

FORM APPROVED COUNTY COUNSEL 3/31/15
 BY: GREGORY P. PRIAMOS DATE

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

318A



FROM: TLMA - Transportation Dept.

SUBMITTAL DATE:
 May 28, 2015

SUBJECT: Conduct the public hearing for the Annexation of Zone 191 (French Valley) to Landscaping and Lighting Maintenance District No. 89-1-Consolidated, District 3 [\$14,174 Annual]; L&LMD 89-1-C - 100%

RECOMMENDED MOTION: That the Board of Supervisors:

With regard to the annexation of Zone 191 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated, conduct the public hearing and, after closing the public hearing, direct the Director of Transportation, or his designee, who the Board of Supervisors finds to be an impartial person as that term is used in Section 53753(e) of the Government Code, to tally all ballots received prior to the close of the public hearing. All ballots received prior to the close of the public hearing will be tallied at 10:00 a.m. on Wednesday, July 1, 2015 in Conference Room C on the 8th Floor of the County Administrative Center, 4080 Lemon Street, Riverside, California. Staff is directed to cause the appropriate resolution, based on the election tally, to be prepared and returned to the Board of Supervisors for its consideration.

Departmental Concurrence

Patricia Romo

Patricia Romo
 Assistant Director of Transportation

Juan C. Perez

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	\$ 14,174	\$ N/A	\$ 14,174	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: 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.: 5/12/15, 3-40

District: 3

Agenda Number:

9-10

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

FORM 11: Conduct the public hearing for the Annexation of Zone 191 (French Valley) to Landscaping and Lighting Maintenance District No. 89-1-Consolidated, District 3 [\$14,174 Annual]; L&LMD No. 89-1-C – 100%.

DATE: May 28, 2015

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BACKGROUND:

Summary

Landscaping and Lighting Maintenance Districts (L&LMD's) are formed for the purpose of creating a funding mechanism to pay for the installation and maintenance of landscaping, streetlights, traffic signals, drainage inlet water quality filters, decorative fencing, and other roadside features within the road right of way. Within an established L&LMD, zones are created for specific developments, a fee structure is developed specific to the features within that zone, and the zone is then assessed through a tax levy on annual basis for the installation and maintenance of the features within that particular zone.

L&LMD No. 89-1-C was formed in 1994, Resolution No. 94-389, and currently consists of 124 individual zones with different fee structures spread throughout Riverside County. The commercial property owner of Parcel Map No. 33691, as described in the attached Exhibit "A", has petitioned the County to annex their property into L&LMD No.89-1-C, creating Zone 191. The boundaries of Zone 191 will encompass the entire Parcel Map No. 33691 and will include drainage inlet fossil filters, streetlights, and traffic signals.

Pursuant to the Landscaping and Lighting Act of 1972 and Resolution 2015-081 adopted May 12, 2015, the Board of Supervisors noticed a public hearing for June 30, 2015, to receive testimony regarding the Annexation of Zone 191 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated (L&LMD No. 89-1-C). Annexation of Zone 191 will fund the maintenance and servicing of fossil filters, streetlights, and traffic signals within public rights-of-way located southerly of Auld Rd and westerly of Leon Rd in the French Valley area and includes one (1) assessable commercial parcel totaling 56.03 acres.

On May 13, 2015 a notice of the public hearing and information sheet, a mail-in ballot, an impartial analysis, and a copy of Resolution No. 2015-081 was mailed to the property owner within Zone 191, proposed for annexation to L&LMD No. 89-1-C. Pursuant to the notice, all ballots must be returned prior to the conclusion of the public hearing.

Notice of the public hearing was also given by publication of a certified copy of Resolution No. 2015-081 in an appropriate newspaper at least ten (10) days prior to the public hearing date and by posting a certified copy of the Resolution No. 2015-081 on the official bulletin board customarily used by the Board of Supervisors for the posting of notices and in two (2) other public locations within the County.

Reference

At the direction of the County of Riverside Board of Supervisors, L&LMD No. 89-1-C was formed in 1994 by Resolution No. 94-389 authorizing the annexation of new zones into L&LMD No. 89-1-C for the purpose of levying assessments to pay for the installation and maintenance of landscaping, streetlights and other right-of-way approved improvements.

The zone specific Engineer's Report for fiscal year 2015-2016 was prepared in compliance with the requirement of Article 4, Chapter, 1, of the Landscaping and Lighting Act of 1972, which is Part 2, Division 15 of the California Streets and Highways Code. The County initiates annexation proceedings for the annual levy of assessments by passing a resolution, which proposes the new levy under the Landscaping and Lighting Act of 1972. This resolution also describes the improvements, describes the location of the zone within the District and finally orders an engineer, who is a registered professional engineer, certified by the State of California, to prepare and file a detailed report.

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In November 1996, California voters passed Proposition 218, Right to Vote on Taxes Act which added Articles XIII C and XIII D to the California Constitution, new procedures must be followed to levy annual assessments under the Landscaping and Lighting Act of 1972. A County may levy annual assessments for an assessment district after complying with the requirements of the Landscaping and Lighting Act of 1972, and the provisions of Proposition 218 Right to Vote on Taxes Act.

