

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

651A



FROM: TLMA - Transportation Dept.

SUBMITTAL DATE:
April 22, 2010

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated,
Annexation of Zone 127 (Rancho California).

RECOMMENDED MOTION: That the Board:

With regard to the annexation of Zone 127 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

FORM APPROVED COUNTY COUNSEL
BY *Dale A. Gardner* 4/22/10
DALE A. GARDNER DATE
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 Stone, seconded by Supervisor Benoit and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

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

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, 3.62 | District: 3 | Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

9.5

The Honorable Board of Supervisors

RE: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Zone 127 (Rancho California).

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 2010-069 adopted March 16, 2010, the Board of Supervisors noticed a public hearing for May 4, 2010, to receive testimony regarding the annexation of Zone 127 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated (L&LMD No. 89-1-C). Annexation of Zone 127 will fund the provision of electricity for streetlights, and the maintenance and servicing of future median landscaping and dormant parkway landscaping within public rights-of-way located northeasterly of Pacific Sunset Dr, northerly of Temecula Creek Rd, and southerly of SH-79 in the Rancho California area and includes 1 commercial parcel, totaling 4.93 acre(s).

On March 17, 2010 a notice of the public hearing and mail-in ballot, an impartial analysis, a copy of Resolution No. 2010-069, and an information sheet was mailed to all property owners within Zone 127, 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. 2010-069 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. 2010-069 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.

249A

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 127
(RANCHO CALIFORNIA)**

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 127 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 127 Annexation consisting of four (4) parts as follows:

PART I

A general description and plans of the streetlight, future median landscaping, and dormant parkway landscaping improvements proposed to be funded.

PART II

An estimate of the cost of the streetlight, future median landscaping, and dormant parkway landscaping 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 127 Annexation, the lines and dimensions of each parcel of land within said Zone 127, 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 127, in proportion to the estimated benefits to be received by such parcels from said streetlight, future median landscaping, and dormant parkway landscaping 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 127,
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 127 COUNTY OF RIVERSIDE, CALIFORNIA

Description of Improvements

Improvements to be funded by Zone 127 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated generally include the provision of electricity for streetlights, and the maintenance and servicing of future median landscaping and dormant parkway landscaping within the public right-of-way:

- Northeasterly of Pacific Sunset Dr
- Northerly of Temecula Creek Rd
- Southerly of SR-79

Maintenance Plans

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

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

ZONE 127

PORTION OF SECTIONS 10 & 15, T.8S., R.2W.

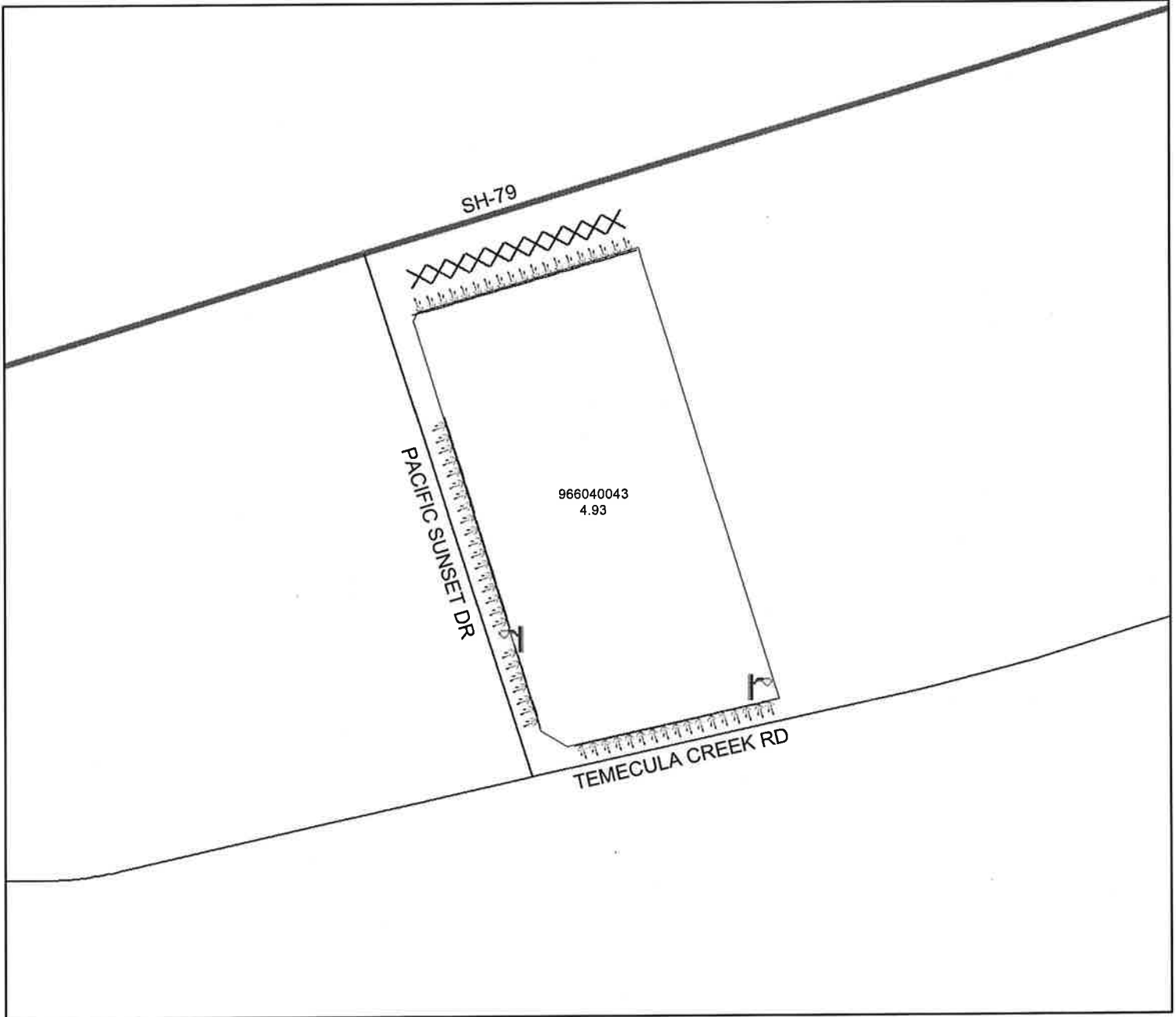
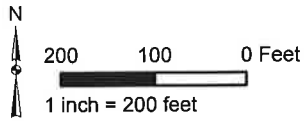
PLOT PLAN NO. 20161

1 PARCEL



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 DENOTES MAINTAINED STREETLIGHT

 DENOTES FUTURE LANDSCAPED AND MAINTAINED MEDIAN

 DENOTES LANDSCAPED AND (CURRENTLY DORMANT) MAINTAINED PARKWAY

PART II

**ENGINEER'S ESTIMATE OF COSTS AND EXPENSES
FOR FISCAL YEAR 2010-11
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT
NO. 89-1-CONSOLIDATED, ZONE 127
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 127

Costs for Maintenance of Improvements

Servicing ¹ of the Streetlights	\$600
Administrative Costs ²	<u>60</u>
Total Amount to be Assessed for FY 2010-11	\$660

¹Servicing means funding of energy costs for streetlights.

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

**LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED
 ZONE 127
 SUMMARY
 ANNUAL BUDGET
 FISCAL YEAR 2010-11**

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

TOTAL BUDGET	\$ 660
FISCAL YEAR 2010-11 ASSESSMENT	\$ 133.86/acre

4.93 acre(s)

Utility Provider: SCE

PART II

**ENGINEER'S ESTIMATE OF COSTS AND EXPENSES
FOR FUTURE MEDIAN ON SH-79
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT
NO. 89-1-CONSOLIDATED, ZONE 127
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 127

Costs for Maintenance of Improvements

Maintenance ¹ & Servicing ² of the Future Median Landscaping	\$1,502
Administrative Costs ³	<u>70</u>

Total Amount to be Assessed in Fiscal Year in which

Future Median Landscaping Improvements are Completed	\$1,572
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¹Maintenance means the furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of the landscaping and appurtenances including repair, removal, replacement, providing for the life growth, health, beauty of landscaping, removal of trimmings, rubbish, debris and other solid wastes.

²Servicing means furnishing of energy and water to the landscaping improvements.

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 127
 SUMMARY
 ANNUAL BUDGET
 FOR FUTURE SH-79 MEDIAN IMPROVEMENTS**

MAINTENANCE OF FUTURE MEDIAN LANDSCAPING	
FUNCTION	ZONE 127
Landscaping and Water	\$ 902
Electricity	\$ 15
Field Inspection/Management	\$ 135
Repair/Replacement	\$ 450
	\$ 1,502

ADMINISTRATIVE COSTS	
FUNCTION	ZONE 127
Assessment Engineer	\$ 20
County Counsel	\$ 15
Transportation Administration/Miscellaneous Expense	\$ 35
	\$ 70

TOTAL BUDGET	\$ 1,572
FUTURE ADDITIONAL ANNUAL ASSESSMENT	\$ 318.86/acre

4.93 acre(s)

PART II

**ENGINEER'S ESTIMATE OF COSTS AND EXPENSES
FOR DORMANT PARKWAY LANDSCAPING IMPROVEMENTS
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT
NO. 89-1-CONSOLIDATED, ZONE 127
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 127

Costs for Maintenance of Improvements

Maintenance ¹ & Servicing ² of the Dormant Parkway Landscaping	\$4,060
Administrative Costs ³	<u>170</u>

Total Amount to be Assessed in Fiscal Year in which

Dormant Parkway Landscaping Improvements Become Active	\$4,230
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¹Maintenance means the furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of the landscaping and appurtenances including repair, removal, replacement, providing for the life growth, health, beauty of landscaping, removal of trimmings, rubbish, debris and other solid wastes.

