

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

611A



FROM: TLMA - Transportation Dept.

SUBMITTAL DATE:
December 31, 2009

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated,
Annexation of Street Lighting Zone 97 (Mead Valley).

RECOMMENDED MOTION: That the Board:

With regard to the annexation of Street Lighting Zone 97 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 public hearing. All ballots received prior to the close of the public hearing will be tallied at 10:00 a.m. on Wednesday, January 13, 2010 in Conference Room D on the 8th Floor of the County Administrative Center, 4080 Lemon Street, Riverside,

Juan C. Perez
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:	N/A
	Annual Net County Cost:	\$0	For Fiscal Year:	2009-10
SOURCE OF FUNDS: Landscaping and Lighting Maintenance District No. 89-1-Consolidated – 100%				Positions To Be Deleted Per A-30 <input type="checkbox"/>
				Requires 4/5 Vote <input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY:

Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Benoit, seconded by Supervisor Stone and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: January 12, 2010
xc: Transp.

Kecia Harper-Ihem
Clerk of the Board
By:
Deputy

Prev. Agn. Ref. 11/24/09, 3.118

District: 1

Agenda Number:

9.9

FORM APPROVED COUNTY COUNSEL

BY: 12/16/09

DATE: 12/16/09

Departmental Concurrence

Policy

☒

Policy

☒

Consent

☐

Consent

☐

Dep't Recomm.:

Per Exec. Ofc.:

The Honorable Board of Supervisors

RE: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of
Street Lighting Zone 97 (Mead Valley).

December 31, 2009

Page 2 of 2

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.

BACKGROUND: Pursuant to the Landscaping and Lighting Act of 1972 and Resolution 2009-307 adopted November 24, 2009, the Board of Supervisors noticed a public hearing for January 12, 2010, to receive testimony regarding the annexation of Street Lighting Zone 97 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated (L&LMD No. 89-1-C). Annexation of Street Lighting Zone 97 will fund the provision of electricity for streetlights within public rights-of-way located northerly of Cajalco Rd in the Mead Valley area and includes 3 commercial parcels, totaling 1.79 acre(s).

On November 25, 2009 a notice of the public hearing and mail-in ballot, an impartial analysis, a copy of Resolution No. 2009-307, and an information sheet was mailed to all property owners within Street Lighting Zone 97, 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. 2009-307 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. 2009-307 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.

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

928A



FROM: TLMA - Transportation Dept.

SUBMITTAL DATE:
November 12, 2009

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated,
Annexation of Street Lighting Zone 97 (Mead Valley).

RECOMMENDED MOTION: That the Board adopt the following Resolutions:

Resolution No. 2009-306 a Resolution of the County of Riverside initiating proceedings for the annexation of Street Lighting Zone 97 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated and ordering preparation of the Engineer's Report regarding the proposed annexation of Street Lighting Zone 97.

Resolution No. 2009-307, a Resolution of the County of Riverside declaring its intent to order the annexation of Street Lighting Zone 97 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated of the County of Riverside pursuant to the Landscaping and Lighting Act of

Juan C. Perez
Director of Transportation

JAW:jp

FINANCIAL DATA	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:	2009-10
SOURCE OF FUNDS: Landscaping and Lighting Maintenance District No. 89-1-Consolidated – 100%				Positions To Be Deleted Per A-30 <input type="checkbox"/>
				Requires 4/5 Vote <input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY:

Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Stone, seconded by Supervisor Buster and duly carried by unanimous vote, IT WAS ORDERED that the above resolutions are adopted as recommended, and that the matter is set for public hearing on Tuesday, January, 12, 2010 at 9:30 a.m.

Ayes: Buster, Tavaglione, Stone, and Ashley
Nays: None
Absent: None
Date: November 24, 2009
xc: Transp., COB(2)

Kecia Harper-Ihem
Clerk of the Board
By:
Deputy

Prev. Agn. Ref.

District: 1

Agenda Number:

3.118

FORM APPROVED COUNTY COUNSEL

BY:
DALE A. GARDNER DATE: 11/27/09

Departmental Concurrence

Policy ☒

Policy ☒

Consent ☐

Consent ☐

Dep't Recomm.: ☐

Per Exec. Ofc.: ☐

The Honorable Board of Supervisors

RE: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Street Lighting Zone 97 (Mead Valley).

November 12, 2009

Page 2 of 2

1972 for the provision of electricity for streetlights; adopting the preliminary engineer's report; giving notice of and setting the time and place of the public hearing on the annexation of Street Lighting Zone 97, ordering a mailed ballot election; and directing notice of the public hearing and ballot be mailed pursuant to Article XIID of the California Constitution.

BACKGROUND: Adoption of Resolution No. 2009-306 appoints the Director of the Transportation Department as the Engineer to prepare a Report regarding the proposed annexation of Street Lighting Zone 97 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated ("L&LMD No. 89-1-C").

Resolution No. 2009-307 declares the Board's intention of ordering the annexation of Street Lighting Zone 97 to L&LMD No. 89-1-C. Annexation of Street Lighting Zone 97 to L&LMD No. 89-1-C will fund the provision of electricity for streetlights within public right-of-way located northerly of Cajalco Rd in the Mead Valley area and includes 3 commercial parcels, totaling 1.79 acre(s).

The proposed budget for fiscal year 2010-11 for Street Lighting Zone 97 is \$330 that will result in an assessment for fiscal year 2010-11 within Street Lighting Zone 97 of \$184.36 per acre. The annual assessment will be adjusted annually by the greater of 2% or the cumulative percentage increase in the CPI-U for "electricity", if any, as it stands as of March of each year over the base index for March of 2009.

Consistent with the Board's direction regarding compliance with Article XIID of the California Constitution and the Landscaping and Lighting Act of 1972, the attached resolutions have been prepared and a public hearing scheduled for 9:30 a.m. on January 12, 2010 to receive testimony for and against the proposed assessment. Each property owner within the proposed Street Lighting Zone 97 will receive a notice of the public hearing and mail-in ballot, an impartial analysis, a copy of Resolution No. 2009-307, and an information sheet.

Ballots must be returned prior to the conclusion of the public hearing. If, at the time designated for the tabulation of the ballots, the ballots submitted in favor of the annexation and levy of the assessment exceed the ballots submitted in opposition of said annexation and levy, Street Lighting Zone 97 will be annexed to L&LMD No. 89-1-C.

The individuals/entities which own all of the property within the proposed boundaries of Street Lighting Zone 97 have executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election and public hearing to be held on January 12, 2010.

2 RESOLUTION NO. 2009-306

3
4 **RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE INITIATING**
5 **PROCEEDINGS FOR THE ANNEXATION OF STREET LIGHTING ZONE 97 TO LANDSCAPING**
6 **AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF**
7 **RIVERSIDE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 AND ORDERING**
8 **PREPARATION OF ENGINEER'S REPORT REGARDING SAID ANNEXATION**

9 **WHEREAS**, the Board of Supervisors (hereinafter the "Board of Supervisors") of the County of
10 Riverside (hereinafter the "County") has been advised by the Transportation Department (hereinafter
11 "Department") of the County that said Department has received an application from the owner (the
12 "Applicant") of all the property within the unincorporated area of the County (hereinafter Street Lighting
13 "Zone 97"), as shown and described in Exhibit "A", which is attached hereto and made a part hereof, to
14 be annexed to Landscaping and Lighting Maintenance District No. 89-1-Consolidated (hereinafter
15 "L&LMD No. 89-1-C") of the County of Riverside, State of California, and the Board of Supervisors has
16 determined that it is necessary and desirable to initiate proceedings for the annexation of Street
17 Lighting Zone 97 to L&LMD No. 89-1-C pursuant to the Landscaping and Lighting Act of 1972, Part 2
(commencing with Section 22500) of Division 15 of the Streets and Highways Code (hereinafter,
respectively, the "Act" and the "Street and Highways Code"); and

