

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

242A



FROM: TLMA - Transportation Dept.

SUBMITTAL DATE:
March 4, 2010

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated,
Annexation of Street Lighting Zone 99 (Juniper Flats).

RECOMMENDED MOTION: That the Board:

With regard to the annexation of Street Lighting Zone 99 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, March 17, 2010 in Conference Room D on the 8th Floor of the County Administrative Center, 4080 Lemon Street, Riverside,

Juan C. Perez
Director of Transportation

APPROVED COUNTY COUNSEL
DATE 2/22/10
T. A. GARDNER
Departmental Concurrence

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 Buster, seconded by Supervisor Stone and duly carried, IT WAS ORDERED that the above matter is approved as recommended .

Ayes: Buster, Stone, Benoit and Ashley
Nays: None
Absent: Tavaglione
Date: March 16, 2010
xc: Transportation

Kecia Harper-Ihem
Clerk of the Board
By:
Deputy

Prev. Agn. Ref. 01/26/10, 3.53

District: 3

Agenda Number:

9.12

The Honorable Board of Supervisors

RE: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Street Lighting Zone 99 (Juniper Flats).

March 4, 2010

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 2010-026 adopted January 26, 2010, the Board of Supervisors noticed a public hearing for March 16, 2010, to receive testimony regarding the annexation of Street Lighting Zone 99 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated (L&LMD No. 89-1-C). Annexation of Street Lighting Zone 99 will fund the provision of electricity for streetlights within public rights-of-way located northerly of Esplanade Ave in the Juniper Flats area and includes 1 commercial parcel, totaling 10.76 acre(s).

On January 27, 2010 a notice of the public hearing and mail-in ballot, an impartial analysis, a copy of Resolution No. 2010-026, and an information sheet was mailed to all property owners within Street Lighting Zone 99, 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. 2010-026 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. 2010-026 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**

734A



FROM: TLMA - Transportation Dept.

SUBMITTAL DATE:
January 13, 2010

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated,
Annexation of Street Lighting Zone 99 (Juniper Flats).

RECOMMENDED MOTION: That the Board adopt the following Resolutions:

Resolution No. 2010-025 a Resolution of the County of Riverside initiating proceedings for the annexation of Street Lighting Zone 99 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 99.

Resolution No. 2010-026, a Resolution of the County of Riverside declaring its intent to order the annexation of Street Lighting Zone 99 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

FORM APPROVED COUNTY COUNSEL
BY: Alex Gann / DATE: 1/22/10
DALE A. GARDNER
Departmental Concurrence

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: Alex Gann
Alex Gann

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Stone, seconded by Supervisor Benoit 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, March 16, 2010 at 9:30 a.m.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: January 26, 2010
xc: Transp., COB(2)

Kecia Harper-Ihem
Clerk of the Board
By: [Signature]
Deputy

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

Prev. Agn. Ref.

District: 3

Agenda Number:

3.53

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

The Honorable Board of Supervisors

RE: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Street Lighting Zone 99 (Juniper Flats).

January 13, 2010

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 99, 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. 2010-025 appoints the Director of the Transportation Department as the Engineer to prepare a Report regarding the proposed annexation of Street Lighting Zone 99 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated ("L&LMD No. 89-1-C").

Resolution No. 2010-026 declares the Board's intention of ordering the annexation of Street Lighting Zone 99 to L&LMD No. 89-1-C. Annexation of Street Lighting Zone 99 to L&LMD No. 89-1-C will fund the provision of electricity for streetlights within public right-of-way located northerly of Esplanade Ave in the Juniper Flats area and includes 1 commercial parcel, totaling 10.76 acre(s).

The proposed budget for fiscal year 2010-11 for Street Lighting Zone 99 is \$660 that will result in an assessment for fiscal year 2010-11 within Street Lighting Zone 99 of \$61.34 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 March 16, 2010 to receive testimony for and against the proposed assessment. Each property owner within the proposed Street Lighting Zone 99 will receive a notice of the public hearing and mail-in ballot, an impartial analysis, a copy of Resolution No. 2010-026, 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 99 will be annexed to L&LMD No. 89-1-C.

There is only one individual/entity which owns all of the property within the proposed boundaries of Street Lighting Zone 99 and said property owner has executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election and public hearing to be held on March 16, 2010.

2 **RESOLUTION NO. 2010-025**

3
4 **RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE INITIATING**
5 **PROCEEDINGS FOR THE ANNEXATION OF STREET LIGHTING ZONE 99 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 99"), 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 99 to L&LMD No. 89-1-C pursuant to the Landscaping and Lighting Act of 1972, Part 2
18 (commencing with Section 22500) of Division 15 of the Streets and Highways Code (hereinafter,
19 respectively, the "Act" and the "Street and Highways Code"); and

20 **WHEREAS**, such proceedings shall comply with the requirements of Article XIID of the
21 California Constitution and Section 4000 of the Elections Code requiring voter approval of the
22 proposed assessment to be levied by L&LMD No. 89-1-C for Street Lighting Zone 99; and

23 **WHEREAS**, the Applicant has executed a "Waiver and Consent Regarding Date of
24 Assessment Ballot Election" allowing for the election to be held on March 16, 2010; and

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

FORM APPROVED COUNTY COUNSEL
BY: *Dale A. Gardner* 12/24/09
DATE
DALE A. GARDNER

1 as the engineer (hereinafter the "Engineer") for the County with regard to the annexation of Street
2 Lighting Zone 99 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 January 26, 2010 as
5 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 99 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 99
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 99 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 ROLL CALL:
24 Ayes: Buster, Tavaglione, Stone, Benoit, and Ashley
25 Nays: None
26 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: 
Deputy

EXHIBIT "A"
DESCRIPTION OF BOUNDARIES

The boundaries of Street Lighting Zone 99 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 432-170-023 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2010-11.

