

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

939A



FROM: TLMA-Transportation Department

SUBMITTAL DATE:
July 24, 2006

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Location 2, Zone 37.

RECOMMENDED MOTION: That the Board:

With regard to the annexation of Location 2 to Zone 37 of 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, August 2, 2006 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.

FORM APPROVED
COUNTY COUNSEL
JUL 11 2006
BY *[Signature]*

[Signature]
George A. Johnson
Director of Transportation

FINANCIAL DATA	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:	2006-07

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]*

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

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BACKGROUND:

Pursuant to the Landscaping and Lighting Act of 1972 and Resolution 2006-206 adopted June 13, 2006, the Board of Supervisors noticed a public hearing for August 1, 2006, to receive testimony regarding the annexation of Location 2 to Zone 37 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated (L&LM Dist. No. 89-1-C). Annexation of Location 2 will fund the maintenance and servicing of landscaping and multi-purpose trail improvements within public right-of-ways located westerly of Goetz Rd.; in the Menifee area and includes 241 single-family residential lots.

On June 14, 2006, a notice of the public hearing and mail-in ballot, an impartial analysis, a copy of Resolution No. 2006-206 and an information sheet was mailed to all property owners within Location 2 proposed for annexation to Zone 37 of 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. 2006-206 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. 2006-206 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.