

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



**ITEM: 3.25  
(ID # 13678)**

**MEETING DATE:**

Tuesday, November 17, 2020

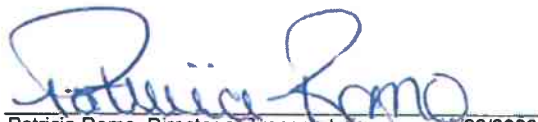
**FROM:** TLMA-TRANSPORTATION:

**SUBJECT:** TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION:  
Adopt Resolution No. 2020-214 ordering the Annexation of Zone 207 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated, El Cerrito, District 2. [\$3,052 Ongoing - L&LMD No. 89-1-C 100%]

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

1. Adopt Resolution No. 2020-214, Resolution of the Board of Supervisors of the County of Riverside ordering the annexation of Zone 207 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated of the County of Riverside and confirming the diagram and assessment for Zone 207 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 said zone for the fiscal year 2021-22;
2. Direct the Clerk of the Board to immediately file the diagram and assessment, or a certified copy thereof, with the County Auditor-Controller in accordance with Section 22641 of the Streets and Highways Code; and
3. Direct the County Auditor-Controller to establish an interest-bearing sub-fund 20300 to receive deposits and interest thereon from Zone 207 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated; in accordance with Sections 22655 and 22656 of the Streets and Highways Code.

**ACTION: Policy**

  
Patricia Romo, Director of Transportation 10/22/2020

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**MINUTES OF THE BOARD OF SUPERVISORS**

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

**Ayes:** Jeffries, Spiegel, Washington, Perez and Hewitt  
**Nays:** None  
**Absent:** None  
**Date:** November 17, 2020  
**xc:** Transp., Auditor

Kecia R. Harper  
Clerk of the Board

By:   
Deputy

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

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 0	\$ 3,052	\$ 0	\$ 3,052
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS:</b> L&LMD No. 89-1-C – 100% There are no General Funds used in this project.			<b>Budget Adjustment:</b> N/A	
			<b>For Fiscal Year:</b> 21/22	

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

**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-Consolidated ("L&LMD No. 89-1-C") was formed in 1994, Resolution No. 94-389, and currently consists of 146 individual zones with different fee structures spread throughout Riverside County. The commercial property owner of Conditional Use Permit No. 03739, as described in the attached Exhibit "A", has petitioned the County to annex their property into L&LMD No.89-1-C, creating Zone 207. The boundaries of Zone 207 will encompass the entire Conditional Use Permit No. 03739 and will include the maintenance and servicing of streetlights and future median landscaping.

On August 25, 2020, a public hearing was held to receive all testimony regarding the annexation of Zone 207 to L&LMD No. 89-1-C. After closing the public hearing, the Board of Supervisors directed the Director of Transportation, or her designee, to tabulate the assessment ballots that had been received prior to the close of the hearing. The assessment ballots were to be tabulated on August 26, 2020 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 1 parcel out of a possible 1 were cast, and that 1 vote (or 100%) was cast in favor of the annexation of Zone 207 to L&LMD No. 89-1-C and the levy and enrollment of the special assessment.

Adoption of Resolution No. 2020-214 confirms the assessment levy as indicated in the Engineer's Report for fiscal year 2021-22 for Zone 207 of L&LMD No. 89-1-C and orders the placement of the annual assessment on the County's Assessment Roll for fiscal year 2021-22.

**Impact on Residents and Businesses**

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

The new assessment is for the purpose of providing the maintenance and servicing of streetlights and future median landscaping within public right-of-way.

Only the commercial property owners within the proposed boundaries of Zone 207, which are represented by Conditional Use Permit No. 03739, 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 2021-22 for Zone 207 is \$3,052.00. This will result in an assessment for fiscal year 2021-22 within Zone 207 of \$408.00 per acre. Zone 207 includes one commercial parcel totalling 7.48 acres. 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 2021.

