

FORM APPROVED COUNTY COUNSEL
 BY: GREGORY P. PRAMOS
 DATE: 9/25/14

807A



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

FROM: TLMA - Transportation Dept.

SUBMITTAL DATE:
 October 2, 2014

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Zone 190 (French Valley) District 3/3 [\$946]; L&LMD No. 89-1-C – 100%.

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. 2014-192, Resolution of the County of Riverside ordering the annexation, and confirming the diagram and assessment of Zone 190 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 190 for fiscal year 2015-16.
2. Direct the Auditor-Controller's office to establish an interest-bearing sub-fund 20300 to receive deposits and interest thereon from Zone 190 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated; in accordance with Section 22655-22656 of the Streets and Highways Code.

Departmental Concurrence

Patricia Romo

Patricia Romo
 Assistant Director of Transportation
 for Juan C. Perez
 Director of Transportation and Land Management

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0	\$ 946	\$ N/A	\$ 946	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%
 There are no General Funds used in this project.

Budget Adjustment: N/A
 For Fiscal Year: 15/16

C.E.O. RECOMMENDATION: APPROVE
 BY: *Tina Grande*
 Tina Grande
 County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

Prev. Agn. Ref.: 7/15/14, 3-66
 9/9/14, 9-9

District: 3/3

Agenda Number:

3-34

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 190 (French Valley) District 3/3 [\$946]; L&LMD No. 89-1-C – 100%.

DATE: October 2, 2014

PAGE: 2 of 2

BACKGROUND:

Summary

On September 9, 2014, a public hearing was held to receive all testimony regarding the annexation of Zone 190 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 tabulated on September 10, 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 41 parcels out of a possible 41 were cast and that 41 votes (or 100%) were cast in favor of the annexation of Zone 190 to L&LMD No. 89-1-C and the levy and enrollment of the special assessment.

Adoption of Resolution No. 2014-192 confirms the assessment levy as indicated in the Engineer's Report for fiscal year 2015-16 for Zone 190 of L&LMD No. 89-1-C and orders the placement of the annual assessment on the County's Assessment Roll for fiscal year 2015-16.

Impact on Residents and Businesses

The new assessment is for the purpose of providing the maintenance and servicing of fossil filters within public right-of-way.

The property owners within the proposed boundaries of Zone 190, which are represented by Tract No. 33307, 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 190 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 (fossil filters).

SUPPLEMENTAL:

Additional Fiscal Information

The proposed budget for fiscal year 2015-16 for Zone 190 is \$945.50. This will result in an assessment for fiscal year 2015-16 within Zone 190 of \$23.06 per parcel. Zone 190 includes 41 single-family assessable residential lots. 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. 2014-192

EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

The boundaries of Zone 190 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside, are coterminous with the boundaries of 41 parcel(s) as shown on Tract No. 33307 in the County of Riverside, State of California for fiscal year 2015-16.

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

ZONE 190

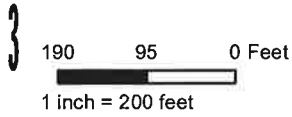
PORTION OF SECTION 33 T.6S., R.2W.

TR33307

41 PARCELS



The County of Riverside assumes no warranty or legal responsibility for the information contained on this map. Data and information represented on this map is subject to updates, modifications and 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 reuse this map.



ASSESSMENT DIAGRAM

Printed by bhahn on 6/9/2014



! DENOTES MAINTAINED FOSSIL FILTER

2 RESOLUTION NO. 2014-192

3
4 **RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE ORDERING**
5 **THE ANNEXATION OF ZONE 190 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 190 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 2015-16**

11 **WHEREAS**, on July 15, 2014 the Board of Supervisors (hereinafter the "Board of Supervisors")
12 of the County of Riverside (hereinafter the "County") adopted Resolution No. 2014-154, pursuant to
13 Section 22608 and Section 22585 et seq. of the Streets and Highways Code, declaring the intention of
14 the Board of Supervisors to order the annexation of Zone 190 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 September 9, 2014 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 190 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. 2014-154, 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 190 as shown on the equalized tax roll; and

25 **WHEREAS**, at 9:30 a.m. on September 9, 2014, as set forth in Resolution No. 2014-154, 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 190 to L&LMD

FORM APPROVED COUNTY COUNSEL
BY: Dale A. Gardner 9/25/14
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 41 parcels out of a possible 41 parcels and that 41 parcels (100 percent of
5 the assessment ballots received) voted in favor of annexation of Zone 190 to L&LMD No. 89-1-C and
6 the levy of an annual assessment in said Zone 190 beginning fiscal year 2015-16; 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 190 of
11 L&LMD No. 89-1-C beginning fiscal year 2015-16.

12 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the
13 Board of Supervisors of the County in regular session on 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 190 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 190 to L&LMD No. 89-1-C and the levy of an annual
24 assessment beginning fiscal year 2015-16, and 0 percent voted no;
- 25 (e) the Board of Supervisors may proceed to adopt a resolution ordering the
26 annexation of Zone 190 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 190 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 190 of L&LMD No. 89-1-C for the maintenance and servicing of fossil
6 filters improvements in said Zone 190 during the fiscal year 2015-16 as
7 contained in the report of the Director of Transportation which is on file with the
8 Clerk of the Board of Supervisors (hereinafter the "Report") are based on
9 benefits derived by such lots and parcels from the availability of such fossil
10 filters improvements, and are not based upon the ownership of such lots and
11 parcels.

12 **Section 2. Annexation.** Zone 190, as proposed to be annexed to L&LMD No.
13 89-1-C, includes all the property subject to Tract No. 33307 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 190 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

20 **Section 4. Confirmation of Report.** The Report and the assessment diagram and
21 the assessment of estimated costs for the maintenance and servicing of fossil filters improvements in
22 Zone 190 of L&LMD No. 89-1-C for fiscal year 2015-16 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 fossil filters improvements in Zone 190 of L&LMD No. 89-1-C during
26 fiscal year 2015-16, as contained in the Report, and such assessment is levied. The Clerk of the

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

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

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