18 **WHEREAS**, such proceedings shall comply with the requirements of Article XIID of the
19 California Constitution and Section 4000 of the Elections Code requiring voter approval of the
20 proposed assessment to be levied by L&LMD No. 89-1-C for Street Lighting Zone 97; and

21 **WHEREAS**, the Applicants have executed a "Waiver and Consent Regarding Date of
22 Assessment Ballot Election" allowing for the election to be held on January 12, 2010; and

23 **WHEREAS**, the Director of the Department, or his designee, is a licensed and registered civil
24 engineer, has expertise with respect to the annexation of territory to landscaping and lighting
25 maintenance districts and the levying of assessments for said purposes and, therefore, is able to serve
26

FORM APPROVED COUNTY COUNSEL
BY: *W. A. Gardner* DATE: 01/27/09
DATE: A. GARDNER

1 as the engineer (hereinafter the "Engineer") for the County with regard to the annexation of Street
2 Lighting Zone 97 to L&LMD No. 89-1-C.

3 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the
4 Board of Supervisors of the County of Riverside assembled in regular session on November 24, 2009
5 as follows:

6 **Section 1. Recitals.** The Board of Supervisors hereby finds and determines that all
7 the above recitals are true and correct.

8 **Section 2. Annexation.** The Board of Supervisors proposes to annex Street
9 Lighting Zone 97 to L&LMD No. 89-1-C and to initiate and conduct proceedings therefore pursuant to
10 the Act for the purpose of levying an annual assessment on all parcels within Street Lighting Zone 97
11 to pay the costs of the following services:

- 12 (a) Providing electricity to all streetlights within the public right-of-way including
13 incidental costs and expenses.

14 **Section 3. Boundaries and Designation.** The boundaries of Street Lighting
15 Zone 97 that are proposed to be annexed to L&LMD No. 89-1-C shall include all of the property as
16 shown and described in Exhibit "A".

17 **Section 4. Report.** The Director of the Department of the County, or his designee,
18 is hereby designated Engineer and is ordered to prepare and file a report with the Clerk of the Board of
19 Supervisors in accordance with Sections 22608 and 22585 et. seq. of the Streets and Highways Code
20 and Section 4 of Article XIID of the California Constitution regarding said annexation and the levy.

21 **Section 5. Effective Date.** This Resolution shall take effect from and after its date
22 of adoption.

23 ADOPTED by Riverside County Board of Supervisors on November 24, 2009, by the
24 following vote:

24 Roll Call:

25 Ayes: Buster, Tavaglione, Stone, and Ashley
26 Nays: None
Absent: None

The foregoing is certified to be a true copy of a
resolution duly adopted by said Board of Super-
visors on the date therein set forth.


KECIA HARPER-JHEM Clerk of said Board
By  Deputy

EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

The boundaries of Street Lighting Zone 97 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside are coterminous with the boundaries of APN 317-110-008 through 010 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2010-11.

STREET LIGHTING ZONE 97

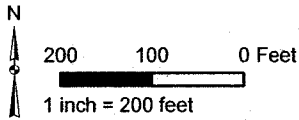
PORTION OF SECTION 12, T.4S., R.4W.

CASE NO. CONDITIONAL USE PERMIT NO. 03477 - 3 PARCELS

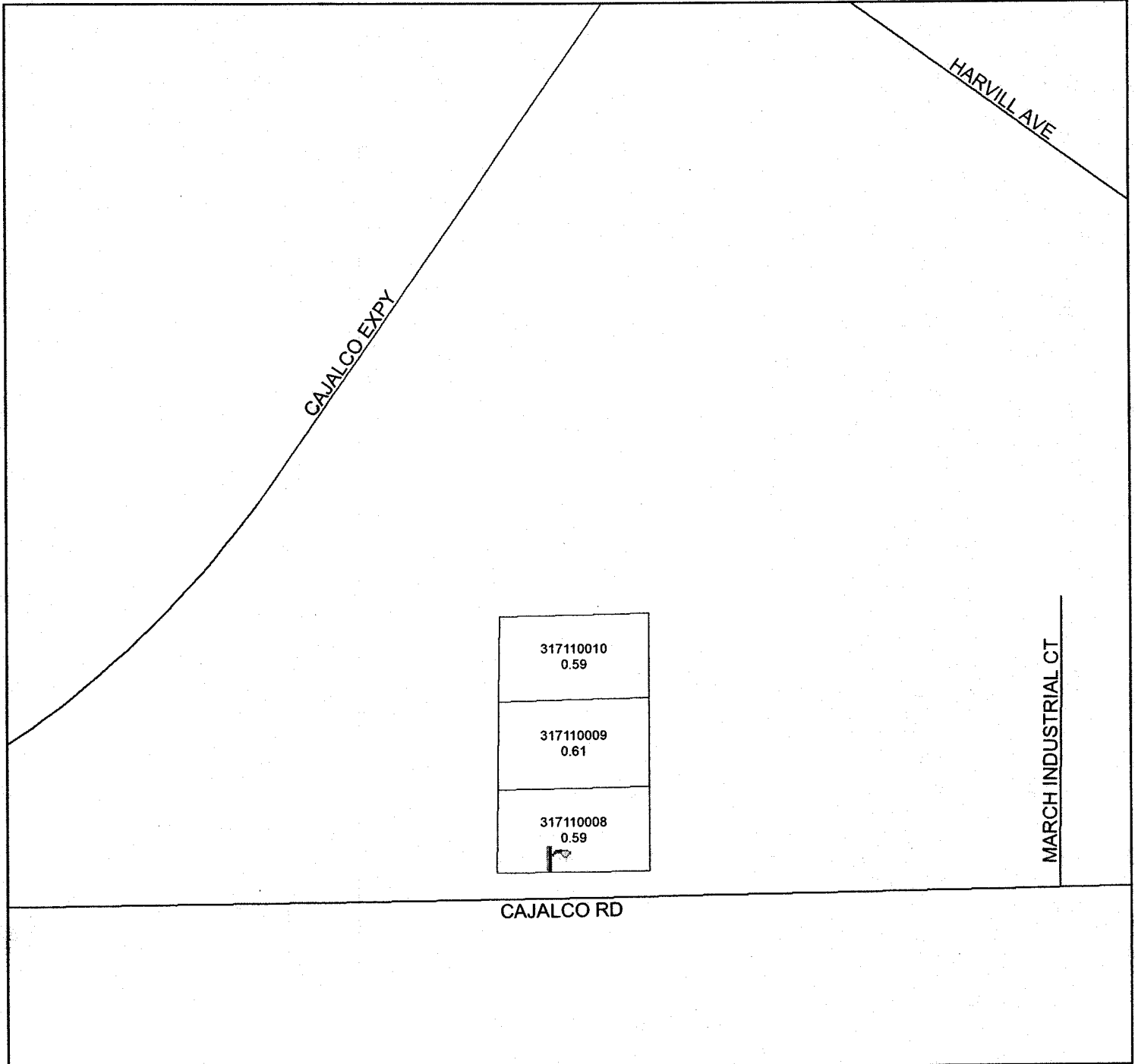


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Printed by jpickeri on 10/13/09



