

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

653A



FROM: TLMA - Transportation Dept.

SUBMITTAL DATE:
April 22, 2010

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated,
Annexation of Zone 149 (Bermuda Dunes).

RECOMMENDED MOTION: That the Board:

With regard to the annexation of Zone 149 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, May 5, 2010 in Conference Room D on the 8th Floor of the County Administrative Center, 4080 Lemon Street, Riverside, California. Staff is directed to

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 Stone, seconded by Supervisor Benoit 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, 3.61

District: 4

Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

9.4

FORM APPROVED COUNTY COUNSEL
BY:
DALE A. GARDNER
DATE: 4/17/10
DATE:
 Concurrence

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

The Honorable Board of Supervisors

RE: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of
Zone 149 (Bermuda Dunes).

April 22, 2010

Page 2 of 2

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

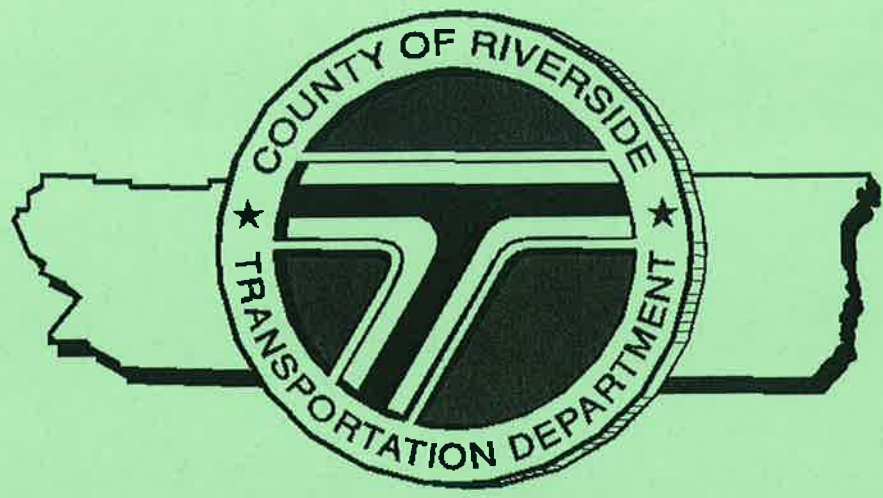
BACKGROUND: Pursuant to the Landscaping and Lighting Act of 1972 and Resolution 2010-073 adopted March 16, 2010, the Board of Supervisors noticed a public hearing for May 4, 2010, to receive testimony regarding the annexation of Zone 149 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated (L&LMD No. 89-1-C). Annexation of Zone 149 will fund the maintenance and servicing of fossil filters and traffic signals, and the provision of electricity for streetlights and traffic signals within public rights-of-way located at the intersection of Washington St and 41st Ave and westerly of Sparkey Way in the Bermuda Dunes area and includes 1 commercial parcel, totaling 3.8 acre(s).

On March 17, 2010 a notice of the public hearing and mail-in ballot, an impartial analysis, a copy of Resolution No. 2010-073, and an information sheet was mailed to all property owners within Zone 149, 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. 2010-073 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. 2010-073 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.

248A

COUNTY OF RIVERSIDE STATE OF CALIFORNIA



ENGINEER'S REPORT FOR FISCAL YEAR 2010-11

for

**LANDSCAPING AND LIGHTING MAINTENANCE
DISTRICT NO. 89-1-CONSOLIDATED
ZONE 149
(BERMUDA DUNES)**

PREPARED BY:

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

AGENCY: COUNTY OF RIVERSIDE, CALIFORNIA

**PROJECT: LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT
NO. 89-1-CONSOLIDATED - ZONE 149 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 - Zone 149 Annexation consisting of four (4) parts as follows:

PART I

A general description and plans of the fossil filter, streetlight, and traffic signal improvements proposed to be funded.

PART II

An estimate of the cost of the fossil filter, streetlight, and traffic signal improvements and maintenance 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 showing Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Zone 149 Annexation, the lines and dimensions of each parcel of land within said Zone 149, 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 improvements for fiscal year 2010-11 upon each parcel of land within said Zone 149, in proportion to the estimated benefits to be received by such parcels from said fossil filter, streetlight, and traffic signal improvements, 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, Zone 149,
County of Riverside, California

PART I

DESCRIPTION OF IMPROVEMENTS AND MAINTENANCE PLANS FOR FISCAL YEAR 2010-11 LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED, ZONE 149 COUNTY OF RIVERSIDE, CALIFORNIA

Description of Improvements

Improvements to be funded by Zone 149 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated generally include the maintenance and servicing of fossil filters and traffic signals, and the provision of electricity for streetlights and traffic signals within the public right-of-way:

- The intersection of Washington St and 41st Ave
- Westerly of Sparkey Way

Maintenance Plans

Pursuant to Section 22568 of the Landscaping and Lighting Act of 1972 maintenance plans are included on the following pages:

ZONE 149

PORTION OF SECTION 7 T.5S., R.7E.

