

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

127A



FROM: TLMA - Transportation Dept.

SUBMITTAL DATE:
January 5, 2004

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated,
Annexation of Street Lighting Zone 16

RECOMMENDED MOTION: That the Board adopt the following Resolutions:

Resolution No. 2004-016, a Resolution of the County of Riverside initiating proceedings for the annexation of Street Lighting Zone 16 into Landscaping and Lighting Maintenance District No. 89-1-Consolidated and ordering preparation of the Engineer's Report regarding the proposed annexation of Street Lighting Zone 16.

Resolution No. 2004-017, a Resolution of the County of Riverside declaring the intention to order the annexation of Street Lighting Zone 16 into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, and setting the time and place of the public hearing on annexation of Street Lighting Zone 16 to be consistent with the Landscaping and Lighting Act of 1972 and Article XIID of the California Constitution.

Juan C. Perez
Deputy Director of Transportation

J.C. Perez

George A. Johnson
Director of Transportation

Departmental Concurrence

**FORM APPROVED
COUNTY COUNSEL**

DEC 24 2003

BY *George A. Johnson*
Initials

FINANCIAL DATA	Current F.Y. Total Cost:	N/A	In Current Year Budget:	
	Current F.Y. Net County Cost:	N/A		Budget Adjustment:
	Annual Net County Cost:	N/A		For Fiscal Year:

SOURCE OF FUNDS: Landscaping and Lighting Maintenance District No. 89-1-Consolidated	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

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

County Executive Office Signature *George A. Johnson*

- Dept's Recomm.: Policy
- Per Exec. Ofc.: Policy
- Consent
- Consent

Prev. Agn. Ref. | **District: 1** | **Agenda Number:**

**ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD**

3.35

The Honorable Board of Supervisors

RE: Landscaping and Lighting Maintenance District No. 89-1-Consolidated,
Annexation of Street Lighting Zone 16

January 5, 2004

Page 2 of 2

BACKGROUND: Adoption of Resolution No. 2004-016 appoints the Director of the Transportation Department as the Engineer to prepare a Report regarding the proposed annexation of Street Lighting Zone 16 into Landscaping and Lighting Maintenance District No. 89-1-Consolidated (L&LM District No. 89-1-C).

Resolution No. 2004-017 declares the Board's intention of ordering the annexation of Street Lighting Zone 16 into L&LM Dist. No. 89-1-C. Annexation of Street Lighting Zone 16 into L&LM Dist. No. 89-1-C will fund the energizing of streetlights within the public right-of-way located northeasterly and southwesterly of Temescal Canyon Road and northwesterly and southeasterly of Stellar Court in the El Cerrito area and includes 16 commercial parcels totaling 80.53 acres.

The proposed budget of fiscal year 2004-2005 for Street Lighting Zone 16 is \$ 1,103.93 that will result in an assessment for fiscal year 2004-2005 within Street Lighting Zone 16 of \$13.70 per acre. The annual assessment will be adjusted annually by the greater of 2% or the cumulative percentage increase in the CPI-U for "electricity", if any, as it stands as of March of each year over the base index for March of 2004.

Consistent with the Board's direction regarding compliance with Article XIID 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 March 2, 2004 to receive testimony for and against the proposed assessment. Each property owner within the proposed Street Lighting Zone 16 will receive a notice of the public hearing and mail-in ballot, an impartial analysis, a copy of Resolution No. 2004-017 and an information sheet.

All ballots must be returned prior to the conclusion of the public hearing. If, at the time designated for the tabulation of the ballots, the ballots submitted in favor of the annexation and levy of the assessment exceed the ballots submitted in opposition of the annexation and levy of the assessment in Street Lighting Zone 16, Street Lighting Zone 16 will be annexed into L&LM Dist. No. 89-1-C.