**Contract History and Price Reasonableness**

N/A

**ATTACHMENTS:**

- A. Location Map
- B. Exhibit A
- C. Resolution No. 2020-214

  
Jason Farrin, Principal Management Analyst 11/10/2020

  
Gregory V. Priapros, Director County Counsel 11/5/2020

RESOLUTION NO. 2020-214

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE ORDERING THE ANNEXATION OF ZONE 207 TO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE AND CONFIRMING THE DIAGRAM AND ASSESSMENT FOR ZONE 207 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 SAID ZONE FOR THE FISCAL YEAR 2021-22

WHEREAS, on June 30, 2020 the Board of Supervisors (hereinafter the "Board of Supervisors") of the County of Riverside (hereinafter the "County") adopted Resolution No. 2020-136, pursuant to Section 22608 and Section 22585 et seq. of the Streets and Highways Code, declaring the intention of the Board of Supervisors to order the annexation of Zone 207 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated (hereinafter "L&LMD No. 89-1-C") of the County pursuant to the Landscaping and Lighting Act of 1972, being Part 2 (commencing with Section 22500) of Division 15 of the Streets and Highways Code, and giving notice of and setting a public hearing for 9:30 a.m. on August 25, 2020 at the meeting room of the Board of Supervisors and requiring that the notice of the public hearing and assessment ballots be mailed to all owners of property within Zone 207 as shown on the equalized tax roll; and

WHEREAS, notice of said public hearing was duly published and mailed as required by Resolution No. 2020-136, Section 22588 of the Streets and Highways Code and Sections 53753 and 54954.6 of the Government Code and the assessment ballots were timely mailed to all owners of property within said Zone 207 as shown on the equalized tax roll; and

FORM APPROVED COUNTY COUNSEL  
BY MCT 3 NOV 20  
MICHAEL C THOMAS DATE

NOV 17 2020 3.25

1           **WHEREAS**, at 9:30 a.m. on August 25, 2020, as set forth in Resolution No. 2020-136, the Board  
2 of Supervisors held a public hearing and afforded all interested persons an opportunity to be heard, and  
3 considered all oral statements and all written protest or communications made or filed by any interested  
4 persons, closed the public hearing and directed the Director of Transportation, or her designee, as an  
5 impartial person having no vested interest in the annexation of Zone 207 to L&LMD No. 89-1-C as  
6 required by Section 53753(e) of the Government Code to tabulate the assessment ballots that had been  
7 received prior to the close of the public hearing; and

8           **WHEREAS**, the tabulation of the assessment ballots show that assessment ballots were timely  
9 received from the owner of 1 parcel out of a possible 1 parcel and that 1 parcel (100 percent of the  
10 assessment ballots received) voted in favor of annexation of Zone 207 to L&LMD No. 89-1-C and the  
11 levy of an annual assessment in said Zone 207 beginning fiscal year 2021-22; and

12           **WHEREAS**, the Board of Supervisors may proceed, pursuant to Section 22594 of the Streets  
13 and Highways Code, to adopt a resolution ordering the improvements and the annexation of Zone 207  
14 and confirming the diagram and assessment, either as originally proposed, or as changed by the Board  
15 of Supervisors, and the adoption of such a resolution shall constitute the levy of an assessment on all  
16 assessable lots and parcels of land within Zone 207 of L&LMD No. 89-1-C for fiscal year 2021-22.

17           **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the  
18 Board of Supervisors of the County in regular session on November 17, 2020 as follows:

- 19           **Section 1. Findings.** The Board of Supervisors finds:
- 20           (a) the preceding recitals are correct;
  - 21           (b) compliance has been had with all the requirements of the Landscaping and  
22           Lighting Act of 1972, being Part 2 (commencing with Section 22500) of Division  
23           15 of the Streets and Highways Code, and Sections 53753 and 54954.6 of the  
24           Government Code;
  - 25           (c) a majority protest to the annexation of, and annual assessment of, Zone 207 of  
26           L&LMD No. 89-1-C has not been filed;