ASSESSMENT DIAGRAM



DENOTES MAINTAINED STREETLIGHT

2 RESOLUTION NO. 2009-307

3 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING
4 ITS INTENT TO ORDER THE ANNEXATION OF STREET LIGHTING ZONE 97 TO LANDSCAPING
5 AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF
6 RIVERSIDE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 FOR THE
7 MAINTENANCE AND SERVICING OF STREETLIGHTS; ADOPTING THE PRELIMINARY
8 ENGINEER'S REPORT; GIVING NOTICE OF AND SETTING THE TIME AND PLACE OF THE
9 PUBLIC HEARING ON THE ANNEXATION OF STREET LIGHTING ZONE 97; ORDERING AN
10 ASSESSMENT PROCEEDING; ORDERING A MAILED BALLOT ELECTION; AND DIRECTING
11 NOTICE OF THE PUBLIC HEARING AND THE ASSESSMENT BALLOT TO BE MAILED
12 PURSUANT TO ARTICLE XIID OF THE CALIFORNIA CONSTITUTION AND SECTION 4000 OF
13 THE ELECTIONS CODE

14 WHEREAS, the Board of Supervisors (hereinafter the "Board of Supervisors") of the County of
15 Riverside (hereinafter the "County") has adopted Resolution No. 2009-306 on November 24, 2009
16 initiating proceedings for the annexation of Street Lighting Zone 97 (hereinafter "Street Lighting
17 Zone 97"), as described and shown in Exhibit "A", which is attached hereto and incorporated herein, to
18 Landscaping and Lighting Maintenance District No. 89-1-Consolidated of the County of Riverside, State
19 of California, (hereinafter "L&LMD No. 89-1-C") pursuant to the Landscaping and Lighting Act of 1972
20 (hereinafter the "Act"), which is Part 2 (commencing with Section 22500) of Division 15 of the Streets
21 and Highways Code (hereinafter the "Street and Highways Code"), and ordering the preparation of a
22 report (hereinafter the "Report") regarding the proposed annexation of Street Lighting Zone 97 and the
23 assessments to be levied within Street Lighting Zone 97 each fiscal year beginning fiscal year 2010-11
24 for providing electricity for streetlights within the public right-of-way within said Zone; and

25 WHEREAS, such proceedings shall comply with the requirements of Article XIID of the
26 California Constitution (hereinafter "Article XIID:"), the Act, and Section 4000 of the Elections Code
requiring voter approval of the proposed assessment to be levied by L&LMD No. 89-1-C for Street
Lighting Zone 97; and

WHEREAS, the Board of Supervisors by Resolution No. 2009-306 directed the Director of the
Transportation Department, or his designee (hereinafter the "Engineer"), to prepare and file the Report

FORM APPROVED BY COUNTY COUNSEL
BY: Dale A. Gardner 10/27/09
DATE

1 with the Clerk of the Board of Supervisors in accordance with Sections 22608 and 22585 et. seq. of the
2 Street and Highways Code and Section 4 of Article XIID; and

3 **WHEREAS**, said Engineer has filed the Report with the Clerk of the Board of Supervisors and
4 the Report has been presented to and considered by the Board of Supervisors; and

5 **WHEREAS**, the sole owner of property within the proposed boundaries of Street Lighting
6 Zone 97 as the applicant (the "Applicant") for these proceedings has executed a "Waiver and Consent
7 Regarding Date of Assessment Ballot Election" allowing for the election to be held on January 12,
8 2010; and

9 **WHEREAS**, it is necessary that the Board of Supervisors adopt a resolution of intention
10 pursuant to Section 22624 of the Streets and Highways Code, which fixes and gives notice, pursuant to
11 Section 22626 of the Streets and Highways Code, of the time and place of a public hearing on said
12 Report, the annexation of Street Lighting Zone 97, and the assessments to be levied on parcels within
13 Street Lighting Zone 97 beginning in fiscal year 2010-11;

14 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the
15 Board of Supervisors in regular session assembled on November 24, 2009 as follows:

16 **Section 1. Findings.** The Board of Supervisors, after reviewing the Report, finds that:

- 17 (a) The foregoing recitals are true and correct;
- 18 (b) The Report contains all matters required by Sections 22565 through 22574 of the
19 Streets and Highways Code and Section 4 of Article XIID and may, therefore, be
20 approved by the Board of Supervisors;
- 21 (c) The annual assessment for fiscal year 2010-11 on all parcels within Street Lighting
22 Zone 97 proposed to be annexed to L&LMD No. 89-1-C will be \$184.36 per acre.

23 **Section 2. Intent.** The Board of Supervisors hereby declares its intention to order the
24 annexation of Street Lighting Zone 97, as described and shown in Exhibit "A", to L&LMD No. 89-1-C,
25 and to levy and collect an annual assessment on all assessable lots and parcels of property within
26 Street Lighting Zone 97 commencing with the fiscal year 2010-11 as set forth in the Report. The Report

1 expressly states that there are no parcels or lots within Street Lighting Zone 97 that are owned by a
2 federal, state or other local governmental agency that will benefit from the services to be financed by
3 the annual assessments. The annual assessments will be collected at the same time and in the same
4 manner as property taxes are collected, and all laws providing for the collection and enforcement of
5 property taxes shall apply to the collection and enforcement of said assessments.

6 **Section 3. Boundaries.** All the property within boundaries of Street Lighting Zone 97 is
7 proposed to be annexed into L&LMD No. 89-1-C and shall include that property in the unincorporated
8 area of the County as described and shown in Exhibit "A".

9 **Section 4. Description of Services to be Provided.** The service authorized for Street
10 Lighting Zone 97 of L&LMD No. 89-1-C is the provision of electricity to all streetlights within the public
11 right-of-way including incidental costs and expenses.

12 **Section 5. Amount to be Levied.** The assessment to be levied upon each parcel that
13 benefits from the annexation of Street Lighting Zone 97 of L&LMD No. 89-1-C will be \$184.36 per acre
14 for fiscal year 2010-11. As stated in the Report, the total budget for Street Lighting Zone 97 for the
15 fiscal year 2010-11 is \$330; there are 3 parcel(s) that are to be assessed that aggregate to 1.79
16 acre(s). The annual assessment will be increased by the greater of two percent (2.0%) or the
17 cumulative percentage increase, if any, in the Consumer Price Index for all Urban Consumers for
18 "electricity" ("CPI-U") for the Los Angeles-Riverside-Orange County California Standard Metropolitan
19 Statistical area ("Index") published by the Bureau of Labor Statistics of the United States Department of
20 Labor. The annual CPI-U adjustment will be based on the cumulative increase, if any, in the Index as it
21 stands on March of each year over the base Index for March of 2009. Any increase larger than the
22 greater of 2.0% or the CPI-U annual adjustment requires a majority approval of all the property owners
23 within Street Lighting Zone 97. The Board of Supervisors will levy the assessment in each subsequent
24 fiscal year until the Board of Supervisors undertakes proceedings for the dissolution of Street Lighting
25 Zone 97 of L&LMD No. 89-1-C. The annual assessment will fund the services described in Section 4 of
26

1 this Resolution. For further particulars, reference is to be made to the Report on file in the Office of the
2 Clerk of the Board of Supervisors.

3 **Section 6. The Property to be Annexed.** The property to be annexed into L&LMD No.
4 89-1-C is Street Lighting Zone 97. The boundaries of Street Lighting Zone 97 are located within the
5 unincorporated area of the County and are described and shown in the Report and Exhibit "A".

6 **Section 7. Report.** The Report, which is on file with the Clerk of the Board of Supervisors
7 and which has been presented to the Board of Supervisors, is hereby approved. Reference is made to
8 the Report for a full and detailed description of the services, the boundaries of Street Lighting Zone 97,
9 and the annual assessment to be levied upon assessable lots and parcels within Street Lighting
10 Zone 97 proposed to be annexed to L&LMD No. 89-1-C.