²Servicing means furnishing of energy and water to the landscaping improvements.

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 127
SUMMARY
ANNUAL BUDGET
FOR DORMANT PARKWAY IMPROVEMENTS
(SH-79, PACIFIC SUNSET DR, & TEMECULA CREEK RD)

MAINTENANCE OF DORMANT PARKWAY LANDSCAPING	
FUNCTION	ZONE 127
Landscaping and water	\$ 2,172
Electricity	\$ 36
Mulch	\$ 168
Tree Trimming	\$ 275
Field Inspection/Management	\$ 325
Repair/Replacement	\$ 1,084
	\$ 4,060

ADMINISTRATIVE COSTS	
FUNCTION	ZONE 127
Assessment Engineer	\$ 50
County Counsel	\$ 35
Transportation Administration/Miscellaneous Expense	\$ 85
	\$ 170

TOTAL BUDGET	\$ 4,230
DORMANT ANNUAL ASSESSMENT	\$ 858.10/acre

4.93 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 127
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 127

Annexation of Zone 127 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 127

PORTION OF SECTIONS 10 & 15, T.8S., R.2W.

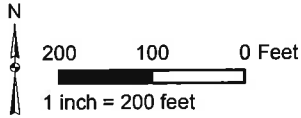
PLOT PLAN NO. 20161

1 PARCEL

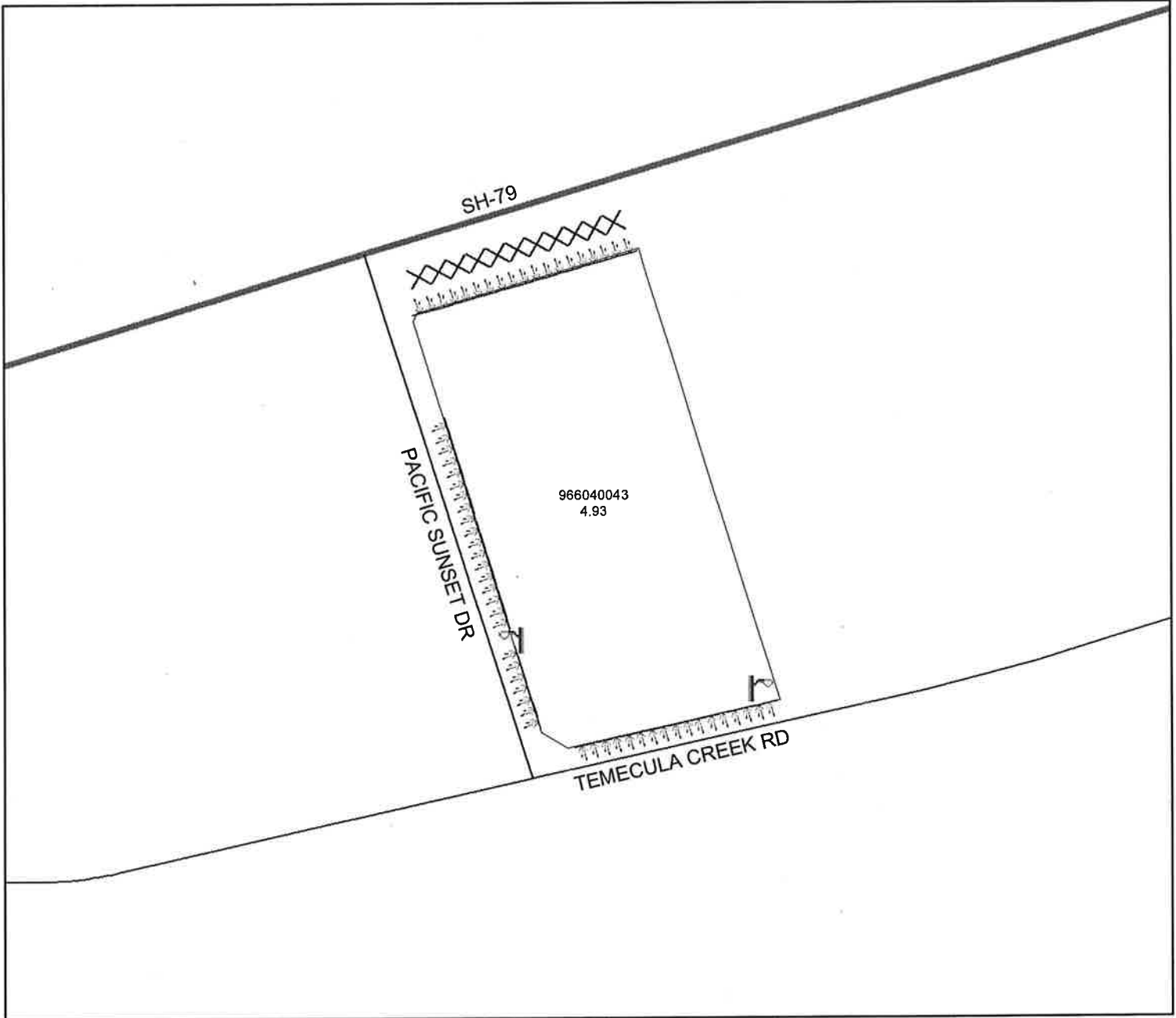


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ASSESSMENT DIAGRAM



DENOTES MAINTAINED STREETLIGHT

DENOTES FUTURE LANDSCAPED AND MAINTAINED MEDIAN

DENOTES LANDSCAPED AND (CURRENTLY DORMANT) MAINTAINED PARKWAY

PART IV

**ASSESSMENT FOR FISCAL YEAR 2010-11
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT
NO. 89-1-CONSOLIDATED, ZONE 127
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. 2010-068 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 127 (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 streetlight, future median landscaping, and dormant parkway landscaping improvements
- b. An estimate of the costs of servicing streetlight, future median landscaping, and dormant parkway landscaping 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 127 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 streetlights, future median landscaping, and dormant parkway landscaping provides direct and special benefit to those properties located within Zone 127 in Landscaping and Lighting Maintenance District No. 89-1-Consolidated (DISTRICT). Streetlights, future median landscaping, and dormant parkway landscaping enhance the properties within the DISTRICT, improve erosion control, provide dust abatement, increase public safety (controls sight distance restrictions and fire hazards), improve neighborhood protection, increase traffic safety by improving visibility, improve neighborhood aesthetics, and provide an enhanced quality of life and sense of well being for properties within the DISTRICT.

The future median landscaping and dormant parkway landscaping improvements maintained by the DISTRICT provide no general public benefit in that the properties within Zone 127 are discrete neighborhoods or communities for which the future median landscaping and dormant parkway landscaping improvements were installed. Future median landscaping, and dormant parkway landscaping 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 streetlight, future median landscaping, and dormant parkway landscaping improvements maintenance and services are apportioned on a per acre basis.

Per Caltrans requirements, parkway landscape improvements located in Caltrans right-of-way shall be maintained in perpetuity. The maintenance and servicing of the parkway landscaping on SH-79, Pacific Sunset Dr, and Temecula Creek Rd will be the responsibility of the property owners within Zone 127, per their signed maintenance agreement with the County of Riverside Transportation Department (Agreement for Maintenance of Parkways (IC1), dated 05/07/09). Should the property owners default on this agreement, the maintenance and servicing of the parkway landscaping will transfer

to L&LMD No. 89-1-C, and the dormant annual assessment for such services will become active.

The dollar per acre value for Fiscal Year 2010-11 for Zone 127 is as follows:

$$\begin{array}{rcl} \text{Total Budget} = & \underline{\$660} & \\ \text{Total No. Acres} & 4.93 & = \quad \$133.86/\text{acre} \end{array}$$

The assessment for Fiscal Year 2010-11 for Zone 127 that is to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated will be \$133.86 per acre.

Beginning in the fiscal year in which the future median improvements on SH-79 are completed, and/or the dormant maintenance and servicing of the parkway landscaping on SH-79, Pacific Sunset Dr, and Temecula Creek Rd becomes active, the annual assessments may be further increased. For the fiscal year in which the future median improvements are completed, the annual assessment may be increased by \$318.86 per acre, which when added to the assessment for streetlights will result in an aggregate assessment of \$452.72, adjusted for inflation. For the fiscal year in which the dormant parkway landscaping improvements should become active, the annual assessment may be increased by \$858.10 per acre, which when added to the assessment for streetlights and future median landscaping will result in an aggregate assessment of \$1,310.82, adjusted for inflation.

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 127.

In conclusion, it is my opinion that the assessments for Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Zone 127 have been spread in direct accordance with the benefits that each parcel receives from the items being financed.

Dated February 25, 2010



Juan C. Perez, Director of Transportation
Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Zone 127,
County of Riverside, California

APN

ACRES

ASSESSMENT

966-040-043

4.93

659.92

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

249A



FROM: TLMA - Transportation Dept.

SUBMITTAL DATE:
March 4, 2010

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated,
Annexation of Zone 127 (Rancho California).

RECOMMENDED MOTION: That the Board adopt the following Resolutions:

Resolution No. 2010-068 a Resolution of the County of Riverside initiating proceedings for the annexation of Zone 127 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated and ordering preparation of the Engineer's Report regarding the proposed annexation of Zone 127.

Resolution No. 2010-069, a Resolution of the County of Riverside declaring its intent to order the annexation of Zone 127 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

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: 3

Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

3.62

51410 9.5

APPROVED COUNTY COUNSEL
DALE A. GARDNER

Departmental Concurrence

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

Policy
Policy

The Honorable Board of Supervisors

RE: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Zone 127 (Rancho California).

