

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

941A



FROM: TLMA - Transportation Dept.

SUBMITTAL DATE:
May 26, 2010

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated,
Annexation of Zone 145 (Mead Valley).

RECOMMENDED MOTION: That the Board:

With regard to the annexation of Zone 145 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, June 9, 2010 in Conference Room B 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 5/6/10

DATE Departmental Concurrence

DALE A. GARDNER

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

C.E.O. RECOMMENDATION:

APPROVE

BY:
Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Buster, Stone, Benoit and Ashley
Nays: None
Absent: Tavaglione
Date: June 8, 2010
xc: Transp.

Kecia Harper-Ihem
Clerk of the Board
By:
Deputy

Prev. Agn. Ref. 04/20/10, 3.74 | District: 1 | Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

9.16

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



537
A

SUBMITTAL DATE:
April 8, 2010

FROM: TLMA - Transportation Dept.

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated,
Annexation of Zone 145 (Mead Valley).

RECOMMENDED MOTION: That the Board adopt the following Resolutions:

Resolution No. 2010-099 a Resolution of the County of Riverside initiating proceedings for the annexation of Zone 145 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated and ordering preparation of the Engineer's Report regarding the proposed annexation of Zone 145.

Resolution No. 2010-100, a Resolution of the County of Riverside declaring its intent to order the annexation of Zone 145 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 Stone, seconded by Supervisor Buster and duly carried by unanimous vote, IT WAS ORDERED that the above resolutions are adopted as recommended, and that the matter is set for public hearing on Tuesday, June 8, 2010, at 9:30 a.m.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: April 20, 2010
xc: Transp., COB(2)

Kecia Harper-Ihem
Clerk of the Board
By:
Deputy

Prev. Agn. Ref.

District: 1

Agenda Number:

3.74

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

DATE 3/30/10
BY:
MARSHAL VICTOR

Departmental Concurrence

Dep't 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 145 (Mead Valley).

May 26, 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 2010-100 adopted April 20, 2010, the Board of Supervisors noticed a public hearing for June 8, 2010, to receive testimony regarding the annexation of Zone 145 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated (L&LMD No. 89-1-C). Annexation of Zone 145 will fund the maintenance and servicing of, and the provision of electricity for, traffic signals within public rights-of-way located at the intersection of Harvill Ave and Daytona Cv in the Mead Valley area and includes 15 commercial parcels, totaling 27.83 acre(s).

On April 21, 2010 a notice of the public hearing and mail-in ballot, an impartial analysis, a copy of Resolution No. 2010-100, and an information sheet was mailed to all property owners within Zone 145, 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. 2010-100 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. 2010-100 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.

The Honorable Board of Supervisors

RE: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of
Zone 145 (Mead Valley).

April 8, 2010

Page 2 of 2

1972 for the maintenance and servicing of, and the provision of electricity for, traffic signals; adopting the preliminary engineer's report; giving notice of and setting the time and place of the public hearing on the annexation of Zone 145, 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. 2010-099 appoints the Director of the Transportation Department as the Engineer to prepare a Report regarding the proposed annexation of Zone 145 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated ("L&LMD No. 89-1-C").

Resolution No. 2010-100 declares the Board's intention of ordering the annexation of Zone 145 to L&LMD No. 89-1-C. Annexation of Zone 145 to L&LMD No. 89-1-C will fund the maintenance and servicing of, and the provision of electricity for, traffic signals within public right-of-way located at the intersection of Harvill Ave and Daytona Cv in the Mead Valley area and includes 15 commercial parcels, totaling 27.83 acre(s).

The proposed budget for fiscal year 2010-11 for Zone 145 is \$2,888 that will result in an assessment for fiscal year 2010-11 within Zone 145 of \$103.76 per acre. The annual assessment will be adjusted annually by the greater of 2% or the cumulative percentage increase in the CPI-U for "electricity", if any, as it stands as of March of each year over the base index for March of 2010.

Consistent with the Board's direction regarding compliance with Article 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 June 8, 2010 to receive testimony for and against the proposed assessment. Each property owner within the proposed Zone 145 will receive a notice of the public hearing and mail-in ballot, an impartial analysis, a copy of Resolution No. 2010-100, 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 145 will be annexed to L&LMD No. 89-1-C.

