

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

623A



**FROM:** TLMA - Transportation Dept.

**SUBMITTAL DATE:**  
July 19, 2012

**SUBJECT:** Landscaping and Lighting Maintenance District No. 89-1-Consolidated,  
Annexation of Zone 174 (Mead Valley).

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Adopt Resolution No. 2012-164, Resolution of the County of Riverside ordering the annexation, and confirming the diagram and assessment of Zone 174 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 174 for fiscal year 2012-13.
2. Direct the Auditor-Controller's office to establish an interest-bearing sub-fund 20300

*Patricia Romo*  
~~Juan C. Perez~~

Patricia Romo  
Deputy Director of Transportation

Director of Transportation

MH:jp

FORM APPROVED COUNTY COUNSEL  
BY: *DALE A. GARDNER* 7/24/12  
DATE  
Departmental Concurrence

<b>FINANCIAL DATA</b>	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

<b>SOURCE OF FUNDS:</b> Landscaping and Lighting Maintenance District No. 89-1-Consolidated – 100%	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

There are no General Funds used in this project.

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

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Stone, seconded by Supervisor Benoit and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley  
Nays: None  
Absent: None  
Date: July 31, 2012  
xc: Transp.

Kecia Harper-Ihem  
Clerk of the Board  
By: *Kecia Harper-Ihem*  
Deputy

Prev. Agn. Ref. 05/01/12, 3.35 | District: 1/1 | Agenda Number:  
06/19/12, 9.10

3.69

The Honorable Board of Supervisors

RE: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of  
Zone 174 (Mead Valley).

July 19, 2012

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to receive deposits and interest thereon from Zone 174 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 174 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 5 parcels out of a possible 5 were cast, and that 5 votes (or 100%) were cast in favor of the annexation of Zone 174 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 174 is \$12,711 that will result in an assessment for fiscal year 2012-13 within Zone 174 of \$211.42 per acre. Zone 174 includes 5 commercial parcels totalling 60.12 acres. The annual assessment may be adjusted annually by the greater of 2% or the cumulative percentage increase in the CPI-U for "electricity", if any, as it stands as of March of each year over the base index for March of 2012.

Adoption of Resolution No. 2012-164 confirms the assessment levy as indicated in the Engineer's Report for fiscal year 2012-13 for Zone 174 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. 2012-164

3  
4 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE ORDERING  
5 THE ANNEXATION OF ZONE 174 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 174 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 2012-13

11 WHEREAS, on May 1, 2012 the Board of Supervisors (hereinafter the "Board of Supervisors")  
12 of the County of Riverside (hereinafter the "County") adopted Resolution No. 2012-093, 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 174 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 19, 2012 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 174 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. 2012-093, 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 174 as shown on the equalized tax roll; and

25 WHEREAS, at 9:30 a.m. on June 19, 2012, as set forth in Resolution No. 2012-093, 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 174 to L&LMD

FORM APPROVED COUNTY COUNSEL

BY: Dale A. Gardner 6/27/12 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 5 parcels out of a possible 5 parcels and that 5 parcels (100 percent of the  
5 assessment ballots received) voted in favor of annexation of Zone 174 to L&LMD No. 89-1-C and the  
6 levy of an annual assessment in said Zone 174 beginning fiscal year 2012-13; 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 174 of  
11 L&LMD No. 89-1-C beginning fiscal year 2012-13.

12 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the  
13 Board of Supervisors of the County in regular session on July 31, 2012 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 174 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 the annexation of Zone 174 to L&LMD No. 89-1-C and the levy of an  
24 annual assessment beginning fiscal year 2012-13, and 0 percent voted no;
- 25 (e) the Board of Supervisors may proceed to adopt a resolution ordering the  
26 annexation of Zone 174 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 174 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 174 of L&LMD No. 89-1-C for the maintenance and servicing of traffic  
6 signals, and the provision of electricity for streetlights and traffic signals  
7 improvements in said Zone 174 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 streetlights and traffic signals  
11 improvements, and are not based upon the ownership of such lots and parcels.

12 **Section 2. Annexation.** Zone 174, as proposed to be annexed to L&LMD No.  
13 89-1-C, includes all the property subject to Parcel Map No. 33942 and Plot Plan No. 20699R1 in the  
14 County of Riverside, State of California as described in Exhibit "A" attached hereto, shall be and is  
15 annexed into L&LMD No. 89-1-C.

16 **Section 3. Improvements.** The improvements authorized for Zone 174 of L&LMD  
17 No. 89-1-C are:

- 18 (a) Providing electricity to and the maintenance and servicing of traffic signals within  
19 the public right-of-way including incidental costs and expenses; and  
20 (b) Providing electricity to all streetlights within the public right-of-way including  
21 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 traffic signals, and the  
24 provision of electricity for streetlights and traffic signals improvements in Zone 174 of L&LMD No.  
25 89-1-C for 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 traffic signals, and the provision of electricity for streetlights and traffic  
4 signals improvements in Zone 174 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.

12  
13       ROLL CALL:

14       Ayes:           Buster, Tavaglione, Stone, Benoit, and Ashley  
15       Nays:           None  
16       Absent:         None

17       The foregoing is certified to be a true copy of a resolution duly  
18 adopted by said Board of Supervisors on the date therein set forth.

19                               KECIA HARPER-IHEM, Clerk of said Board

20                               By: \_\_\_\_\_  
21   Deputy