March 4, 2010

Page 2 of 3

1972 for the maintenance and servicing of landscaping and 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 Zone 127, 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. 2010-068 appoints the Director of the Transportation Department as the Engineer to prepare a Report regarding the proposed annexation of Zone 127 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated ("L&LMD No. 89-1-C").

Resolution No. 2010-069 declares the Board's intention of ordering the annexation of Zone 127 to L&LMD No. 89-1-C. Annexation of Zone 127 to L&LMD No. 89-1-C will fund the the provision of electricity for streetlights, the future maintenance and servicing of median landscaping, and ensure possible future maintenance and servicing of parkway landscaping within public right-of-way located northeasterly of Pacific Sunset Dr, northerly of Temecula Creek Rd, and southerly of SH-79 in the Rancho California area, and includes 1 commercial parcel, totaling 5.18 acre(s).

Per Caltrans requirements, parkway landscape improvements located in Caltrans right-of-way shall be maintained in perpetuity. The maintenance and servicing of the parkway landscaping on SH-79, Pacific Sunset Dr, and Temecula Creek Rd will be the responsibility of the property owners within Zone 127, per their signed maintenance agreement with the County of Riverside Transportation Department (Agreement for Maintenance of Parkways (ICI), dated 05/07/09). Should the property owners default on this agreement, the maintenance and servicing of the parkway landscaping will transfer to L&LMD No. 89-1-C, and the dormant annual assessment for such services will become active.

The proposed budget for fiscal year 2010-11 for Zone 127 is \$660 that will result in an assessment for fiscal year 2010-11 within Zone 127 of \$133.86 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.

In addition to the Standard Annual Adjustment, beginning in the fiscal year in which the future median improvements on SH-79 are completed, and/or the dormant maintenance and servicing of the parkway landscaping on SH-79, Pacific Sunset Dr, and Temecula Creek Rd becomes active, the annual assessments may be further increased. For the fiscal year in which the future median improvements are completed, the annual assessment may be increased by \$318.86 per acre, which when added to the assessment for streetlights will result in an aggregate assessment of \$452.72, adjusted for inflation. For the fiscal year in which the dormant parkway landscaping improvements should become active, the annual assessment may be increased by \$858.10 per acre, which when added to the assessment for streetlights and future median landscaping will result in an aggregate assessment of \$1,310.82, adjusted for inflation. The Standard Annual Adjustment will be applied to this increased assessment in all subsequent fiscal years following the year in which the future median improvements on SH-79 are completed and/or the dormant parkway landscaping improvements on SH-79, Pacific Sunset Dr, and Temecula Creek Rd should become active. Under the proposed annexation, neither the assessment increases based on the Standard Annual Adjustment nor the further increases

The Honorable Board of Supervisors

RE: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of
Zone 127 (Rancho California).

March 4, 2010

Page 3 of 3

associated with the completion of the future median improvements on SH-79, or the dormant maintenance and servicing of parkway landscaping on SH-79, Pacific Sunset Dr, and Temecula Creek Rd becoming active, will require any further approval of the property owners within Zone 127.

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 127 will receive a notice of the public hearing and mail-in ballot, an impartial analysis, a copy of Resolution No. 2010-069, 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 127 will be annexed to L&LMD No. 89-1-C.

2 RESOLUTION NO. 2010-068

3
4 **RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE INITIATING**
5 **PROCEEDINGS FOR THE ANNEXATION OF ZONE 127 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 127"),
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 127 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 127; 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 127
27 to L&LMD No. 89-1-C.

FORM APPROVED COUNTY COUNSEL
BY *[Signature]* DATE *12/22/10*
DANIEL 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 127 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 127 to pay the costs of the
9 following services:

- 10 (a) The maintenance and servicing of landscaping within the public right-of-way
11 including the trimming, fertilizing, weeding and replanting of trees, shrubs, grass,
12 and other ornamental vegetation; and
- 13 (b) The maintenance and servicing of irrigation and electrical facilities associated
14 with the landscaping, including but not limited to electricity for operation of the
15 irrigation system and water for irrigation
- 16 (c) Providing electricity to all streetlights within the public right-of-way including
17 incidental costs and expenses.

18 **Section 3. Boundaries and Designation.** The boundaries of Zone 127 that are
19 proposed to be annexed to L&LMD No. 89-1-C shall include all of the property as shown and
20 described in Exhibit "A".

21 **Section 4. Report.** The Director of the Department of the County, or his designee,
22 is hereby designated Engineer and is ordered to prepare and file a report with the Clerk of the Board
23 of Supervisors in accordance with Sections 22608 and 22585 et. seq. of the Streets and Highways
24 Code and Section 4 of Article XIID of the California Constitution regarding said annexation and the
25 levy.
26

Section 5. Effective Date. This Resolution shall take effect from and after its date

of adoption.

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: 

Deputy

EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

The boundaries of Zone 127 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 966-040-043 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2010-11.

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ZONE 127

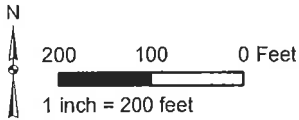
PORTION OF SECTIONS 10 & 15, T.8S., R.2W.

PLOT PLAN NO. 20161

1 PARCEL

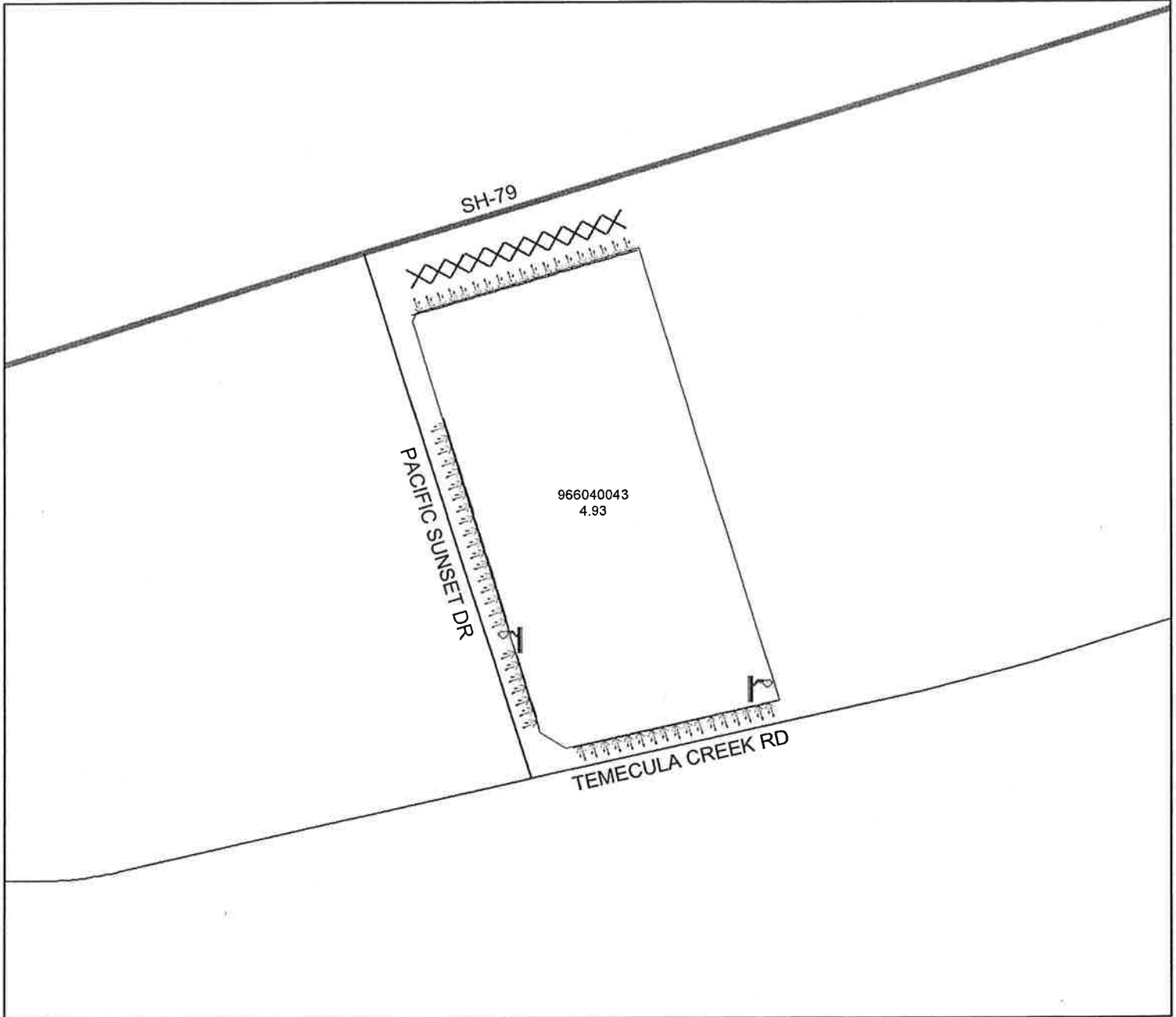


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ASSESSMENT DIAGRAM

Printed by jpickeri on 2/4/10



 DENOTES MAINTAINED STREETLIGHT

 DENOTES FUTURE LANDSCAPED AND MAINTAINED MEDIAN

 DENOTES LANDSCAPED AND (CURRENTLY DORMANT) MAINTAINED PARKWAY

2 RESOLUTION NO. 2010-069

3 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING
4 ITS INTENT TO ORDER THE ANNEXATION OF ZONE 127 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 STREETLIGHTS, FUTURE MEDIAN LANDSCAPING, AND DORMANT
8 PARKWAY LANDSCAPING; ADOPTING THE PRELIMINARY ENGINEER'S REPORT; GIVING
9 NOTICE OF AND SETTING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE
10 ANNEXATION OF ZONE 127; ORDERING AN ASSESSMENT PROCEEDING; ORDERING A
11 MAILED BALLOT ELECTION; AND DIRECTING NOTICE OF THE PUBLIC HEARING AND THE
12 ASSESSMENT BALLOT TO BE MAILED PURSUANT TO ARTICLE XIIID OF THE CALIFORNIA
13 CONSTITUTION AND SECTION 4000 OF 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. 2010-068 on March 16, 2010 initiating
16 proceedings for the annexation of Zone 127 (hereinafter "Zone 127"), 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
(hereinafter the "Street and Highways Code"), and ordering the preparation of a report (hereinafter the
"Report") regarding the proposed annexation of Zone 127 and the assessments to be levied within
Zone 127 each fiscal year beginning fiscal year 2010-11 for the the provision of electricity for
streetlights, and the maintenance and servicing of future median landscaping and dormant parkway
landscaping within the public right-of-way within said Zone; and