RESOLUTION NO. 2010-099

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE INITIATING PROCEEDINGS FOR THE ANNEXATION OF ZONE 145 TO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 AND ORDERING PREPARATION OF ENGINEER'S REPORT REGARDING SAID ANNEXATION

WHEREAS, the Board of Supervisors (hereinafter the "Board of Supervisors") of the County of Riverside (hereinafter the "County") has been advised by the Transportation Department (hereinafter "Department") of the County that said Department has received an application from the owner (the "Applicant") of all the property within the unincorporated area of the County (hereinafter "Zone 145"), as shown and described in Exhibit "A", which is attached hereto and made a part hereof, to be annexed to Landscaping and Lighting Maintenance District No. 89-1-Consolidated (hereinafter "L&LMD No. 89-1-C") of the County of Riverside, State of California, and the Board of Supervisors has determined that it is necessary and desirable to initiate proceedings for the annexation of Zone 145 to L&LMD No. 89-1-C pursuant to the Landscaping and Lighting Act of 1972, Part 2 (commencing with Section 22500) of Division 15 of the Streets and Highways Code (hereinafter, respectively, the "Act" and the "Street and Highways Code"); and

WHEREAS, such proceedings shall comply with the requirements of Article XIID of the California Constitution 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 145; and

WHEREAS, the Director of the Department, or his designee, is a licensed and registered civil engineer, has expertise with respect to the annexation of territory to landscaping and lighting maintenance districts and the levying of assessments for said purposes and, therefore, is able to serve as the engineer (hereinafter the "Engineer") for the County with regard to the annexation of Zone 145 to L&LMD No. 89-1-C.

FORM APPROVED 000000
BY *M. Keeler* 5/30/10 DATE
MARSHAL VICTOR

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 April 20, 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 145 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 145 to pay the costs of the
9 following services:

- 10 (a) Providing electricity to and the maintenance and servicing of traffic signals within
11 the public right-of-way including incidental costs and expenses.

12 **Section 3. Boundaries and Designation.** The boundaries of Zone 145 that are
13 proposed to be annexed to L&LMD No. 89-1-C shall include all of the property as shown and
14 described in Exhibit "A".

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

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

22 ROLL CALL:
23 Ayes: Buster, Tavaglione, Stone, Benoit, and Ashley
24 Nays: None
25 Absent: None

26 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.

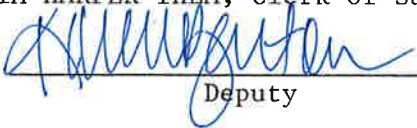
KECIA HARPER-IHEM, Clerk of said Board
By: 
Deputy

EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

The boundaries of Zone 145 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 305-170-037 and 305-180-049 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2010-11.

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

ZONE 145

PORTION OF SECTION 19, T.4S., R.3W.

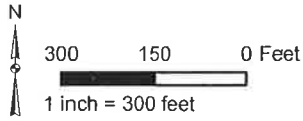
PARCEL MAP NO. 34491

15 PARCELS



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 3/4/10



ASSESSMENT DIAGRAM



DENOTES MAINTAINED TRAFFIC SIGNAL

2 RESOLUTION NO. 2010-100

3 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING
4 ITS INTENT TO ORDER THE ANNEXATION OF ZONE 145 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 TRAFFIC SIGNALS; ADOPTING THE PRELIMINARY ENGINEER'S REPORT;
8 GIVING NOTICE OF AND SETTING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE
9 ANNEXATION OF ZONE 145; ORDERING AN ASSESSMENT PROCEEDING; ORDERING A
10 MAILED BALLOT ELECTION; AND DIRECTING NOTICE OF THE PUBLIC HEARING AND THE
11 ASSESSMENT BALLOT TO BE MAILED PURSUANT TO ARTICLE XIID OF THE CALIFORNIA
12 CONSTITUTION AND SECTION 4000 OF THE ELECTIONS CODE

