

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

650A



FROM: TLMA - Transportation Dept.

SUBMITTAL DATE:
April 22, 2010

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated,
Annexation of Zone 100 (Belltown).

RECOMMENDED MOTION: That the Board abandon all proceedings for the annexation of Street Lighting Zone 100 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated of the County of Riverside.

BACKGROUND: On March 16, 2010, Resolution No. 2010-076 was submitted to the Board to initiate proceedings for the annexation of Street Lighting Zone 100 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated (L&LMD No. 89-1-C"), and Resolution No. 2010-077 was submitted to the Board to set the public hearing date for said annexation. Since that time, Rubidoux Community Service District has elected to accept APN 178-350-022 (the sole parcel within Street Lighting Zone 100) into their district for streetlight maintenance.

Juan C. Perez
Director of Transportation

MH: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 Benoit, seconded by Supervisor Tavaglione 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: May 4, 2010
xc: Transp.

Kecia Harper-Ihem
Clerk of the Board

BY:
Deputy

Prev. Agn. Ref. 03/16/10, 3.60 | **District:** 2 | **Agenda Number:**

ATTACHMENTS FILED WITH
THE CLERK OF THE BOARD

3.92

FORM APPROVED COUNTY COUNSELLOR
BY: Dale A. Gardner 4/16/10
DATE: DALE A. GARDNER

Departmental Concurrence

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

The Honorable Board of Supervisors

RE: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of
Street Lighting Zone 100 (Belltown).

April 22, 2010

Page 2 of 2

Therefore, the annexation of Street Lighting Zone 100 to L&LMD No. 89-1-C must be
abandoned.

247A

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 100
(BELLTOWN)**

PREPARED BY:

**RIVERSIDE COUNTY
TRANSPORTATION DEPARTMENT
FEBRUARY 25, 2010**

AGENCY: COUNTY OF RIVERSIDE, CALIFORNIA

**PROJECT: LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT
NO. 89-1-CONSOLIDATED - STREET LIGHTING ZONE 100
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 100 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 100, 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 100, 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.

Dated February 25, 2010



Juan C. Perez, Director of Transportation

Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Street Lighting Zone 100, 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 100 COUNTY OF RIVERSIDE, CALIFORNIA

Specifications

Specifications displaying the street lighting services are shown on Street Lighting Zone 100 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 100 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated including incidental costs and expenses:

- Easterly of Fleetwood Dr

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 100

PORTION OF SECTION 11, T.2S., R.5W.