21 WHEREAS, such proceedings shall comply with the requirements of Article XIIID of the
22 California Constitution (hereinafter "Article XIIID:"), the Act, and Section 4000 of the Elections Code
23 requiring voter approval of the proposed assessment to be levied by L&LMD No. 89-1-C for Zone 127;
24 and
25

FORM APPROVED COUNTY COUNSEL
BY: DALE GARDNER 2/22/10
DATE

1 **WHEREAS**, the Board of Supervisors by Resolution No. 2010-068 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 127, and the assessments to be levied on parcels within Zone 127
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 127 proposed
20 to be annexed to L&LMD No. 89-1-C will be \$133.86 per acre.
- 21 (d) Beginning in the fiscal year in which the future median improvements on SH-79 are
22 completed and/or the dormant maintenance and servicing of the parkway landscaping
23 on SH-79, Pacific Sunset Dr, and Temecula Creek Rd becomes active, the annual
24 assessment and all subsequent annual assessments will be increased accordingly. The
25 annual assessment may be increased by \$318.86 per acre, which when added to the
26 assessment for streetlights will result in an aggregate assessment of \$452.72, adjusted

1 for inflation, in the fiscal year in which the future median improvements are completed,
2 and may be increased by \$858.10 per acre, which when added to the assessment for
3 streetlights and future median landscaping will result in an aggregate assessment of
4 \$1,310.82, adjusted for inflation, in the fiscal year in which the dormant parkway
5 landscaping improvements should become active, as detailed in the Report. Subsequent
6 annual assessments will be increased, without regard to the \$1,310.82 per acre ceiling,
7 in accordance with the standard annual adjustment formula outlined in Section 5 of this
8 Resolution.

9 **Section 2. Intent.** The Board of Supervisors hereby declares its intention to order the
10 annexation of Zone 127, as described and shown in Exhibit "A", to L&LMD No. 89-1-C, and to levy and
11 collect an annual assessment on all assessable lots and parcels of property within Zone 127
12 commencing with the fiscal year 2010-11 as set forth in the Report. The Report expressly states that
13 there are no parcels or lots within Zone 127 that are owned by a federal, state or other local
14 governmental agency that will benefit from the services to be financed by the annual assessments. The
15 annual assessments will be collected at the same time and in the same manner as property taxes are
16 collected, and all laws providing for the collection and enforcement of property taxes shall apply to the
17 collection and enforcement of said assessments.

18 **Section 3. Boundaries.** All the property within boundaries of Zone 127 is proposed to be
19 annexed into L&LMD No. 89-1-C and shall include that property in the unincorporated area of the
20 County as described and shown in Exhibit "A".

21 **Section 4. Description of Services to be Provided.** The provision of electricity for
22 streetlights, and the maintenance and servicing of future median landscaping and dormant parkway
23 landscaping authorized for Zone 127 of L&LMD No. 89-1-C are:

- 24 (a) The maintenance and servicing of landscaping within the public right-of-way including
25 the trimming, fertilizing, weeding and replanting of trees, shrubs, grass, and other
26 ornamental vegetation; and

1 (b) The maintenance and servicing of irrigation and electrical facilities associated with the
2 landscaping, including but not limited to electricity for operation of the irrigation system
3 and water for irrigation; and

4 (c) Providing electricity to all streetlights within the public right-of-way including incidental
5 costs and expenses.

6 **Section 5. Amount to be Levied.** The assessment to be levied upon each parcel that
7 benefits from the annexation of Zone 127 of L&LMD No. 89-1-C will be \$133.86 per acre for fiscal year
8 2010-11. As stated in the Report, the total budget for Zone 127 for the fiscal year 2010-11 is \$660;
9 there is 1 parcel that is to be assessed that aggregates to 4.93 acres. The annual assessment will be
10 increased by the greater of two percent (2.0%) or the cumulative percentage increase, if any, in the
11 Consumer Price Index for all Urban Consumers ("CPI-U") for the Los Angeles-Riverside-Orange
12 County California Standard Metropolitan Statistical area ("Index") published by the Bureau of Labor
13 Statistics of the United States Department of Labor. The annual CPI-U adjustment will be based on the
14 cumulative increase, if any, in the Index as it stands on March of each year over the base Index for
15 March of 2010. The annual assessment increase derived from the application of the foregoing formula
16 is referred to as the "Standard Annual Adjustment." In addition to the Standard Annual Adjustment,
17 beginning in the fiscal year in which the future median improvements on SH-79 are completed and/or
18 the dormant maintenance and servicing of the parkway landscaping on SH-79, Pacific Sunset Dr, and
19 Temecula Creek Rd becomes active, the annual assessments may be further increased. For the fiscal
20 year in which the future median improvements are completed, the annual assessment may be
21 increased by \$318.86 per acre, which when added to the assessment for streetlights will result in an
22 aggregate assessment of \$452.72, adjusted for inflation. For the fiscal year in which the dormant
23 parkway landscaping improvements should become active, the annual assessment may be increased
24 by \$858.10 per acre, which when added to the assessment for streetlights and future median
25 landscaping will result in an aggregate assessment of \$1,310.82, adjusted for inflation. The Standard
26 Annual Adjustment will be applied to this increased assessment in all subsequent fiscal years following

1 the year in which the future median improvements on SH-79 are completed, and/or the dormant
2 maintenance and servicing of the parkway landscaping on SH-79, Pacific Sunset Dr, and Temecula
3 Creek Rd becomes active, without regard to the \$1,310.82 per acre, inflation adjusted, assessment
4 ceiling required during the fiscal year the future median improvements were first completed and/or the
5 fiscal year the parkway improvements became active. Except for assessment increases associated with
6 the completion of the future median improvements, and/or the parkway improvements becoming active,
7 and assessment increases resulting from the application of the Standard Annual Adjustment, any other
8 increase in the annual assessment requires a majority approval of all the property owners within
9 Zone 127. The Board of Supervisors will levy the assessment in each subsequent fiscal year until the
10 Board of Supervisors undertakes proceedings for the dissolution of Zone 127 of L&LMD No. 89 1 C.
11 The annual assessment will fund the services described in Section 4 of this Resolution. For further
12 particulars, reference is to be made to the Report on file in the Office of the Clerk of the Board of
13 Supervisors.

14 **Section 6. The Property to be Annexed.** The property to be annexed into L&LMD No.
15 89-1-C is Zone 127. The boundaries of Zone 127 are located within the unincorporated area of the
16 County and are described and shown in the Report and Exhibit "A".

17 **Section 7. Report.** The Report, which is on file with the Clerk of the Board of Supervisors
18 and which has been presented to the Board of Supervisors, is hereby approved. Reference is made to
19 the Report for a full and detailed description of the services, the boundaries of Zone 127, and the
20 annual assessment to be levied upon assessable lots and parcels within Zone 127 proposed to be
21 annexed to L&LMD No. 89-1-C.

22 **Section 8. Public Hearing.** The question of whether Zone 127 shall be annexed into
23 L&LMD No. 89-1-C and an annual assessment levied beginning with fiscal year 2010-11 shall be
24 considered at a public hearing (hereinafter the "Public Hearing") to be held on May 4, 2010, at 9:30
25 a.m. at the meeting room of the Board of Supervisors of the County at 4080 Lemon Street, 1st Floor,
26 Riverside, California.

1 **Section 9. Majority Protest.** Each owner of record of property within Zone 127 is to receive
2 by mail an assessment ballot that shall conform to the requirements of Section 4 of Article XIID and
3 Section 4000 of the California Elections Code. The assessment ballots are to be returned prior to the
4 Public Hearing. L&LMD No. 89-1-C shall not impose assessments on property within the boundaries of
5 Zone 127 if there is a majority protest with regard to the annexation of Zone 127. A majority protest
6 exists if, upon the conclusion of the Public Hearing, the tabulation of the assessment ballots submitted
7 in opposition to the annexation and assessment of Zone 127 exceeds the assessment ballots in favor
8 of the annexation and assessment of Zone 127.

9 **Section 10. Information.** Any property owner desiring additional information regarding
10 Zone 127 of L&LMD No. 89-1-C, the Report, or the proposed assessment is to contact Ms. Joan
11 Pickering, Engineering Technician II, Transportation Department of the County of Riverside, 4080
12 Lemon Street, 8th Floor, Riverside, California, 92501 or by telephone at 951-955 6748.

13 **Section 11. Notice of the Public Hearing.** Notice of Public Hearing with regard to the
14 annexation of Zone 127 to L&LMD No. 89-1-C shall be given consistent with Section 22626 of the
15 Streets and Highways Code and Section 4 of Article XIID. The Clerk of the Board of Supervisors shall
16 give notice of the Public Hearing by causing a certified copy of this Resolution to be published once in
17 an appropriate newspaper at least ten (10) days prior to the date of the Public Hearing that is May 4,
18 2010. Publication of this Resolution is to be effected by the Clerk of the Board of Supervisors. Notice
19 shall also be given by mailing first-class, postage prepaid, those notices, as prepared by County
20 Counsel, assessment ballot and information sheets as required by Section 4 of Article XIID and
21 Section 4000 of the California Elections Code to all owners of record of property within Zone 127 as
22 shown on the last equalized assessment roll of the County. Mailing is to be made by the Engineer and
23 deposited with the U. S. Post Office at least forty-five (45) days prior to the Public Hearing on May 4,
24 2010.

