaping within Caltrans right-of-way.

The property owners within the proposed boundaries of Zone 188, which are represented by Plot Plan 23535R1, 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 188 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 (streetlights, irrigation controller subscription and monitoring, and parkway landscaping).

SUPPLEMENTAL:

Additional Fiscal Information

The proposed budget for fiscal year 2014-15 for Zone 188 is \$766.00. This will result in an assessment for fiscal year 2014-15 within Zone 188 of \$766.00 per parcel. Zone 188 includes one assessable 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 (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. Exhibit A
- B. Resolution No. 2014-160

EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

The boundaries of Zone 188 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 549-153-021 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2014-15.

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LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED
ZONE 188

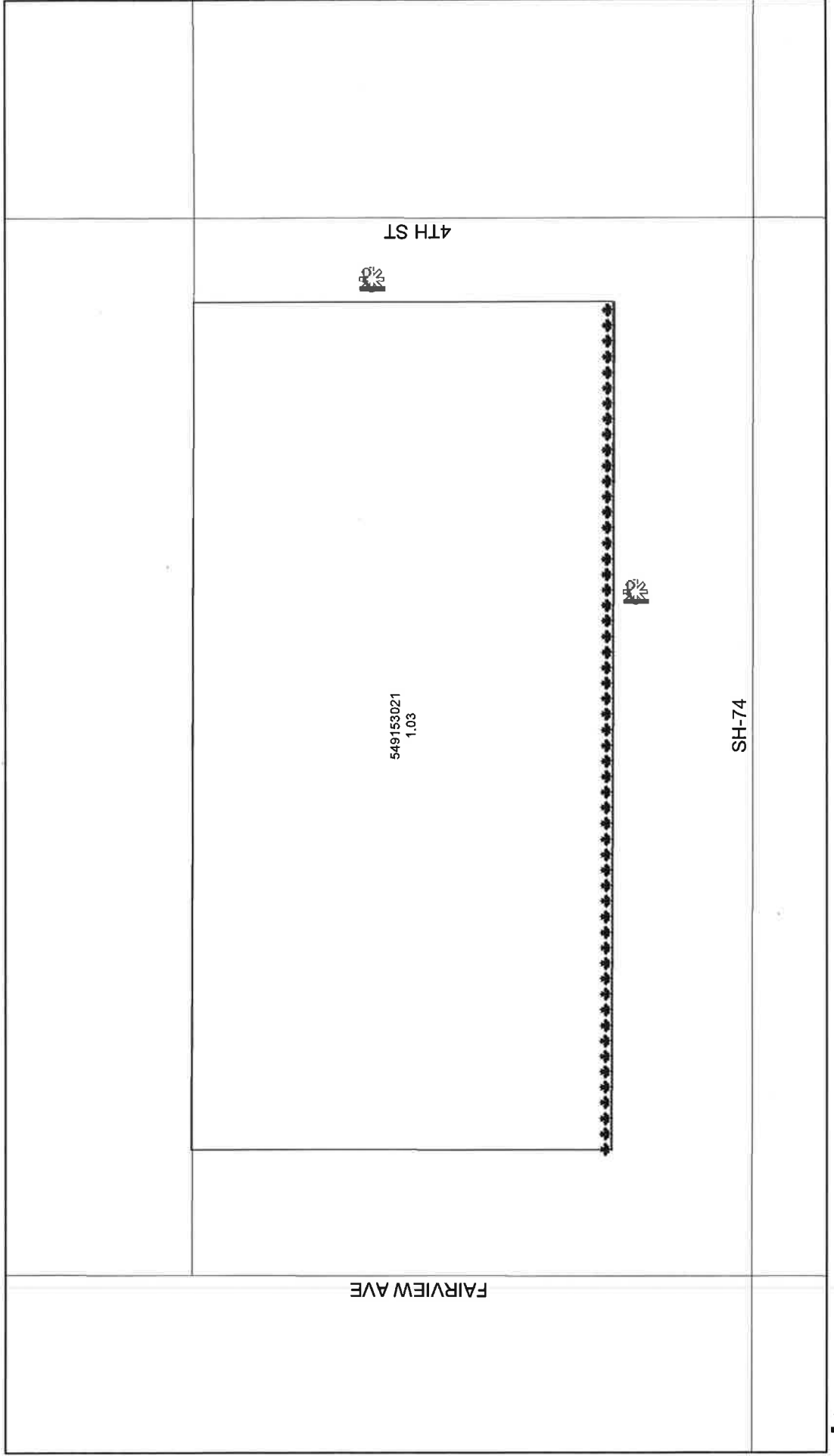
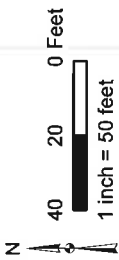
PORTION OF SECTION 9, T.5S., R.1E.
PLOT PLAN 23535R1

1 PARCEL


ASSESSMENT DIAGRAM

The County of Riverside assumes no warranty of legal responsibility for the information contained on this map. Data and information may not be complete or appropriate for all purposes. County GIS and other sources should be queried for the most current information. Do not copy or resell this map.

