

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



ITEM: 3.26
(ID # 13679)

MEETING DATE:

Tuesday, November 17, 2020

FROM: TLMA-TRANSPORTATION:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION:
Adopt Resolution No. 2020-215 ordering the Annexation of Zone 211 to
Landscaping and Lighting Maintenance District No. 89-1-Consolidated,
Winchester, District 3. [\$79,412 Ongoing - L&LMD No. 89-1-C 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. 2020-215, Resolution of the Board of Supervisors of the County of Riverside ordering the annexation of Zone 211 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated of the County of Riverside and confirming the diagram and assessment for Zone 211 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 211 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 11/22/2020

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

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FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 0	\$ 79,412	\$ 0	\$ 79,412
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: 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 Tract Map No. 36785, as described in the attached Exhibit "A", has petitioned the County to annex their property into L&LMD No.89-1-C, creating Zone 211. The boundaries of Zone 211 will encompass the entire Tract Map No. 36785 and will include the maintenance and servicing of streetlights and runoff catch basin filters.

On August 25, 2020, a public hearing was held to receive all testimony regarding the annexation of Zone 211 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 8th Floor of the County Administrative Center. The tabulation shows that votes representing 501 parcels out of a possible 501 were cast, and that 501 votes (or 100%) were cast in favor of the annexation of Zone 211 to L&LMD No. 89-1-C and the levy and enrollment of the special assessment.

Adoption of Resolution No. 2020-215 confirms the assessment levy as indicated in the Engineer's Report for fiscal year 2021-22 for Zone 211 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 runoff catch basin filters within public right-of-way.

Only the residential property owners within the proposed boundaries of Zone 211, which are represented by Tract Map No. 36785, 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 211 is \$79,412.00. This will result in an assessment for fiscal year 2021-22 within Zone 211 of \$159.00 per parcel. Zone 211 includes 501 single family residences. 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. 2020-215



Jason Farin, Principal Management Analyst 11/10/2020



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

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3 **RESOLUTION NO. 2020-215**

4 **RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE ORDERING**
5 **THE ANNEXATION OF ZONE 211 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 211 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 2021-22**

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

11
12 **WHEREAS**, on June 30, 2020 the Board of Supervisors (hereinafter the "Board of Supervisors")
13 of the County of Riverside (hereinafter the "County") adopted Resolution No. 2020-100, pursuant to
14 Section 22608 and Section 22585 et seq. of the Streets and Highways Code, declaring the intention of
15 the Board of Supervisors to order the annexation of Zone 211 to Landscaping and Lighting Maintenance
16 District No. 89-1-Consolidated (hereinafter "L&LMD No. 89-1-C") of the County pursuant to the
17 Landscaping and Lighting Act of 1972, being Part 2 (commencing with Section 22500) of Division 15 of
18 the Streets and Highways Code, and giving notice of and setting a public hearing for 9:30 a.m. on
19 August 25, 2020 at the meeting room of the Board of Supervisors and requiring that the notice of the
20 public hearing and assessment ballots be mailed to all owners of property within Zone 211 as shown on
21 the equalized tax roll; and

22 **WHEREAS**, notice of said public hearing was duly published and mailed as required by
23 Resolution No. 2020-100, Section 22588 of the Streets and Highways Code and Sections 53753 and
24 54954.6 of the Government Code and the assessment ballots were timely mailed to all owners of
25 property within said Zone 211 as shown on the equalized tax roll; and
26

NOV 17 2020 3.26

1 **WHEREAS**, at 9:30 a.m. on August 25, 2020, as set forth in Resolution No. 2020-100, 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 211 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 owners of 501 parcels out of a possible 501 parcels and that 501 parcels (100 percent
10 of the assessment ballots received) voted in favor of annexation of Zone 211 to L&LMD No. 89-1-C and
11 the levy of an annual assessment in said Zone 211 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 211
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 211 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 211 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 211 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 211 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 211 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 211 of L&LMD No. 89-1-C for the maintenance and servicing of streetlights
11 and runoff catch basin filters improvements in said Zone 211 during the fiscal year
12 2021-22 as contained in the report of the Director of Transportation which is on
13 file with the Clerk of the Board of Supervisors (hereinafter the "Report") are based
14 on benefits derived by such lots and parcels from the availability of such
15 streetlights and runoff catch basin filters improvements, and are not based upon
16 the ownership of such lots and parcels.

17 **Section 2. Annexation.** Zone 211, as proposed to be annexed to L&LMD No.
18 89-1-C, which includes all the property subject to Tract Map No. 36785 in the County of Riverside, State
19 of California as described in Exhibit "A" attached hereto, shall be and is annexed into L&LMD No. 89-1-C.

20 **Section 3. Improvements.** The improvements authorized for Zone 211 of L&LMD
21 No. 89-1-C are:

- 22 (a) The maintenance and servicing of runoff catch basin filters within the public right-
23 of-way including the removal of petroleum hydrocarbons and other pollutants from
24 water runoff; and
- 25 (b) Providing electricity to and the maintenance and servicing of streetlights within
26 the public right-of-way including incidental costs and expenses.

1 **Section 4. Confirmation of Report.** The Report and the assessment diagram and
2 the assessment of estimated costs for the maintenance and servicing of streetlights and runoff catch
3 basin filters improvements in Zone 211 of L&LMD No. 89-1-C for fiscal year 2021-22 as contained in the
4 Report are confirmed.