2 **RESOLUTION NO. 2004-016**

3 **RESOLUTION OF THE BOARD OF SUPERVISORS INITIATING PROCEEDINGS FOR THE**
4 **ANNEXATION OF STREET LIGHTING ZONE 16 INTO LANDSCAPING AND LIGHTING**
5 **MAINTENANCE DISTRICT NO. 89-1- CONSOLIDATED OF THE COUNTY OF RIVERSIDE**
6 **PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 AND ORDERING**
7 **PREPARATION OF ENGINEER'S REPORT REGARDING SAID ANNEXATION**

8 WHEREAS, the Board of Supervisors (hereinafter the Board of Supervisors") of the County of
9 Riverside (hereinafter the "County") has been advised by the Transportation Department (hereinafter
10 "Department") of the County that said Department has received a request from the owners of property
11 in the unincorporated area of the County (hereinafter "Street Lighting Zone 16"), as shown and
12 described in Exhibit "A", which is attached hereto and made a part hereof, to be annexed into
13 Landscaping and Lighting Maintenance District No. 89-1-Consolidated (hereinafter "L&LMD No. 89-1-
14 C") of the County of Riverside, State of California, and the Board of Supervisors has determined that it
15 is necessary and desirable to initiate proceedings for the annexation of Street Lighting Zone 16 into
16 L&LMD No. 89-1-C pursuant to the Landscaping and Lighting Act of 1972, Part 2 (commencing with
17 Section 22500) of Division 15 of Streets and Highways Code (hereinafter, respectively, the "Act" and
18 the "Street and Highways Code"); and

19 WHEREAS, such proceedings shall comply with the requirements of Articles XIID of the
20 California Constitution, requiring voter approval of the proposed assessment to be levied by L&LMD
21 No. 89-1-C for Street Lighting Zone 16; and

22 WHEREAS, the Director of the Transportation Department, or his designee, is a licensed and
23 registered civil engineer, has expertise with respect to the annexation of territory to landscaping and
24 lighting maintenance districts and the levying of assessments for said purposes and, therefore, is able
25 to serve as the engineer (hereinafter the "Engineer") for the County with regard to the annexation of
26 Street Lighting Zone 16 into L&LMD No. 89-1-C.

NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the

1 Board of Supervisors of the County of Riverside assembled in regular session on January 13, 2004 as
2 follows:

3 Section 1. Recitals. The Board of Supervisors hereby finds and determines that all
4 the above recitals are true and correct.

5 Section 2. Annexation. The Board of Supervisors proposes to annex Street
6 Lighting Zone 16 into L&LMD No. 89-1-C and to initiate and conduct proceedings therefore pursuant to
7 the Act for the purpose of levying an annual assessment on all parcels within Street Lighting Zone 16
8 to pay the costs of the following services:

9 (a) The energizing of streetlights within the public right-of-way, including incidental
10 costs and expenses;

11 Section 3. Boundaries and Designation. The boundaries of Street Lighting Zone 16
12 that is proposed to be annexed into L&LMD No. 89-1-C shall include all of the property as shown and
13 described in Exhibit "A".