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

2 RESOLUTION NO. 2010 – 069

3 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE
 4 DECLARING ITS INTENT TO ORDER THE ANNEXATION OF ZONE 127 TO LANDSCAPING
 AND LIGHTING MAINTENANCE DISTRICT NO. 89-1 CONSOLIDATED OF THE COUNTY OF
 5 RIVERSIDE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 FOR THE
 MAINTENANCE AND SERVICING OF STREETLIGHTS, FUTURE MEDIAN LANDSCAPING, AND
 6 DORMANT PARKWAY LANDSCAPING; ADOPTING THE PRELIMINARY ENGINEER'S
 REPORT; GIVING NOTICE OF AND SETTING THE TIME AND PLACE OF THE PUBLIC
 7 HEARING ON THE ANNEXATION OF ZONE 127; ORDERING AN ASSESSMENT PROCEEDING;
 ORDERING A MAILED BALLOT ELECTION; AND DIRECTING THE NOTICE OF THE PUBLIC
 8 HEARING AND THE ASSESSMENT BALLOT TO BE MAILED PURSUANT TO ARTICLE XIID OF
 THE CALIFORNIA CONSTITUTION AND SECTION 4000 OF THE ELECTIONS CODE

9
10 ADOPTED by Riverside County Board of Supervisors on March 16, 2010.

11 ROLL CALL:

12 Ayes: Buster, Stone, Benoit, and Ashley
 13 Nays: None
 Absent: Tavaglione

14
15
16 The foregoing is certified to be a true copy of a resolution duly adopted by said Board of
17 Supervisors on the date therein set forth.

18 KECIA HARPER-IHEM, Clerk of said Board

19 By: 
 20 Deputy

EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

The boundaries of Zone 127 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 966-040-043 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2010-11.

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ZONE 127

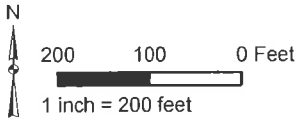
PORTION OF SECTIONS 10 & 15, T.8S., R.2W.

PLOT PLAN NO. 20161

1 PARCEL

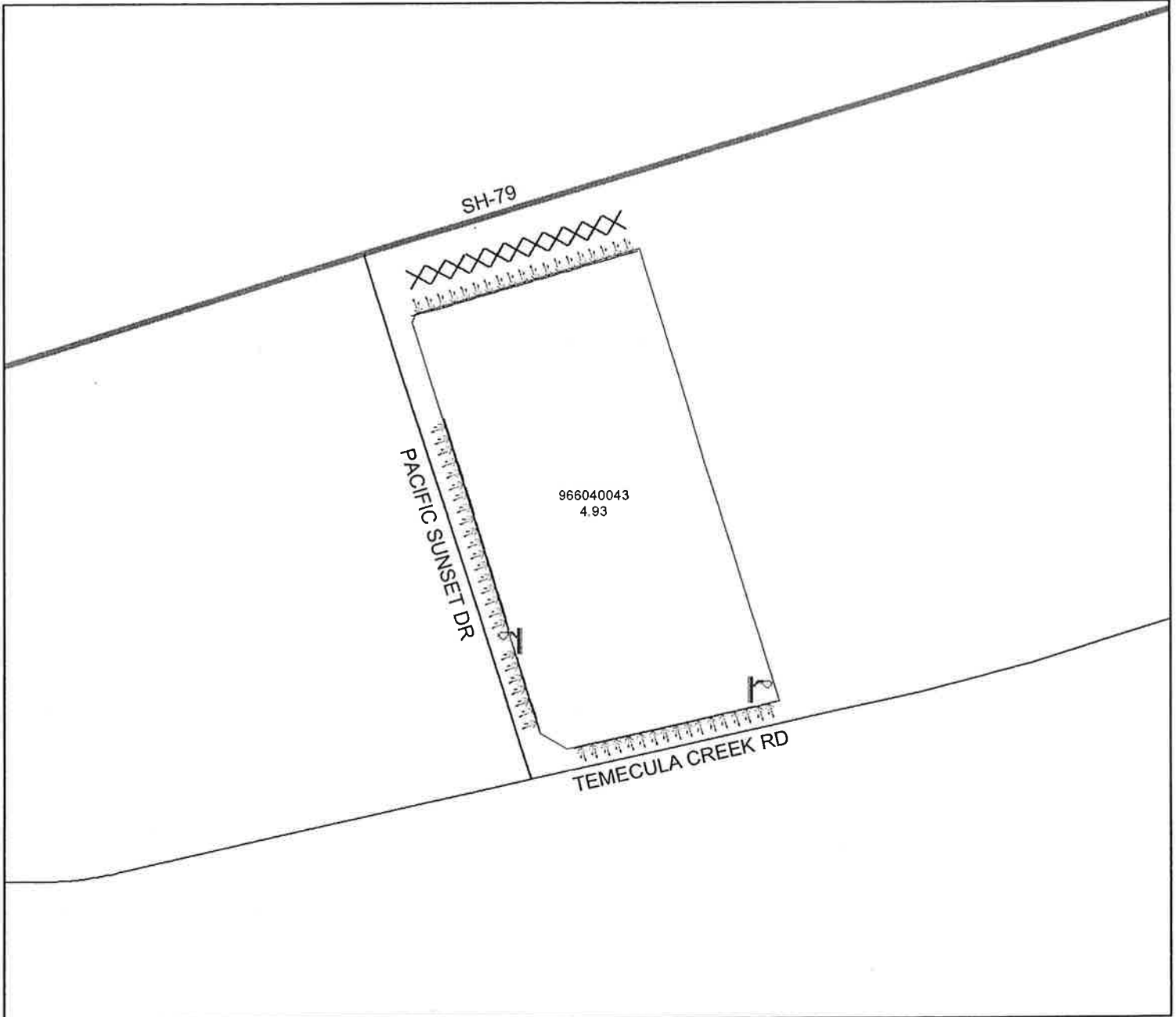


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ASSESSMENT DIAGRAM

Printed by jpickeri on 2/4/10



 DENOTES MAINTAINED STREETLIGHT

 DENOTES FUTURE LANDSCAPED AND MAINTAINED MEDIAN

 DENOTES LANDSCAPED AND (CURRENTLY DORMANT) MAINTAINED PARKWAY



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 CALIFORNIAN
ATTN: LEGALS
28765 SINGLE OAK DR., STE. 100
TEMECULA, CA 92590

VIA FAX: (951) 699-1467
E-MAIL: tswenson@nctimes.com

RE: NOTICE OF PUBLIC HEARING: RESOLUTION 2010-069 ZONE 127

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Sunday, April 18, 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: Tammi Swenson [TSwenson@nctimes.com]
Sent: Tuesday, April 13, 2010 4:05 PM
To: Gil, Cecilia
Subject: RE: FOR PUBLICATION: RES. NO. 2010-069 ZONE 127

Received.... Is it OK if I put it in on Saturday the 17th?

Tammi Swenson
Legal Advertising Representative
North County Times & The Californian
San Diego County: (760)745-6611 ext 2604
Riverside County: (951)676-4315 ext 2604
tswenson@nctimes.com

From: Gil, Cecilia [mailto:CCGIL@rcbos.org]
Sent: Tuesday, April 13, 2010 3:29 PM
To: Tammi Swenson
Subject: FOR PUBLICATION: RES. NO. 2010-069 ZONE 127

Hello! Attached is a Notice of Public Hearing, for publication on Sunday, April 18, 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. 2010-069

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING ITS INTENT TO ORDER THE ANNEXATION OF ZONE 127 TO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 FOR THE MAINTENANCE AND SERVICING OF STREETLIGHTS, FUTURE MEDIAN LANDSCAPING, AND DORMANT PARKWAY LANDSCAPING; ADOPTING THE PRELIMINARY ENGINEER'S REPORT; GIVING NOTICE OF AND SETTING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE ANNEXATION OF ZONE 127; 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. 2010-068 on March 16, 2010 initiating proceedings for the annexation of Zone 127 (hereinafter "Zone 127"), 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 127 and the assessments to be levied within Zone 127 each fiscal year beginning fiscal year 2010-11 for the the provision of electricity for streetlights, and the maintenance and servicing of future median landscaping and dormant parkway landscaping 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 127; and

WHEREAS, the Board of Supervisors by Resolution No. 2010-068 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 127, and the assessments to be levied on parcels within Zone 127 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 127 proposed to be annexed to L&LMD No. 89-1-C will be \$133.86 per acre.

(d) Beginning in the fiscal year in which the future median improvements on SH-79 are completed and/or the dormant maintenance and servicing of the parkway landscaping on SH-79, Pacific Sunset Dr, and Temecula Creek Rd becomes active, the annual assessment and all subsequent annual assessments will be increased accordingly. The annual assessment may be increased by \$318.86 per acre, which when added to the assessment for streetlights will result in an aggregate assessment of \$452.72, adjusted for inflation, in the fiscal year in which the future median improvements are completed, and may be increased by \$858.10 per acre, which when added to the assessment for streetlights and future median landscaping will result in an aggregate assessment of \$1,310.82, adjusted for inflation, in the fiscal year in which the dormant parkway landscaping improvements should become active, as detailed in the Report. Subsequent annual assessments will be increased, without regard to the \$1,310.82 per acre ceiling, in accordance with the standard annual adjustment formula outlined in Section 5 of this Resolution.

