FROM: TLMA-TRANSPORTATION:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/ TRANSPORTATION:
Adoption of Resolution No. 2017-069 and Resolution No. 2017-070. Landscaping and Lighting Maintenance District No. 89-1-Consolidated (L&LMD No. 89 1 C), Unincorporated Countywide Zones and Street Lighting Zones. All Districts [$1,596,413]; L&LMD No. 89 1 C – 100% (Set for hearing 07/11/2017) (Clerk to Advertise).

RECOMMENDED MOTION: That the Board of Supervisors:
1. Adopt Resolution No. 2017-069 a Resolution of the County of Riverside ordering preparation of the Engineer’s Report regarding the proposed assessments to be levied and collected for fiscal year 2017-18 within Zones 1, 3, 8, 10, 11, 15, 19, 24, 26, 28, 29, 31, 36, 39, 43, 44, 45, 53, 55, 57, 58, 66, 68, 72, 74, 83, 84, 86, 87, 89, 91, 92, 94, 97, 100, 103, 109, 110, 112, 119, 123, 124, 135, 138, 145, 146, 148, 149, 152, 153, 154, 155, 157, 160, 161, 162, 164, 166, 168, 171, 172, 174, 175, 180, 187, 188, 190, 191, 192, 193 and 195 and Street Lighting Zones 2, 3, 4, 9, 11, 12, 13, 14, 16, 20, 21, 22, 25, 29, 30, 31, 36, 37, 38, 42, 43, 44, 45, 46, 47, 48, 52, 53, 54, 55, 56, 57, 58, 61, 64, 65, 66, 67, 68, 72, 74, 75, 76, 78, 81, 82, 85, 89, 95, 97, 99, 101, 103, 104, 107, 108, 109 and 110 of L&LMD No. 89-1-C; and
2. Adopt Resolution No. 2017-070, a Resolution of the County of Riverside declaring its intention to levy and collect assessments within Zones 1, 3, 8, 10, 11, 15, 19, 24, 26, 28, 29, 31, 36, 39, 43, 44, 45, 53, 55, 57, 58, 66, 68, 72, 74, 83, 84, 86, 87, 89, 91, 92, 94, 97, 100, 103, 109, 110, 112, 119, 123, 124, 135, 138, 145, 146, 148, 149, 152, 153, 154, 155, 157, 160, 161, 162, 164, 166, 168, 171, 172, 174, 175, 180, 187, 188, 190, 191, 192, 193 and 195 and Street Lighting Zones 2, 3, 4, 9, 11, 12, 13, 14, 16, 20, 21, 22, 25, 29, 30, 31, 36, 37, 38, 42, 43, 44, 45, 46, 47, 48, 52, 53, 54, 55, 56, 57, 58, 61, 64, 65, 66, 67, 68, 72, 74, 75, 76, 78, 81, 82, 85, 89, 95, 97, 99, 101, 103, 104, 107, 108, 109 and 110 of L&LMD No. 89-1-C for fiscal year 2017-18; and
3. Set the time and place of the public hearing on the annual assessment and ordering notice of the public hearing to be given consistent with the Landscaping and Lighting Act of 1972. (Clerk to Advertise).

ACTION: Clerk to Advertise, Set for Hearing

Signature: Patricia Romo, Director of Transportation 6/6/2017
SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

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<th>FINANCIAL DATA</th>
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<th>Next Fiscal Year:</th>
<th>Total Cost:</th>
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**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:** 17/18

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

**BACKGROUND:**

**Summary**

At the direction of the County of Riverside Board of Supervisors, L&LMD No. 89-1-C was formed in 1994 by Resolution No. 94-389 and authorized to levy an annual assessment to pay for the installation and maintenance of landscaping and streetlights within L&LMD No. 89-1-C. Since that date, L&LMD No. 89-1-C has approved and included the following improvements such as the maintenance and servicing of landscaping, trails, fossil filters, bio-swales, streetlights, traffic signals, bridge lights, and graffiti abatement, all zone specific.

Landscaping and Lighting Maintenance District No. 89-1-Consolidated (District) maintains and services 129 locations throughout Riverside County. The District contains 71 separate assessment zones and 58 street lighting assessment zones as described in Attachment A.

The combined Annual Engineer’s Report for fiscal year 2017-2018 was prepared in compliance with the requirement of Article 4, Chapter, 1, of the Landscaping and Lighting Act of 1972, which is Part 2, Division 15 of the California Streets and Highways Code. The County initiates proceedings for the annual levy of assessments by passing a resolution, which proposes the annual levy under the Landscaping and Lighting Act of 1972. This resolution also describes the improvements, describes the location of the District and finally orders an engineer, who is a registered professional engineer, certified by the State of California, to prepare and file a detailed report.

In November 1996, California voters passed Proposition 218, Right to Vote on Taxes Act which added Articles XIII C and XIII D to the California Constitution, new procedures must be followed to levy annual assessments under the Landscaping and Lighting Act of 1972. A County may levy annual assessments for an assessment district after complying with the requirements of the Landscaping and Lighting Act of 1972, and the provisions of Proposition 218 Right to Vote on Taxes Act.

Consistent with the Board of Supervisors (Board) direction regarding compliance with Article XIII D of the California Constitution and the Landscaping and Lighting Act of 1972, the attached resolutions have been prepared and a public hearing scheduled for 9:30 a.m. on July 11, 2017 to receive testimony for and against the proposed assessments.
Impact on Residents and Businesses
Only the property owners within the boundaries of each Zone within L&LMD No. 89-1-C are impacted by the assessments collected for the maintenance of the improvements within these zones, as described in Attachment A and the Engineer’s Report.

Depending on the time the Zones were annexed into L&LMD No. 89-1-C, and the type of improvements, the mailed assessment ballot proposition approved by the property owners provides for these assessments and that either no inflation factor was established (Zones 1 and 3), a two percent (2%) inflation factor was established, or the annual assessment may be increased each year by the greater of two percent (2%) or the cumulative percentage increase, if any, in the Consumer Price Index (CPI-U), or the Consumer Price Index for electricity (CPI-U "for electricity"), for the Los Angeles-Riverside-Orange County California Standard Metropolitan Statistical Area (the “Index”) as the Index stands as of March of each calendar year.

SUPPLEMENTAL:
Additional Fiscal Information
The annual budget for fiscal year 2017-18 totals $1,596,413. For Fiscal Year 2017-18 the inflation factor, when appropriate, will be two percent (2%).

The inflation factor affects the maximum assessment, which is the maximum allowable assessment to be placed on a parcel, acre, or equivalent dwelling unit (EDU) within L&LMD No. 89-1-C. Zones may be assessed at the maximum assessment if needed, however some zones are assessed less depending on overall annual maintenance costs and existing reserves, if any.

ATTACHMENTS:

A. Attachment A
B. Resolution No. 2017-069
C. Resolution No. 2017-070
D. Engineer’s Report (Volumes 1-3)