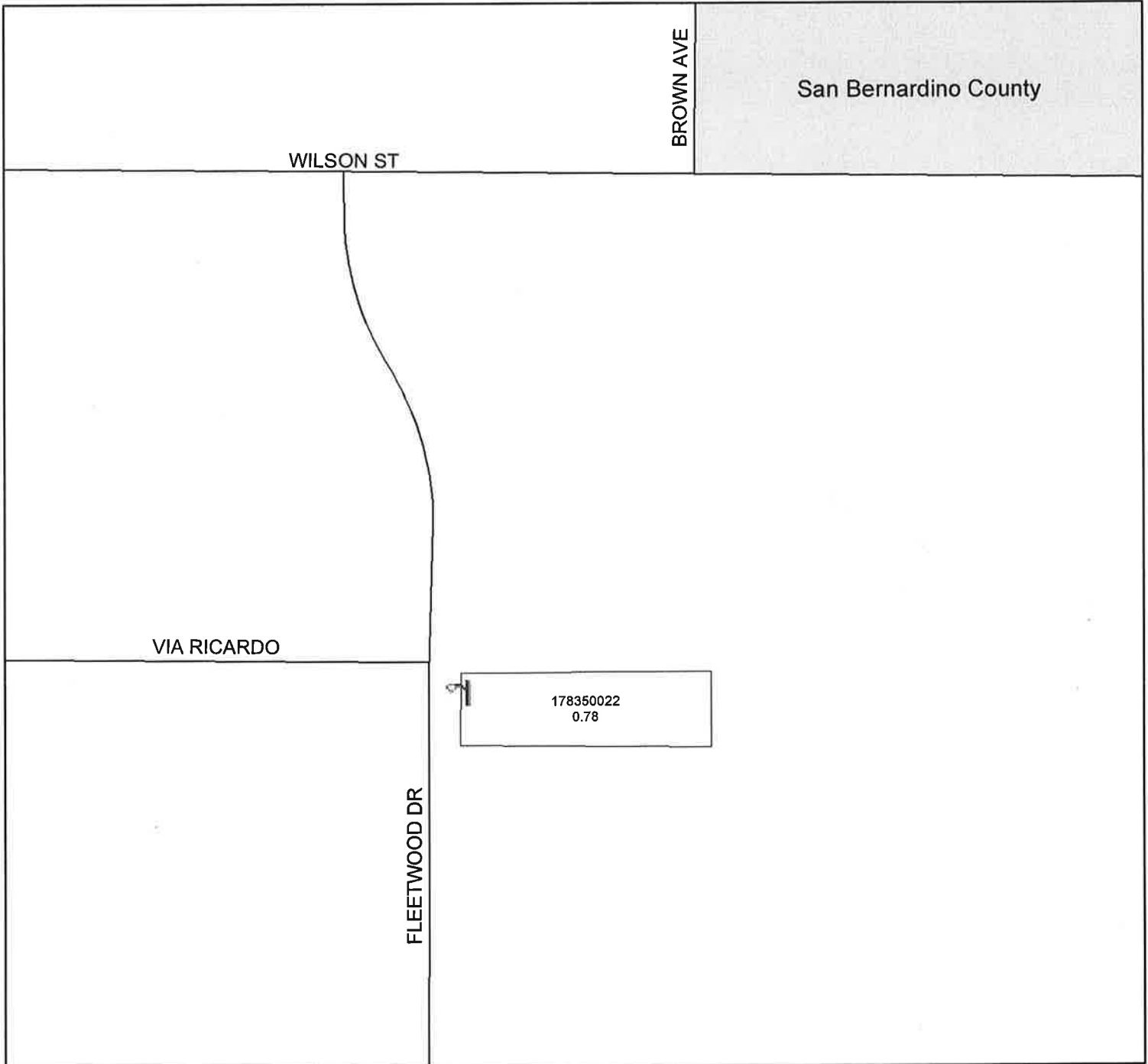
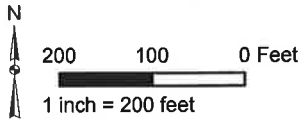
PLOT PLAN NO. 22961

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.

Printed by jpickeri on 2/3/10



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 100
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 100

Costs for Provision of Electricity

Servicing ¹ of the Streetlights	\$300
Administrative Costs ²	<u>30</u>
Total Amount to be Assessed for FY 2010-11	\$330

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 100
 SUMMARY
 ANNUAL BUDGET
 FISCAL YEAR 2010-11**

QUANTITY	COST PER STREETLIGHT	TOTAL FOR STREETLIGHTS	ANNUAL ADMIN. COST	ANNUAL RATE
1	\$ 300	\$ 300	\$ 30	\$ 330

TOTAL BUDGET **\$ 330**

FISCAL YEAR 2010-11 ASSESSMENT **\$ 423.08/acre**

.78 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 100
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 100

A map displaying all streetlights within Street Lighting Zone 100 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 100

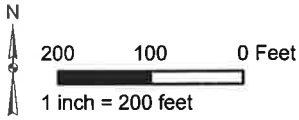
PORTION OF SECTION 11, T.2S., R.5W.

PLOT PLAN NO. 22961

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, modification 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 reuse this map.



ASSESSMENT DIAGRAM

Printed by jpickeri on 2/3/10



 DENOTES MAINTAINED STREETLIGHT

PART IV

**ASSESSMENT FOR FISCAL YEAR 2010-11
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT
NO. 89-1-CONSOLIDATED, STREET LIGHTING ZONE 100
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 March 16, 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. 2010-076 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 100 (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 100 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 100 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 100 is as follows:

$$\begin{array}{rcl} \text{Total Budget} & = & \text{\$330} \\ \text{Total No. Acres} & \text{.78} & = \text{\$423.08/acre} \end{array}$$

The assessment for Fiscal Year 2010-11 for Street Lighting Zone 100 that is to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated will be \$423.08 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 2010. 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 100.