11 **Section 8. Public Hearing.** The question of whether Street Lighting Zone 97 shall be
12 annexed into L&LMD No. 89-1-C and an annual assessment levied beginning with fiscal year 2010-11
13 shall be considered at a public hearing (hereinafter the "Public Hearing") to be held on January 12,
14 2010, at 9:30 a.m. at the meeting room of the Board of Supervisors of the County at 4080 Lemon
15 Street, 1st Floor, Riverside, California.

16 **Section 9. Majority Protest.** Each owner of record of property within Street Lighting
17 Zone 97 is to receive by mail an assessment ballot that shall conform to the requirements of Section 4
18 of Article XIID and Section 4000 of the California Elections Code. The assessment ballots are to be
19 returned prior to the Public Hearing. L&LMD No. 89-1-C shall not impose assessments on property
20 within the boundaries of Street Lighting Zone 97 if there is a majority protest with regard to the
21 annexation of Street Lighting Zone 97. A majority protest exists if, upon the conclusion of the Public
22 Hearing, the tabulation of the assessment ballots submitted in opposition to the annexation and
23 assessment of Street Lighting Zone 97 exceeds the assessment ballots in favor of the annexation and
24 assessment of Street Lighting Zone 97.

25 **Section 10. Information.** Any property owner desiring additional information regarding Street
26 Lighting Zone 97 of L&LMD No. 89-1-C, the Report, or the proposed assessment is to contact

1 Ms. Judy A. Watterlond, Technical Engineering Unit Supervisor, Transportation Department of the
2 County of Riverside, 4080 Lemon Street, 8th Floor, Riverside, California, 92501 or by telephone at
3 (951) 955-6829.

4 **Section 11. Notice of the Public Hearing.** Notice of Public Hearing with regard to the
5 annexation of Street Lighting Zone 97 to L&LMD No. 89-1-C shall be given consistent with Section
6 22626 of the Streets and Highways Code and Section 4 of Article XIID. The Clerk of the Board of
7 Supervisors shall give notice of the Public Hearing by causing a certified copy of this Resolution to be
8 published once in an appropriate newspaper at least ten (10) days prior to the date of the Public
9 Hearing that is January 12, 2010. Publication of this Resolution is to be effected by the Clerk of the
10 Board of Supervisors. Notice shall also be given by mailing first-class, postage prepaid, those notices,
11 as prepared by County Counsel, assessment ballot and information sheets as required by Section 4 of
12 Article XIID and Section 4000 of the California Elections Code to all owners of record of property within
13 Street Lighting Zone 97 as shown on the last equalized assessment roll of the County. Mailing is to be
14 made by the Engineer and deposited with the U. S. Post Office at least forty-five (45) days prior to the
15 Public Hearing on January 12, 2010.

16 **Section 12. Effective Date.** This Resolution shall take effect from and after its date of
17 adoption.

18 ADOPTED by Riverside County Board of Supervisors on November 24, 2009, by the
19 following vote:

20 Roll Call:

21 Ayes: Buster, Tavaglione, Stone, and Ashley

22 Nays: None

23 Absent: None

24 The foregoing is certified to be a true copy of a resolution duly
25 adopted by said Board of Supervisors on the date therein set forth.

26 KECIA HARPER-IHEM, Clerk of said Board

By: 

Deputy

EXHIBIT "A"

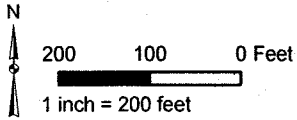
DESCRIPTION OF BOUNDARIES

The boundaries of Street Lighting Zone 97 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside are coterminous with the boundaries of APN 317-110-008 through 010 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2010-11.

STREET LIGHTING ZONE 97

PORTION OF SECTION 12, T.4S., R.4W.

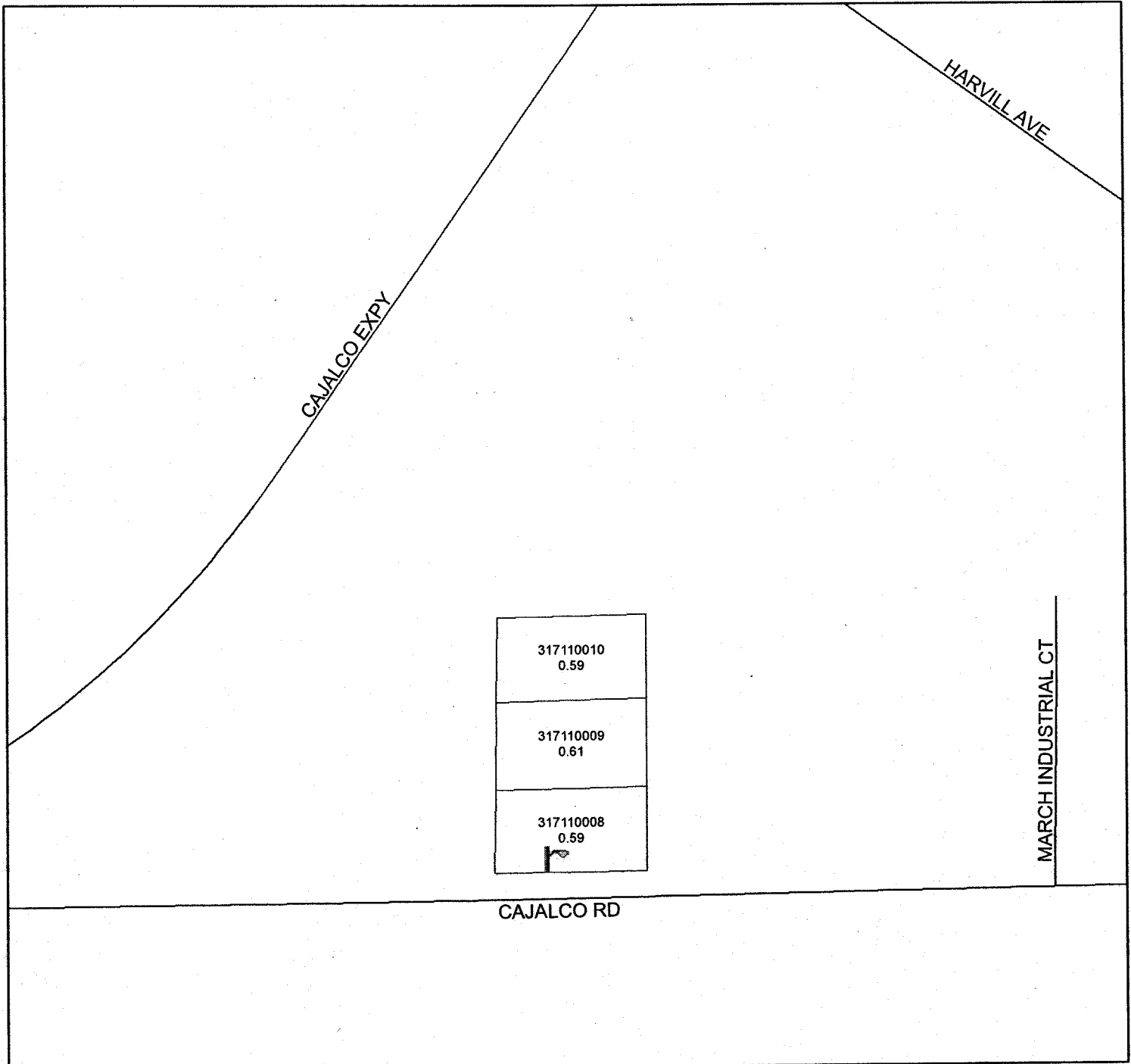
CASE NO. CONDITIONAL USE PERMIT NO. 03477 - 3 PARCELS



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Printed by jpickeri on 10/13/09

ASSESSMENT DIAGRAM



DENOTES MAINTAINED STREETLIGHT



OFFICE OF
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060
FAX: (951) 955-1071

KECIA HARPER-IHEM
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

December 28, 2009

THE PRESS ENTERPRISE
ATTN: LEGALS
P.O. BOX 792
RIVERSIDE, CA 92501

VIA FAX: (951) 368-9018
E-MAIL: legals@pe.com

RE: NOTICE OF PUBLIC HEARING: RESOLUTION 2009-307 STL Zone 97

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Wednesday, December 30, 2009**.