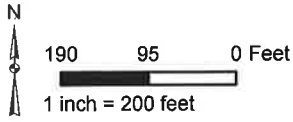
PLOT PLAN NO. 21408

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
- DENOTES MAINTAINED FOSSIL FILTER
- DENOTES MAINTAINED TRAFFIC SIGNAL

PART II

**ENGINEER'S ESTIMATE OF COSTS AND EXPENSES
FOR FISCAL YEAR 2010-11
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT
NO. 89-1-CONSOLIDATED, ZONE 149
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 Zone 149

Costs for Maintenance of Improvements

Maintenance ¹ & Servicing ² of the Fossil Filters, Streetlights, and Traffic Signals	\$1,519
Administrative Costs ³	<u>50</u>
Total Amount to be Assessed for FY 2010-11	\$1,569

¹Maintenance means the furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of fossil filters and traffic signals, and appurtenances including repair, replacement, removal of rubbish, debris and other solid wastes.

²Servicing means furnishing the cleaning of fossil filters and funding of energy costs for traffic signals and streetlights.

³Administrative Costs include County administration, preparation of Engineer's Report, and County Auditor-Controller fees.

**LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED
 ZONE 149
 SUMMARY
 ANNUAL BUDGET
 FISCAL YEAR 2010-11**

MAINTENANCE OF FOSSIL FILTERS, STREETLIGHTS, AND TRAFFIC SIGNALS	
FUNCTION	ZONE 149
Fossil Filters	\$ 223
Traffic Signals	\$ 300
Streetlights	\$ 921
Field Inspection/Management	\$ 30
Repair/Replacement	\$ 45
	\$ 1,519

ADMINISTRATIVE COSTS	
FUNCTION	ZONE 149
Assessment Engineer	\$ 15
County Counsel	\$ 10
Transportation Administration/Miscellaneous Expense	\$ 25
	\$ 50

TOTAL BUDGET	\$ 1,569
FISCAL YEAR 2010-11 ASSESSMENT	\$ 412.96/acre

3.8 acre(s)

PART III

**ASSESSMENT DIAGRAM AND CHANGES IN ORGANIZATION
FOR FISCAL YEAR 2010-11
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT
NO. 89-1-CONSOLIDATED, ZONE 149
COUNTY OF RIVERSIDE, CALIFORNIA**

Assessment Diagram

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

Changes in Organization

Zone 149

Annexation of Zone 149 as described and shown in Exhibit "A" 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

ZONE 149

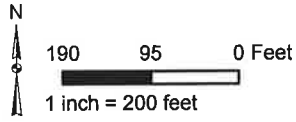
PORTION OF SECTION 7 T.5S., R.7E.
PLOT PLAN NO. 21408