In conclusion, it is my opinion that the assessments for Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Street Lighting Zone 100 have been

spread in direct accordance with the benefits that each parcel receives from the items being financed.

Dated February 25, 2010

A handwritten signature in black ink, appearing to read 'Juan C. Perez', is written above a horizontal line.

Juan C. Perez, Director of Transportation

Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Street Lighting
Zone 100, County of Riverside, California

APN

ACRES

ASSESSMENT

178-350-022

.78

330.00

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

247A



FROM: TLMA - Transportation Dept.

SUBMITTAL DATE:
March 4, 2010

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated,
Annexation of Street Lighting Zone 100 (Belltown).

RECOMMENDED MOTION: That the Board adopt the following Resolutions:

Resolution No. 2010-076 a Resolution of the County of Riverside initiating proceedings for the annexation of Street Lighting Zone 100 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 100.

Resolution No. 2010-077, a Resolution of the County of Riverside declaring its intent to order the annexation of Street Lighting Zone 100 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated of the County of Riverside pursuant to the Landscaping and Lighting Act

Juan C. Perez
Director of Transportation

MH:jp

FORM APPROVED COUNTY COUNSEL
BY: *[Signature]*
DATE: 4/23/10
MALE 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: *[Signature]*
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 resolutions are adopted as recommended, and that the matter is set for public hearing on Tuesday, May 4, 2010 at 9:30 a.m.

Ayes: Buster, Stone, Benoit, and Ashley
Nays: None
Absent: Tavaglione
Date: March 16, 2010
xc: Transportation., COB(2)

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

Prev. Agn. Ref.

District: 2

Agenda Number:

3.60

The Honorable Board of Supervisors

RE: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Street Lighting Zone 100 (Belltown).

March 4, 2010

Page 2 of 2

of 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 100, ordering a mailed ballot election; and directing notice of the public hearing and ballot be mailed pursuant to Article XIIID of the California Constitution.

BACKGROUND: Adoption of Resolution No. 2010-076 appoints the Director of the Transportation Department as the Engineer to prepare a Report regarding the proposed annexation of Street Lighting Zone 100 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated ("L&LMD No. 89-1-C").

Resolution No. 2010-077 declares the Board's intention of ordering the annexation of Street Lighting Zone 100 to L&LMD No. 89-1-C. Annexation of Street Lighting Zone 100 to L&LMD No. 89-1-C will fund the provision of electricity for streetlights within public right-of-way located easterly of Fleetwood Dr in the Belltown area and includes 1 commercial parcel, totaling .78 acre(s).

The proposed budget for fiscal year 2010-11 for Street Lighting Zone 100 is \$330 that will result in an assessment for fiscal year 2010-11 within Street Lighting Zone 100 of \$423.08 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 2010.

Consistent with the Board's direction regarding compliance with Article XIIID 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 May 4, 2010 to receive testimony for and against the proposed assessment. Each property owner within the proposed Street Lighting Zone 100 will receive a notice of the public hearing and mail-in ballot, an impartial analysis, a copy of Resolution No. 2010-077, 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 100 will be annexed to L&LMD No. 89-1-C.

2 RESOLUTION NO. 2010-076

3
4 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE INITIATING
5 PROCEEDINGS FOR THE ANNEXATION OF STREET LIGHTING ZONE 100 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 100"), as shown and described in Exhibit "A", which is attached hereto and made a part hereof,
14 to 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 100 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 100; 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 as the engineer (hereinafter the "Engineer") for the County with regard to the annexation of Street
27 Lighting Zone 100 to L&LMD No. 89-1-C.

FORM APPROVED COUNTY COUNSEL
BY *Dale A. Gardner* 2/23/10
DALE A. GARDNER
DATE

EXHIBIT "A"
DESCRIPTION OF BOUNDARIES

The boundaries of Street Lighting Zone 100 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 178-350-022 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2010-11.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

STREET LIGHTING ZONE 100

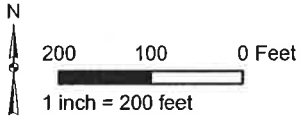
PORTION OF SECTION 11, T.2S., R.5W.