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office in duplicate, **WITH TWO CLIPPINGS OF THE PUBLICATION**.

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Mcgil

Cecilia Gil, Board Assistant to
KECIA HARPER-IHEM, CLERK OF THE BOARD

Gil, Cecilia

From: PE Legals [legals@pe.com]
Sent: Monday, December 28, 2009 9:13 AM
To: Gil, Cecilia
Subject: RE: FOR PUBLICATION: RES. NO. 2009-307 STL ZONE 97

This will publish on 12/30

Holly Martindale
Legal Advertising
Direct line ~ 951-368-9275
Fax ~ 951-368-9018
hmartindale@pe.com



From: Gil, Cecilia [mailto:CCGIL@rcbos.org]
Sent: Monday, December 28, 2009 9:11 AM
To: PE Legals
Subject: FOR PUBLICATION: RES. NO. 2009-307 STL ZONE 97

Good Morning!

Attached is a Notice of Public Hearing, for publication on Wednesday, Dec. 30, 2009. Please confirm. THANK YOU!

Cecilia Gil
Board Assistant to the
Clerk of the Board of Supervisors
951-955-8464

**THE COUNTY ADMINISTRATIVE CENTER IS CLOSED EVERY FRIDAY UNTIL FURTHER NOTICE.
PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING.**

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor, County Administrative Center, Board of Supervisors Chambers, 4080 Lemon Street, Riverside, on **Tuesday, January 12, 2010 at 9:30 a.m.** to consider the following:

RESOLUTION NO. 2009-307

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING ITS INTENT TO ORDER THE ANNEXATION OF STREET LIGHTING ZONE 97 TO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 FOR THE MAINTENANCE AND SERVICING OF STREETLIGHTS; ADOPTING THE PRELIMINARY ENGINEER'S REPORT; GIVING NOTICE OF AND SETTING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE ANNEXATION OF STREET LIGHTING ZONE 97; ORDERING AN ASSESSMENT PROCEEDING; ORDERING A MAILED BALLOT ELECTION; AND DIRECTING NOTICE OF THE PUBLIC HEARING AND THE ASSESSMENT BALLOT TO BE MAILED PURSUANT TO ARTICLE XIID OF THE CALIFORNIA CONSTITUTION AND SECTION 4000 OF THE ELECTIONS CODE

WHEREAS, the Board of Supervisors (hereinafter the "Board of Supervisors") of the County of Riverside (hereinafter the "County") has adopted Resolution No. 2009-306 on November 24, 2009 initiating proceedings for the annexation of Street Lighting Zone 97 (hereinafter "Street Lighting Zone 97"), as described and shown in Exhibit "A", which is attached hereto and incorporated herein, to Landscaping and Lighting Maintenance District No. 89-1-Consolidated of the County of Riverside, State of California, (hereinafter "L&LMD No. 89-1-C") pursuant to the Landscaping and Lighting Act of 1972 (hereinafter the "Act"), which is Part 2 (commencing with Section 22500) of Division 15 of the Streets and Highways Code (hereinafter the "Street and Highways Code"), and ordering the preparation of a report (hereinafter the "Report") regarding the proposed annexation of Street Lighting Zone 97 and the assessments to be levied within Street Lighting Zone 97 each fiscal year beginning fiscal year 2010-11 for providing electricity for streetlights within the public right-of-way within said Zone; and

WHEREAS, such proceedings shall comply with the requirements of Article XIID of the California Constitution (hereinafter "Article XIID."); the Act, and Section 4000 of the Elections Code requiring voter approval of the proposed assessment to be levied by L&LMD No. 89-1-C for Street Lighting Zone 97; and

WHEREAS, the Board of Supervisors by Resolution No. 2009-306 directed the Director of the Transportation Department, or his designee (hereinafter the "Engineer"), to prepare and file the Report with the Clerk of the Board of Supervisors in accordance with Sections 22608 and 22585 et. seq. of the Street and Highways Code and Section 4 of Article XIID; and

WHEREAS, said Engineer has filed the Report with the Clerk of the Board of Supervisors and the Report has been presented to and considered by the Board of Supervisors; and

WHEREAS, the sole owner of property within the proposed boundaries of Street Lighting Zone 97 as the applicant (the "Applicant") for these proceedings has executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election to be held on January 12, 2010; and

WHEREAS, it is necessary that the Board of Supervisors adopt a resolution of intention pursuant to Section 22624 of the Streets and Highways Code, which fixes and gives notice, pursuant to Section 22626 of the Streets and Highways Code, of the time and place of a public hearing on said Report, the annexation of Street Lighting Zone 97, and the assessments to be levied on parcels within Street Lighting Zone 97 beginning in fiscal year 2010-11;

NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the Board of Supervisors in regular session assembled on November 24, 2009 as follows:

Section 1. Findings. The Board of Supervisors, after reviewing the Report, finds that:

- (a) The foregoing recitals are true and correct;
- (b) The Report contains all matters required by Sections 22565 through 22574 of the Streets and Highways Code and Section 4 of Article XIID and may, therefore, be approved by the Board of Supervisors;
- (c) The annual assessment for fiscal year 2010-11 on all parcels within Street Lighting Zone 97 proposed to be annexed to L&LMD No. 89-1-C will be \$184.36 per acre.

Section 2. Intent. The Board of Supervisors hereby declares its intention to order the annexation of Street Lighting Zone 97, as described and shown in Exhibit "A", to L&LMD No. 89-1-C, and to levy and collect an annual assessment on all assessable lots and parcels of property within Street Lighting Zone 97 commencing with the fiscal year 2010-11 as set forth in the Report. The Report expressly states that there are no parcels or lots within Street Lighting Zone 97 that are owned by a federal, state or other local governmental agency that will benefit from the services to be financed by the annual assessments. The annual assessments will be collected at the same time and in the same manner as property taxes are collected, and all laws providing for the collection and enforcement of property taxes shall apply to the collection and enforcement of said assessments.

Section 3. Boundaries. All the property within boundaries of Street Lighting Zone 97 is proposed to be annexed into L&LMD No. 89-1-C and shall include that property in the unincorporated area of the County as described and shown in Exhibit "A".

Section 4. Description of Services to be Provided. The service authorized for Street Lighting Zone 97 of L&LMD No. 89-1-C is the provision of electricity to all streetlights within the public right-of-way including incidental costs and expenses.

Section 5. Amount to be Levied. The assessment to be levied upon each parcel that benefits from the annexation of Street Lighting Zone 97 of L&LMD No. 89-1-C will be \$184.36 per acre for fiscal year 2010-11. As stated in the Report, the total budget for Street Lighting Zone 97 for the fiscal year 2010-11 is \$330; there are 3 parcel(s) that are to be assessed that aggregate to 1.79 acre(s). The annual assessment will be increased by the greater of two percent (2.0%) or the cumulative percentage increase, if any, in the Consumer Price Index for all Urban Consumers for "electricity" ("CPI-U") for the Los Angeles-Riverside-Orange County California Standard Metropolitan Statistical area ("Index") published by the Bureau of Labor Statistics of the United States Department of Labor. The annual CPI-U adjustment will be based on the cumulative increase, if any, in the Index as it stands on March of each year over the base Index for March of 2009. Any increase larger than the greater of 2.0% or the CPI-U annual adjustment requires a majority approval of all the property owners within Street Lighting Zone 97. The Board of Supervisors will levy the assessment in each subsequent fiscal year until the Board of Supervisors undertakes proceedings for the dissolution of Street Lighting Zone 97 of L&LMD No. 89-1-C. The annual assessment will fund the services described in Section 4 of this Resolution. For further particulars, reference is to be made to the Report on file in the Office of the Clerk of the Board of Supervisors.