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STREET LIGHTING ZONE 99

PORTION OF SECTION 36, T.4S., R.2W.

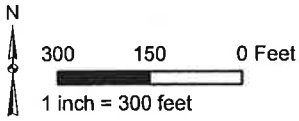
PLOT PLAN NO. 22503

1 PARCEL

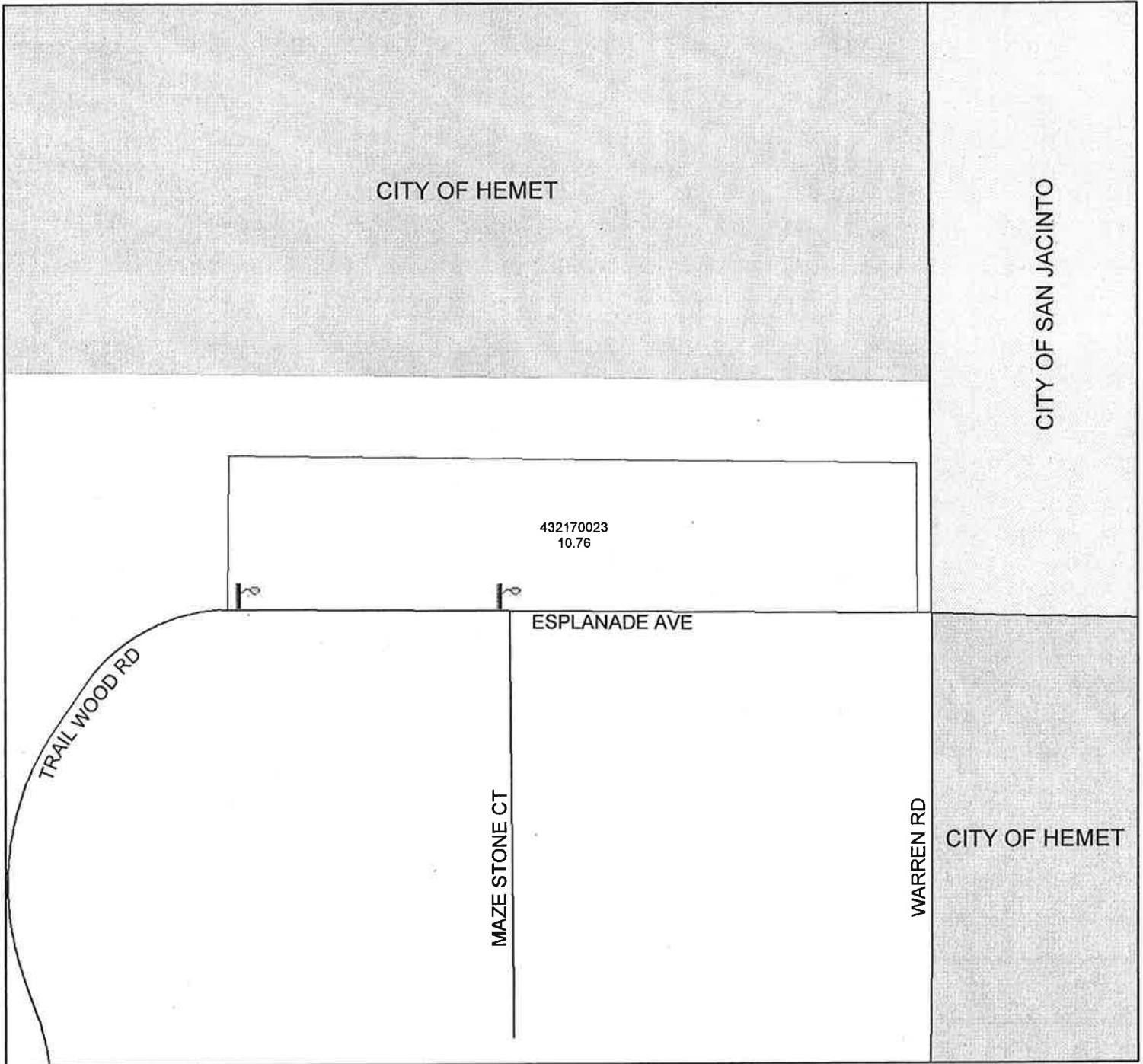


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Printed by jpickeri on 12/17/09



ASSESSMENT DIAGRAM



 DENOTES MAINTAINED STREETLIGHT

2 RESOLUTION NO. 2010-026

3 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING
4 ITS INTENT TO ORDER THE ANNEXATION OF STREET LIGHTING ZONE 99 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 99; 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. 2010-025 on January 26, 2010
16 initiating proceedings for the annexation of Street Lighting Zone 99 (hereinafter "Street Lighting
17 Zone 99"), 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 99 and the
23 assessments to be levied within Street Lighting Zone 99 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 99; and

WHEREAS, the Board of Supervisors by Resolution No. 2010-025 directed the Director of the
Transportation Department, or his designee (hereinafter the "Engineer"), to prepare and file the Report

FORM APPROVED COUNTY COUNSEL
BY: *Wesley Gardner* 12/24/09
DATE
WESLEY GARDNER
4

b

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 99 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 March 16, 2010;
8 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 99, and the assessments to be levied on parcels within
13 Street Lighting Zone 99 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 January 26, 2010 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 99 proposed to be annexed to L&LMD No. 89-1-C will be \$61.34 per acre.

