

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

26A



**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.

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

Patricia Romo  
Assistant Director of Transportation

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	\$ 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%  
There are no General Funds used in this project.

Budget Adjustment: N/A  
For Fiscal Year: 14/15

**C.E.O. RECOMMENDATION:**

APPROVE

BY:   
Tina Grande

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

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

Ayes: Jeffries, Tavaglione, Stone, Benoit and Ashley  
Nays: None  
Absent: None  
Date: February 4, 2014  
xc: Transp., Auditor

Kecia Harper-Ihem  
Clerk of the Board  
By:   
Deputy

Prev. Agn. Ref.: 10/22/13, 3-63      District: 5/5      Agenda Number:  
12/10/13, 9-8

**3-19**

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

**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 8<sup>th</sup> 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]* 2/18/13

DATE  
A. GARDNER

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.

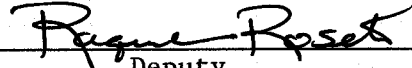
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9 ROLL CALL:

10 Ayes: Jeffries, Tavaglione, Stone, Benoit and Ashley  
11 Nays: None  
12 Absent: None

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

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KECIA HARPER-IHEM, Clerk of said Board

By

  
Deputy

**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

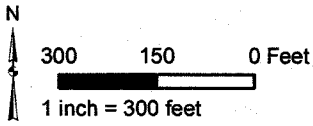
PORTION OF SECTION 7, T.3S., R.2E.

PLOT PLAN NO. 23635

1 PARCEL



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 resell this map.



## ASSESSMENT DIAGRAM

Printed by jpickeri on 8/21/2013



 DENOTES MAINTAINED TRAFFIC SIGNAL