Section 6. The Property to be Annexed. The property to be annexed into L&LMD No. 89-1-C is Street Lighting Zone 97. The boundaries of Street Lighting Zone 97 are located within the unincorporated area of the County and are described and shown in the Report and Exhibit "A".

Section 7. Report. The Report, which is on file with the Clerk of the Board of Supervisors and which has been presented to the Board of Supervisors, is hereby approved. Reference is made to the Report for a full and detailed description of the services, the boundaries of Street Lighting Zone 97, and the annual assessment to be levied upon assessable lots and parcels within Street Lighting Zone 97 proposed to be annexed to L&LMD No. 89-1-C.

Section 8. Public Hearing. The question of whether Street Lighting Zone 97 shall be annexed into L&LMD No. 89-1-C and an annual assessment levied beginning with fiscal year 2010-11 shall be considered at a public hearing (hereinafter the "Public Hearing") to be held on January 12, 2010, at 9:30 a.m. at the meeting room of the Board of Supervisors of the County at 4080 Lemon Street, 1st Floor, Riverside, California.

Section 9. Majority Protest. Each owner of record of property within Street Lighting Zone 97 is to receive by mail an assessment ballot that shall conform to the requirements of Section 4 of Article XIID and Section 4000 of the California Elections Code. The assessment ballots are to be returned prior to the Public Hearing. L&LMD No. 89-1-C shall not impose assessments on property within the boundaries of Street Lighting Zone 97 if there is a majority protest with regard to the annexation of Street Lighting Zone 97. A majority protest exists if, upon the conclusion of the Public Hearing, the tabulation of the assessment ballots submitted in opposition to the annexation and assessment of Street Lighting Zone 97 exceeds the assessment ballots in favor of the annexation and assessment of Street Lighting Zone 97.

Section 10. Information. Any property owner desiring additional information regarding Street Lighting Zone 97 of L&LMD No. 89-1-C, the Report, or the proposed assessment is to contact Ms. Judy A. Watterlond, Technical Engineering Unit Supervisor, Transportation Department of the County of Riverside, 4080 Lemon Street, 8th Floor, Riverside, California, 92501 or by telephone at (951) 955-6829.

Section 11. Notice of the Public Hearing. Notice of Public Hearing with regard to the annexation of Street Lighting Zone 97 to L&LMD No. 89-1-C shall be given consistent with Section 22626 of the Streets and Highways Code and Section 4 of Article XIID.

Publication of this Resolution is to be effected by the Clerk of the Board of Supervisors. Notice shall also be given by mailing first-class, postage prepaid, those notices, as prepared by County Counsel, assessment ballot and information sheets as required by

Section 4 of Article XIID and Section 4000 of the California Elections Code to all owners of record of property within Street Lighting Zone 97 as shown on the last equalized assessment roll of the County. Mailing is to be made by the Engineer and deposited with the U. S. Post Office at least forty-five (45) days prior to the Public Hearing on January 12, 2010.

Section 12. Effective Date. This Resolution shall take effect from and after its date of adoption.

EXHIBIT "A"
DESCRIPTION OF BOUNDARIES

The boundaries of Street Lighting Zone 97 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside are coterminous with the boundaries of APN 317-110-008 through 010 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2010-11.

(INSERT ASSESSMENT DIAGRAM here)

ROLL CALL:

AYES: Buster, Tavaglione, Stone, and Ashley

NAYS: None

ABSENT: None

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.

Kecia Harper-Ihem, Clerk of said Board

By: Cecilia Gil, Board Assistant

Any person affected by the above matter(s) may submit written comments to the Clerk of the Board before the public hearing or may appear and be heard in support of or opposition to the project at the time of the hearing. If you challenge the above item(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence, to the Board of Supervisors at, or prior to, the public hearing.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147

Dated: December 28, 2009

Kecia Harper-Ihem, Clerk of the Board

By: Cecilia Gil, Board Assistant

STREET LIGHTING ZONE 97

PORTION OF SECTION 12, T.4S., R.4W.