23 **Section 2. Intent.** The Board of Supervisors hereby declares its intention to order the
24 annexation of Street Lighting Zone 99, 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 99 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 99 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 99 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 99 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 99 of L&LMD No. 89-1-C will be \$61.34 per acre
14 for fiscal year 2010-11. As stated in the Report, the total budget for Street Lighting Zone 99 for the
15 fiscal year 2010-11 is \$660; there is 1 parcel(s) that is to be assessed that aggregates to 10.76
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 99. 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 99 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 99. The boundaries of Street Lighting Zone 99 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 99,
9 and the annual assessment to be levied upon assessable lots and parcels within Street Lighting
10 Zone 99 proposed to be annexed to L&LMD No. 89-1-C.

11 **Section 8. Public Hearing.** The question of whether Street Lighting Zone 99 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 March 16, 2010,
14 at 9:30 a.m. at the meeting room of the Board of Supervisors of the County at 4080 Lemon Street,
15 1st Floor, Riverside, California.

16 **Section 9. Majority Protest.** Each owner of record of property within Street Lighting
17 Zone 99 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 99 if there is a majority protest with regard to the
21 annexation of Street Lighting Zone 99. 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 99 exceeds the assessment ballots in favor of the annexation and
24 assessment of Street Lighting Zone 99.

25 **Section 10. Information.** Any property owner desiring additional information regarding Street
26 Lighting Zone 99 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 99 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 March 16, 2010. Publication of this Resolution is to be effected by the Clerk of the Board
10 of Supervisors. Notice shall also be given by mailing first-class, postage prepaid, those notices, as
11 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 99 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 March 16, 2010.

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

18
19 ROLL CALL:

20 Ayes: Buster, Tavaglione, Stone, Benoit, and Ashley
21 Nays: None
Absent: None

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

24 KECIA HARPER-IHEM, Clerk of said Board

25 By: 
26 Deputy

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EXHIBIT "A"
DESCRIPTION OF BOUNDARIES

The boundaries of Street Lighting Zone 99 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 432-170-023 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 99

PORTION OF SECTION 36, T.4S., R.2W.

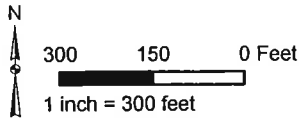
PLOT PLAN NO. 22503

1 PARCEL



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Printed by jpickeri on 12/17/09



ASSESSMENT DIAGRAM



 DENOTES MAINTAINED STREETLIGHT

734A

COUNTY OF RIVERSIDE STATE OF CALIFORNIA



ENGINEER'S REPORT FOR FISCAL YEAR 2010-11

for

**LANDSCAPING AND LIGHTING MAINTENANCE
DISTRICT NO. 89-1-CONSOLIDATED
STREET LIGHTING ZONE 99
(JUNIPER FLATS)**

PREPARED BY:

**RIVERSIDE COUNTY
TRANSPORTATION DEPARTMENT
JANUARY 6, 2010**

AGENCY: COUNTY OF RIVERSIDE, CALIFORNIA

**PROJECT: LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT
NO. 89-1-CONSOLIDATED - STREET LIGHTING ZONE 99 ANNEXATION**

TO: BOARD OF SUPERVISORS

**ENGINEER'S REPORT
FOR FISCAL YEAR 2010-11**

Pursuant to the provisions of Section 22565 through 22574 of the Landscaping and Lighting Act of 1972, said act being Part 2 of Division 15 of the Streets and Highways Code of the State of California, Section 4 of Article XIID of the California Constitution, and direction from the Board of Supervisors of Riverside County, California submitted herewith is the Report for Landscaping and Lighting Maintenance District No. 89-1-Consolidated - Street Lighting Zone 99 Annexation consisting of four (4) parts as follows:

PART I

A general description of the street lighting services proposed to be funded.

PART II

An estimate of the cost of the street lighting services including incidental costs and expenses in connection therewith for fiscal year 2010-11, is as set forth on the lists thereof, attached hereto.

PART III

A diagram displaying each streetlight to be energized illustrating the parcels receiving the service, the lines and dimensions of each parcel of land within said Street Lighting Zone 99, as the same exists on the maps of the Assessor of Riverside County for fiscal year 2010-11 is filed in the Office of the Riverside County Transportation Department. A reduced copy thereof is filed herewith and made a part hereof. Any changes in organization for said District (i.e. annexation) is discussed in this part.

PART IV

A proposed assessment of the total costs and expense of the proposed street lighting services for fiscal year 2010-11 upon each parcel of land within said Street Lighting Zone 99, in proportion to the estimated benefits to be received by such parcels from said streetlights, is set forth upon the assessment roll filed herewith and made a part hereof.

There is only one property owner within the proposed boundaries of Street Lighting Zone 99 and said property owner has executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election and public hearing to be held on March 16, 2010; a copy of said waiver is filed herewith and made a part hereof.

Dated January 6, 2010



Juan C. Perez, Director of Transportation
Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Street Lighting
Zone 99, County of Riverside, California

PART I

DESCRIPTION OF SPECIFICATIONS FOR STREET LIGHTING SERVICES FOR FISCAL YEAR 2010-11 LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED, STREET LIGHTING ZONE 99 COUNTY OF RIVERSIDE, CALIFORNIA

Specifications

Specifications displaying the street lighting services are shown on Street Lighting Zone 99 exhibit within the public right-of-way:

Provision of electricity to all streetlights within the public right-of-way to be funded by Street Lighting Zone 99 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated including incidental costs and expenses:

- Northerly of Esplanade Ave

Description of Services

Services to be funded include electrical costs for street lighting, and incidental administrative costs.

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED

STREET LIGHTING ZONE 99

PORTION OF SECTION 36, T.4S., R.2W.

