

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



213A


**FROM:** TLMA - Transportation Dept.

**SUBMITTAL DATE:**  
June 7, 2012

**SUBJECT:** Landscaping and Lighting Maintenance District No. 89-1-Consolidated,  
Annexation of Zone 165 (East Hemet).

**RECOMMENDED MOTION:** That the Board:

With regard to the annexation of Zone 165 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 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 the public hearing. All ballots received prior to the close of the public hearing will be tallied at 10:00 a.m. on Wednesday, June 20, 2012 in Conference Room C on the 8<sup>th</sup> Floor of the County Administrative Center, 4080 Lemon Street, Riverside, California. Staff is directed to

  
\_\_\_\_\_  
Juan C. Perez  
Director of Transportation

MH:jp

FORM APPROVED COUNTY COUNSEL  
BY: *Dale A. Gardner* DATE: 5/22/12  
DALE A. GARDNER Departmental Concurrence

<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:	N/A
	Annual Net County Cost:	\$0	For Fiscal Year:	2011-12
<b>SOURCE OF FUNDS:</b> Landscaping and Lighting Maintenance District No. 89-1-Consolidated – 100%				<b>Positions To Be Deleted Per A-30</b> <input type="checkbox"/>
There are no General Funds used in this project.				<b>Requires 4/5 Vote</b> <input type="checkbox"/>

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

APPROVE

BY:   
Tina Grande

**County Executive Office Signature**

Policy

Consent

Dept's Recomm.:  
Per Exec. Ofc.:

Prev. Agn. Ref. 05/01/12, 3.33

District: 3/3

Agenda Number:

9.7

The Honorable Board of Supervisors

RE: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Zone 165 (East Hemet).

June 7, 2012

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cause the appropriate resolution, based on the election tally, to be prepared and returned to the Board for its consideration.

**BACKGROUND:** Pursuant to the Landscaping and Lighting Act of 1972 and Resolution 2012-087 adopted May 1, 2012, the Board of Supervisors noticed a public hearing for June 19, 2012, to receive testimony regarding the annexation of Zone 165 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated (L&LMD No. 89-1-C). Annexation of Zone 165 will fund the remote monitoring of the irrigation activity on Caltrans ROW and ensuring the maintenance and servicing of dormant parkway landscaping within public rights-of-way located southerly of SH-74/Florida Ave and at the intersection of Columbia St and SH-74/Florida Ave in the East Hemet area and includes 1 commercial parcel totalling 0.67 acres.

Per Caltrans requirements, parkway landscaping improvements located in Caltrans right-of-way shall be maintained in perpetuity. The maintenance and servicing of parkway landscaping on SH-74/Florida Ave will be the responsibility of the property owners within Zone 165, per their signed maintenance agreement with the County of Riverside Transportation Department (Agreement for Maintenance of Parkways (ICI), dated 07/20/11). Should the property owners default on this agreement, the maintenance and servicing of the parkway landscaping will transfer to L&LMD No. 89-1-C, and the dormant annual assessment for such services will become active.

On May 12, 2012 a notice of the public hearing and mail-in ballot, an impartial analysis, a copy of Resolution No. 2012-087, and an information sheet was mailed to all property owners within Zone 165, proposed for annexation to L&LMD 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. 2012-087 in an appropriate newspaper at least ten (10) days prior to the public hearing date and by posting a certified copy of the Resolution No. 2012-087 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.