PLOT PLAN NO. 22961

1 PARCEL

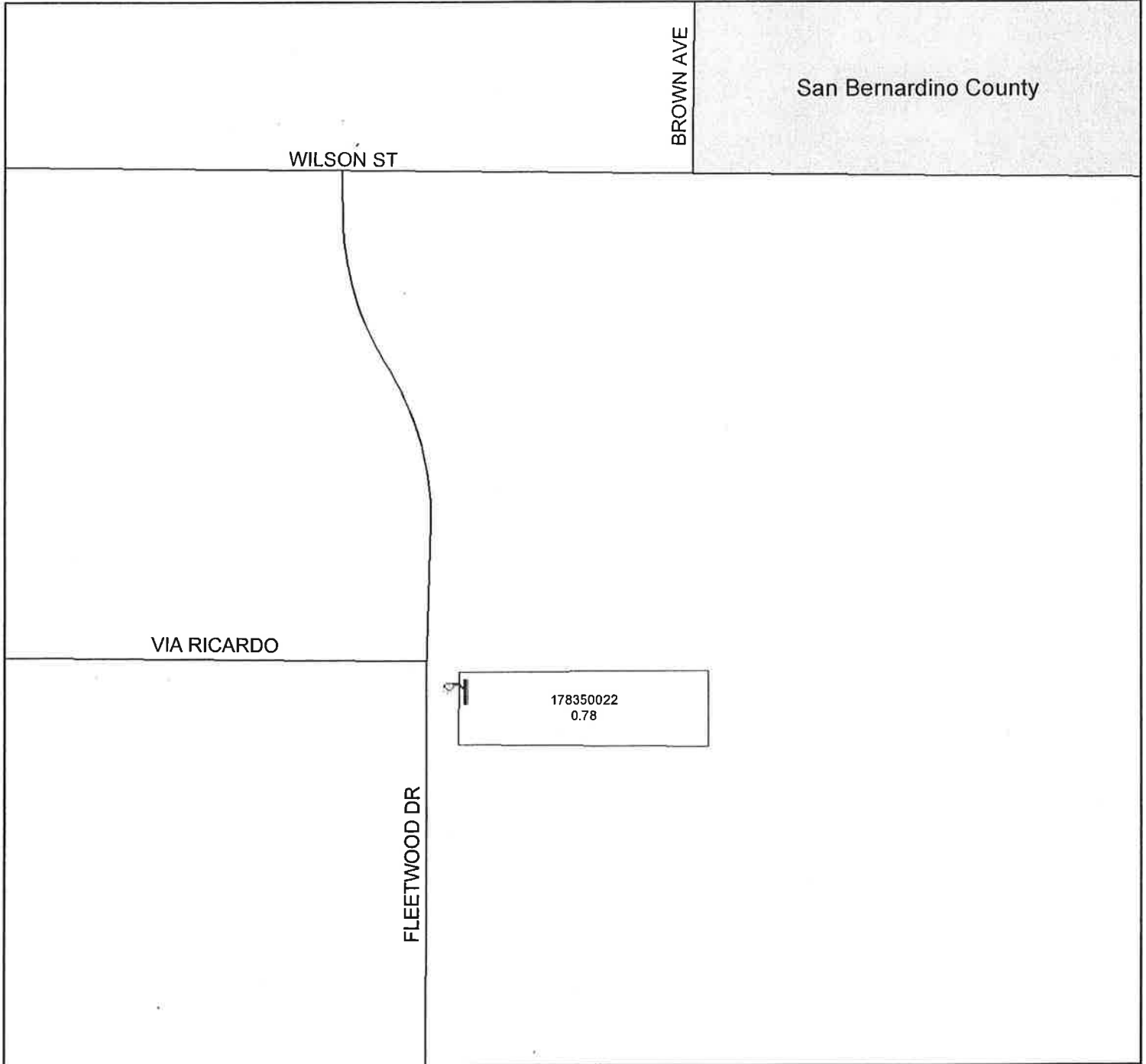


The County of Riverside assumes no warranty or legal responsibility for the information contained on this map. Data and information represented on this map is subject to updates, modifications and may not be complete or appropriate for all purposes. County GIS and other sources should be queried for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