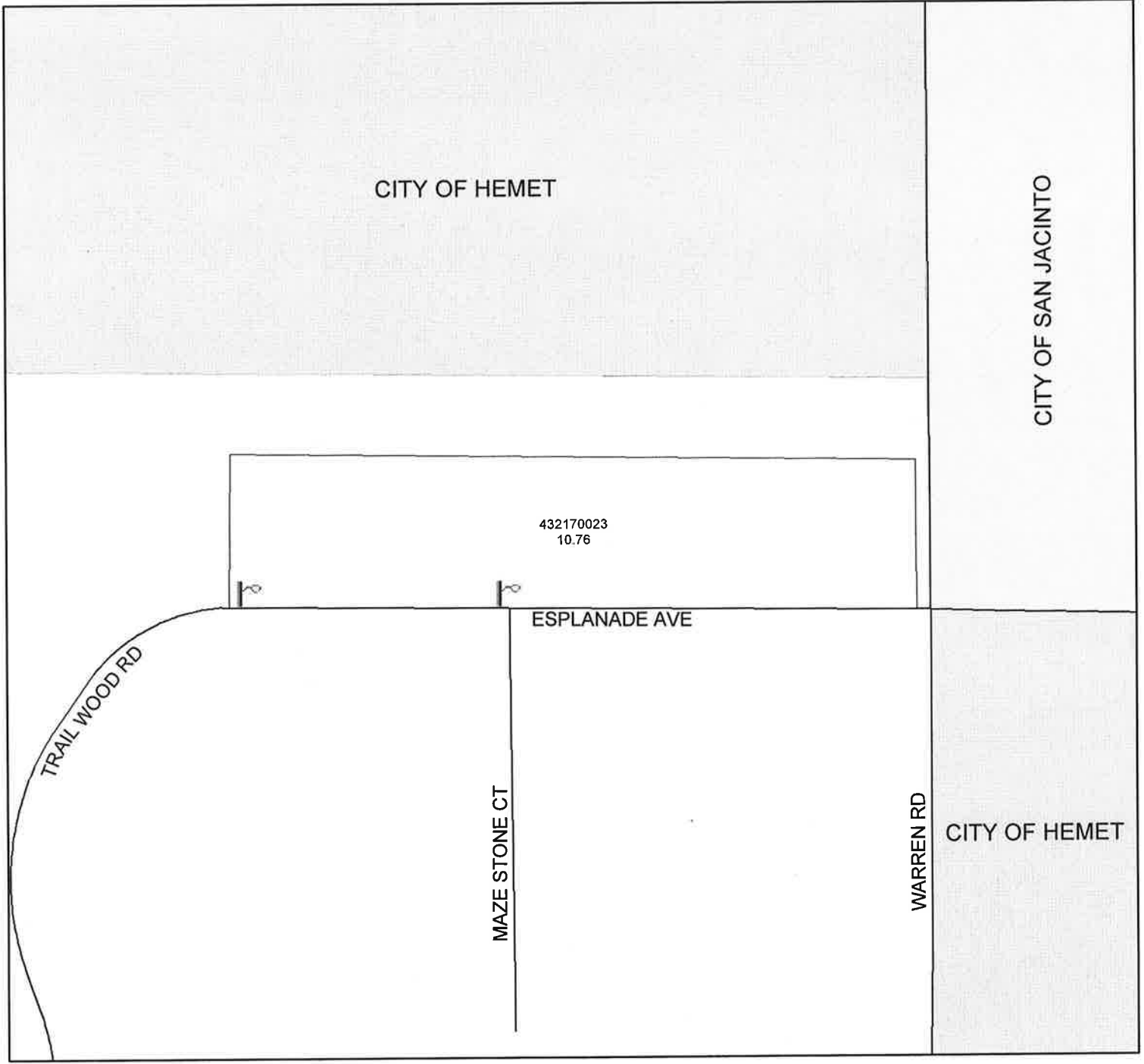
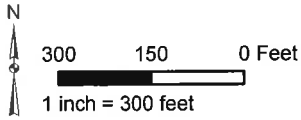
PLOT PLAN NO. 22503

1 PARCEL



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.

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 DENOTES MAINTAINED STREETLIGHT

PART II

**ENGINEER'S ESTIMATE OF COSTS AND EXPENSES
FOR STREET LIGHTING SERVICES
FOR FISCAL YEAR 2010-11
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT
NO. 89-1-CONSOLIDATED, STREET LIGHTING ZONE 99
COUNTY OF RIVERSIDE, CALIFORNIA**

The cost estimate contains each of the items specified in Section 22569 of the Landscaping and Lighting Act of 1972.

Cost Estimate for Street Lighting Zone 99

Costs for Provision of Electricity

Servicing ¹ of the Streetlights	\$600
Administrative Costs ²	<u>60</u>

Total Amount to be Assessed for FY 2010-11	\$660
---	--------------

¹Servicing means funding of energy costs.

²Administrative Costs include County administration, preparation of Engineer's Report, and County Auditor-Controller fees.

**LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED
 STREET LIGHTING ZONE 99
 SUMMARY
 ANNUAL BUDGET
 FISCAL YEAR 2010-11**

QUANTITY	COST PER STREETLIGHT	TOTAL FOR STREETLIGHTS	ANNUAL ADMIN. COST	ANNUAL RATE
2	\$ 300	\$ 600	\$ 60	\$ 660

TOTAL BUDGET	\$ 660
---------------------	---------------

FISCAL YEAR 2010-11 ASSESSMENT	\$ 61.34/acre
---------------------------------------	----------------------

10.76 acre(s)

Utility Provider: SCE

PART III

**ASSESSMENT DIAGRAM AND CHANGES IN ORGANIZATION
FOR FISCAL YEAR 2010-11
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT
NO. 89-1-CONSOLIDATED, STREET LIGHTING ZONE 99
COUNTY OF RIVERSIDE, CALIFORNIA**

Assessment Diagram

A reduced copy of the Assessment Diagram is filed herewith and made a part hereof.