1 PARCEL

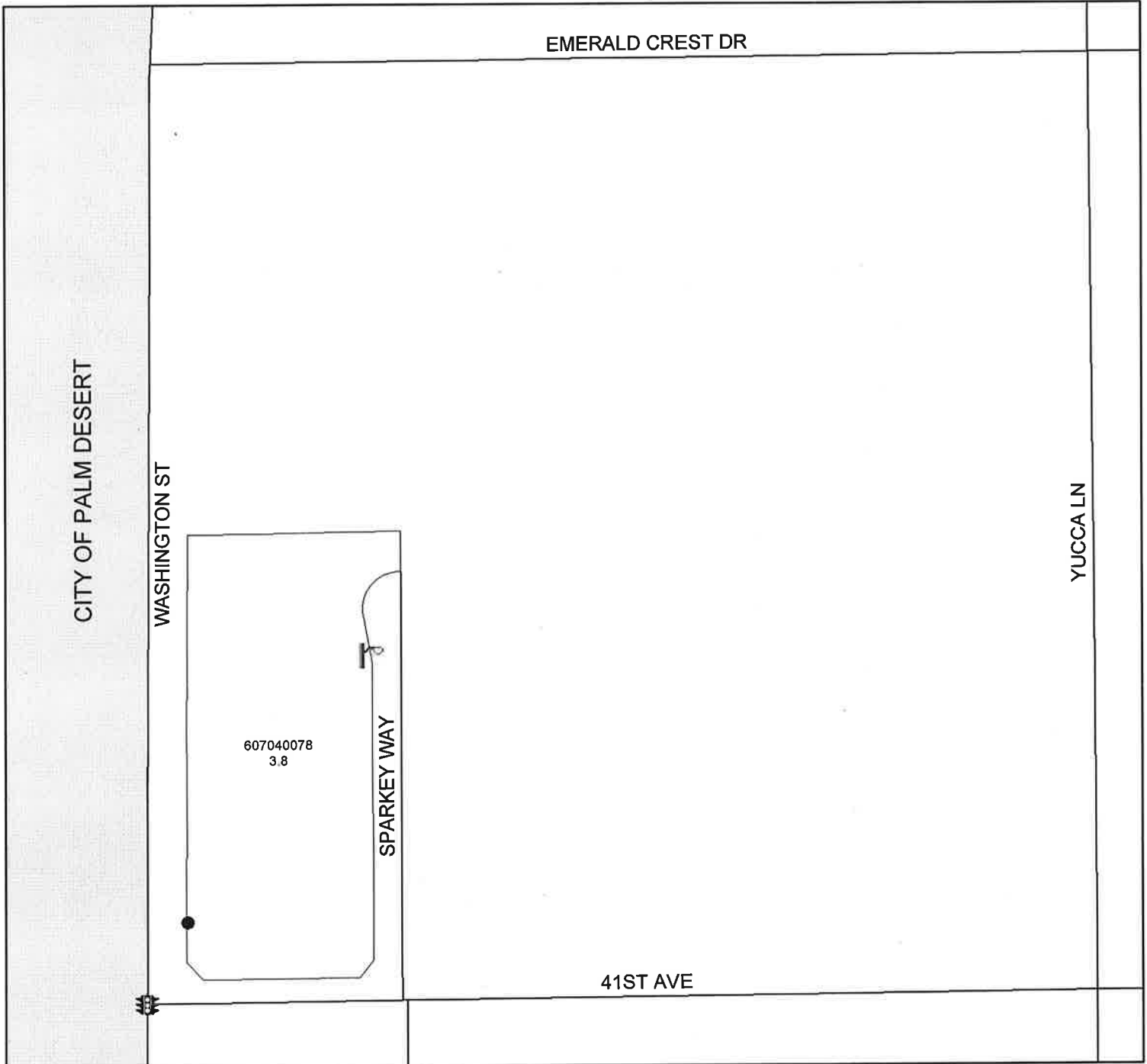


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ASSESSMENT DIAGRAM



-  DENOTES MAINTAINED STREETLIGHT
-  DENOTES MAINTAINED FOSSIL FILTER
-  DENOTES MAINTAINED TRAFFIC SIGNAL

PART IV

**ASSESSMENT FOR FISCAL YEAR 2010-11
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT
NO. 89-1-CONSOLIDATED, ZONE 149
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. 2010-072 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, Zone 149 (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. Maintenance plans for the fossil filter, streetlight, and traffic signal improvements
- b. An estimate of the costs of servicing fossil filter, streetlight, and traffic signal improvements
- c. A diagram for the assessment district

d. An assessment of the estimated costs of maintenance of the improvements

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 Zone 149 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 maintenance of fossil filters, streetlights, and traffic signals provides direct and special benefit to those properties located within Zone 149 in Landscaping and Lighting Maintenance District No. 89-1-Consolidated (DISTRICT). Fossil filters, streetlights, and traffic signals enhance the properties within the DISTRICT, improve water quality control, increase public safety, increase traffic safety by improving visibility, allow traffic into and out of the development, improve neighborhood aesthetics, and provide an enhanced quality of life and sense of well being for properties within the DISTRICT.

The fossil filter improvements maintained by the DISTRICT provide no general public benefit in that the properties within Zone 149 are discrete neighborhoods or communities for which the fossil filter improvements were installed. Fossil filter improvements do not extend beyond the perimeter of the boundary of each of those discrete neighborhoods or communities. It is therefore determined that all properties within the DISTRICT benefit equally from the financed improvements. The costs and expenses for the fossil filter, streetlight, and traffic signal improvements maintenance and services are apportioned on a per acre basis.

The dollar per acre value for Fiscal Year 2010-11 for Zone 149 is as follows:

$$\begin{array}{rcl} \text{Total Budget} = & \text{\$1,569} & \\ \text{Total No. Acres} & 3.8 & = \text{\$412.96/acre} \end{array}$$

The assessment for Fiscal Year 2010-11 for Zone 149 that is to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated will be \$412.96 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 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" 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” annual adjustment requires a majority approval of all the property owners within Zone 149.

In conclusion, it is my opinion that the assessments for Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Zone 149 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 over a horizontal line.

Juan C. Perez, Director of Transportation

Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Zone 149,
County of Riverside, California

APN

ACRES

ASSESSMENT

607-040-078

3.80

1,569.24

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

248A



FROM: TLMA - Transportation Dept.

SUBMITTAL DATE:
March 4, 2010

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated,
Annexation of Zone 149 (Bermuda Dunes).

RECOMMENDED MOTION: That the Board adopt the following Resolutions:

Resolution No. 2010-072 a Resolution of the County of Riverside initiating proceedings for the annexation of Zone 149 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated and ordering preparation of the Engineer's Report regarding the proposed annexation of Zone 149.

Resolution No. 2010-073, a Resolution of the County of Riverside declaring its intent to order the annexation of Zone 149 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

MH:jp

FORM APPROVED COUNTY COUNSEL
BY: Dale A. Gardner 2/23/10
DATE: 2/23/10
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 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:
Deputy

Prev. Agn. Ref. _____ **District: 4** **Agenda Number:** _____

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

3.61

The Honorable Board of Supervisors

RE: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Zone 149 (Bermuda Dunes).

March 4, 2010

Page 2 of 2

1972 for the maintenance and servicing of fossil filters and traffic signals, and the provision of electricity for streetlights and traffic signals; adopting the preliminary engineer's report; giving notice of and setting the time and place of the public hearing on the annexation of Zone 149, 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. 2010-072 appoints the Director of the Transportation Department as the Engineer to prepare a Report regarding the proposed annexation of Zone 149 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated ("L&LMD No. 89-1-C").

Resolution No. 2010-073 declares the Board's intention of ordering the annexation of Zone 149 to L&LMD No. 89-1-C. Annexation of Zone 149 to L&LMD No. 89-1-C will fund the maintenance and servicing of fossil filters and traffic signals, and the provision of electricity for streetlights and traffic signals within public right-of-way located at the intersection of Washington St and 41st Ave and westerly of Sparkey Way in the Bermuda Dunes area and includes 1 commercial parcel, totaling 3.8 acre(s).