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 DENOTES MAINTAINED STREETLIGHT

 DENOTES FUTURE LANDSCAPED AND MAINTAINED PARKWAY

2 RESOLUTION NO. 2014-160

3
4 **RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE ORDERING**
5 **THE ANNEXATION OF ZONE 188 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 188 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 April 29, 2014 the Board of Supervisors (hereinafter the "Board of
12 Supervisors") of the County of Riverside (hereinafter the "County") adopted Resolution No. 2014-088,
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 188 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 June 17, 2014 at the meeting room of the Board of Supervisors and requiring that the
19 notice of the public hearing and assessment ballots be mailed to all owners of property within
20 Zone 188 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. 2014-088, 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 188 as shown on the equalized tax roll; and

25 **WHEREAS**, at 9:30 a.m. on June 17, 2014, as set forth in Resolution No. 2014-088, the Board
26 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 188 to L&LMD

FORM APPROVED COUNTY COUNSEL
BY: Dale A. Gardner 6/23/14
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 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 188 to L&LMD No. 89-1-C and the
6 levy of an annual assessment in said Zone 188 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 188 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 July 29, 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 188 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 188 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 188 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 188 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 188 of L&LMD No. 89-1-C for the maintenance and servicing of
6 streetlights, the subscription and monitoring of an irrigation controller, and
7 ensuring the maintenance and servicing of parkway landscaping improvements
8 in said Zone 188 during the fiscal year 2014-15 as contained in the report of the
9 Director of Transportation which is on file with the Clerk of the Board of
10 Supervisors (hereinafter the "Report") are based on benefits derived by such
11 lots and parcels from the availability of such streetlights, irrigation controller
12 subscription and monitoring, and parkway landscaping improvements, and are
13 not based upon the ownership of such lots and parcels.

14 **Section 2. Annexation.** Zone 188, as proposed to be annexed to L&LMD No.
15 89-1-C, includes all the property subject to Plot Plan 23535R1 in the County of Riverside, State of
16 California as described in Exhibit "A" attached hereto, shall be and is annexed into L&LMD No. 89-1-C.

17 **Section 3. Improvements.** The improvements authorized for Zone 188 of L&LMD
18 No. 89-1-C are:

- 19 (a) The maintenance and servicing of landscaping within the public right-of-way
20 including the trimming, fertilizing, weeding and replanting of trees, shrubs, grass,
21 and other ornamental vegetation; and
- 22 (b) The maintenance and servicing of irrigation and electrical facilities associated
23 with the landscaping, including but not limited to electricity for operation of the
24 irrigation system and water for irrigation; and
- 25 (c) Providing electricity to and the maintenance and servicing of streetlights within
26 the public right-of-way including incidental costs and expenses.

1 **Section 4. Confirmation of Report.** The Report and the assessment diagram and
2 the assessment of estimated costs for the maintenance and servicing of streetlights, the subscription
3 and monitoring of an irrigation controller, and ensuring the maintenance and servicing of parkway
4 landscaping improvements in Zone 188 of L&LMD No. 89-1-C for fiscal year 2014-15 as contained in
5 the Report are confirmed.

6 **Section 5. Levy of Assessment.** Pursuant to Section 22631 of the Streets and
7 Highways Code the adoption of this resolution constitutes the levy of the assessment for the
8 maintenance and servicing of streetlights, the subscription and monitoring of an irrigation controller,
9 and ensuring the maintenance and servicing of parkway landscaping improvements in Zone 188 of
10 L&LMD No. 89-1-C during fiscal year 2014-15, as contained in the Report, and such assessment is
11 levied. The Clerk of the Board of Supervisors is directed to file a certified copy of this resolution,
12 together with the diagram and assessment contained in the Report with the County Auditor-Controller
13 of the County of Riverside, who, pursuant to Section 22645 of the Streets and Highways Code, shall
14 enter on the County Tax Roll opposite each lot or parcel of land the amount assessed thereupon, as
15 shown in said assessment.

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