Changes in Organization

Street Lighting Zone 99

A map displaying all streetlights within Street Lighting Zone 99 Annexation as shown on the following Exhibit is filed herewith and made a part hereof changes the organization for this District for Fiscal Year 2010-11.

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED

STREET LIGHTING ZONE 99

PORTION OF SECTION 36, T.4S., R.2W.

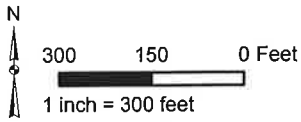
PLOT PLAN NO. 22503

1 PARCEL

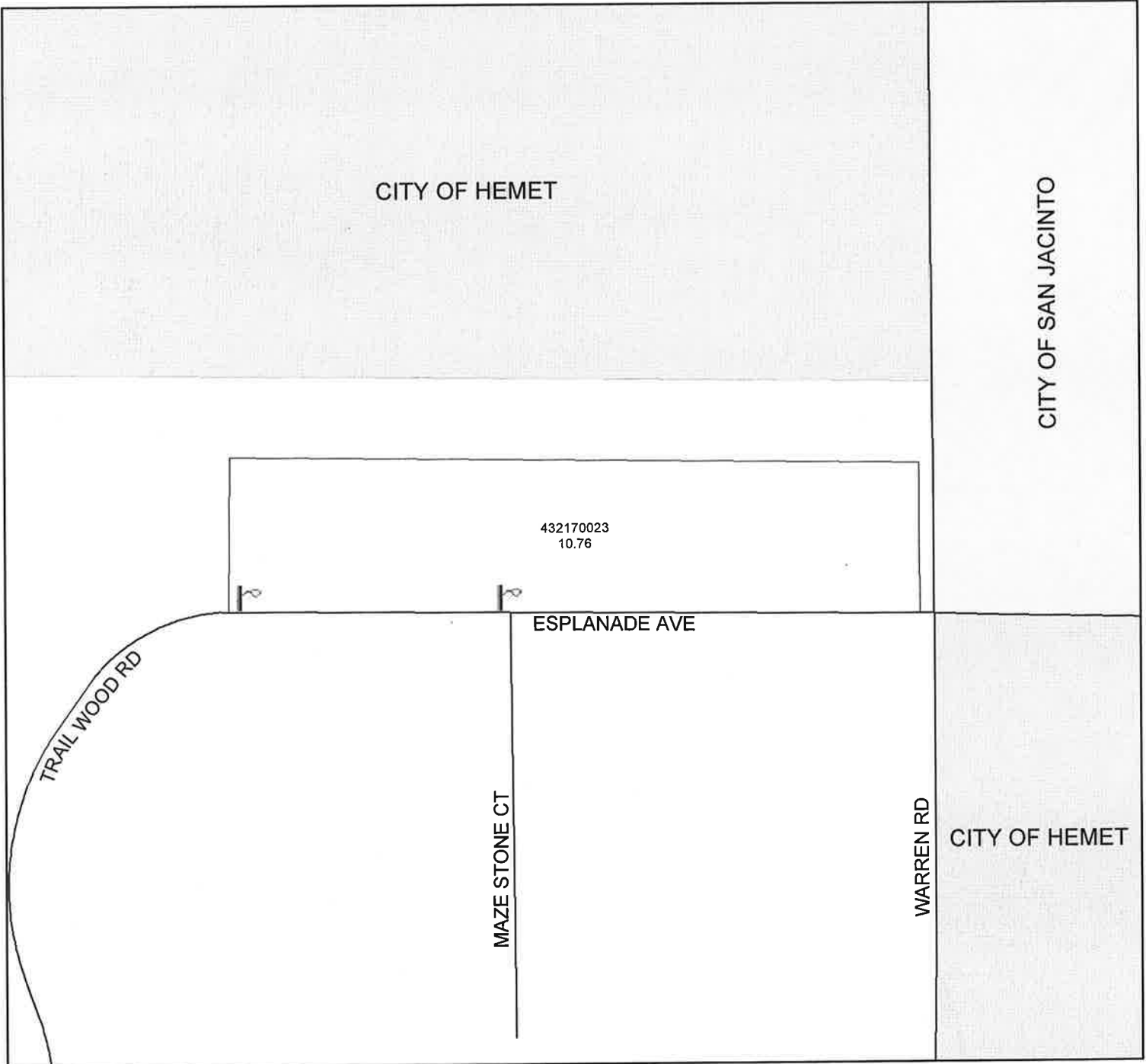


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ASSESSMENT DIAGRAM



 DENOTES MAINTAINED STREETLIGHT

PART IV

**ASSESSMENT FOR FISCAL YEAR 2010-11
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT
NO. 89-1-CONSOLIDATED, STREET LIGHTING ZONE 99
COUNTY OF RIVERSIDE, CALIFORNIA**

**"LANDSCAPING AND LIGHTING ACT OF 1972", DIVISION 16 OF THE
STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA**

WHEREAS, on January 26, 2010 the Board of Supervisors of the County of Riverside, State of California, did, pursuant to the provisions of the "Landscaping and Lighting Act of 1972", being Division 15 of the Streets and Highways Code of the State of California, adopt Resolution No. 2010-025 ordering the preparation of the engineer's report for a special assessment district known and designated as:

Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Street Lighting Zone 99 (herein referred to as "District"); and,

WHEREAS, the Board of Supervisors, did direct the appointed Engineer to make and file a "Report", in accordance with Article 4 (commencing with Section 22565) of Chapter 1 of Part 2 of Division 15 of the Streets and Highways Code, being an article of the aforementioned Landscaping and Lighting Act of 1972.