5 **Section 5. Levy of Assessment.** Pursuant to Section 22594 of the Streets and
6 Highways Code the adoption of this resolution constitutes the levy of the assessment for the
7 maintenance and servicing of streetlights and runoff catch basin filters improvements in Zone 211 of
8 L&LMD No. 89-1-C during fiscal year 2021-22, as contained in the Report, and such assessment is
9 levied. The Clerk of the Board of Supervisors is directed to file a certified copy of this resolution, together
10 with the diagram and assessment contained in the Report with the County Auditor-Controller of the
11 County of Riverside, who, pursuant to Section 22645 of the Streets and Highways Code, shall enter on
12 the County assessment roll opposite each lot or parcel of land the amount assessed thereupon, as
13 shown in said assessment.

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

16
17 ROLL CALL:
18 Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
19 Nays: None
20 Absent: None
21 Abstained: None

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

24 Kecia R. Harper, Clerk of said Board
25 By 
26 Deputy

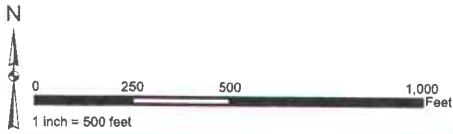
EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

The boundaries of Zone 211 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 466-210-029, 466-210-030, 466-210-031, 466-210-032, 466-210-033, 466-210-034, 466-210-035, 466-210-036 & 466-210-038 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2020-21.

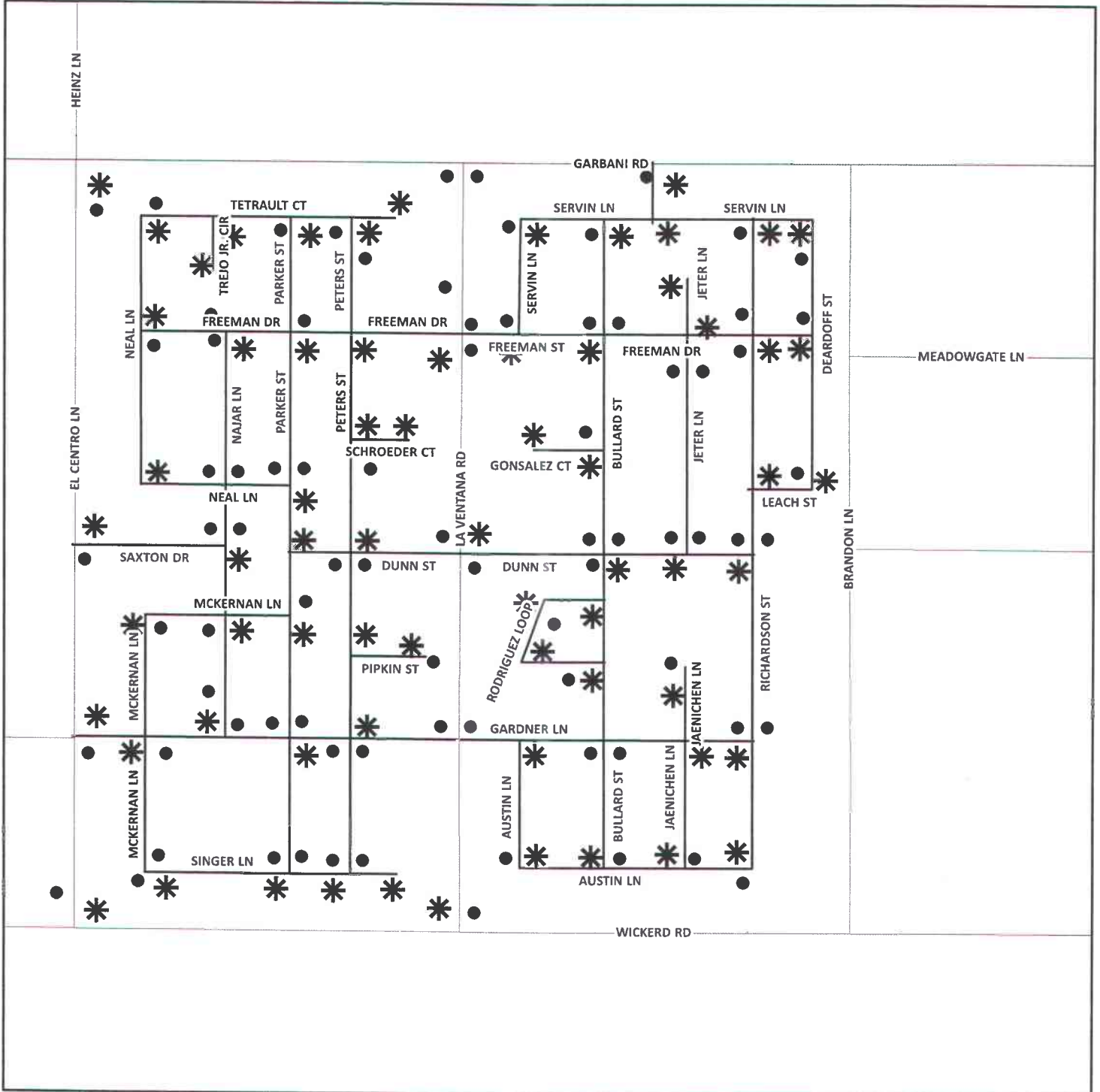
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ZONE 211
 PORTION(S) OF SECTION 18, T.6S., R.2W.
 TRACT MAP NO. 36785
 501 PARCELS



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 resell this map. Printed by bhahn on 4/1/2020

ASSESSMENT DIAGRAM



- DENOTES MAINTAINED STORMWATER RUNOFF CATCH BASIN FILTER
- * DENOTES MAINTAINED ROW STREETLIGHT



Site Location