13 **WHEREAS**, the Board of Supervisors (hereinafter the "Board of Supervisors") of the County of
14 Riverside (hereinafter the "County") has adopted Resolution No. 2010-099 on April 20, 2010 initiating
15 proceedings for the annexation of Zone 145 (hereinafter "Zone 145"), as described and shown in
16 Exhibit "A", which is attached hereto and incorporated herein, to Landscaping and Lighting
17 Maintenance District No. 89-1-Consolidated of the County of Riverside, State of California, (hereinafter
18 "L&LMD No. 89-1-C") pursuant to the Landscaping and Lighting Act of 1972 (hereinafter the "Act"),
19 which is Part 2 (commencing with Section 22500) of Division 15 of the Streets and Highways Code
20 (hereinafter the "Street and Highways Code"), and ordering the preparation of a report (hereinafter the
21 "Report") regarding the proposed annexation of Zone 145 and the assessments to be levied within
22 Zone 145 each fiscal year beginning fiscal year 2010-11 for the the maintenance and servicing of, and
23 the provision of electricity for, traffic signals within the public right-of-way within said Zone; and

24 **WHEREAS**, such proceedings shall comply with the requirements of Article XIID of the
25 California Constitution (hereinafter "Article XIID:"), the Act, and Section 4000 of the Elections Code
26 requiring voter approval of the proposed assessment to be levied by L&LMD No. 89-1-C for Zone 145;
27 and

28 **WHEREAS**, the Board of Supervisors by Resolution No. 2010-099 directed the Director of the
29 Transportation Department, or his designee (hereinafter the "Engineer"), to prepare and file the Report

FORM APPROVED COUNTY COUNSEL
BY: *M. S. Victor*
MARGHA VICTOR
DATE: 3/30/10

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

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

5 **WHEREAS**, it is necessary that the Board of Supervisors adopt a resolution of intention
6 pursuant to Section 22624 of the Streets and Highways Code, which fixes and gives notice, pursuant to
7 Section 22626 of the Streets and Highways Code, of the time and place of a public hearing on said
8 Report, the annexation of Zone 145, and the assessments to be levied on parcels within Zone 145
9 beginning in fiscal year 2010-11;

10 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the
11 Board of Supervisors in regular session assembled on April 20, 2010 as follows:

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

- 13 (a) The foregoing recitals are true and correct;
- 14 (b) The Report contains all matters required by Sections 22565 through 22574 of the
15 Streets and Highways Code and Section 4 of Article XIID and may, therefore, be
16 approved by the Board of Supervisors;
- 17 (c) The annual assessment for fiscal year 2010-11 on all parcels within Zone 145 proposed
18 to be annexed to L&LMD No. 89-1-C will be \$103.76 per acre.

19 **Section 2. Intent.** The Board of Supervisors hereby declares its intention to order the
20 annexation of Zone 145, as described and shown in Exhibit "A", to L&LMD No. 89-1-C, and to levy and
21 collect an annual assessment on all assessable lots and parcels of property within Zone 145
22 commencing with the fiscal year 2010-11 as set forth in the Report. The Report expressly states that
23 there are no parcels or lots within Zone 145 that are owned by a federal, state or other local
24 governmental agency that will benefit from the services to be financed by the annual assessments. The
25 annual assessments will be collected at the same time and in the same manner as property taxes are
26

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

3 **Section 3. Boundaries.** All the property within boundaries of Zone 145 is proposed to be
4 annexed into L&LMD No. 89-1-C and shall include that property in the unincorporated area of the
5 County as described and shown in Exhibit "A".

6 **Section 4. Description of Services to be Provided.** The maintenance and servicing of,
7 and the provision of electricity for, traffic signals authorized for Zone 145 of L&LMD No. 89-1-C are:

- 8 (a) Providing electricity to and the maintenance and servicing of traffic signals within the
9 public right-of-way including incidental costs and expenses.

10 **Section 5. Amount to be Levied.** The assessment to be levied upon each parcel that
11 benefits from the annexation of Zone 145 of L&LMD No. 89-1-C will be \$103.76 per acre for fiscal year
12 2010-11. As stated in the Report, the total budget for Zone 145 for the fiscal year 2010-11 is \$2,888;
13 there are 2 parcels that are to be assessed that aggregate to 27.83 acres. The annual assessment will
14 be increased by the greater of two percent (2.0%) or the cumulative percentage increase, if any, in the
15 Consumer Price Index for all Urban Consumers for "electricity" ("CPI-U") for the Los Angeles-
16 Riverside-Orange County California Standard Metropolitan Statistical area ("Index") published by the
17 Bureau of Labor Statistics of the United States Department of Labor. The annual CPI-U adjustment will
18 be based on the cumulative increase, if any, in the Index as it stands on March of each year over the
19 base Index for March of 2010. Any increase larger than the greater of 2.0% or the CPI-U annual
20 adjustment requires a majority approval of all the property owners within Zone 145. The Board of
21 Supervisors will levy the assessment in each subsequent fiscal year until the Board of Supervisors
22 undertakes proceedings for the dissolution of Zone 145 of L&LMD No. 89-1-C. The annual assessment
23 will fund the services described in Section 4 of this Resolution. For further particulars, reference is to be
24 made to the Report on file in the Office of the Clerk of the Board of Supervisors.