Section 2. Intent. The Board of Supervisors hereby declares its intention to order the annexation of Zone 127, 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 127 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 127 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 127 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 provision of electricity for streetlights, and the maintenance and servicing of future median landscaping and dormant parkway landscaping authorized for Zone 127 of L&LMD No. 89-1-C are:

(a) The maintenance and servicing of landscaping within the public right-of-way including the trimming, fertilizing, weeding and replanting of trees, shrubs, grass, and other ornamental vegetation; and

(b) The maintenance and servicing of irrigation and electrical facilities associated with the landscaping, including but not limited to electricity for operation of the irrigation system and water for irrigation; 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 127 of L&LMD No. 89-1-C will be \$133.86 per acre for fiscal year 2010-11. As stated in the Report, the total budget for Zone 127 for the fiscal year 2010-11 is \$660; there is 1 parcel that is to be assessed that aggregates to 4.93 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 2010. The annual assessment increase derived from the application of the foregoing formula is referred to as the "Standard Annual Adjustment." In addition to the Standard Annual Adjustment, beginning in the fiscal year in which the future median improvements on SH-79 are completed and/or the dormant maintenance and servicing of the parkway landscaping on SH-79, Pacific Sunset Dr, and Temecula Creek Rd becomes active, the annual assessments may be further increased. For the fiscal year in which the future median improvements are completed, the annual assessment may be increased by \$318.86 per acre, which when added to the assessment for streetlights will result in an aggregate assessment of \$452.72, adjusted for inflation. For the fiscal year in which the dormant parkway landscaping improvements should become

active, the annual assessment may be increased by \$858.10 per acre, which when added to the assessment for streetlights and future median landscaping will result in an aggregate assessment of \$1,310.82, adjusted for inflation. The Standard Annual Adjustment will be applied to this increased assessment in all subsequent fiscal years following the year in which the future median improvements on SH-79 are completed, and/or the dormant maintenance and servicing of the parkway landscaping on SH-79, Pacific Sunset Dr, and Temecula Creek Rd becomes active, without regard to the \$1,310.82 per acre, inflation adjusted, assessment ceiling required during the fiscal year the future median improvements were first completed and/or the fiscal year the parkway improvements became active. Except for assessment increases associated with the completion of the future median improvements, and/or the parkway improvements becoming active, and assessment increases resulting from the application of the Standard Annual Adjustment, any other increase in the annual assessment requires a majority approval of all the property owners within Zone 127. 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 127 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 127. The boundaries of Zone 127 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 127, and the annual assessment to be levied upon assessable lots and parcels within Zone 127 proposed to be annexed to L&LMD No. 89-1-C.

Section 8. Public Hearing. The question of whether Zone 127 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 127 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 127 if there is a majority protest with regard to the annexation of Zone 127. 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 127 exceeds the assessment ballots in favor of the annexation and assessment of Zone 127.

Section 10. Information. Any property owner desiring additional information regarding Zone 127 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 127 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 127 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 127 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 966-040-043 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

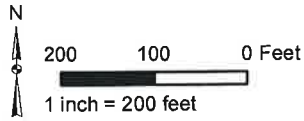
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED
ZONE 127

PORTION OF SECTIONS 10 & 15, T.8S., R.2W.
PLOT PLAN NO. 20161
1 PARCEL

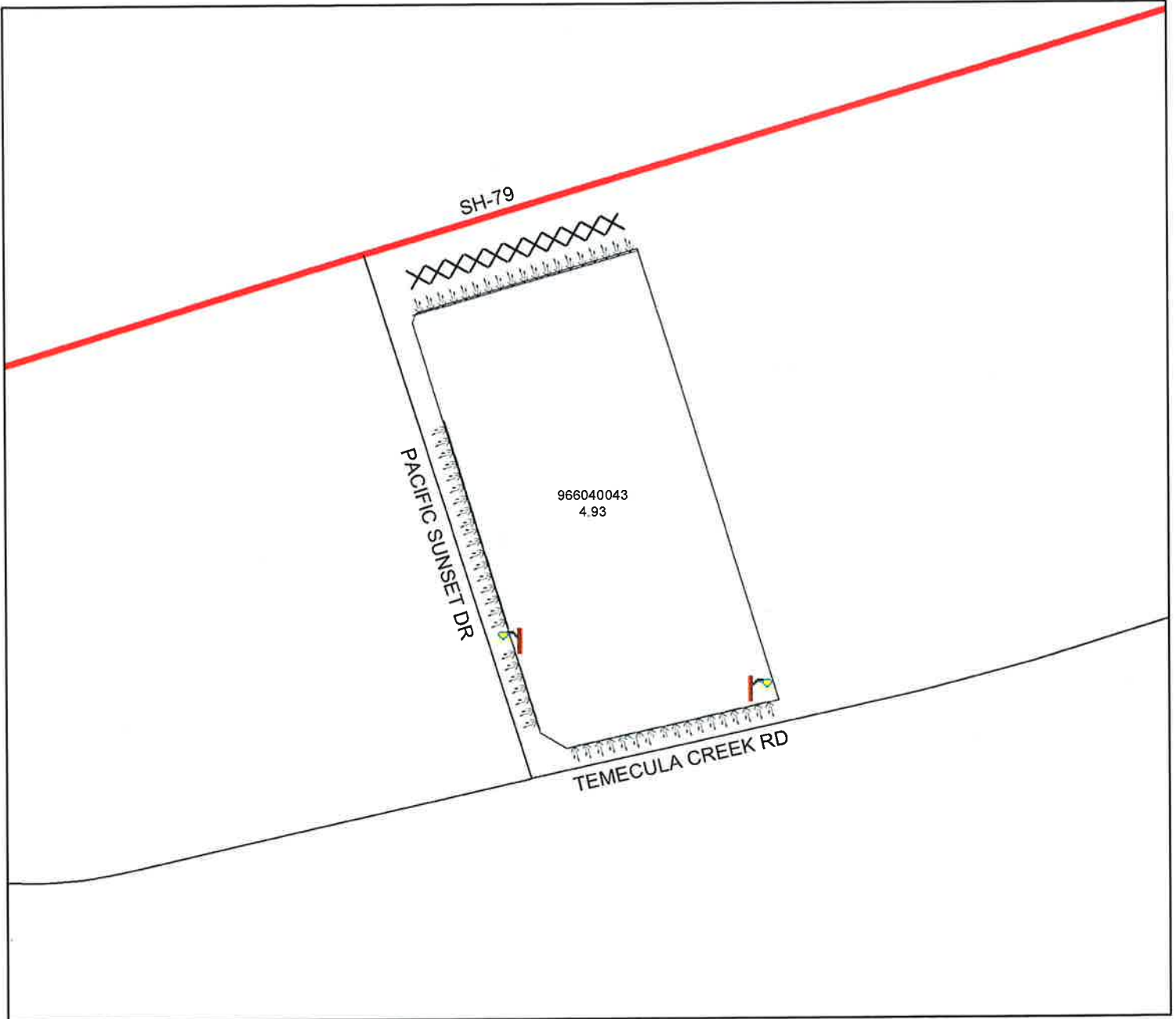


The County of Riverside assumes no warranty or legal responsibility for the information contained on this map. Data and information represented on this map is subject to updates, modifications and may not be complete or appropriate for all purposes. County GIS and other sources should be queried for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

Printed by jpickeri on 2/4/10



ASSESSMENT DIAGRAM



 DENOTES MAINTAINED STREETLIGHT

 DENOTES FUTURE LANDSCAPED AND MAINTAINED MEDIAN

 DENOTES LANDSCAPED AND (CURRENTLY DORMANT) MAINTAINED PARKWAY

NORTH COUNTY TIMES

207 E. Pennsylvania Ave, Escondido, CA 92025
LEGAL INVOICE

AD NUMBER	BILLING DATE	NET DUE
255435	04/17/10	690.24
START DATE	STOP DATE	SALESPERSON
04/17/10	04/17/10	06
BILL TO		PURCHASE ORDER
RIVERSIDE CO. BOARD OF SUPER		RES 2010-069

PUBLICATION	CLASSIFICATION	AD DESCRIPTION	RATE	LINES	TIMES	NET AMOUNT
9 THE CALIFORNIAN 23 INTERNET TOTAL AD CHARGE	16000	NOTICE OF PUBLIC HEARING BEF	L1 L1	568	1 1	690.24
						690.24

GROSS AMOUNT 690.74 * * AFTER 04/27/10

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RECEIVED RIVERSIDE COUNTY
 CLERK / BOARD OF SUPERVISORS
 2010 APR 26 PM 3:56

*Transp.
 3.62 of 03/16/10
 lhr*

PLEASE DETACH AND RETURN THIS STUB WITH YOUR REMITTANCE

SIGNATURE: _____

EXPIRATION DATE: ___/___/___

VISA MASTERCARD DISCOVER AMERICAN EXPRESS



AD NUMBER	CUSTOMER PHONE #	BILLING DATE
2255435	951-955-8464	04/17/10

LEGAL INVOICE

TOTAL AMOUNT DUE
690.24
ENTER AMOUNT ENCLOSED
\$

REMIT TO:

ADDRESS SERVICE REQUESTED

 RIVERSIDE CO. BOARD OF SUPERVISORS
 ATTN: CECILIA GIL
 P.O. BOX 1147
 RIVERSIDE, CA 92502-1147

NORTH COUNTY TIMES
 P.O. BOX 54358
 LOS ANGELES, CA 90054-0358



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5/4/10 9.15

PROOF OF PUBLICATION

(2015.5 C.C.P.)

