

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

712A



FROM: TLMA-Transportation Department

SUBMITTAL DATE:
November 1, 2004

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Street Lighting Zone 28.

RECOMMENDED MOTION: That the Board:

With regard to the annexation of Street Lighting Zone 28 to 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. All ballots received prior to the close of the public hearing will be tallied at 10:00 a.m. on Wednesday, November 17, 2004 in Conference Room B on the 8th 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 for its consideration.

COUNTY COUNSEL

OCT 27 2004

BY: *[Signature]*

[Signature]
George A. Johnson
Director of Transportation

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2004-2005
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
[Signature]

Dep't Recomm.: Consent Policy
Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref.: | District: 3 | Agenda Number:

ATTACHMENTS FILED WITH THE CLERK OF THE BOARD

9.1

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Street Lighting Zone 28.

November 1, 2004

Page 2 of 2

BACKGROUND:

Pursuant to the Landscaping and Lighting Act of 1972 and Resolution 2004-436 adopted September 28, 2004, the Board of Supervisors noticed a public hearing for November 9, 2004, to receive testimony regarding the annexation of Street Lighting Zone 28 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated (L&LM Dist. No. 89-1-C). Annexation of Street Lighting Zone 28 will fund providing electricity for streetlights within the public rights-of-way located northerly of Newport Road in the Menifee area and includes 1 commercial parcel totaling 10.88 acres. Staff recommends the public hearing be held November 9, 2004 as advertised, then continued to November 16, 2004 to allow for the full 45 days required between mailing the ballots and the public hearing. All ballots will be counted on November 17, 2004.

On September 29, 2004, a notice of the public hearing and mail-in ballot, an impartial analysis, a copy of Resolution No. 2004-436 and an information sheet was mailed to all property owners within Street Lighting Zone 28 proposed for annexation to 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. 2004-436 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. 2004-436 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.