ASSESSMENT DIAGRAM

Printed by jpickeri on 2/3/10



San Bernardino County

 DENOTES MAINTAINED STREETLIGHT

2 RESOLUTION NO. 2010-077

3 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING
4 ITS INTENT TO ORDER THE ANNEXATION OF STREET LIGHTING ZONE 100 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 100; 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. 2010-076 on March 16, 2010 initiating
16 proceedings for the annexation of Street Lighting Zone 100 (hereinafter "Street Lighting Zone 100"), as
17 described and shown in Exhibit "A", which is attached hereto and incorporated herein, to Landscaping
18 and Lighting Maintenance District No.89-1-Consolidated of the County of Riverside, State of California,
19 (hereinafter "L&LMD No. 89-1-C") pursuant to the Landscaping and Lighting Act of 1972 (hereinafter
20 the "Act"), which is Part 2 (commencing with Section 22500) of Division 15 of the Streets and Highways
21 Code (hereinafter the "Street and Highways Code"), and ordering the preparation of a report
22 (hereinafter the "Report") regarding the proposed annexation of Street Lighting Zone 100 and the
23 assessments to be levied within Street Lighting Zone 100 each fiscal year beginning fiscal year
24 2010-11 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 100; and

WHEREAS, the Board of Supervisors by Resolution No. 2010-076 directed the Director of the
Transportation Department, or his designee (hereinafter the "Engineer"), to prepare and file the Report

FORM APPROVED COUNTY COUNSEL
BY: *Diane Angarone* 2/23/10
DATE
DIA NE ANGARONE

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**, it is necessary that the Board of Supervisors adopt a resolution of intention
6 pursuant to Section 22624 of the Streets and Highways Code, which fixes and gives notice, pursuant to
7 Section 22626 of the Streets and Highways Code, of the time and place of a public hearing on said
8 Report, the annexation of Street Lighting Zone 100, and the assessments to be levied on parcels within
9 Street Lighting Zone 100 beginning in fiscal year 2010-11;

10 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the
11 Board of Supervisors in regular session assembled on March 16, 2010 as follows:

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

- 13 (a) The foregoing recitals are true and correct;
- 14 (b) The Report contains all matters required by Sections 22565 through 22574 of the
15 Streets and Highways Code and Section 4 of Article XIID and may, therefore, be
16 approved by the Board of Supervisors;
- 17 (c) The annual assessment for fiscal year 2010-11 on all parcels within Street Lighting
18 Zone 100 proposed to be annexed to L&LMD No. 89-1-C will be \$423.08 per acre.

19 **Section 2. Intent.** The Board of Supervisors hereby declares its intention to order the
20 annexation of Street Lighting Zone 100, as described and shown in Exhibit "A", to L&LMD No. 89-1-C,
21 and to levy and collect an annual assessment on all assessable lots and parcels of property within
22 Street Lighting Zone 100 commencing with the fiscal year 2010-11 as set forth in the Report. The
23 Report expressly states that there are no parcels or lots within Street Lighting Zone 100 that are owned
24 by a federal, state or other local governmental agency that will benefit from the services to be financed
25 by the annual assessments. The annual assessments will be collected at the same time and in the
26

1 same manner as property taxes are collected, and all laws providing for the collection and enforcement
2 of property taxes shall apply to the collection and enforcement of said assessments.

3 **Section 3. Boundaries.** All the property within boundaries of Street Lighting Zone 100 is
4 proposed to be annexed into L&LMD No. 89-1-C and shall include that property in the unincorporated
5 area of the County as described and shown in Exhibit "A".

6 **Section 4. Description of Services to be Provided.** The service authorized for Street
7 Lighting Zone 100 of L&LMD No. 89-1-C is the provision of electricity to all streetlights within the public
8 right-of-way including incidental costs and expenses.