1 **Section 6. The Property to be Annexed.** The property to be annexed into L&LMD No.
2 89-1-C is Zone 145. The boundaries of Zone 145 are located within the unincorporated area of the
3 County and are described and shown in the Report and Exhibit "A".

4 **Section 7. Report.** The Report, which is on file with the Clerk of the Board of Supervisors
5 and which has been presented to the Board of Supervisors, is hereby approved. Reference is made to
6 the Report for a full and detailed description of the services, the boundaries of Zone 145, and the
7 annual assessment to be levied upon assessable lots and parcels within Zone 145 proposed to be
8 annexed to L&LMD No. 89-1-C.

9 **Section 8. Public Hearing.** The question of whether Zone 145 shall be annexed into
10 L&LMD No. 89-1-C and an annual assessment levied beginning with fiscal year 2010-11 shall be
11 considered at a public hearing (hereinafter the "Public Hearing") to be held on June 8, 2010, at 9:30
12 a.m. at the meeting room of the Board of Supervisors of the County at 4080 Lemon Street, 1st Floor,
13 Riverside, California.

14 **Section 9. Majority Protest.** Each owner of record of property within Zone 145 is to receive
15 by mail an assessment ballot that shall conform to the requirements of Section 4 of Article XIID and
16 Section 4000 of the California Elections Code. The assessment ballots are to be returned prior to the
17 Public Hearing. L&LMD No. 89-1-C shall not impose assessments on property within the boundaries of
18 Zone 145 if there is a majority protest with regard to the annexation of Zone 145. A majority protest
19 exists if, upon the conclusion of the Public Hearing, the tabulation of the assessment ballots submitted
20 in opposition to the annexation and assessment of Zone 145 exceeds the assessment ballots in favor
21 of the annexation and assessment of Zone 145.

22 **Section 10. Information.** Any property owner desiring additional information regarding
23 Zone 145 of L&LMD No. 89-1-C, the Report, or the proposed assessment is to contact Ms. Joan
24 Pickering, Engineering Technician II, Transportation Department of the County of Riverside, 4080
25 Lemon Street, 8th Floor, Riverside, California, 92501 or by telephone at 951-955 6748.
26

1 **Section 11. Notice of the Public Hearing.** Notice of Public Hearing with regard to the
2 annexation of Zone 145 to L&LMD No. 89-1-C shall be given consistent with Section 22626 of the
3 Streets and Highways Code and Section 4 of Article XIID. The Clerk of the Board of Supervisors shall
4 give notice of the Public Hearing by causing a certified copy of this Resolution to be published once in
5 an appropriate newspaper at least ten (10) days prior to the date of the Public Hearing that is June 8,
6 2010. Publication of this Resolution is to be effected by the Clerk of the Board of Supervisors. Notice
7 shall also be given by mailing first-class, postage prepaid, those notices, as prepared by County
8 Counsel, assessment ballot and information sheets as required by Section 4 of Article XIID and
9 Section 4000 of the California Elections Code to all owners of record of property within Zone 145 as
10 shown on the last equalized assessment roll of the County. Mailing is to be made by the Engineer and
11 deposited with the U. S. Post Office at least forty-five (45) days prior to the Public Hearing on June 8,
12 2010.

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

15
16 ROLL CALL:

17 Ayes: Buster, Tavaglione, Stone, Benoit, and Ashley
18 Nays: None
19 Absent: None

20
21 The foregoing is certified to be a true copy of a resolution duly
22 adopted by said Board of Supervisors on the date therein set forth.

23 KECIA HARPER-IHEM, Clerk of said Board

24 By: _____
25
26

Deputy

EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

The boundaries of Zone 145 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 305-170-037 and 305-180-049 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2010-11.

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

ZONE 145

PORTION OF SECTION 19, T.4S., R.3W.