CASE NO. CONDITIONAL USE PERMIT NO. 03477 - 3 PARCELS



200 100 0 Feet

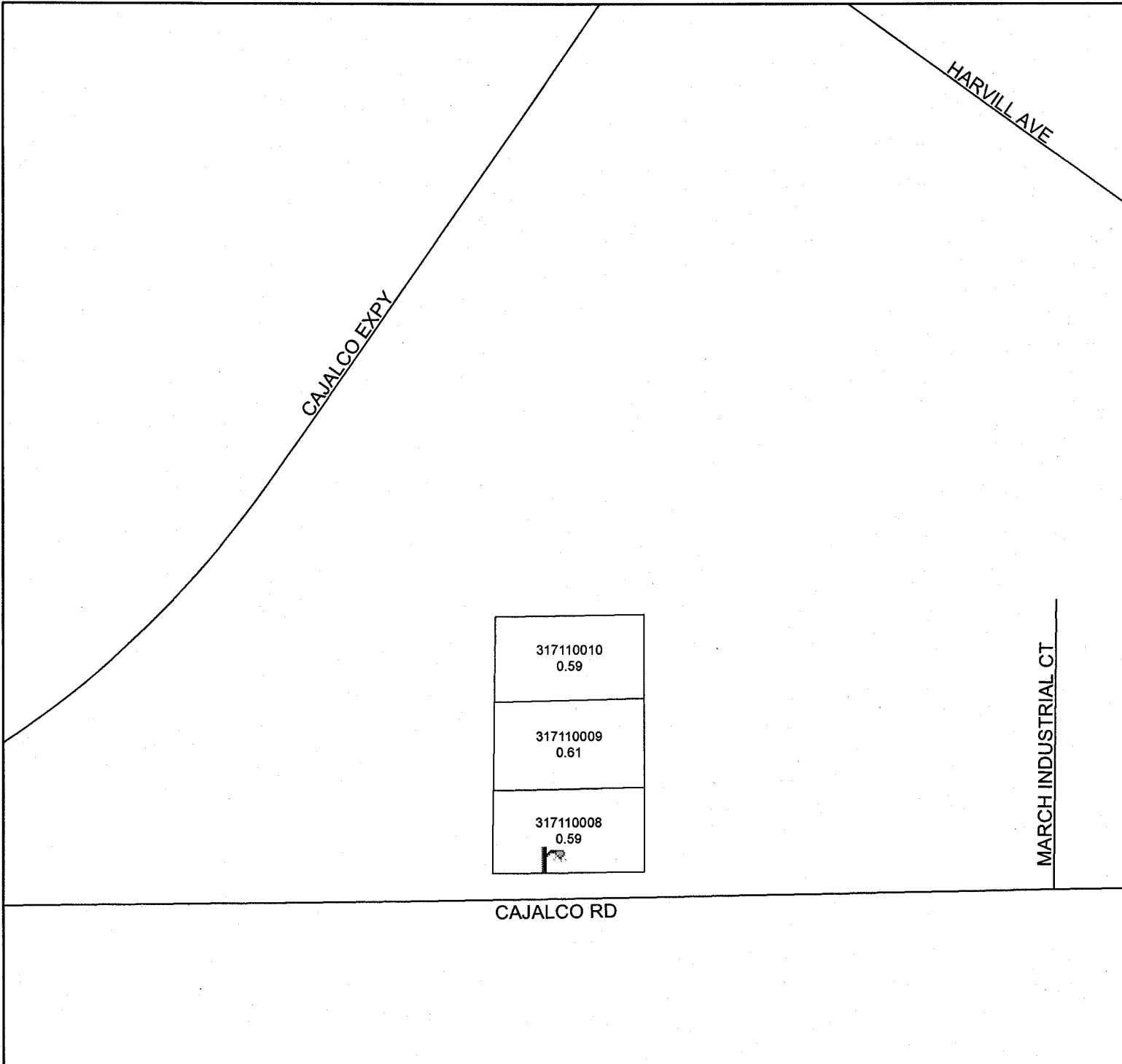
1 inch = 200 feet



The County of Riverside assumes no warranty or legal responsibility for the information contained on this map. Data and information represented on this map is subject to updates, modifications and may not be complete or appropriate for all purposes. County GIS and other sources should be queried for the most current information. Do not copy or resell this map.

ASSESSMENT DIAGRAM

Printed by jpickeri on 10/13/09



DENOTES MAINTAINED STREETLIGHT

② REMITTANCE ADDRESS
POST OFFICE BOX 12009
RIVERSIDE, CA 92502-2209
FAX (951) 368-9026

① BILLING PERIOD 12/30/09 - 12/30/09
② ADVERTISING/CLIENT NAME BOARD OF SUPERVISORS
⑤ BILLING DATE 12/30/09
FOR BILLING INFORMATION CALL (951) 368-9713
③ TOTAL AMOUNT DUE 878.80
④ UNAPPLIED AMOUNT ③
TERMS OF PAYMENT Due Upon Receipt
④ PAGE NO 1

⑥ BILLED ACCOUNT NAME AND ADDRESS
BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE
P.O. BOX 1147
RIVERSIDE CA 92502

⑥ BILLED ACCOUNT NUMBER 045202
REP NO LE04

Statement #: 56516464 Amount Paid \$ _____ Your Check # _____


PLEASE DETACH AND RETURN UPPER PORTION WITH YOUR REMITTANCE

① DATE	① REFERENCE	② ③ ④ DESCRIPTION OTHER COMMENTS/CHARGES	⑤ SALE SIZE ⑥ BILLED UNITS	⑥ RATE	⑥ GROSS AMOUNT	② NET AMOUNT
12/30	4140798 CO	RES NO. 2009-307 Class : 10 Ctext Ad# 10111979 Placed By : Cecilia Gil	676 L	1.30		878.80
COMING SOON! Electronic Tearsheet Delivery Service It's easy! Search, view, save, email notification & more						

RECEIVED RIVERSIDE
2010 JAN 12 PM 3:46

Transp.
3-1186 of 11/24/0
1hr

② CURRENT NET AMOUNT DUE	② 30 DAYS	② 60 DAYS	② OVER 90 DAYS	② UNAPPLIED AMOUNT	② PLEASE PAY THIS AMOUNT
					878.80

THE PRESS-ENTERPRISE 
P.O. BOX 12009
RIVERSIDE, CA 92502-2209
TELEPHONE (951) 368-9711
(951) 368-9720 □ (951) 368-9713

ADVERTISING
STATEMENT/INVOICE

* UNAPPLIED AMOUNTS ARE INCLUDED IN TOTAL AMOUNT DUE

② STATEMENT NUMBER	② BILLING PERIOD	② BILLED ACCOUNT NUMBER	② ADVERTISER/CLIENT NUMBER	② ADVERTISER/CLIENT NAME
56516464	12/30/09 - 12/30/09	045202		BOARD OF SUPERVISORS

THE PRESS-ENTERPRISE

3450 Fourteenth Street
Riverside CA 92501-3878
951-684-1200
951-368-9018 FAX

**PROOF OF PUBLICATION
(2010, 2015.5 C.C.P.)**

Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: res no. 2009-307

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper of general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673 and under date of August 25, 1995, Case Number 267864; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

12-30-09

I Certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: Dec. 30, 2009
At: Riverside, California

BOARD OF SUPERVISORS

P.O. BOX 1147
COUNTY OF RIVERSIDE
RIVERSIDE CA 92502

Ad #: 10111979

PO #:

Agency #: _____

Ad Copy:

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor, County Administrative Center, Board of Supervisors Chambers, 4080 Lemon Street, Riverside, on Tuesday, January 12, 2010 at 9:30 a.m. to consider the following:

RESOLUTION NO. 2009-307

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING ITS INTENT TO ORDER THE ANNEXATION OF STREET LIGHTING ZONE 97 TO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89 1 CONSOLIDATED OF THE COUNTY OF RIVERSIDE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 FOR THE MAINTENANCE AND SERVICING OF STREETLIGHTS; ADOPTING THE PRELIMINARY ENGINEER'S REPORT; GIVING NOTICE OF AND SETTING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE ANNEXATION OF STREET LIGHTING ZONE 97; ORDERING AN ASSESSMENT PROCEEDING; ORDERING A MAILED BALLOT ELECTION; AND DIRECTING NOTICE OF THE PUBLIC HEARING AND THE ASSESSMENT BALLOT TO BE MAILED PURSUANT TO ARTICLE XIID OF THE CALIFORNIA CONSTITUTION AND SECTION 4000 OF THE ELECTIONS CODE

WHEREAS, the Board of Supervisors (hereinafter the "Board of Supervisors") of the County of Riverside (hereinafter the "County") has adopted Resolution No. 2009-306 on November 24, 2009 initiating proceedings for the annexation of Street Lighting Zone 97 (hereinafter "Street Lighting Zone 97"), as described and shown in Exhibit "A", which is attached hereto and incorporated herein, to Landscaping and Lighting Maintenance District No. 89 1 Consolidated of the County of Riverside, State of California, (hereinafter "L&LMD No. 89 1 C") pursuant to the Landscaping and Lighting Act of 1972 (hereinafter the "Act"), which is Part 2 (commencing with Section 22500) of Division 15 of the Streets and Highways Code (hereinafter the "Street and Highways Code"), and ordering the preparation of a report (hereinafter the "Report") regarding the proposed annexation of Street Lighting Zone 97 and the assessments to be levied within Street Lighting Zone 97 each fiscal year beginning fiscal year 2010-11 for providing electricity for streetlights within the public right-of-way within said Zone; and

WHEREAS, such proceedings shall comply with the requirements of Article XIID of the California Constitution (hereinafter "Article XIID"), the Act, and Section 4000 of the Elections Code requiring voter approval of the proposed assessment to be levied by L&LMD No. 89 1 C for Street Lighting Zone 97; and

WHEREAS, the Board of Supervisors by Resolution No. 2009-306 directed the Director of the Transportation Department, or his designee (hereinafter the "Engineer"), to prepare and file the Report with the Clerk of the Board of Supervisors in accordance with Sections 22608 and 22585 et. seq. of the Street and Highways Code and Section 4 of Article XIID; and

WHEREAS, said Engineer has filed the Report with the Clerk of the Board of Supervisors and the Report has been presented to and considered by the Board of Supervisors; and

WHEREAS, the sole owner of property within the proposed boundaries of Street Lighting Zone 97 as the applicant (the "Applicant") for these proceedings has executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election to be held on January 12, 2010; and

WHEREAS, it is necessary that the Board of Supervisors adopt a resolution of intention pursuant to Section 22624 of the Streets and Highways Code, which fixes and gives notice, pursuant to Section 22626 of the Streets and Highways Code, of the time and place of a public hearing on said Report, the annexation of Street Lighting Zone 97, and the assessments to be levied on parcels within Street Lighting Zone 97 beginning in fiscal year 2010-11;

NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the Board of Supervisors in regular session assembled on November 24, 2009 as follows:

Section 1. Findings. The Board of Supervisors, after reviewing the Report, finds that:

(a) The foregoing recitals are true and correct;

(b) The Report contains all matters required by Sections 22565 through 22574 of the Streets and Highways Code and Section 4 of Article XIID and may, therefore, be approved by the Board of Supervisors;

(c) The annual assessment for fiscal year 2010-11 on all parcels within Street Lighting Zone 97 proposed to be annexed to L&LMD No. 89 1 C will be \$184.36 per acre.