STATE OF CALIFORNIA
County of Riverside

I am a citizen of the United States and a resident of the County aforesaid. I am over the age of eighteen years, and not a party to, or interested in the above entitled matter. I am an authorized representative of

THE CALIFORNIAN

An Edition of the North County Times

a newspaper of general circulation, published DAILY in the City of Temecula, California, 92590, County of Riverside, Three Lake Judicial District, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under the date of February 26, 1991, Case Number 209105; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof, on the following dates, to wit:

April 17 2010

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

Dated at TEMECULA, CALIFORNIA, this

19th day of April, 2010

Signature

Tammi E. Swenson
Legal Advertising Representative

Title

NOTICE OF PUBLIC HEARING Riverside County Board of Supervisors

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 the County of Riverside, California, on the 1st Floor, County Administrative Center, Board of Supervisors Chambers, 4080 Lemon Street, Riverside, California, at 9:30 A.M. on the 4th day of April, 2010, to consider the following:

RESOLUTION NO. 2010-069

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING ITS INTENT TO ANNEX ZONE 127 TO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE AND SERVING OF STREETLIGHTS AND DORMANT PARKWAY LANDSCAPING; ADOPTING THE PRELIMINARY ENGINEER'S REPORT; GIVING NOTICE OF THE PLACE OF THE PUBLIC HEARING ON THE ANNEXATION OF ZONE 127; ORDERING AN ASSESSMENT OF THE PROPOSED ANNEXATION OF ZONE 127 AND DIRECTING NOTICE OF THE PUBLIC HEARING AND THE ASSESSMENT BALLOT ELECTION; AND DIRECTING NOTICE OF THE PUBLIC HEARING AND THE ASSESSMENT BALLOT ELECTION; AND DIRECTING NOTICE OF THE PUBLIC HEARING AND THE ASSESSMENT BALLOT ELECTION;

WHEREAS, the Board of Supervisors (hereinafter the "Board of Supervisors") of the County of Riverside (hereinafter the "County") on March 16, 2010 initiating proceedings for the annexation of Zone 127 (hereinafter "Zone 127"), as described attached hereto and incorporated herein, to Landscaping and Lighting Maintenance District No. 89-1-Consolidated of the County of Riverside (hereinafter "L&LM District No. 89-1-C") pursuant to the Landscaping and Lighting Act of 1972 (hereinafter the "Act"), which is Part of Division 15 of the Streets and Highways Code (hereinafter the "Street and Highways Code"), and ordering the preparation of the proposed annexation of Zone 127 and the assessments to be levied within Zone 127 each fiscal year by provision of electricity for streetlights, and the maintenance and servicing of future median landscaping and dormant parkway landscaping within said Zone; and

WHEREAS, such proceedings shall comply with the requirements of Article XIID of the California Constitution (hereinafter "Article XIID") and the provisions of Section 22626 of the Streets and Highways Code, of the time and place of a public hearing and the assessments to be levied on parcels within Zone 127 beginning in fiscal year 2010-11;

WHEREAS, the Board of Supervisors by Resolution No. 2010-068 directed the Director of the Transportation Department to prepare and file the Report with the Clerk of the Board of Supervisors in accordance with Sections 22608 and 22609 of the Streets 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 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, of the time and place of a public hearing and the assessments to be levied on parcels within Zone 127 beginning in fiscal year 2010-11;

NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the Board of Supervisors in regular and lawful session that:

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 of the California Constitution;

(c) The annual assessment for fiscal year 2010-11 on all parcels within Zone 127 proposed to be annexed to L&LM District No. 89-1-C shall be levied on parcels within Zone 127 proposed to be annexed to L&LM District No. 89-1-C and/or the dormant parkway landscaping on SH-79, Pacific Sunset Dr, and Temecula Creek Rd becomes active, the annual assessment and all other assessments accordingly. The annual assessment may be increased by \$318.86 per acre, which when added to the assessed aggregate assessment of \$452.72, adjusted for inflation, in the fiscal year in which the future median improvements are completed, the annual assessment will be increased by \$858.10 per acre, which when added to the assessment for streetlights and future median landscaping will result in an annual assessment of \$1,310.82 per acre, which when added to the assessment for dormant parkway landscaping improvements should become active in the fiscal year in which the dormant parkway landscaping improvements should become active; and

Section 2. Intent. The Board of Supervisors hereby declares its intention to order the annexation of Zone 127, as described in the Report, and to levy and collect an annual assessment on all assessable lots and parcels of property within Zone 127 and the assessments to be levied on parcels within Zone 127 that there are no parcels or lots within Zone 127 that are owned by a natural person that will benefit from the services to be financed by the annual assessments. The annual assessments will be levied 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 enforcement of said assessments.

Section 3. Boundaries. All the property within boundaries of Zone 127 is proposed to be annexed into L&LM District No. 89-1-C, an unincorporated area of the County as described and shown in Exhibit "A".

Section 4. Description of Services to be Provided. The provision of electricity for streetlights, and the maintenance and servicing of dormant parkway landscaping authorized for Zone 127 of L&LM District No. 89-1-C are:

(a) The maintenance and servicing of landscaping within the public right-of-way including the trimming, fertilizing, weeding and other ornamental vegetation; and

(b) The maintenance and servicing of irrigation and electrical facilities associated with the landscaping, including but not limited to the irrigation system and water for irrigation; 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 127 shall be levied on parcels within Zone 127 proposed to be annexed to L&LM District No. 89-1-C and/or the dormant parkway landscaping on SH-79, Pacific Sunset Dr, and Temecula Creek Rd becomes active, without regard to the \$1,310.82 per acre, required during the fiscal year the future median improvements were first completed and/or the fiscal year the parkway landscaping improvements are completed, the annual assessment may be increased by \$318.86 per acre, which when added to the assessed aggregate assessment of \$452.72, adjusted for inflation. The Standard Annual Adjustment will be applied to this increase in the years following the year in which the future median improvements on SH-79 are completed, and/or the dormant parkway landscaping improvements are completed. The annual assessment will be increased by \$858.10 per acre, which when added to the assessment for streetlights and future median landscaping will result in an annual assessment of \$1,310.82 per acre, which when added to the assessment for dormant parkway landscaping improvements should become active in the fiscal year in which the dormant parkway landscaping improvements should become active; and

Section 6. The Property to be Annexed. The property to be annexed into L&LM District No. 89-1-C is Zone 127. The boundaries of Zone 127 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 approved. Reference is made to the Report for a full and detailed description of the services, the boundaries of Zone 127, and the parcels within Zone 127 proposed to be annexed to L&LM District No. 89-1-C.

Section 8. Public Hearing. The question of whether Zone 127 shall be annexed into L&LM District No. 89-1-C and an annual assessment of Zone 127 shall be considered at a public hearing (hereinafter the "Public Hearing") to be held on May 4, 2010, at 9:30 A.M. in the Board of Supervisors Chambers, 4080 Lemon Street, 1st Floor, Riverside, California.

Section 9. Majority Protest. Each owner of record of property within Zone 127 is to receive by mail an assessment ballot for the assessment of Zone 127. The assessment ballots are to be returned by mail to the Board of Supervisors. If a majority protest exists, upon the conclusion of the Public Hearing, the tabulation of the assessment ballots submitted by the owners of record of property within Zone 127 shall be in favor of the annexation and assessment of Zone 127.

Section 10. Information. Any property owner desiring additional information regarding Zone 127 of L&LM District No. 89-1-C, the boundaries of Zone 127, or the assessment of Zone 127, should contact Ms. Joan Pickering, Engineering Technician II, Transportation Department of the County of Riverside, 4080 Lemon Street, 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 127 to L&LM District No. 89-1-C shall be published in an appropriate newspaper at least ten (10) days prior to the Public Hearing. Publication of this Resolution is to be effected by the Clerk of the Board of Supervisors. Notice shall also be published in the California Elections Code to all owners of record of property within Zone 127 as shown on the last equalized assessment of Zone 127 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.

