

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

487A



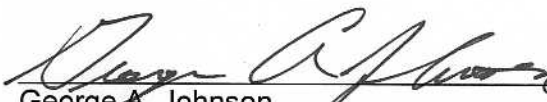
FROM: TLMA - Transportation Dept.

SUBMITTAL DATE:
February 16, 2007

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated,
Annexation of Zone 79

RECOMMENDED MOTION: That the Board:

1. Adopt resolution No. 2007-051, Resolution of the County of Riverside confirming the diagram and assessment of Zone 79 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated, and levying assessments on all assessable lots and parcels of land therein for fiscal year 2007-08.
2. Direct the Auditor-Controller's office to establish an interest-bearing sub-fund 20300 to receive deposits and interest thereon from Zone 79 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated; in accordance with Section 22655-22656 of the Streets and Highways Code.


George A. Johnson
Director of Transportation

JW:jp

(continued on next page)

FINANCIAL
DATA

Current F.Y. Total Cost:	\$0.00	In Current Year Budget:	No
Current F.Y. Net County Cost:	\$0.00	Budget Adjustment:	No
Annual Net County Cost:	\$0.00	For Fiscal Year:	2006-07

SOURCE OF FUNDS:

Positions To Be
Deleted Per A-30

☐

Requires 4/5 Vote

☐

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature



Dep't Recomm.:
☒ Policy

☐ Consent

Per Exec. Ofc.:
☒ Policy

☐ Consent

Prev. Agn. Ref.

District: 2

Agenda Number:

The Honorable Board of Supervisors

RE: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation
of Zone 79

February 16, 2007

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BACKGROUND: On January 9, 2007, a public hearing was held to receive all testimony regarding the annexation of Zone 79 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated (L&LM Dist. 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 January 10, 2007 at 10:00 a.m. in Conference Room Survey on the 8th Floor of the County Administrative Center. The tabulation shows that votes representing 6 lots out of a possible 6 were cast, and that 6 votes (or 100%) were cast in favor of the annexation of Zone 79 to L&LM Dist. No. 89-1-C and the levy and enrollment of the special assessment.

The proposed budget for fiscal year 2007-08 for Zone 79 is \$2,340.00 that will result in an assessment for fiscal year 2007-08 within Zone 79 of \$7.46 per condominium parcel. Zone 79 includes 314 condominium parcels. The annual assessment will be adjusted annually by the greater of 2% or the cumulative percentage increase in the CPI-U, if any, as it stands as of March of each year over the base index for March of 2006.

Adoption of Resolution No. 2007-051 confirms the assessment levy as indicated in the Engineer's Report for fiscal year 2007-08 for Zone 79 of L&LM Dist. No. 89-1-C and orders the placement of the annual assessment on the County's Assessment Roll for fiscal year 2007-08.

RESOLUTION NO. 2007-051

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE ORDERING THE ANNEXATION OF ZONE 79 TO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE AND CONFIRMING THE DIAGRAM AND ASSESSMENT FOR ZONE 79 OF LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED AND LEVYING ASSESSMENTS ON ALL ASSESSABLE LOTS AND PARCELS OF LAND THEREIN FOR THE FISCAL YEAR 2007-08

WHEREAS, on November 7, 2006 the Board of Supervisors (hereinafter the "Board of Supervisors") of the County of Riverside (hereinafter the "County") adopted Resolution No. 2006-426, 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 79 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 January 9, 2007 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 79 as shown on the equalized tax roll; and

WHEREAS, notice of said public hearing was duly published and mailed as required by Resolution No. 2006-426, Section 22626 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 79 as shown on the equalized tax roll; and

WHEREAS, at 9:30 a.m. on January 9, 2007, as set forth in Resolution No. 2006-426, the 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 79 to L&LMD No.

1 89-1-C as required by Section 53753(e) of the Government Code to tally the assessment ballots that
2 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 6 lots out of a possible 6 lots and that 6 lots (100 percent of the
5 assessment ballots received) voted in favor of annexation of Zone 79 to L&LMD No. 89-1-C and the
6 levy of an annual assessment in said Zone 79 beginning fiscal year 2007-08; 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 79 of
11 L&LMD No. 89-1-C beginning fiscal year 2007-08.

12 **NOW, THEREFOR, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the
13 Board of Supervisors of the County in regular session on February 27, 2007 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 79 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 79 to L&LMD No. 89-1-C and the levy of an
24 annual assessment beginning fiscal year 2007-08, and 0 percent voted no;
- 25 (e) the Board of Supervisors may proceed to adopt a resolution ordering the
26 annexation of Zone 79 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 79 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 with
5 Zone 79 of L&LMD No. 89-1-C for the installation, maintenance and servicing of
6 catch basin system improvements in said Zone 79 during the fiscal year 2007-
7 08 as contained in the report of the Director of Transportation which is on file
8 with the Clerk of the Board of Supervisors (hereinafter the "Report") are based
9 on benefits derived by such lots and parcels from the availability of such catch
10 basin system improvements, and are not based upon the ownership of such lots
11 and parcels.

12 **Section 2. Annexation.** Zone 79, as proposed to be annexed to L&LMD No.
13 89-1-C, includes all the property subject to Tract Map No. 31606 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 79 of L&LMD
16 No. 89-1-C are:

- 17 (a) The maintenance and servicing of catch basin filtration systems within the public
18 right-of-way including the removal of petroleum hydrocarbons and other
19 pollutants from water runoff

20 **Section 4. Confirmation of Report.** The Report and the assessment diagram and
21 the assessment of estimated costs for the installation, maintenance and servicing of catch basin
22 system improvements in Zone 79 of L&LMD No. 89-1-C for fiscal year 2007-08 as contained in the
23 Report are confirmed.