The proposed budget for fiscal year 2010-11 for Zone 149 is \$1,569 that will result in an assessment for fiscal year 2010-11 within Zone 149 of \$412.96 per acre. The annual assessment will be adjusted annually by the greater of 2% or the cumulative percentage increase in the CPI-U, 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 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 May 4, 2010 to receive testimony for and against the proposed assessment. Each property owner within the proposed Zone 149 will receive a notice of the public hearing and mail-in ballot, an impartial analysis, a copy of Resolution No. 2010-073, 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, Zone 149 will be annexed to L&LMD No. 89-1-C.

2 RESOLUTION NO. 2010-072

3
4 **RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE INITIATING**
5 **PROCEEDINGS FOR THE ANNEXATION OF ZONE 149 TO LANDSCAPING AND LIGHTING**
6 **MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE**
7 **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 "Zone 149"),
13 as shown and described in Exhibit "A", which is attached hereto and made a part hereof, to be
14 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 Zone 149 to
17 L&LMD No. 89-1-C pursuant to the Landscaping and Lighting Act of 1972, Part 2 (commencing with
18 Section 22500) of Division 15 of the Streets and Highways Code (hereinafter, respectively, the "Act"
19 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 Zone 149; 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 Zone 149
to L&LMD No. 89-1-C.

FORM APPROVED COUNTY COUNSEL
BY: *[Signature]* DATE: 2/23/10
T. A. GARDNER

1 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the
2 Board of Supervisors of the County of Riverside assembled in regular session on March 16, 2010 as
3 follows:

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

6 **Section 2. Annexation.** The Board of Supervisors proposes to annex Zone 149 to
7 L&LMD No. 89-1-C and to initiate and conduct proceedings therefore pursuant to the Act for the
8 purpose of levying an annual assessment on all parcels within Zone 149 to pay the costs of the
9 following services:

- 10 (a) The maintenance and servicing of fossil filters within the public right-of-way
11 including the removal of petroleum hydrocarbons and other pollutants from
12 water runoff; and
- 13 (b) Providing electricity to and the maintenance and servicing of traffic signals within
14 the public right-of-way including incidental costs and expenses; and
- 15 (c) Providing electricity to all streetlights within the public right-of-way including
16 incidental costs and expenses.

17 **Section 3. Boundaries and Designation.** The boundaries of Zone 149 that are
18 proposed to be annexed to L&LMD No. 89-1-C shall include all of the property as shown and
19 described in Exhibit "A".

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

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

2 RESOLUTION NO. 2010 – 072

3 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE
4 INITIATING PROCEEDINGS FOR THE ANNEXATION OF ZONE 149 TO LANDSCAPING AND
5 LIGHTING MAINTENANCE DISTRICT NO. 89-1 CONSOLIDATED OF THE COUNTY OF
6 RIVERSIDE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 AND
7 ORDERING PREPARATION OF ENGINEER'S REPORT REGARDING SAID ANNEXATION

8 ADOPTED by Riverside County Board of Supervisors on March 16, 2010.

9 ROLL CALL:

Ayes: Buster, Stone, Benoit, and Ashley

Nays: None

10 Absent: Tavaglione

11
12
13 The foregoing is certified to be a true copy of a resolution duly adopted by said Board of
14 Supervisors on the date therein set forth.

15 KECIA HARPER-IHEM, Clerk of said Board

16 By: 
17 Deputy

EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

The boundaries of Zone 149 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 607-040-078 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2010-11.

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ZONE 149

PORTION OF SECTION 7 T.5S., R.7E.

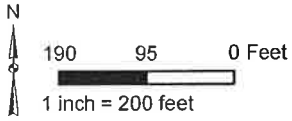
PLOT PLAN NO. 21408

1 PARCEL



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ASSESSMENT DIAGRAM



-  DENOTES MAINTAINED STREETLIGHT
-  DENOTES MAINTAINED FOSSIL FILTER
-  DENOTES MAINTAINED TRAFFIC SIGNAL

2 RESOLUTION NO. 2010-073

3 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING
4 ITS INTENT TO ORDER THE ANNEXATION OF ZONE 149 TO LANDSCAPING AND LIGHTING
5 MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE
6 PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 FOR THE MAINTENANCE
7 AND SERVICING OF FOSSIL FILTERS, STREETLIGHTS, AND TRAFFIC SIGNALS; ADOPTING
8 THE PRELIMINARY ENGINEER'S REPORT; GIVING NOTICE OF AND SETTING THE TIME AND
9 PLACE OF THE PUBLIC HEARING ON THE ANNEXATION OF ZONE 149; 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. 2010-072 on March 16, 2010 initiating
16 proceedings for the annexation of Zone 149 (hereinafter "Zone 149"), as described and shown in
17 Exhibit "A", which is attached hereto and incorporated herein, to Landscaping and Lighting
18 Maintenance District No. 89-1-Consolidated of the County of Riverside, State of California, (hereinafter
19 "L&LMD No. 89-1-C") pursuant to the Landscaping and Lighting Act of 1972 (hereinafter the "Act"),
20 which is Part 2 (commencing with Section 22500) of Division 15 of the Streets and Highways Code
21 (hereinafter the "Street and Highways Code"), and ordering the preparation of a report (hereinafter the
22 "Report") regarding the proposed annexation of Zone 149 and the assessments to be levied within
23 Zone 149 each fiscal year beginning fiscal year 2010-11 for the the maintenance and servicing of fossil
24 filters and traffic signals, and the provision of electricity for streetlights and traffic signals within the
25 public right-of-way within said Zone; and