WHEREAS, Section 22567 of said Article 4 states the "Report" shall consist of the following;

- a. Specifications for the street lighting services
- b. An estimate of the street lighting services
- c. A diagram for the assessment district
- d. An assessment of the estimated costs for the street lighting services

NOW, THEREFORE, I, the appointed ENGINEER, pursuant to the 'Landscaping Act of 1972", do hereby submit the following:

1. Pursuant to the provisions of law the costs and expenses of the District have been assessed upon the parcels of land in the District benefited thereby in direct proportion and relation to the estimated benefits to be received by each of said parcels. For particulars as to the identification of said parcel, reference is made to the Assessment Diagram, a reduced copy of which is included herein.
2. As required by law, a Diagram is filed herewith, showing the District, as well as the boundaries and dimensions of the respective parcels and subdivisions of land within said District as the same exist each of which subdivisions of land or parcels or lots, respectively, have been given a separate number upon said Diagram and in the Assessment Roll contained herein.
3. The separate numbers given the subdivisions and parcels of land, as shown on said Assessment Diagram and Assessment Roll, correspond with the numbers assigned to each parcel by the Riverside County Assessor. Reference is made to the County Assessment Roll for a description of the lots or parcels.
4. There are no parcels or lots within Street Lighting Zone 99 that are owned by a federal, state or other local governmental agency that will benefit from the services to be provided by the assessments to be collected.

Method of Assessment Apportionment

The law requires and the statutes provide that assessments, as levied pursuant to the "Landscaping and Lighting Act of 1972" be based on the benefit properties receive. The statutes do not specify the method or formula that should be used to apportion the assessment in any special assessment district proceedings.

The funding of energized streetlights provides direct and special benefit to those properties located within Street Lighting Zone 99 in Landscaping and Lighting Maintenance District No. 89-1-Consolidated (DISTRICT). Streetlights enhance the properties within the DISTRICT, improve neighborhood property protection, increase traffic safety by improving visibility, and provide an enhanced quality of life and sense of well being for properties within the DISTRICT.

The costs and expenses for energizing streetlight improvements are apportioned on a per acre basis.

The dollar per acre value for Fiscal Year 2010-11 for Street Lighting Zone 99 is as follows:

<u>Total Budget</u> =	\$660		
Total No. Acres	10.76	=	\$61.34/acre

The assessment for Fiscal Year 2010-11 for Street Lighting Zone 99 that is to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated will be \$61.34 per acre. 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 ("CPI-U") for "electricity" for the Los Angeles-Riverside-Orange County California Standard Metropolitan Statistical area ("Index") published by the Bureau of Labor Statistics of United States Department of Labor. The annual "CPI-U" "electricity" 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" "electricity" annual adjustment requires a majority approval of all the property owners within Street Lighting Zone 99.

Waiver and Consent Regarding Date of Assessment Ballot Election

There is only one property owner within the proposed boundaries of Street Lighting Zone 99 and said property owner has executed a "Waiver and Consent Regarding Date

of Assessment Ballot Election” allowing for the election and public hearing to be held on March 16, 2010; a copy of said waiver is filed herewith and made a part hereof.

In conclusion, it is my opinion that the assessments for Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Street Lighting Zone 99 have been spread in direct accordance with the benefits that each parcel receives from the items being financed.

Dated January 6, 2010

A handwritten signature in black ink, consisting of a large, stylized initial 'J' followed by a series of loops and a horizontal line extending to the right.

Juan C. Perez, Director of Transportation

Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Street Lighting Zone 99, County of Riverside, California

**LANDSCAPING AND LIGHTING MAINTENANCE
DISTRICT NO. 89-1-CONSOLIDATED
OF THE COUNTY OF RIVERSIDE, CALIFORNIA**

**WAIVER AND CONSENT REGARDING DATE OF
ASSESSMENT BALLOT ELECTION**

The undersigned, an authorized representative of Shepard's House Church of the Nazarene (the "Owner") owns property within the unincorporated area of the County of Riverside (the "County") represented by the following Assessors Parcel Numbers for fiscal year 2010-11 (the "Property"): APN(s) 432-170-023.

The Owner has made application that the Property be annexed as Street Lighting Zone 99 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated of the County ("L&LMD No. 89-1-C") and certifies the following:

1. The Owner waives the requirements of Section 4000 of the Elections Code of the State of California (the "Elections Code") that the mailed ballot election required for annexation and the levy of an annual assessment must be held on an established mailed ballot election date pursuant to Section 1500 of the Election Code; and
2. The Owner consents to the mailed assessment ballot election with respect to the levy of an annual assessment on the Property being held on March 16, 2010

OWNER: Shepherd's House Church of the Nazarene
(Name of Company as Stated in Initial Paragraph)

By: Floyd F. McCallum, Jr.
Signature

Name: Floyd F. McCallum, Jr.
Print

Title: Senior Pastor - "Owner"

APN

ACRES

ASSESSMENT

432-170-023

10.76

660.02



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

February 25, 2010

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 2010-026 STL ZONE 99

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Tuesday, March 2, 2010**.

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: Thursday, February 25, 2010 8:01 AM
To: Gil, Cecilia
Subject: RE: FOR PUBLICATION: RES. NO. 2010-026 STL ZONE 99

We received your ad and will publish on 3/2/10

From: Gil, Cecilia [mailto:CCGIL@rcbos.org]
Sent: Wednesday, February 24, 2010 4:37 PM
To: PE Legals
Subject: FOR PUBLICATION: RES. NO. 2010-026 STL ZONE 99

Hello!