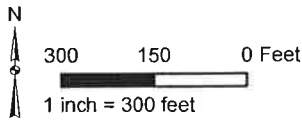
PARCEL MAP NO. 34491

15 PARCELS



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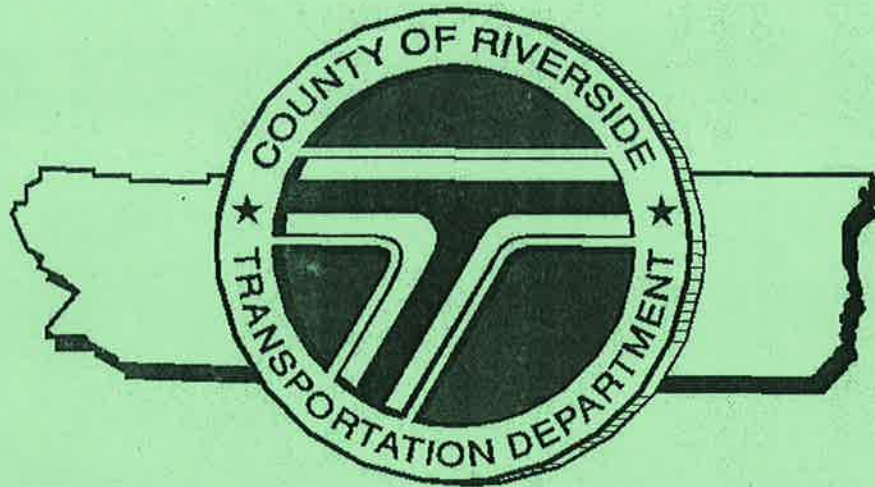


ASSESSMENT DIAGRAM



 DENOTES MAINTAINED TRAFFIC SIGNAL

**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 145
(MEAD VALLEY)**

PREPARED BY:

**RIVERSIDE COUNTY
TRANSPORTATION DEPARTMENT
APRIL 1, 2010**

AGENCY: COUNTY OF RIVERSIDE, CALIFORNIA

**PROJECT: LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT
NO. 89-1-CONSOLIDATED - ZONE 145 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 145 Annexation consisting of four (4) parts as follows:

PART I

A general description and plans of the traffic signal improvements proposed to be funded.

PART II

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

PART I

DESCRIPTION OF IMPROVEMENTS AND MAINTENANCE PLANS FOR FISCAL YEAR 2010-11 LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED, ZONE 145 COUNTY OF RIVERSIDE, CALIFORNIA

Description of Improvements

Improvements to be funded by Zone 145 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated generally include the maintenance and servicing of, and the provision of electricity for, traffic signals within the public right-of-way:

- At the intersection of Harvill Ave and Daytona Cv

Maintenance Plans

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

PART II

**ENGINEER'S ESTIMATE OF COSTS AND EXPENSES
FOR FISCAL YEAR 2010-11
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT
NO. 89-1-CONSOLIDATED, ZONE 145
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 145

Costs for Maintenance of Improvements

Maintenance ¹ & Servicing ² of the Traffic Signals	\$2,750
Administrative Costs ³	<u>138</u>
Total Amount to be Assessed for FY 2010-11	\$2,888

¹Maintenance means the furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of traffic signals, and appurtenances including repair and replacement.

²Servicing means funding of energy costs for traffic signals.

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

PART III

**ASSESSMENT DIAGRAM AND CHANGES IN ORGANIZATION
FOR FISCAL YEAR 2010-11
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT
NO. 89-1-CONSOLIDATED, ZONE 145
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 145

Annexation of Zone 145 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.

PART IV

**ASSESSMENT FOR FISCAL YEAR 2010-11
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT
NO. 89-1-CONSOLIDATED, ZONE 145
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 April 20, 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. 2010-099 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 145 (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 traffic signal improvements
- b. An estimate of the costs of servicing traffic signal improvements
- c. A diagram for the assessment district
- d. An assessment of the estimated costs of maintenance of the improvements

The maintenance of traffic signals provides direct and special benefit to those properties located within Zone 145 in Landscaping and Lighting Maintenance District No. 89-1-Consolidated (DISTRICT). Traffic signals enhance the properties within the DISTRICT, improve neighborhood protection, allow traffic into and out of the development, and provide an enhanced quality of life and sense of well being for properties within the DISTRICT.

The costs and expenses for the traffic signal improvements maintenance and services within Zone 145 are apportioned on a per acre basis and do not exceed 50% per signal of the total maintenance cost.