Section 2. Intent. The Board of Supervisors hereby declares its intention to order the annexation of Street Lighting Zone 97, as described and shown in Exhibit "A", to L&LMD No. 89 1 C, and to levy and collect an annual assessment on all assessable lots and parcels of property within Street Lighting Zone 97 commencing with the fiscal year 2010-11 as set forth in the Report. The Report expressly states that there are no parcels or lots within Street Lighting Zone 97 that are owned by a federal, state or other local governmental agency that will benefit from the services to be financed by the annual assessments. The annual assessments will be collected at the same time and in the same manner as property taxes are collected, and all laws providing for the collection and enforcement of property taxes shall apply to the collec-

tion and enforcement of said assessments.

Section 3. Boundaries. All the property within boundaries of Street Lighting Zone 97 is proposed to be annexed into L&LMD No. 89 1 C and shall include that property in the unincorporated area of the County as described and shown in Exhibit 'A'.

Section 4. Description of Services to be Provided. The service authorized for Street Lighting Zone 97 of L&LMD No. 89 1 C is the provision of electricity to all streetlights within the public right-of-way including incidental costs and expenses.

Section 5. Amount to be Levied. The assessment to be levied upon each parcel that benefits from the annexation of Street Lighting Zone 97 of L&LMD No. 89 1 C will be \$184.36 per acre for fiscal year 2010-11. As stated in the Report, the total budget for Street Lighting Zone 97 for the fiscal year 2010-11 is \$330; there are 3 parcel(s) that are to be assessed that aggregate to 1.79 acre(s). The annual assessment will be increased by the greater of two percent (2.0%) or the cumulative percentage increase, if any, in the Consumer Price Index for all Urban Consumers for "electricity" ("CPI U") for the Los Angeles-Riverside-Orange County California Standard Metropolitan Statistical area ("Index") published by the Bureau of Labor Statistics of the United States Department of Labor. The annual CPI U adjustment will be based on the cumulative increase, if any, in the Index as it stands on March of each year over the base Index for March of 2009. Any increase larger than the greater of 2.0% or the CPI U annual adjustment requires a majority approval of all the property owners within Street Lighting Zone 97. The Board of Supervisors will levy the assessment in each subsequent fiscal year until the Board of Supervisors undertakes proceedings for the dissolution of Street Lighting Zone 97 of L&LMD No. 89 1 C. The annual assessment will fund the services described in Section 4 of this Resolution. For further particulars, reference is to be made to the Report on file in the Office of the Clerk of the Board of Supervisors.

Section 6. The Property to be Annexed. The property to be annexed into L&LMD No. 89 1 C is Street Lighting Zone 97. The boundaries of Street Lighting Zone 97 are located within the unincorporated area of the County and are described and shown in the Report and Exhibit 'A'.

Section 7. Report. The Report, which is on file with the Clerk of the Board of Supervisors and which has been presented to the Board of Supervisors, is hereby approved. Reference is made to the Report for a full and detailed description of the services, the boundaries of Street Lighting Zone 97, and the annual assessment to be levied upon assessable lots and parcels within Street Lighting Zone 97 proposed to be annexed to L&LMD No. 89 1 C.

Section 8. Public Hearing. The question of whether Street Lighting Zone 97 shall be annexed into L&LMD No. 89 1 C and an annual assessment levied beginning with fiscal year 2010-11 shall be considered at a public hearing (hereinafter the "Public Hearing") to be held on January 12, 2010, at 9:30 a.m. at the meeting room of the Board of Supervisors of the County at 4080 Lemon Street, 1st Floor, Riverside, California.

Section 9. Majority Protest. Each owner of record of property within Street Lighting Zone 97 is to receive by mail an assessment ballot that shall conform to the requirements of Section 4 of Article XIID and Section 4000 of the California Elections Code. The assessment ballots are to be returned prior to the Public Hearing. L&LMD No. 89 1 C shall not impose assessments on property within the boundaries of Street Lighting Zone 97 if there is a majority protest with regard to the annexation of Street Lighting Zone 97. A majority protest exists if, upon the conclusion of the Public Hearing, the tabulation of the assessment ballots submitted in opposition to the annexation and assessment of Street Lighting Zone 97 exceeds the assessment ballots in favor of the annexation and assessment of Street Lighting Zone 97.

Section 10. Information. Any property owner desiring additional information regarding Street Lighting Zone 97 of L&LMD No. 89 1 C, the Report, or the proposed assessment is to contact Ms. Judy A. Watterlund, Technical Engineering Unit Supervisor, Transportation Department of the County of Riverside, 4080 Lemon Street, 8th Floor, Riverside, California, 92501 or by telephone at (951) 955 6829.

Section 11. Notice of the Public Hearing. Notice of Public Hearing with regard to the annexation of Street Lighting Zone 97 to L&LMD No. 89 1 C shall be given consistent with Section 22626 of the Streets and Highways Code and Section 4 of Article XIID. The Clerk of the Board of Supervisors shall give notice of the Public Hearing by causing a certified copy of this Resolution to be published once in an appropriate newspaper at least ten (10) days prior to the date of the Public Hearing that is January 12, 2010. Publication of this Resolution is to be effected by the Clerk of the Board of Supervisors. Notice shall also be given by mailing first-class, postage prepaid, those notices, as prepared by County Counsel, assessment ballot and information sheets as required by Section 4 of Article XIID and Section 4000 of the California Elections Code to all owners of record of property within Street Lighting Zone 97 as shown on the last equalized assessment roll of the County. Mailing is to be made by the Engineer and deposited with the U. S. Post Office at least forty-five (45) days prior to the Public Hearing on January 12, 2010.

Section 12. Effective Date. This Resolution shall take effect from and after its date of adoption.

EXHIBIT 'A'

DESCRIPTION OF BOUNDARIES

The boundaries of Street Lighting Zone 97 to be annexed into Landscaping and Lighting Maintenance District No. 89-1 Consolidated, of the County of Riverside are coterminous with the boundaries of APN 317-110-008 through 010 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2010-11.

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1 CONSOLIDATED

STREET LIGHTING ZONE 97

PORTION OF SECTION 12, T.4S., R.4E.
CASE NO. CONDITIONAL USE PERMIT NO. 03477 - 3 PARCELS

ROLL CALL:

AYES: Buster, Tavaglione, Stone, and Ashley

NAYS: None

ABSENT: None

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.

Kecia Harper-Ihem, Clerk of said Board

By: Cecilia Gil, Board Assistant

Any person affected by the above matter(s) may submit written comments to the Clerk of the Board before the public hearing or may appear and be heard in support of or opposition to the project at the time of the hearing. If you challenge the above item(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence, to the Board of Supervisors at, or prior to, the public hearing.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147

Dated: December 28, 2009 Kecia Harper-Ihem, Clerk of the Board
By: Cecilia Gil, Board Assistant

12/30