9 **Section 5. Amount to be Levied.** The assessment to be levied upon each parcel that
10 benefits from the annexation of Street Lighting Zone 100 of L&LMD No. 89-1-C will be \$423.08 per acre
11 for fiscal year 2010-11. As stated in the Report, the total budget for Street Lighting Zone 100 for the
12 fiscal year 2010-11 is \$330; there is 1 parcel(s) that is to be assessed that aggregates to .78 acre(s).
13 The annual assessment will be increased by the greater of two percent (2.0%) or the cumulative
14 percentage increase, if any, in the Consumer Price Index for all Urban Consumers for "electricity"
15 ("CPI-U") for the Los Angeles-Riverside-Orange County California Standard Metropolitan Statistical
16 area ("Index") published by the Bureau of Labor Statistics of the United States Department of Labor.
17 The annual CPI-U adjustment will be based on the cumulative increase, if any, in the Index as it stands
18 on March of each year over the base Index for March of 2010. Any increase larger than the greater of
19 2.0% or the CPI-U annual adjustment requires a majority approval of all the property owners within
20 Street Lighting Zone 100. The Board of Supervisors will levy the assessment in each subsequent fiscal
21 year until the Board of Supervisors undertakes proceedings for the dissolution of Street Lighting
22 Zone 100 of L&LMD No. 89-1-C. The annual assessment will fund the services described in Section 4
23 of this Resolution. For further particulars, reference is to be made to the Report on file in the Office of
24 the Clerk of the Board of Supervisors.

1 **Section 6. The Property to be Annexed.** The property to be annexed into L&LMD No.
2 89-1-C is Street Lighting Zone 100. The boundaries of Street Lighting Zone 100 are located within the
3 unincorporated area of the County and are described and shown in the Report and Exhibit "A".

4 **Section 7. Report.** The Report, which is on file with the Clerk of the Board of Supervisors
5 and which has been presented to the Board of Supervisors, is hereby approved. Reference is made to
6 the Report for a full and detailed description of the services, the boundaries of Street Lighting
7 Zone 100, and the annual assessment to be levied upon assessable lots and parcels within Street
8 Lighting Zone 100 proposed to be annexed to L&LMD No. 89-1-C.

9 **Section 8. Public Hearing.** The question of whether Street Lighting Zone 100 shall be
10 annexed into L&LMD No. 89-1-C and an annual assessment levied beginning with fiscal year 2010-11
11 shall be considered at a public hearing (hereinafter the "Public Hearing") to be held on May 4, 2010, at
12 9:30 a.m. at the meeting room of the Board of Supervisors of the County at 4080 Lemon Street,
13 1st Floor, Riverside, California.

14 **Section 9. Majority Protest.** Each owner of record of property within Street Lighting
15 Zone 100 is to receive by mail an assessment ballot that shall conform to the requirements of Section 4
16 of Article XIID and Section 4000 of the California Elections Code. The assessment ballots are to be
17 returned prior to the Public Hearing. L&LMD No. 89-1-C shall not impose assessments on property
18 within the boundaries of Street Lighting Zone 100 if there is a majority protest with regard to the
19 annexation of Street Lighting Zone 100. A majority protest exists if, upon the conclusion of the Public
20 Hearing, the tabulation of the assessment ballots submitted in opposition to the annexation and
21 assessment of Street Lighting Zone 100 exceeds the assessment ballots in favor of the annexation and
22 assessment of Street Lighting Zone 100.

23 **Section 10. Information.** Any property owner desiring additional information regarding Street
24 Lighting Zone 100 of L&LMD No. 89-1-C, the Report, or the proposed assessment is to contact
25 Ms. Joan Pickering, Engineering Technician II, Transportation Department of the County of Riverside,
26 4080 Lemon Street, 8th Floor, Riverside, California, 92501 or by telephone at 951-955 6748.

EXHIBIT "A"
DESCRIPTION OF BOUNDARIES

The boundaries of Street Lighting Zone 100 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 178-350-022 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2010-11.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

STREET LIGHTING ZONE 100

PORTION OF SECTION 11, T.2S., R.5W.