The dollar per acre value for Fiscal Year 2010-11 for Zone 145 is as follows:

$$\begin{array}{l} \text{Total Budget} = \quad \quad \quad \underline{\$2,888} \\ \text{Total No. Acres} \quad \quad \quad 27.83 \quad = \quad \$103.76/\text{acre} \end{array}$$

The assessment for Fiscal Year 2010-11 for Zone 145 that is to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated will be \$103.76 per acre. The annual assessment will be increased by the greater of two percent (2.0%) or the cumulative percentage increase, if any, in the Consumer Price Index for all Urban Consumers for "electricity" ("CPI-U" "electricity") for the Los Angeles-Riverside-Orange County California Standard Metropolitan Statistical area ("Index") published by the Bureau of Labor Statistics of United States Department of Labor. The annual "CPI-U" "electricity" adjustment will be based on the cumulative increase, if any, in the Index as it stands on March of each year over the base Index for March of 2010. Any increase larger than the greater of 2.0% or the "CPI-U" "electricity" annual adjustment requires a majority approval of all the property owners within Zone 145.

APN

ACRES

ASSESSMENT

305-170-037

26.77

2,777.66

305-180-049

1.06

109.98



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

May 24, 2010

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

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

RE: NOTICE OF PUBLIC HEARING: RESOLUTION 2010-100 ZONE 145

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Wednesday, May 26, 2010**.

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

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

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

Thank you in advance for your assistance and expertise.

Sincerely,

McGil

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

Gil, Cecilia

From: PE Legals [legals@pe.com]
Sent: Monday, May 24, 2010 8:38 AM
To: Gil, Cecilia
Subject: RE: FOR PUBLICATION: RES. NO. 2010-100 ZONE 145

Received for publication on May 26

Thank You! ~Maria G. Tinajero ▪ The Press Enterprise Legal Adv. ▪ 1.800.880.0345 (Phone) ▪ 951.368.9018 (fax) ▪ Please Note: Deadline is 10:30 AM two (2) business days prior to the date you would like to publish.

From: Gil, Cecilia [mailto:CCGIL@rcbos.org]
Sent: Monday, May 24, 2010 8:20 AM
To: PE Legals
Subject: FOR PUBLICATION: RES. NO. 2010-100 ZONE 145

Hello again! Attached is a Notice of Public Hearing, for publication on Wednesday, May 26, 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, June 8, 2010 at 9:30 a.m.** to consider the following:

RESOLUTION NO. 2010-100

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING ITS INTENT TO ORDER THE ANNEXATION OF ZONE 145 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 TRAFFIC SIGNALS; ADOPTING THE PRELIMINARY ENGINEER'S REPORT; GIVING NOTICE OF AND SETTING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE ANNEXATION OF ZONE 145; 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. 2010-099 on April 20, 2010 initiating proceedings for the annexation of Zone 145 (hereinafter "Zone 145"), 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 145 and the assessments to be levied within Zone 145 each fiscal year beginning fiscal year 2010-11 for the the maintenance and servicing of, and the provision of electricity for, traffic signals within the public right-of-way within said Zone; and

WHEREAS, such proceedings shall comply with the requirements of Article XIID of the California Constitution (hereinafter "Article XIID:"), the Act, and Section 4000 of the Elections Code requiring voter approval of the proposed assessment to be levied by L&LMD No. 89-1-C for Zone 145; and

WHEREAS, the Board of Supervisors by Resolution No. 2010-099 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 145, and the assessments to be levied on parcels within Zone 145 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 April 20, 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 145 proposed to be annexed to L&LMD No. 89-1-C will be \$103.76 per acre.

Section 2. Intent. The Board of Supervisors hereby declares its intention to order the annexation of Zone 145, 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 145 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 145 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 145 is proposed to be annexed into L&LMD No. 89-1-C and shall include that property in the unincorporated area of the County as described and shown in Exhibit "A".