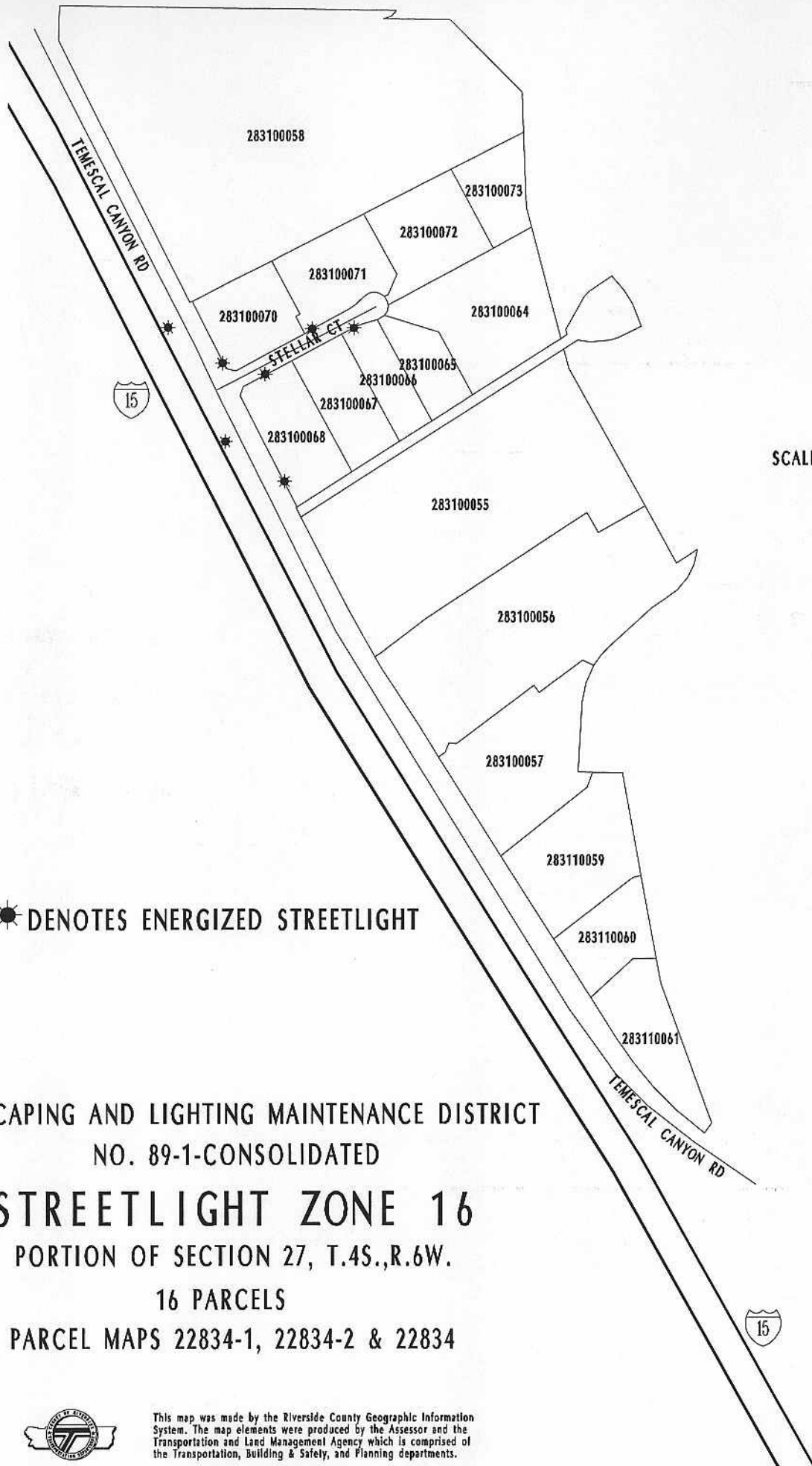
14 Section 4. Report. The Director of the Transportation Department of the County, or
15 his designee, is hereby designated Engineer and is ordered to prepare and file a report with the Clerk
16 of the Board of Supervisors in accordance with Sections 22608 and 22585 et. seq. of the Streets and
17 Highways Code and Section 4 of Article XIID of the California Constitution regarding said annexation
18 and the levy.

19 Section 5. Effective Date. This Resolution shall take effect from and after its date of
20 adoption.

EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

The boundaries of Street Lighting Zone 16 proposed to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside are coterminous with the boundaries of Parcels of Parcel Map No. 28834-2, in the County of Riverside, State of California as shown on Map recorded in Map Book 198, Pages 97-101, inclusive, all Records of the Recorder, Riverside County, California.



☀ DENOTES ENERGIZED STREETLIGHT

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

STREETLIGHT ZONE 16

PORTION OF SECTION 27, T.4S., R.6W.

16 PARCELS

PARCEL MAPS 22834-1, 22834-2 & 22834



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.

NOVEMBER 24 2002