Impact on Residents and Businesses

The new assessment will provide the maintenance and servicing of fossil filters, streetlights, and traffic signals within public right-of-way.

Only the commercial property owner within the proposed boundaries of Zone 191, which are represented by Parcel Map No. 33691, as described in the attached Exhibit "A" (a two page exhibit containing a description and diagram) are impacted by the cost of this annexation. By setting up an assessment for the maintenance of certain infrastructure required by the development, the County requires that the development pay for its maintenance impact, rather than the obligation falling upon public funding sources.

SUPPLEMENTAL:

Additional Fiscal Information

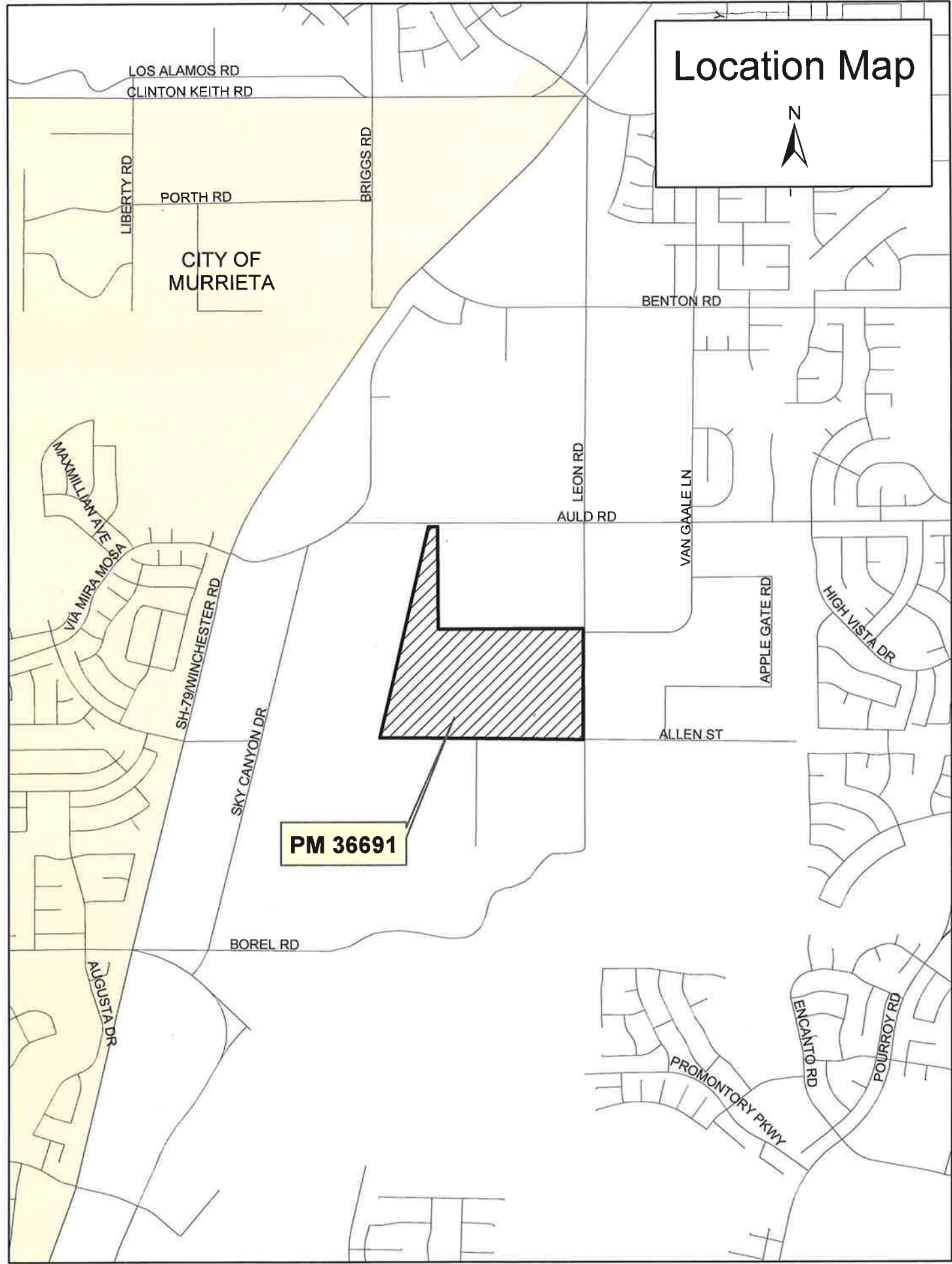
The proposed budget for fiscal year 2015-16 for Zone 191 is \$14,174. This will result in an assessment for fiscal year 2015-16 within Zone 191 of \$253 per acre. The annual assessment may be adjusted annually by the greater of 2% or the cumulative percentage increase in the Consumer Price Index for all Urban Consumers (CPI-U), if any, as it stands as of March of each year over the base index for March of 2015.