Section 4. Description of Services to be Provided. The maintenance and servicing of, and the provision of electricity for, traffic signals authorized for Zone 145 of L&LMD No. 89-1-C are:

(a) Providing electricity to and the maintenance and servicing of traffic signals 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 145 of L&LMD No. 89-1-C will be \$103.76 per acre for fiscal year 2010-11. As stated in the Report, the total budget for Zone 145 for the fiscal year 2010-11 is \$2,888; there are 2 parcels that are to be assessed that aggregate to 27.83 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 for "electricity" ("CPI-U") for the Los Angeles-Riverside-Orange County California Standard Metropolitan Statistical area ("Index") published by the Bureau of Labor Statistics of the United States Department of Labor. The annual CPI-U adjustment will be based on the cumulative increase, if any, in the Index as it stands on March of each year over the base Index for March of 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 145. 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 145 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 145. The boundaries of Zone 145 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 145, and the annual assessment to be levied upon assessable lots and parcels within Zone 145 proposed to be annexed to L&LMD No. 89-1-C.

Section 8. Public Hearing. The question of whether Zone 145 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 June 8, 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 145 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 145 if there is a majority protest with regard to the annexation of Zone 145. 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 145 exceeds the assessment ballots in favor of the annexation and assessment of Zone 145.

Section 10. Information. Any property owner desiring additional information regarding Zone 145 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 145 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 June 8, 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 145 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 June 8, 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 145 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 305-170-037 and 305-180-049 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2010-11.

(INSERT ASSESSMENT DIAGRAM here)

ROLL CALL:

AYES: Buster, Tavaglione, Stone, Benoit, and Ashley

NAYS: None

ABSENT: None

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

Kecia Harper-Ihem, Clerk of said Board

By: Cecilia Gil, Board Assistant

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

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

Dated: May 24, 2010

Kecia Harper-Ihem, Clerk of the Board

By: Cecilia Gil, Board Assistant

ZONE 145

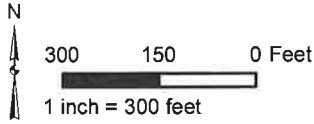
PORTION OF SECTION 19, T.4S., R.3W.

PARCEL MAP NO. 34491

15 PARCELS



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



ASSESSMENT DIAGRAM

Printed by jpickeri on 3/4/10



DENOTES MAINTAINED TRAFFIC SIGNAL

Legal Advertising Invoice

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

① BILLING PERIOD 05/26/10 - 05/26/10
 ⑤ BILLING DATE 05/26/10
 ② TOTAL AMOUNT DUE 837.20
 ⑩ ADVERTISING/CLIENT NAME BOARD OF SUPERVISORS
 FOR BILLING INFORMATION CALL (951) 368-9713
 ⑪ UNAPPLIED AMOUNT \$0.00
 ⑬ PAGE NO 1
 TERMS OF PAYMENT Due Upon Receipt

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

⑦ BILLED ACCOUNT NUMBER 045202
 REP NO LE04

Statement #: 56541669 Amount Paid \$ _____ Your Check # _____

PLEASE DETACH AND RETURN UPPER PORTION WITH YOUR REMITTANCE

⑪ DATE	⑪ REFERENCE	⑫ ⑬ ⑭ DESCRIPTION-OTHER COMMENTS/CHARGES	⑮ SAU SIZE ⑯ BILLED UNITS	⑰ RATE	⑱ GROSS AMOUNT	⑲ NET AMOUNT
05/26	4190966 C0	RESOLUTION NO. 2010-100 ZONE 1 Class : 10 Ctext Ad# 10276363 Placed By : Cecilia Gil	644 L	1.30		837.20

RECEIVED RIVERSIDE COUNTY
 CLERK/BOARD OF SUPERVISORS
 2010 JUN -3 PM 3:23

Transp.
 3.746 of 04/20/10
 ihr

⑳ CURRENT NET AMOUNT DUE	㉑ 30 DAYS	㉒ 60 DAYS	㉓ OVER 90 DAYS	㉔ UNAPPLIED AMOUNT	㉕ PLEASE PAY THIS AMOUNT
					837.20

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

ADVERTISING
 STATEMENT/INVOICE

 * UNAPPLIED AMOUNTS ARE INCLUDED IN TOTAL AMOUNT DUE

⑳ STATEMENT NUMBER		㉖ ADVERTISER INFORMATION			
①	② BILLING PERIOD	③ BILLED ACCOUNT NUMBER	④ ADVERTISER/CLIENT NUMBER	⑤ ADVERTISER/CLIENT NAME	
56541669	05/26/10 - 05/26/10	045202		BOARD OF SUPERVISORS	

THE PRESS-ENTERPRISE

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

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

Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: Resolution No. 2010-100 Zone 145