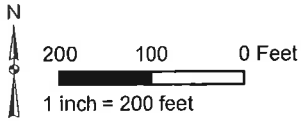
PLOT PLAN NO. 22961

1 PARCEL

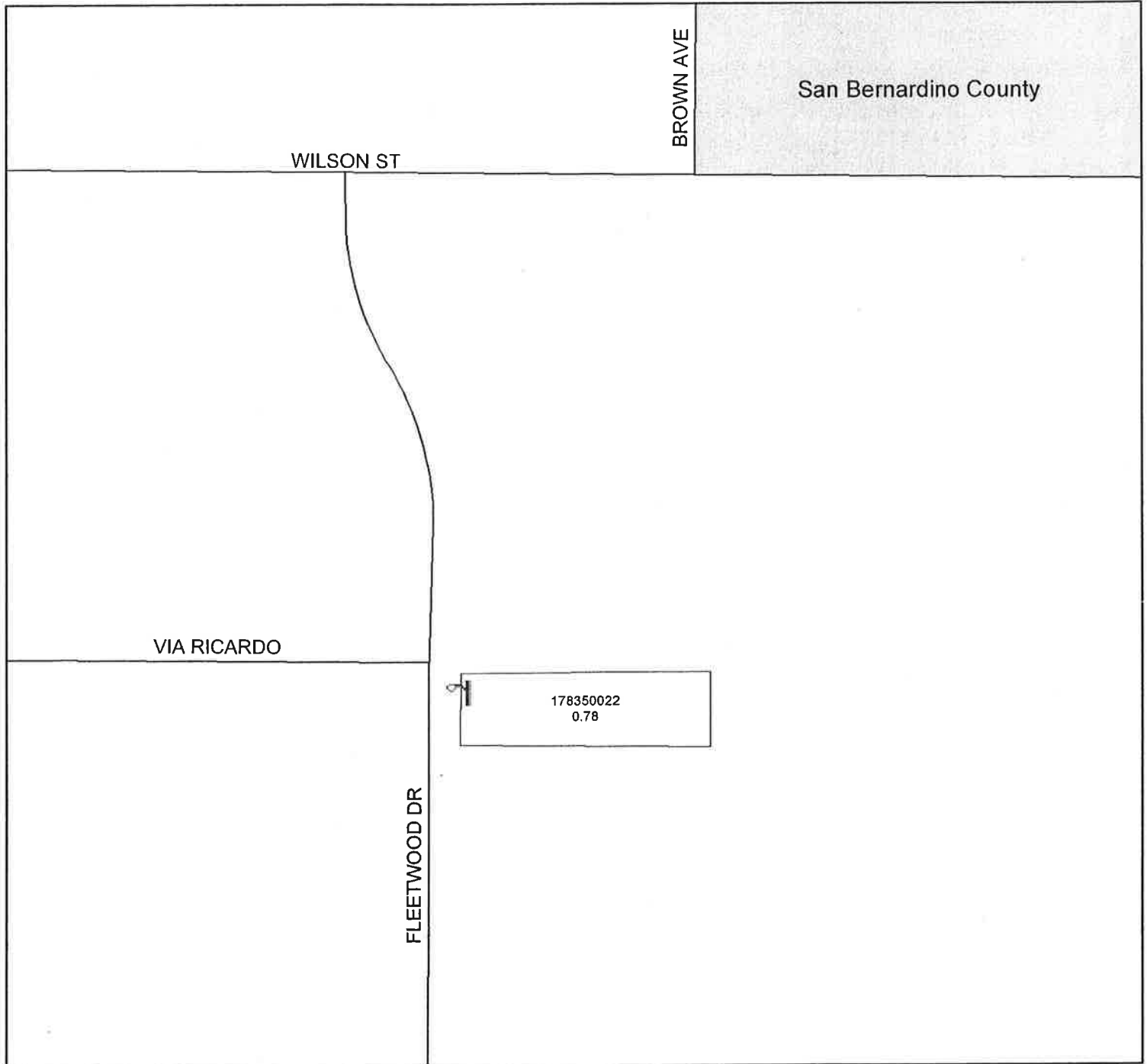


The County of Riverside assumes no warranty or legal responsibility for the information contained on this map. Data and information represented on this map is subject to updates, modifications and may not be complete or appropriate for all purposes. County GIS and other sources should be queried for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

Printed by jpickeri on 2/3/10



ASSESSMENT DIAGRAM



San Bernardino County

 DENOTES MAINTAINED STREETLIGHT