26 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 Zone 149;
and

APPROVED COUNTY COUNSEL
Nancy A. Gardner 2/23/10
NANCY A. GARDNER DATE

1 **WHEREAS**, the Board of Supervisors by Resolution No. 2010-072 directed the Director of the
2 Transportation Department, or his designee (hereinafter the "Engineer"), to prepare and file the Report
3 with the Clerk of the Board of Supervisors in accordance with Sections 22608 and 22585 et. seq. of the
4 Street and Highways Code and Section 4 of Article XIID; and

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

7 **WHEREAS**, it is necessary that the Board of Supervisors adopt a resolution of intention
8 pursuant to Section 22624 of the Streets and Highways Code, which fixes and gives notice, pursuant to
9 Section 22626 of the Streets and Highways Code, of the time and place of a public hearing on said
10 Report, the annexation of Zone 149, and the assessments to be levied on parcels within Zone 149
11 beginning in fiscal year 2010-11;

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

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

- 15 (a) The foregoing recitals are true and correct;
- 16 (b) The Report contains all matters required by Sections 22565 through 22574 of the
17 Streets and Highways Code and Section 4 of Article XIID and may, therefore, be
18 approved by the Board of Supervisors;
- 19 (c) The annual assessment for fiscal year 2010-11 on all parcels within Zone 149 proposed
20 to be annexed to L&LMD No. 89-1-C will be \$412.96 per acre.

21 **Section 2. Intent.** The Board of Supervisors hereby declares its intention to order the
22 annexation of Zone 149, as described and shown in Exhibit "A", to L&LMD No. 89-1-C, and to levy and
23 collect an annual assessment on all assessable lots and parcels of property within Zone 149
24 commencing with the fiscal year 2010-11 as set forth in the Report. The Report expressly states that
25 there are no parcels or lots within Zone 149 that are owned by a federal, state or other local
26 governmental agency that will benefit from the services to be financed by the annual assessments. The

1 annual assessments will be collected at the same time and in the same manner as property taxes are
2 collected, and all laws providing for the collection and enforcement of property taxes shall apply to the
3 collection and enforcement of said assessments.

4 **Section 3. Boundaries.** All the property within boundaries of Zone 149 is proposed to be
5 annexed into L&LMD No. 89-1-C and shall include that property in the unincorporated area of the
6 County as described and shown in Exhibit "A".

7 **Section 4. Description of Services to be Provided.** The maintenance and servicing of
8 fossil filters and traffic signals, and the provision of electricity for streetlights and traffic signals
9 authorized for Zone 149 of L&LMD No. 89-1-C are:

- 10 (a) The maintenance and servicing of fossil filters within the public right-of-way including the
11 removal of petroleum hydrocarbons and other pollutants from water runoff; and
- 12 (b) Providing electricity to and the maintenance and servicing of traffic signals within the
13 public right-of-way including incidental costs and expenses; and
- 14 (c) Providing electricity to all streetlights within the public right-of-way including incidental
15 costs and expenses.

16 **Section 5. Amount to be Levied.** The assessment to be levied upon each parcel that
17 benefits from the annexation of Zone 149 of L&LMD No. 89-1-C will be \$412.96 per acre for fiscal year
18 2010-11. As stated in the Report, the total budget for Zone 149 for the fiscal year 2010-11 is \$1,569;
19 there is 1 parcel that are to be assessed that aggregate to 3.8 acres. The annual assessment will be
20 increased by the greater of two percent (2.0%) or the cumulative percentage increase, if any, in the
21 Consumer Price Index for all Urban Consumers ("CPI-U") for the Los Angeles-Riverside-Orange
22 County California Standard Metropolitan Statistical area ("Index") published by the Bureau of Labor
23 Statistics of the United States Department of Labor. The annual CPI-U adjustment will be based on the
24 cumulative increase, if any, in the Index as it stands on March of each year over the base Index for
25 March of 2009. Any increase larger than the greater of 2.0% or the CPI-U annual adjustment requires a
26 majority approval of all the property owners within Zone 149. The Board of Supervisors will levy the

1 assessment in each subsequent fiscal year until the Board of Supervisors undertakes proceedings for
2 the dissolution of Zone 149 of L&LMD No. 89-1-C. The annual assessment will fund the services
3 described in Section 4 of this Resolution. For further particulars, reference is to be made to the Report
4 on file in the Office of the Clerk of the Board of Supervisors.

5 **Section 6. The Property to be Annexed.** The property to be annexed into L&LMD No.
6 89-1-C is Zone 149. The boundaries of Zone 149 are located within the unincorporated area of the
7 County and are described and shown in the Report and Exhibit "A".

8 **Section 7. Report.** The Report, which is on file with the Clerk of the Board of Supervisors
9 and which has been presented to the Board of Supervisors, is hereby approved. Reference is made to
10 the Report for a full and detailed description of the services, the boundaries of Zone 149, and the
11 annual assessment to be levied upon assessable lots and parcels within Zone 149 proposed to be
12 annexed to L&LMD No. 89-1-C.