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

05-26-10

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

Date: May. 26, 2010
At: Riverside, California

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

Ad #: 10276363

PO #:

Agency #: _____

Ad Copy:

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

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor, County Administrative Center, Board of Supervisors Chambers, 4080 Lemon Street, Riverside, on Tuesday, June 8, 2010 at 9:30 a.m. to consider the following:

RESOLUTION NO. 2010-100

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING ITS INTENT TO ORDER THE ANNEXATION OF ZONE 145 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 TRAFFIC SIGNALS; ADOPTING THE PRELIMINARY ENGINEER'S REPORT; GIVING NOTICE OF AND SETTING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE ANNEXATION OF ZONE 145; 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. 2010-099 on April 20, 2010 initiating proceedings for the annexation of Zone 145 (hereinafter "Zone 145"), 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 145 and the assessments to be levied within Zone 145 each fiscal year beginning fiscal year 2010-11 for the the maintenance and servicing of, and the provision of electricity for, traffic signals within the public right-of-way within said Zone; and

WHEREAS, such proceedings shall comply with the requirements of Article XIID of the California Constitution (hereinafter "Article XIID"), the Act, and Section 4000 of the Elections Code requiring voter approval of the proposed assessment to be levied by L&LMD No. 89-1-C for Zone 145; and

WHEREAS, the Board of Supervisors by Resolution No. 2010-099 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 145, and the assessments to be levied on parcels within Zone 145 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 April 20, 2010 as follows:

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

- The foregoing recitals are true and correct;
- 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;
- The annual assessment for fiscal year 2010-11 on all parcels within Zone 145 proposed to be annexed to L&LMD No. 89-1-C will be \$103.76 per acre.

Section 2. Intent. The Board of Supervisors hereby declares its intention to order the annexation of Zone 145, 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 145 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 145 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 145 is proposed to be annexed into L&LMD No. 89-1-C and shall include that property in the unincorporated area of the County as described and shown in Exhibit "A".

Section 4. Description of Services to be Provided. The maintenance and servicing of, and the provision of

electricity for, traffic signals authorized for Zone 145 of L&LMD No. 89-1-C are:

- (a) Providing electricity to and the maintenance and servicing of traffic signals 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 145 of L&LMD No. 89-1-C will be \$103.76 per acre for fiscal year 2010-11. As stated in the Report, the total budget for Zone 145 for the fiscal year 2010-11 is \$2,888; there are 2 parcels that are to be assessed that aggregate to 27.83 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 for "electricity" ("CPI U") for the Los Angeles-Riverside-Orange County California Standard Metropolitan Statistical area ("Index") published by the Bureau of Labor Statistics of the United States Department of Labor. The annual CPI U adjustment will be based on the cumulative increase, if any, in the Index as it stands on March of each year over the base Index for March of 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 145. 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 145 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 145. The boundaries of Zone 145 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 145, and the annual assessment to be levied upon assessable lots and parcels within Zone 145 proposed to be annexed to L&LMD No. 89-1-C.

Section 8. Public Hearing. The question of whether Zone 145 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 June 8, 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 145 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 145 if there is a majority protest with regard to the annexation of Zone 145. 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 145 exceeds the assessment ballots in favor of the annexation and assessment of Zone 145.

Section 10. Information. Any property owner desiring additional information regarding Zone 145 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 145 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 XIII D. 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 June 8, 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 XIII D and Section 4000 of the California Elections Code to all owners of record of property within Zone 145 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 June 8, 2010.

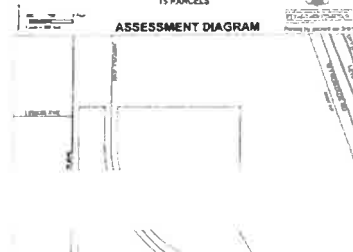
Section 12. Effective Date. This Resolution shall take effect from and after its date of adoption.

EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

The boundaries of Zone 145 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 305-170-037 and 305-180-049 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2010-11.

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED
ZONE 145
PORTION OF SECTION 16, T. 4S., R. 2W.
PARCEL MAP NO. 34481
15 PARCELS



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

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

Kecia Harper-Ihem, Clerk of said Board

By: Cecilia Gil, Board Assistant

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

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

Dated: May 24, 2010

Kecia Harper-Ihem, Clerk of the Board

By: Cecilia Gil, Board Assistant

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