Attached is a Notice of Public Hearing for above-mentioned Resolution, for publication on Tuesday, March 2, 2010.
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, March 16, 2010 at 9:30 a.m.** to consider the following:

RESOLUTION NO. 2010-026

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING ITS INTENT TO ORDER THE ANNEXATION OF STREET LIGHTING ZONE 99 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 99; 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. 2010-025 on January 26, 2010 initiating proceedings for the annexation of Street Lighting Zone 99 (hereinafter "Street Lighting Zone 99"), 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 99 and the assessments to be levied within Street Lighting Zone 99 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 99; and

WHEREAS, the Board of Supervisors by Resolution No. 2010-025 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 99 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 March 16, 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 99, and the assessments to be levied on parcels within Street Lighting Zone 99 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 January 26, 2010 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 99 proposed to be annexed to L&LMD No. 89-1-C will be \$61.34 per acre.

Section 2. Intent. The Board of Supervisors hereby declares its intention to order the annexation of Street Lighting Zone 99, 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 99 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 99 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 99 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 99 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 99 of L&LMD No. 89-1-C will be \$61.34 per acre for fiscal year 2010-11. As stated in the Report, the total budget for Street Lighting Zone 99 for the fiscal year 2010-11 is \$660; there is 1 parcel(s) that is to be assessed that aggregates to 10.76 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 99. 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 99 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 99. The boundaries of Street Lighting Zone 99 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 99, and the annual assessment to be levied upon assessable lots and parcels within Street Lighting Zone 99 proposed to be annexed to L&LMD No. 89-1-C.

Section 8. Public Hearing. The question of whether Street Lighting Zone 99 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 March 16, 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 99 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 99 if there is a majority protest with regard to the annexation of Street Lighting Zone 99. 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 99 exceeds the assessment ballots in favor of the annexation and assessment of Street Lighting Zone 99.

Section 10. Information. Any property owner desiring additional information regarding Street Lighting Zone 99 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 99 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 March 16, 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 99 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 March 16, 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 99 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 432-170-023 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, Benoit, 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: February 25, 2010

Kecia Harper-Ihem, Clerk of the Board
By: Cecilia Gil, Board Assistant

STREET LIGHTING ZONE 99

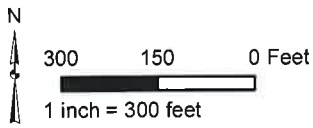
PORTION OF SECTION 36, T.4S., R.2W.