- 1 (d) the tabulation of the assessment ballots timely received was 100 percent voted in  
2 favor of annexation of Zone 207 to L&LMD No. 89-1-C and the levy of an annual  
3 assessment beginning fiscal year 2021-22, and 0 percent voted no;
- 4 (e) the Board of Supervisors may proceed to adopt a resolution ordering the  
5 annexation of Zone 207 to L&LMD No. 89-1-C;
- 6 (f) the Board of Supervisors may proceed to adopt a resolution confirming the  
7 diagram and assessment for Zone 207 of L&LMD No. 89-1-C either as originally  
8 proposed or as changed by it; and
- 9 (g) the assessments to be levied on the assessable lots and parcels of land within  
10 Zone 207 of L&LMD No. 89-1-C for the maintenance and servicing of streetlights  
11 and future median landscaping improvements in said Zone 207 during the fiscal  
12 year 2021-22 as contained in the report of the Director of Transportation which is  
13 on file with the Clerk of the Board of Supervisors (hereinafter the "Report") are  
14 based on benefits derived by such lots and parcels from the availability of such  
15 streetlights and future median landscaping improvements, and are not based  
16 upon the ownership of such lots and parcels.

17 **Section 2. Annexation.** Zone 207, as proposed to be annexed to L&LMD No.  
18 89-1-C, which includes all the property subject to Conditional Use Permit No. 03739 in the County of  
19 Riverside, State of California as described in Exhibit "A" attached hereto, shall be and is annexed into  
20 L&LMD No. 89-1-C.

21 **Section 3. Improvements.** The improvements authorized for Zone 207 of L&LMD  
22 No. 89-1-C are:

- 23 (a) The maintenance and servicing of landscaping within the public right-of-way  
24 including the trimming, fertilizing, weeding and replanting of trees, shrubs, grass,  
25 and other ornamental vegetation; and  
26

1 (b) Providing electricity to and the maintenance and servicing of streetlights within  
2 the public right-of-way including incidental costs and expenses.

3 **Section 4. Confirmation of Report.** The Report and the assessment diagram and  
4 the assessment of estimated costs for the maintenance and servicing of streetlights and future median  
5 landscaping improvements in Zone 207 of L&LMD No. 89-1-C for fiscal year 2021-22 as contained in  
6 the Report are confirmed.

7 **Section 5. Levy of Assessment.** Pursuant to Section 22594 of the Streets and  
8 Highways Code the adoption of this resolution constitutes the levy of the assessment for the  
9 maintenance and servicing of streetlights and future median landscaping improvements in Zone 207 of  
10 L&LMD No. 89-1-C during fiscal year 2021-22, 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, together  
12 with the diagram and assessment contained in the Report with the County Auditor-Controller of the  
13 County of Riverside, who, pursuant to Section 22645 of the Streets and Highways Code, shall enter on  
14 the County assessment 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 of  
17 adoption.

18  
19 ROLL CALL:

20 Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt

21 Nays: None

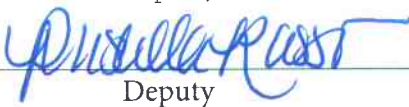
22 Absent: None

23 Abstained: None

24

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

Kecia R. Harper, Clerk of said Board

By   
Deputy

**EXHIBIT "A"**

**DESCRIPTION OF BOUNDARIES**

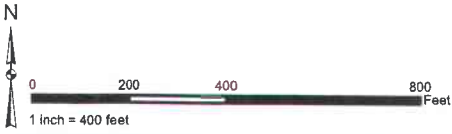
The boundaries of Zone 207 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside, are coterminous with the boundaries of APN 279-231-055 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2020-21.