13 **Section 8. Public Hearing.** The question of whether Zone 149 shall be annexed into
14 L&LMD No. 89-1-C and an annual assessment levied beginning with fiscal year 2010-11 shall be
15 considered at a public hearing (hereinafter the "Public Hearing") to be held on May 4, 2010, at 9:30
16 a.m. at the meeting room of the Board of Supervisors of the County at 4080 Lemon Street, 1st Floor,
17 Riverside, California.

18 **Section 9. Majority Protest.** Each owner of record of property within Zone 149 is to receive
19 by mail an assessment ballot that shall conform to the requirements of Section 4 of Article XIID and
20 Section 4000 of the California Elections Code. The assessment ballots are to be returned prior to the
21 Public Hearing. L&LMD No. 89-1-C shall not impose assessments on property within the boundaries of
22 Zone 149 if there is a majority protest with regard to the annexation of Zone 149. A majority protest
23 exists if, upon the conclusion of the Public Hearing, the tabulation of the assessment ballots submitted
24 in opposition to the annexation and assessment of Zone 149 exceeds the assessment ballots in favor
25 of the annexation and assessment of Zone 149.

26

1 **Section 10. Information.** Any property owner desiring additional information regarding
2 Zone 149 of L&LMD No. 89-1-C, the Report, or the proposed assessment is to contact Ms. Joan
3 Pickering, Engineering Technician II, Transportation Department of the County of Riverside, 4080
4 Lemon Street, 8th Floor, Riverside, California, 92501 or by telephone at 951-955 6748.

5 **Section 11. Notice of the Public Hearing.** Notice of Public Hearing with regard to the
6 annexation of Zone 149 to L&LMD No. 89-1-C shall be given consistent with Section 22626 of the
7 Streets and Highways Code and Section 4 of Article XIID. The Clerk of the Board of Supervisors shall
8 give notice of the Public Hearing by causing a certified copy of this Resolution to be published once in
9 an appropriate newspaper at least ten (10) days prior to the date of the Public Hearing that is May 4,
10 2010. Publication of this Resolution is to be effected by the Clerk of the Board of Supervisors. Notice
11 shall also be given by mailing first-class, postage prepaid, those notices, as prepared by County
12 Counsel, assessment ballot and information sheets as required by Section 4 of Article XIID and
13 Section 4000 of the California Elections Code to all owners of record of property within Zone 149 as
14 shown on the last equalized assessment roll of the County. Mailing is to be made by the Engineer and
15 deposited with the U. S. Post Office at least forty-five (45) days prior to the Public Hearing on May 4,
16 2010.

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

19 ROLL CALL:

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

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

25 KECIA HARPER-IHEM, Clerk of said Board

26 By: 

Deputy

EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

The boundaries of Zone 149 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 607-040-078 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2010-11.

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ZONE 149

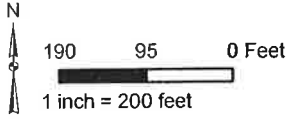
PORTION OF SECTION 7 T.5S., R.7E.

PLOT PLAN NO. 21408

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



-  DENOTES MAINTAINED STREETLIGHT
-  DENOTES MAINTAINED FOSSIL FILTER
-  DENOTES MAINTAINED TRAFFIC SIGNAL



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

April 14, 2010

THE DESERT SUN
ATTN: LEGALS
P.O. BOX 2734
PALM SPRINGS, CA 92263

VIA FAX: (760) 778-4731
E-MAIL: legals@thedesertsun.com

RE: NOTICE OF PUBLIC HEARING: RESOLUTION 2010-073 ZONE 149

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Friday, April 16, 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: Moeller, Charlene [CMOELLER@palmspri.gannett.com]
Sent: Tuesday, April 13, 2010 3:49 PM
To: Gil, Cecilia
Subject: RE: FOR PUBLICATION: RES. NO. 2010-073 ZONE 149

Ad received and will publish on date(s) requested.

Charlene Moeller
Public Notice Customer Service Rep.
The Desert Sun Newspaper
750 N. Gene Autry Trail, Palm Springs, CA 92262
(760) 778-4578, Fax (760) 778-4731
Desert Sun legals@thedesertsun.com
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NOTE: Starting on March 29th, there will be a \$10 affidavit processing fee added to the cost of each Public Notice

From: Gil, Cecilia [mailto:CCGIL@rcbos.org]
Sent: Tuesday, April 13, 2010 3:28 PM
To: tds-legals
Subject: FOR PUBLICATION: RES. NO. 2010-073 ZONE 149

Hello! Attached is a Notice of Public Hearing, for publication on Friday, April 16, 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, May 4, 2010 at 9:30 a.m.** to consider the following:

RESOLUTION NO. 2010-073

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING ITS INTENT TO ORDER THE ANNEXATION OF ZONE 149 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 FOSSIL FILTERS, STREETLIGHTS, AND TRAFFIC SIGNALS; ADOPTING THE PRELIMINARY ENGINEER'S REPORT; GIVING NOTICE OF AND SETTING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE ANNEXATION OF ZONE 149; 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. 2010-072 on March 16, 2010 initiating proceedings for the annexation of Zone 149 (hereinafter "Zone 149"), 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 Zone 149 and the assessments to be levied within Zone 149 each fiscal year beginning fiscal year 2010-11 for the the maintenance and servicing of fossil filters and traffic signals, and the provision of electricity for streetlights and traffic signals 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 Zone 149; and

WHEREAS, the Board of Supervisors by Resolution No. 2010-072 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, 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 Zone 149, and the assessments to be levied on parcels within Zone 149 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 March 16, 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 Zone 149 proposed to be annexed to L&LMD No. 89-1-C will be \$412.96 per acre.