PLOT PLAN NO. 22503

1 PARCEL

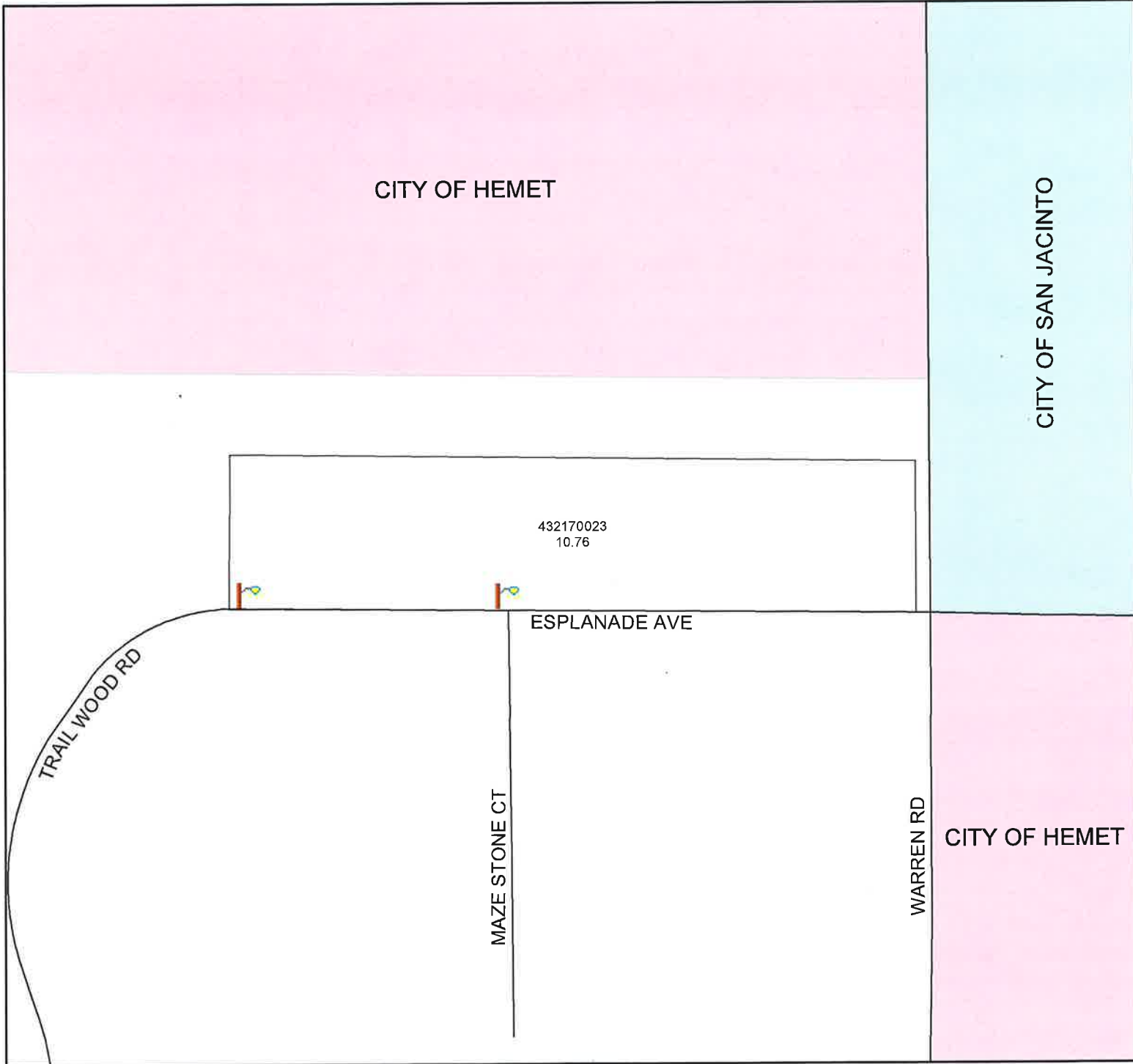


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ASSESSMENT DIAGRAM

Printed by jpickeri on 12/17/09



DENOTES MAINTAINED STREETLIGHT

Legal Advertising Invoice

⑨ REMITTANCE ADDRESS
 POST OFFICE BOX 12009
 RIVERSIDE, CA 92502-2209
 FAX (951) 368-9026

① BILLING PERIOD 03/02/10 - 03/02/10
 ② BILLING DATE 03/02/10
 ③ TOTAL AMOUNT DUE 887.90
 ④ ADVERTISING/CLIENT NAME BOARD OF SUPERVISORS
 ⑤ FOR BILLING INFORMATION CALL (951) 368-9713
 ⑥ * UNAPPLIED AMOUNT ⑦ TERMS OF PAYMENT Due Upon Receipt
 ⑧ PAGE NO 1

⑧ BILLED ACCOUNT NAME AND ADDRESS
 BOARD OF SUPERVISORS
 COUNTY OF RIVERSIDE
 P.O. BOX 1147
 RIVERSIDE CA 92502

⑨ BILLED ACCOUNT NUMBER 045202
 ⑩ REP NO LE04

Statement #: 56527664 Amount Paid \$ _____ Your Check # _____

PLEASE DETACH AND RETURN UPPER PORTION WITH YOUR REMITTANCE

① DATE	② REFERENCE	③ ④ ⑤ DESCRIPTION/OTHER COMMENTS/CHARGES	⑥ SAU SIZE ⑦ BILLED UNITS	⑧ RATE	⑨ GROSS AMOUNT	⑩ NET AMOUNT
03/02	4161097 CO	RES NO. 2010-026 Class : 10 Ctext Ad# 10177239 Placed By : Cecilia Gil	683 L	1.30		887.90

RECEIVED RIVERSIDE
2010 MAR -8 PM 3:10

*Transp.
3.53b of 01/26/10*

COMING SOON! Electronic Tearsheet Delivery Service
 It's easy! Search, view, save, email notification & more

① CURRENT NET AMOUNT DUE	② 30 DAYS	③ 60 DAYS	④ OVER 90 DAYS	⑤ UNAPPLIED AMOUNT	⑥ PLEASE PAY THIS AMOUNT
					887.90

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

① STATEMENT NUMBER	② ADVERTISER INFORMATION			
③ BILLING PERIOD	④ BILLED ACCOUNT NUMBER	⑤ ADVERT/SER/CLIENT NUMBER	⑥ ADVERTISER/CLIENT NAME	
56527664	03/02/10 - 03/02/10	045202	BOARD OF SUPERVISORS	

3/16/10 9,12

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. 2010-026

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:

03-02-10

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

Date: Mar. 2, 2010
At: Riverside, California

BOARD OF SUPERVISORS

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

Ad #: 10177239

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, March 16, 2010 at 9:30 a.m. to consider the following:

RESOLUTION NO. 2010-026

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING ITS INTENT TO ORDER THE ANNEXATION OF STREET LIGHTING ZONE 99 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 99; 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 XIII D 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. 2010-025 on January 26, 2010 initiating proceedings for the annexation of Street Lighting Zone 99 (hereinafter "Street Lighting Zone 99"), 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 99 and the assessments to be levied within Street Lighting Zone 99 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 XIII D of the California Constitution (hereinafter "Article XIII D"), 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 99; and

WHEREAS, the Board of Supervisors by Resolution No. 2010-025 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 XIII D; 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 99 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 March 16, 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 99, and the assessments to be levied on parcels within Street Lighting Zone 99 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 January 26, 2010 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 XIII D 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 99 proposed to be annexed to L&LMD No. 89 1 C will be \$61.34 per acre.

Section 2. Intent. The Board of Supervisors hereby declares its intention to order the annexation of Street Lighting Zone 99, 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 99 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 99 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 99 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 99 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 99 of L&LMD No. 89 1 C will be \$61.34 per acre for fiscal year 2010-11. As stated in the Report, the total budget for Street Lighting Zone 99 for the fiscal year 2010-11 is \$660; there is 1 parcel(s) that is to be assessed that aggregates to 10.76 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 99. 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 99 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 99. The boundaries of Street Lighting Zone 99 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 99, and the annual assessment to be levied upon assessable lots and parcels within Street Lighting Zone 99 proposed to be annexed to L&LMD No. 89 1 C.

Section 8. Public Hearing. The question of whether Street Lighting Zone 99 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 March 16, 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 99 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 99 if there is a majority protest with regard to the annexation of Street Lighting Zone 99. 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 99 exceeds the assessment ballots in favor of the annexation and assessment of Street Lighting Zone 99.

Section 10. Information. Any property owner desiring additional information regarding Street Lighting Zone 99 of L&LMD No. 89 1 C, the Report, or the proposed assessment is to contact Ms. Judy A. Watterford, 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 99 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 March 16, 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 99 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 March 16, 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 99 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 432-170-023 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2010-11.

ROLL CALL:

CITY OF HEALDT

AYES: Buster, Tavaglione, Stone, Benoit, and

Ashley

NAYS: None

ABSENT: None

CITY OF HEALDT

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: February 25, 2010

Kecia Harper-Ihem, Clerk of the Board

By: Cecilia Gil, Board Assistant

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