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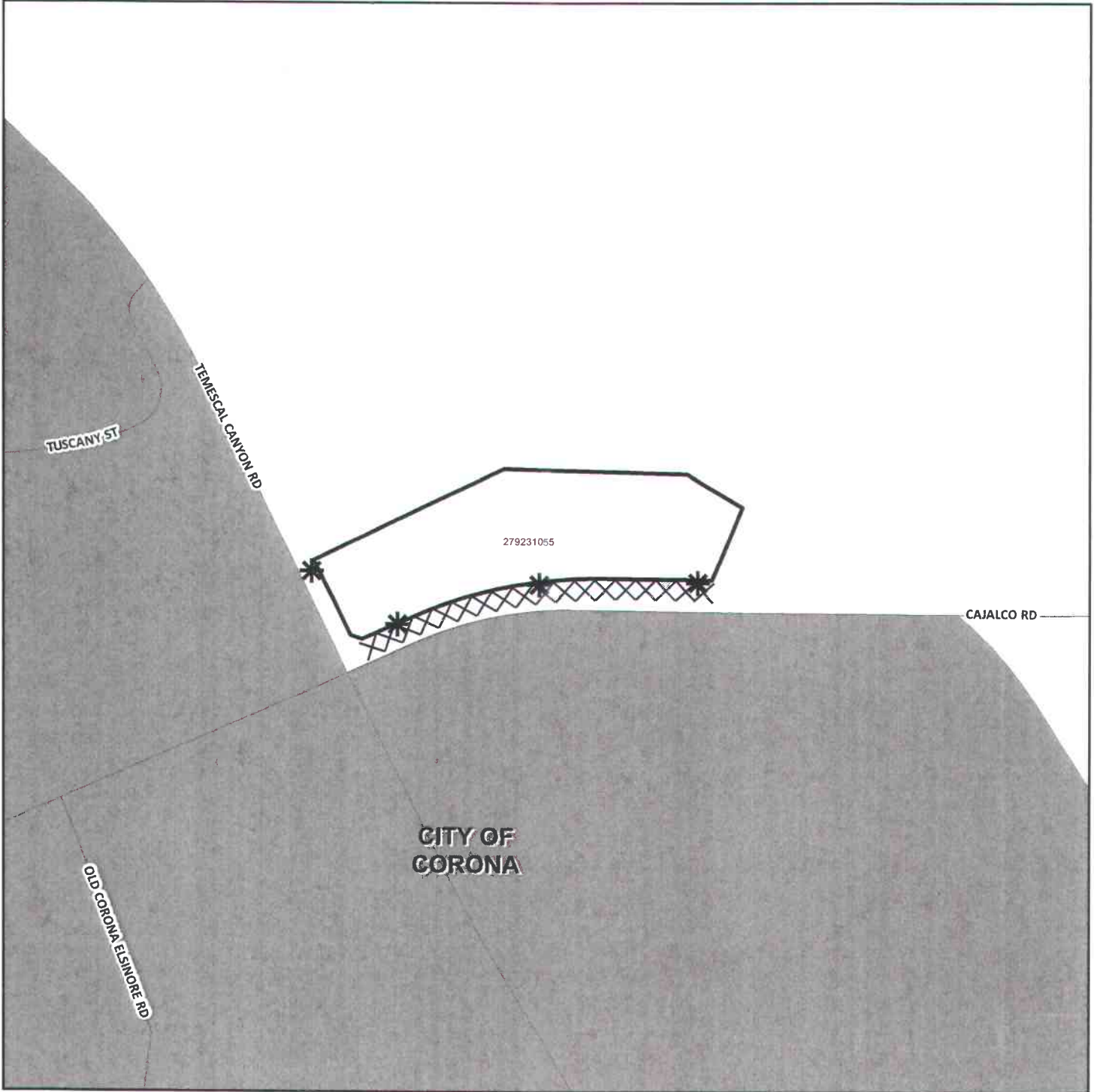
**ZONE 207**

PORTION(S) OF SECTION 16, T.4S., R.6W.  
CONDITIONAL USE PERMIT NO. 03739  
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. Printed by bhahn on 4/1/2020

**ASSESSMENT DIAGRAM**



XXXX DENOTES FUTURE LANDSCAPED AND MAINTAINED MEDIAN

\* DENOTES MAINTAINED ROW STREETLIGHT

□ DENOTES ZONE BOUNDARY

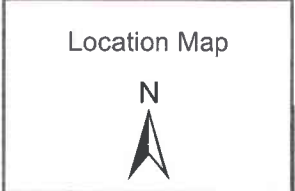
MINNESOTA RD.

CARMELITA AVE

SANTA RITA ST

GRANT ST

JOLORA AVE



VERONA ST

TUSCANY ST

GRAND OAKS

TEMESCAL CANYON RD

Site Location

CAJALCO RD

CITY OF CORONA

OLD CORONA ELSINORE RD

AIDA ST

BREEZY MEADOW CIR

WILD SPRINGS LN

BLUE SPRINGS DR

WINDSPRING ST

ECHO SPRING DR

PRONIO DR

JUNCTION ST

CANTADA DR

PALAZZO LN

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OWENS ST

CABOT DR

GAMBIER CT

GLEN RD

BEDFORD CANYON RD