Section 2. Intent. The Board of Supervisors hereby declares its intention to order the annexation of Zone 149, 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 Zone 149 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 Zone 149 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 Zone 149 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 maintenance and servicing of fossil filters and traffic signals, and the provision of electricity for streetlights and traffic signals authorized for Zone 149 of L&LMD No. 89-1-C are:

(a) The maintenance and servicing of fossil filters within the public right-of-way including the removal of petroleum hydrocarbons and other pollutants from water runoff; and

(b) Providing electricity to and the maintenance and servicing of traffic signals within the public right-of-way including incidental costs and expenses; and

(c) Providing 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 Zone 149 of L&LMD No. 89-1-C will be \$412.96 per acre for fiscal year 2010-11. As stated in the Report, the total budget for Zone 149 for the fiscal year 2010-11 is \$1,569; there is 1 parcel that are to be assessed that aggregate to 3.8 acres. 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 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 Zone 149. The Board of Supervisors will levy the assessment in each subsequent fiscal year until the Board of Supervisors undertakes proceedings for the dissolution of Zone 149 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 Zone 149. The boundaries of Zone 149 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 Zone 149, and the annual assessment to be levied upon assessable lots and parcels within Zone 149 proposed to be annexed to L&LMD No. 89-1-C.

Section 8. Public Hearing. The question of whether Zone 149 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 May 4, 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 Zone 149 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 Zone 149 if there is a majority protest with regard to the annexation of Zone 149. 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 Zone 149 exceeds the assessment ballots in favor of the annexation and assessment of Zone 149.

Section 10. Information. Any property owner desiring additional information regarding Zone 149 of L&LMD No. 89-1-C, the Report, or the proposed assessment is to contact Ms. Joan Pickering, Engineering Technician II, Transportation Department of the County of Riverside, 4080 Lemon Street, 8th Floor, Riverside, California, 92501 or by telephone at 951-955 6748.

Section 11. Notice of the Public Hearing. Notice of Public Hearing with regard to the annexation of Zone 149 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 May 4, 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 Zone 149 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 May 4, 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 Zone 149 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 607-040-078 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, Stone, Benoit, and Ashley
NAYS: None
ABSENT: Tavaglione

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: April 14, 2010

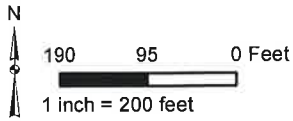
Kecia Harper-Ihem, Clerk of the Board
By: Cecilia Gil, Board Assistant

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED
ZONE 149

PORTION OF SECTION 7 T.5S., R.7E.
PLOT PLAN NO. 21408
1 PARCEL



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ASSESSMENT DIAGRAM

Printed by jpickeri on 2/3/10



- DENOTES MAINTAINED STREETLIGHT
- DENOTES MAINTAINED FOSSIL FILTER
- DENOTES MAINTAINED TRAFFIC SIGNAL

The Desert Sun

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132

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 PO BOX 1147
 RIVERSIDE CA 92502-1147

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 ON REMITTANCE.

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For the Period	Thru
03/29/10	05/02/10
Due Date	Amount Due
05/17/10	12,697.95
AMOUNT PAID	

Date	EDT	Class	Description	Times Run	Col	Depth	Total Size	Rate	Amount
0329			BALANCE FORWARD						4,965.04
0320	CLS	0001	SANDI SCHLEMNO 1190 / RES 20	3	5	21.00	315.00		3,772.35
0331	CLS	0001	CECILIA NO 1338 NOTICE T	12	2	83.00	1992.00		704.90
0403	CLS	0001	CECILIA NO 1427 NOTICE I	9	2	79.00	1422.00		278.28
0409	DLY		SENIOR INSPIRATION AWARDS	1	3	10.00	30.00		500.00
0414	CLS	0001	CECILIA NO 1529 NOTICE I	10	2	49.00	980.00		422.70
0416	CLS	0001	CECILIA NO 1579 NOTICE O	2	2	316.00	1264.00		540.56
0418	DLY		SENIOR INSPIRATION AWARDS	1	3	10.00	30.00		500.00
0423	CLS	0001	CECILIA NO 1692 NOTICE O	2	2	101.00	404.00		183.66
0424	CLS	0001	CECILIA NO 1699 NOTICE O	2	2	246.00	984.00		424.36
0428	CLS	0001	CECILIA NO 1730 NOTICE I	10	2	47.00	940.00		406.10
Current		Over 30 Days	Over 60 Days	Over 90 Days	Over 120 Days	Total Due			
7,732.91		1,730.86	3,044.68	.00	189.50	12,697.95			
Contract Type	Contract Qty.	Expiration Date	Current Usage	Total Used	Quantity Remaining	Salesperson			
						MOELLER			

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Palm Springs, CA 92262
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State Of California ss:
County of Riverside

Advertiser:

RIVERSIDE COUNTY-BOARD OF SUP.
4080 LEMON ST
RIVERSIDE CA 925013

2000200455

I am over the age of 18 years old, a citizen of the United States and not a party to, or have interest in this matter. I hereby certify that the attached advertisement appeared in said newspaper (set in type not smaller than non pariel) in each and entire issue of said newspaper and not in any supplement thereof on the following dates. to wit:

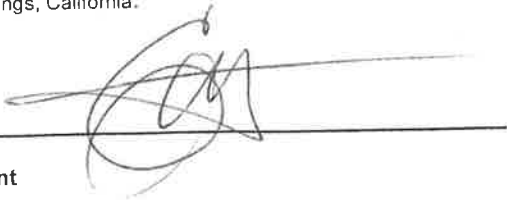
Newspaper: .The Desert Sun

4/16/2010

I acknowledge that I am a principal clerk of the printer of The Desert Sun, printed and published weekly in the City of Palm Springs, County of Riverside, State of California. The Desert Sun was adjudicated a newspaper of general circulation on March 24, 1988 by the Superior Court of the County of Riverside, State of California Case No. 191236.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 16th day of April, 2010 in Palm Springs, California.

Declarant



Certificate of Publication

No 1579 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, May 4, 2010 at 9:30 a.m. to consider the following:

RESOLUTION NO. 2010-073

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING ITS INTENT TO ORDER THE ANNEXATION OF ZONE 149 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 FOSSIL FILTERS, STREETLIGHTS, AND TRAFFIC SIGNALS; ADOPTING THE PRELIMINARY ENGINEER'S REPORT; GIVING NOTICE OF AND SETTING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE ANNEXATION OF ZONE 149; 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. 2010-072 on March 16, 2010 initiating proceedings for the annexation of Zone 149 (hereinafter "Zone 149"), 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 Zone 149 and the assessments to be levied within Zone 149 each fiscal year beginning fiscal year 2010-11 for the maintenance and servicing of fossil filters and traffic signals, and the provision of electricity for streetlights and traffic signals 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 Zone 149; and

WHEREAS, the Board of Supervisors by Resolution No. 2010-072 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, 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 22625 of the Streets and Highways Code, of the time and place of a public hearing on said Report, the annexation of Zone 149, and the assessments to be levied on parcels within Zone 149 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 March 16, 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;

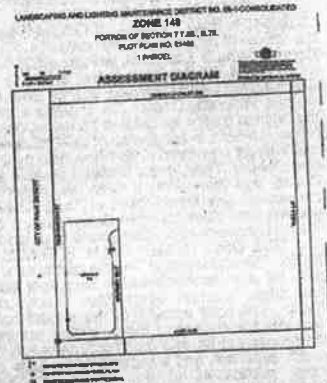
(c) The annual assessment for fiscal year 2010-11 on all parcels within Zone 149 proposed to be annexed to L&LMD No. 89-1-C will be \$412.96 per acre.

Section 2. Intent. The Board of Supervisors hereby declares its intention to order the annexation of Zone 149, 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 Zone 149 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 Zone 149 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

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

EXHIBIT "A" DESCRIPTION OF BOUNDARIES

The boundaries of Zone 149 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 607-040-078 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2010-11.



ROLL CALL:

AYES: Buster, Stone, Benoit, and Ashley
NAYS: None
ABSENT: Tavaglione

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: April 14, 2010
Kecia Harper-Ihem, Clerk of the Board
By: Cecilia Gil, Board Assistant

Published: 4/16/10

Section 3. Boundaries. All the property within boundaries of Zone 149 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 maintenance and servicing of fossil filters and traffic signals, and the provision of electricity for streetlights and traffic signals authorized for Zone 149 of L&LMD No. 89-1-C are:

(a) The maintenance and servicing of fossil filters within the public right-of-way including the removal of petroleum hydrocarbons and other pollutants from water runoff; and

(b) Providing electricity to and the maintenance and servicing of traffic signals within the public right-of-way including incidental costs and expenses; and

(c) Providing 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 Zone 149 of L&LMD No. 89-1-C will be \$412.96 per acre for fiscal year 2010-11. As stated in the Report, the total budget for Zone 149 for the fiscal year 2010-11 is \$1,569; there is 1 parcel that are to be assessed that aggregate to 3.8 acres. 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 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 Zone 149. The Board of Supervisors will levy the assessment in each subsequent fiscal year until the Board of Supervisors undertakes proceedings for the dissolution of Zone 149 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 Zone 149. The boundaries of Zone 149 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 Zone 149, and the annual assessment to be levied upon assessable lots and parcels within Zone 149 proposed to be annexed to L&LMD No. 89-1-C.

Section 8. Public Hearing. The question of whether Zone 149 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 May 4, 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 Zone 149 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 Zone 149 if there is a majority protest with regard to the annexation of Zone 149. 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 Zone 149 exceeds the assessment ballots in favor of the annexation and assessment of Zone 149.

Section 10. Information. Any property owner desiring additional information regarding Zone 149 of L&LMD No. 89-1-C, the Report, or the proposed assessment is to contact Ms. Joan Pickering, Engineering Technician II, Transportation Department of the County of Riverside, 4080 Lemon Street, 8th Floor, Riverside, California, 92501 or by telephone at 951-955 6748.

Section 11. Notice of the Public Hearing. Notice of Public Hearing with regard to the annexation of Zone 149 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 May 4, 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 Zone 149 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 May 4, 2010.

RECEIVED RIVERSIDE COUNTY

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