

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

825A



**FROM:** TLMA-Transportation Department

**SUBMITTAL DATE:**  
June 13, 2005

**SUBJECT:** Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Street Lighting Zone 36.

**RECOMMENDED MOTION:** That the Board:

With regard to the annexation of Street Lighting Zone 36 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, June 22, 2005 in Conference Room B on the 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 for its consideration.

FORM APPROVED  
COUNTY COUNSEL

JUN 7 2005

BY *[Signature]*

*[Signature]*  
George A. Johnson  
Director of Transportation

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2004-2005

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

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

**County Executive Office Signature** *[Signature]*

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

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RECEIVED RIVERSIDE COUNTY

**SUBJECT:** Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Street Lighting Zone 36.

June 13, 2005

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**BACKGROUND:**

Pursuant to the Landscaping and Lighting Act of 1972 and Resolution 2005-170 adopted May 3, 2005, the Board of Supervisors noticed a public hearing for June 21, 2005, to receive testimony regarding the annexation of Street Lighting Zone 36 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated (L&LM Dist. No. 89-1-C). Annexation of Street Lighting Zone 36 will fund providing electricity for streetlights within the public right-of-ways located northeasterly of Varner Road in the Palm Desert area and includes 1 commercial parcel totaling 11.00 acres.

On May 4, 2005, a notice of the public hearing and mail-in ballot, an impartial analysis, a copy of Resolution No. 2005-171 and an information sheet was mailed to all property owners within Street Lighting Zone 36 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. 2005-171 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. 2005-171 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.