24 **Section 5. Levy of Assessment.** Pursuant to Section 22631 of the Streets and
25 Highways Code the adoption of this resolution constitutes the levy of the assessment for the
26 installation, and maintenance or servicing of catch basin system improvements in Zone 79 of L&LMD

1 No. 89-1-C during fiscal year 2007-08, as contained in the Report, and such assessment is levied. The
2 Clerk of the Board of Supervisors is directed to file a certified copy of this resolution, together with the
3 diagram and assessment contained in the Report with the County Auditor-Controller of the County of
4 Riverside, who, pursuant to Section 22645 of the Streets and Highways Code, shall enter on the
5 County Tax Roll opposite each lot or parcel of land the amount assessed thereupon, as shown in said
6 assessment.

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

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10
11 FORM APPROVED
COUNTY COUNSEL

12 FEB 1 2007

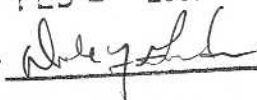
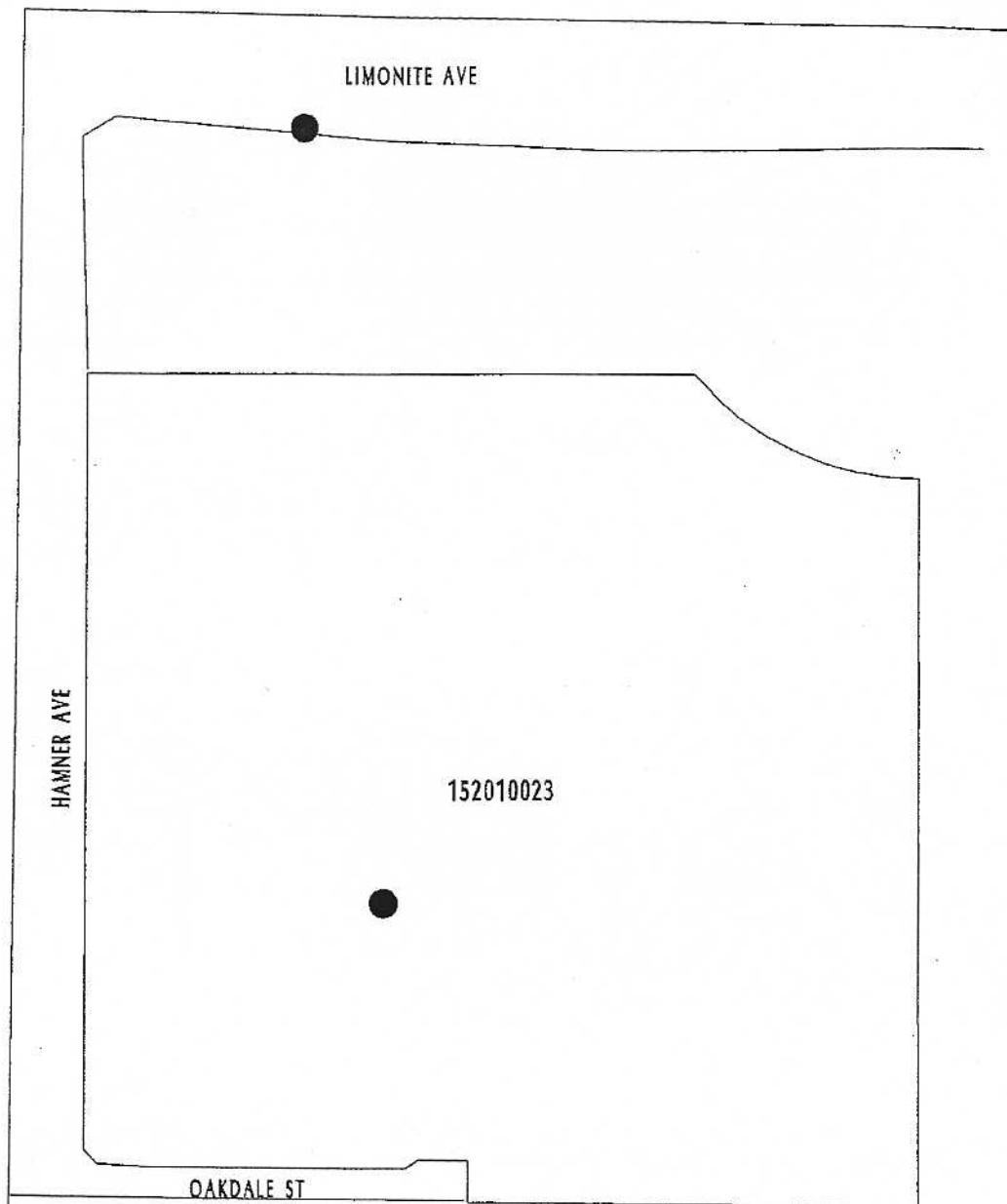
13 BY 

EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

The boundaries of Zone 79 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside are coterminous with the boundaries of Lots 1 through 6 as shown on Tract Map No. 31606 in the County of Riverside, State of California for fiscal year 2007-08.

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT
NO. 89-1-CONSOLIDATED
ZONE 79



● DENOTES MAINTAINED CATCH BASIN FILTRATION SYSTEM

ASSESSMENT DIAGRAM

PORTION OF SECTION 30, T.2S., R.6W.
TRACT MAP NO. 31606 - 6 LOTS



This map was made by the Riverside County Geographic Information System. The map elements were produced by the Assessor and the Transportation and Land Management Agency which is comprised of the Transportation, Building & Safety, and Planning departments.

OCTOBER 23, 2006