

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

144A



**FROM:** TLMA-Transportation Department

**SUBMITTAL DATE:**

December 12, 2005

**SUBJECT:** Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Zone 54.

**RECOMMENDED MOTION:** That the Board:

With regard to the annexation of Zone 54 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, December 21, 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.

**Juan C. Perez**  
Deputy Director of Transportation

George A. Johnson  
Director of Transportation

NOV 21 2005

FORM APPROVED  
COUNTY COUNSEL

BY <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:	2005/06

<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**

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

**SUBJECT:** Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Zone 54.

December 12, 2005

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**BACKGROUND:**

Pursuant to the Landscaping and Lighting Act of 1972 and Resolution 2005-232 adopted November 1, 2005, the Board of Supervisors noticed a public hearing for December 20, 2005, to receive testimony regarding the annexation of Zone 54 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated (L&LM Dist. No. 89-1-C). Annexation of Zone 54 will fund the maintenance and servicing of landscaping improvements within public right-of-way of Palm Drive median; and providing electricity for streetlights with public right-of-way located easterly of Palm Drive; and northerly of Paul Road in the Desert Hot Springs area and includes 1 commercial lot.

On November 2, 2005, a notice of the public hearing and mail-in ballot, an impartial analysis, a copy of Resolution No. 2005-232 and an information sheet was mailed to all property owners within Zone 54 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. 2005-232 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. 2005-232 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.