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CALIFORNIA, this

pril, 2010

wenson
Representative



of-way within said Zone; and
WHEREAS, such proceedings shall comply with the requirements of Article XIIIID of the California Constitution (hereinafter "Article XIIIID"), 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 127; and
WHEREAS, the Board of Supervisors by Resolution No. 2010-068 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 Streets and Highways Code and Section 4 of Article XIIIID; 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 127, and the assessments to be levied on parcels within Zone 127 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 XIIIID and may, therefore, be approved by the Board of Supervisors;
 (c) The annual assessment for fiscal year 2010-11 on all parcels within Zone 127 proposed to be annexed to L&LMD No. 89-1-C will be \$133.86 per acre.
 (d) Beginning in the fiscal year in which the future median improvements on SH-79 are completed and/or the dormant maintenance and servicing of the parkway landscaping on SH-79, Pacific Sunset Dr, and Temecula Creek Rd becomes active, the annual assessment and all subsequent annual assessments will be increased accordingly. The annual assessment may be increased by \$318.66 per acre, which when added to the assessment for streetlights will result in an aggregate assessment of \$452.72, adjusted for inflation, in the fiscal year in which the future median improvements are completed, and may be increased by \$858.10 per acre, which when added to the assessment for streetlights and future median landscaping will result in an aggregate assessment of \$1,310.82, adjusted for inflation, in the fiscal year in which the dormant parkway landscaping improvements should become active, as detailed in the Report. Subsequent annual assessments will be increased, without regard to the \$1,310.82 per acre ceiling, in accordance with the standard annual adjustment formula outlined in Section 5 of this Resolution.
Section 2. Intent. The Board of Supervisors hereby declares its intention to order the annexation of Zone 127, 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 127 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 127 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 127 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 provision of electricity for streetlights, and the maintenance and servicing of future median landscaping, and dormant parkway landscaping authorized for Zone 127 of L&LMD No. 89-1-C are:
 (a) The maintenance and servicing of landscaping within the public right-of-way including the trimming, fertilizing, weeding and replanting of trees, shrubs, grass, and other ornamental vegetation; and
 (b) The maintenance and servicing of irrigation and electrical facilities associated with the landscaping, including but not limited to electricity for operation of the irrigation system and water for irrigation; 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 127 of L&LMD No. 89-1-C will be \$133.86 per acre for fiscal year 2010-11. As stated in the Report, the total budget for Zone 127 for the fiscal year 2010-11 is \$660; there is 1 parcel that is to be assessed that aggregates to 4.93 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 2010. The annual assessment increase derived from the application of the foregoing formula is referred to as the "Standard Annual Adjustment." In addition to the Standard Annual Adjustment, beginning in the fiscal year in which the future median improvements on SH-79 are completed and/or the dormant maintenance and servicing of the parkway landscaping on SH-79, Pacific Sunset Dr, and Temecula Creek Rd becomes active, the annual assessments may be further increased. For the fiscal year in which the future median improvements are completed, the annual assessment may be increased by \$318.66 per acre, which when added to the assessment for streetlights will result in an aggregate assessment of \$452.72, adjusted for inflation. For the fiscal year in which the dormant parkway landscaping improvements should become active, the annual assessment may be increased by \$858.10 per acre, which when added to the assessment for streetlights and future median landscaping will result in an aggregate assessment of \$1,310.82, adjusted for inflation. The Standard Annual Adjustment will be applied to this increased assessment in all subsequent fiscal years following the year in which the future median improvements on SH-79 are completed, and/or the dormant maintenance and servicing of the parkway landscaping on SH-79, Pacific Sunset Dr, and Temecula Creek Rd becomes active, without regard to the \$1,310.82 per acre, inflation adjusted, assessment ceiling required during the fiscal year the future median improvements were first completed and/or the fiscal year the parkway improvements became active. Except for assessment increases associated with the completion of the future median improvements, and/or the parkway improvements becoming active, and assessment increases resulting from the application of the Standard Annual Adjustment, any other increase in the annual assessment requires a majority approval of all the property owners within Zone 127. 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 127 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 127. The boundaries of Zone 127 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 127, and the annual assessment to be levied upon assessable lots and parcels within Zone 127 proposed to be annexed to L&LMD No. 89-1-C.
Section 8. Public Hearing. The question of whether Zone 127 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 127 is to receive by mail an assessment ballot that shall conform to the requirements of Section 4 of Article XIIIID 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 127 if there is a majority protest with regard to the annexation of Zone 127. 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 127 exceeds the assessment ballots in favor of the annexation and assessment of Zone 127.
Section 10. Information. Any property owner desiring additional information regarding Zone 127 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 951-955-8748.
Section 11. Notice of the Public Hearing. Notice of Public Hearing with regard to the annexation of Zone 127 to L&LMD No. 89-1-C shall be given consistent with Section 22826 of the Streets and Highways Code and Section 4 of Article XIIIID. 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 XIIIID and Section 4000 of the California Elections Code to all owners of record of property within Zone 127 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 127 to be annexed into Landscaping and Lighting Maintenance District No. 89-1 Consolidated, of the County of Riverside are colinear with the boundaries of APN 966-040-043 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

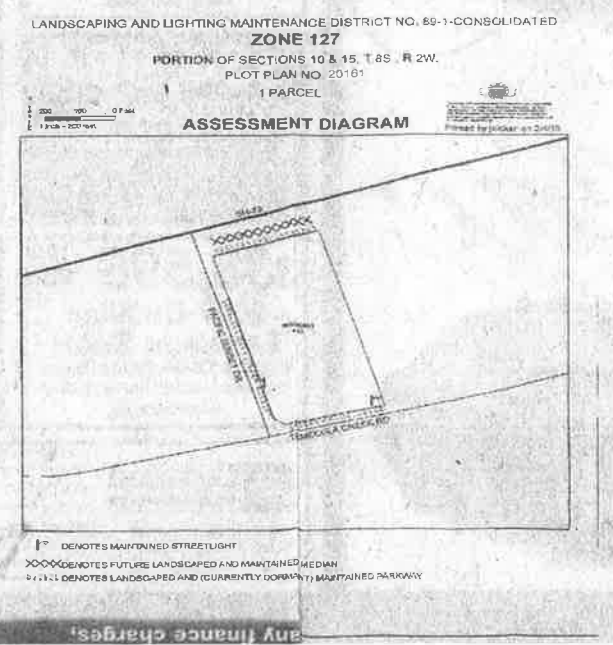
The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.

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



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A, CALIFORNIA, this

f April, 2010

S. Swenson
g Representative

NOTICE OF PUBLIC HEARING Riverside County Board of Supervisors

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. 2010-069

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING ITS INTENT TO ORDER THE ANNEXATION OF ZONE 127 TO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 FOR THE MAINTENANCE AND SERVICING OF STREETLIGHTS, FUTURE MEDIAN LANDSCAPING, AND DORMANT PARKWAY LANDSCAPING; ADOPTING THE PRELIMINARY ENGINEER'S REPORT; GIVING NOTICE OF AND SETTING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE ANNEXATION OF ZONE 127; 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. 2010-068 on March 16, 2010 initiating proceedings for the annexation of Zone 127 (hereinafter "Zone 127"), 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 127 and the assessments to be levied within Zone 127 each fiscal year beginning fiscal year 2010-11 for the provision of electricity for streetlights, and the maintenance and servicing of future median landscaping and dormant parkway landscaping within the public right-of-way within said Zone;

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 127; and

WHEREAS, the Board of Supervisors by Resolution No. 2010-068 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 22626 of the Streets and Highways Code, of the time and place of a public hearing on said Report, the annexation of Zone 127, and the assessments to be levied on parcels within Zone 127 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 127 proposed to be annexed to L&LMD No. 89-1-C will be \$133.86 per acre;
- (d) Beginning in the fiscal year in which the future median improvements on SH-79 are completed and/or the dormant maintenance and servicing of the parkway landscaping on SH-79, Pacific Sunset Dr, and Temecula Creek Rd becomes active, the annual assessment and all subsequent annual assessments will be increased accordingly. The annual assessment may be increased by \$318.86 per acre, which when added to the assessment for streetlights will result in an aggregate assessment of \$452.72, adjusted for inflation, in the fiscal year in which the future median improvements are completed, and may be increased by \$858.10 per acre, which when added to the assessment for streetlights and future median landscaping will result in an aggregate assessment of \$1,310.82, adjusted for inflation, in the fiscal year in which the dormant parkway landscaping improvements should become active, as detailed in the Report. Subsequent annual assessments will be increased, without regard to the \$1,310.82 per acre ceiling, in accordance with the standard annual adjustment formula outlined in Section 5 of this Resolution.

Section 2. Intent. The Board of Supervisors hereby declares its intention to order the annexation of Zone 127, 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 127 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 127 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 127 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 provision of electricity for streetlights, and the maintenance and servicing of future median landscaping, and dormant parkway landscaping authorized for Zone 127 of L&LMD No. 89-1-C are:

- (a) The maintenance and servicing of landscaping within the public right-of-way including the trimming, fertilizing, weeding and replanting of trees, shrubs, grass, and other ornamental vegetation; and
- (b) The maintenance and servicing of irrigation and electrical facilities associated with the landscaping, including but not limited to electricity for operation of the irrigation system and water for irrigation; 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 127 of L&LMD No. 89-1-C will be \$133.86 per acre for fiscal year 2010-11. As stated in the Report, the total budget for Zone 127 for the fiscal year 2010-11 is \$660; there is 1 parcel that is to be assessed that aggregates to 4.93 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 2010. The annual assessment increase derived from the application of the foregoing formula is referred to as the "Standard Annual Adjustment." In addition to the Standard Annual Adjustment, beginning in the fiscal year in which the future median improvements on SH-79 are completed and/or the dormant maintenance and servicing of the parkway landscaping on SH-79, Pacific Sunset Dr, and Temecula Creek Rd becomes active, the annual assessments may be further increased. For the fiscal year in which the future median improvements are completed, the annual assessment may be increased by \$318.86 per acre, which when added to the assessment for streetlights will result in an aggregate assessment of \$452.72, adjusted for inflation. For the fiscal year in which the dormant parkway landscaping improvements should become active, the annual assessment may be increased by \$858.10 per acre, which when added to the assessment for streetlights and future median landscaping will result in an aggregate assessment of \$1,310.82, adjusted for inflation. The Standard Annual Adjustment will be applied to this increased assessment in all subsequent fiscal years following the year in which the future median improvements on SH-79 are completed, and/or the dormant maintenance and servicing of the parkway landscaping on SH-79, Pacific Sunset Dr, and Temecula Creek Rd becomes active, without regard to the \$1,310.82 per acre, inflation adjusted, assessment ceiling required during the fiscal year the future median improvements were first completed and/or the fiscal year the parkway improvements became active. Except for assessment increases associated with the completion of the future median improvements, and/or the parkway improvements becoming active, and assessment increases resulting from the application of the Standard Annual Adjustment, any other increase in the annual assessment requires a majority approval of all the property owners within Zone 127. 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 127 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 127. The boundaries of Zone 127 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 127, and the annual assessment to be levied upon assessable lots and parcels within Zone 127 proposed to be annexed to L&LMD No. 89-1-C.

Section 8. Public Hearing. The question of whether Zone 127 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 127 is to receive by mail an assessment ballot that shall conform to the requirements of Section 4 of Article XIII D 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 127 if there is a majority protest with regard to the annexation of Zone 127. 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 127 exceeds the assessment ballots in favor of the annexation and assessment of Zone 127.

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