Contract History and Price Reasonableness

N/A

ATTACHMENTS:

- A. Location Map
- B. Exhibit A



Location Map



CITY OF MURRIETA

PM 36691

LOS ALAMOS RD
CLINTON KEITH RD

LIBERTY RD

PORTH RD

BRIGGS RD

BENTON RD

MAXMILLAN AVE SA
VIA MIRA MOJO SA

SH-79/WINCHESTER RD

SKY CANYON DR

LEON RD
AULD RD

VAN GAALE LN

APPLE GATE RD

HIGH VISTA DR

ALLEN ST

BOREL RD

AUGUSTA DR

PROMONTORY PKWY

ENCANTO RD

POURROY RD

EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

The boundaries of Zone 191 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside, are coterminous with the boundaries of 11 parcel(s) as shown on Parcel Map No. 33691 in the County of Riverside, State of California for fiscal year .

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ZONE 191

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

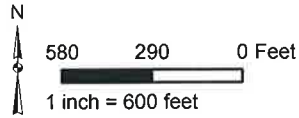
PM33691

11 PARCELS

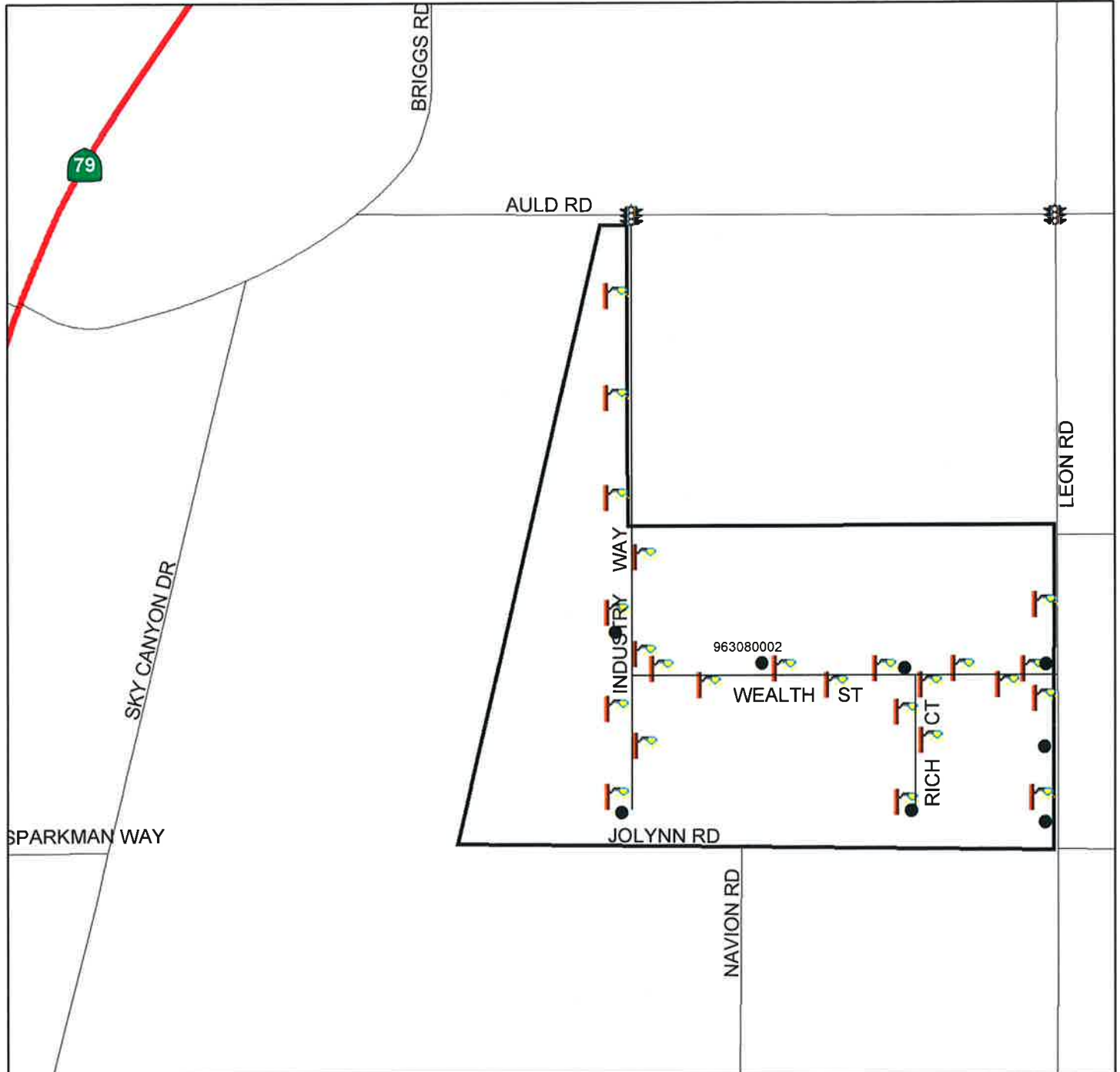


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ASSESSMENT DIAGRAM



- DENOTES MAINTAINED FOSSIL FILTER
- DENOTES MAINTAINED STREETLIGHT
- DENOTES MAINTAINED TRAFFIC SIGNAL
- ▬ ZONE 191 Boundary