

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

293A



**FROM:** TLMA – Transportation Dept.      **SUBMITTAL DATE:** August 29, 2003

**SUBJECT:** Landscaping & Lighting Maintenance District No. 89-1-Consolidated,  
Street Lighting Zone 4

**RECOMMENDED MOTION:** That the Board:

With regard to the annexation of Street Lighting Zone 4 into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, conduct the public hearing and, after closing the public hearing, direct the Director of Transportation, or his/her designee, who the board finds to be an impartial person as that term is used in Section 53753(e) of the Government Code, to tally all ballots received prior to the close of public hearing at 10:00 a.m. on Wednesday, September 10, 2003 in Conference Room B on 8<sup>th</sup> Floor of the County Administrative Center, 4080 Lemon Street, Riverside, California. Staff is directed to cause the appropriate resolution, based on the election tally, to be prepared and returned to the Board on September 23, 2003 for its consideration.

*George A. Johnson*  
George A. Johnson  
Director of Transportation

FORM APPROVED  
COUNTY COUNSEL

AUG 28 2003

**FINANCIAL DATA:**

<b>CURRENT YEAR COST</b>	\$0	<b>ANNUAL COST:</b>	\$ 368.32
<b>NET COUNTY COST</b>	\$0	<b>IN CURRENT YEAR BUDGET:</b>	Yes/ No/ X
		<b>BUDGET ADJUSTMENT</b>	Yes/ No/ X
		<b>FY:2003-2004</b>	

**SOURCE OF FUNDS:** Landscaping & Lighting Maintenance District No. 89-1-Consolidated

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

**APPROVE**

*Jennifer Shuford*  
County Executive Officer Signature

Department Recommendation:  Consent     Policy  
Per Executive Office:  Consent     Policy

Prev. Agn. Ref.

Dist. 4

AGENDA NO.

9 1 7

The Honorable Board of Supervisors  
RE: L&LMD No. 89-1-Consolidated  
August 29, 2003

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**BACKGROUND:**

Pursuant to the Landscaping and Lighting Act of 1972 and Resolution 2003-275 adopted July 15, 2003, the Board of Supervisors noticed a public hearing for September 9, 2003, to receive testimony regarding the annexation of Street Lighting Zone 4 into Landscaping and Lighting Maintenance District No. 89-1-Consolidated (L&LM Dist. No. 89-1-C). Annexation of Street Lighting Zone 4 will fund the energizing of streetlights within the public right-of-way located easterly of Berkey Dr. and southerly of Wildcat Dr. in the Palm Desert area and includes 3 commercial parcels.

On July 16, 2003, a notice of the public hearing and mail-in ballot, an impartial analysis, a copy of Resolution No. 2003-275 and an information sheet was mailed to all property owners within Street Lighting Zone 4 proposed for annexation into L&LM Dist. No. 89-1-C. Pursuant to the notice, all ballots must be returned prior to the conclusion of the public hearing.

Notice of the public hearing was also given by publication of a certified copy of Resolution No. 2003-275 in The Press Enterprise at least ten (10) days prior to the public hearing date and by posting a certified copy of the Resolution no. 2003-275 on the official bulletin board customarily used by the Board of Supervisors for the posting of notices and in two other public locations within the County.

Section 53753 of the Government Code has been amended. It requires that the Board after conducting the public hearing designate an impartial person, having no vested interest in the outcome of the proposed annexation, to tally the ballots received by the close of the public hearing at a specified time, date and place.