

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

233A



**FROM:** TLMA - Transportation Dept.

**SUBMITTAL DATE:**  
January 12, 2011

**SUBJECT:** Landscaping and Lighting Maintenance District No. 89-1-Consolidated,  
Annexation of Zone 153 (Lakeland Village).

**RECOMMENDED MOTION:** That the Board:

With regard to the annexation of Zone 153 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, January 26, 2011 in Conference Room C on the 8<sup>th</sup> Floor of the County Administrative Center, 4080 Lemon Street, Riverside, California. Staff is directed

Juan C. Perez  
Director of Transportation

MH:jp

<b>FINANCIAL DATA</b>	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:	2010-11
<b>SOURCE OF FUNDS:</b> 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:   
Jennifer L. Sargent

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Stone, seconded by Supervisor Ashley 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: January 25, 2011  
 xc: Transp.

Kecia Harper-Ihem  
Clerk of the Board

By:   
Deputy

Prev. Agn. Ref. 11/30/10, 3.58

District: 1

Agenda Number:

9.19

FORM APPROVED COUNTY COUNSEL  
BY:   
KATHERINE A. LIND  
1/4/11 /DATE

Departmental Concurrence

Policy

Consent

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

The Honorable Board of Supervisors

RE: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Zone 153 (Lakeland Village).

January 12, 2011

Page 2 of 2

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

**BACKGROUND:** Pursuant to the Landscaping and Lighting Act of 1972 and Resolution 2010-303 adopted November 30, 2010, the Board of Supervisors noticed a public hearing for January 25, 2011, to receive testimony regarding the annexation of Zone 153 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated (L&LMD No. 89-1-C). Annexation of Zone 153 will fund the maintenance and servicing of future median landscaping within public rights-of-way located southwesterly of Grand Ave in the Lakeland Village area and includes 1 commercial parcel, totaling .3 acre(s).

On December 1, 2010 a notice of the public hearing and mail-in ballot, an impartial analysis, a copy of Resolution No. 2010-303, and an information sheet was mailed to all property owners within Zone 153, 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. 2010-303 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. 2010-303 on the official bulletin board customarily used by the Board of Supervisors for the posting of notices and in two other public locations within the County.

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

734 A



**FROM:** TLMA - Transportation Dept.

**SUBMITTAL DATE:**  
November 16, 2010

**SUBJECT:** Landscaping and Lighting Maintenance District No. 89-1-Consolidated,  
Annexation of Zone 153 (Lakeland Village).

**RECOMMENDED MOTION:** That the Board adopt the following Resolutions:

Resolution No. 2010-302 a Resolution of the County of Riverside initiating proceedings for the annexation of Zone 153 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated and ordering preparation of the Engineer's Report regarding the proposed annexation of Zone 153.

Resolution No. 2010-303, a Resolution of the County of Riverside declaring its intent to order the annexation of Zone 153 to Landscaping and Lighting Maintenance District No.

Juan C. Perez  
Director of Transportation

MH:jp

FORM APPROVED COUNTY COUNSEL

BY: *[Signature]* 11/4/10

DATE: DALE A. GARDNER

Departmental Concurrence

<b>FINANCIAL DATA</b>	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:	2010-11
<b>SOURCE OF FUNDS:</b> Landscaping and Lighting Maintenance District No. 89-1-Consolidated – 100%				Positions To Be Deleted Per A-30 <input type="checkbox"/>
				Requires 4/5 Vote <input type="checkbox"/>

**C.E.O. RECOMMENDATION:**

APPROVE

BY: *[Signature]*  
Jennifer L. Sargent

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Ashley, 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, January 25, 2011, at 9:30 a.m.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley  
Nays: None  
Absent: None  
Date: November 30, 2010  
xc: Transp., COB(2)

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

Prev. Agn. Ref.

District: 1

Agenda Number:

**3.58**

ATTACHMENTS FILED  
WITH THE CLERK OF THE BOARD

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

The Honorable Board of Supervisors

RE: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Zone 153 (Lakeland Village).

November 16, 2010

Page 2 of 2

89-1-Consolidated of the County of Riverside pursuant to the Landscaping and Lighting Act of 1972 for the maintenance and servicing of future median 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 153, 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. 2010-302 appoints the Director of the Transportation Department as the Engineer to prepare a Report regarding the proposed annexation of Zone 153 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated ("L&LMD No. 89-1-C").

Resolution No. 2010-303 declares the Board's intention of ordering the annexation of Zone 153 to L&LMD No. 89-1-C. Annexation of Zone 153 to L&LMD No. 89-1-C will fund the maintenance and servicing of future median landscaping within public right-of-way located southwesterly of Grand Ave in the Lakeland Village area and includes 1 commercial parcel, totaling .3 acre(s).

The proposed budget for fiscal year 2011-12 for Zone 153 is \$500 that will result in an assessment for fiscal year 2011-12 within Zone 153 of \$1,666.66 per acre. The annual assessment will be adjusted annually by the greater of 2% or the cumulative percentage increase in the CPI-U, if any, as it stands as of March of each year over the base index for March of 2010.

Consistent with the Board's direction regarding compliance with Article XIID of the California Constitution and the Landscaping and Lighting Act of 1972, the attached resolutions have been prepared and a public hearing scheduled for 9:30 a.m. on January 25, 2011 to receive testimony for and against the proposed assessment. Each property owner within the proposed Zone 153 will receive a notice of the public hearing and mail-in ballot, an impartial analysis, a copy of Resolution No. 2010-303, 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 153 will be annexed to L&LMD No. 89-1-C.

There is only one individual/entity which owns all of the property within the proposed boundaries of Zone 153 and said property owner has executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election and public hearing to be held on January 25, 2011.

2 RESOLUTION NO. 2010-302

3  
4 **RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE INITIATING**  
5 **PROCEEDINGS FOR THE ANNEXATION OF ZONE 153 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 153"),  
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 153 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 153; and

23 **WHEREAS**, the Applicant has executed a "Waiver and Consent Regarding Date of  
24 Assessment Ballot Election" allowing for the election to be held on January 25, 2011; and

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

FORM APPROVED COUNTY COUNSEL  
BY: Dale A. Gardner 11/4/10  
DALE A. GARDNER DATE

1 as the engineer (hereinafter the "Engineer") for the County with regard to the annexation of Zone 153  
2 to L&LMD No. 89-1-C.

3 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the  
4 Board of Supervisors of the County of Riverside assembled in regular session on November 30, 2010  
5 as follows:

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

8 **Section 2. Annexation.** The Board of Supervisors proposes to annex Zone 153 to  
9 L&LMD No. 89-1-C and to initiate and conduct proceedings therefore pursuant to the Act for the  
10 purpose of levying an annual assessment on all parcels within Zone 153 to pay the costs of the  
11 following services:

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

18 **Section 3. Boundaries and Designation.** The boundaries of Zone 153 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

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

2 of adoption.

3  
4                   ROLL CALL:

5                   Ayes:           Buster, Tavaglione, Stone, Benoit, and Ashley

6                   Nays:           None

7                   Absent:         None

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

10                   KECIA HARPER-IHEM, Clerk of said Board

11                   By:  \_\_\_\_\_

12                   Deputy

**EXHIBIT "A"**

**DESCRIPTION OF BOUNDARIES**

The boundaries of Zone 153 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 371-142-001 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2011-12.

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

**ZONE 153**

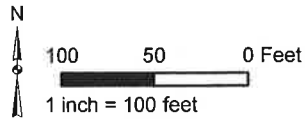
PORTION OF SECTION 19, T.6S., R.4W.

PLOT PLAN NO. 23924

1 PARCEL

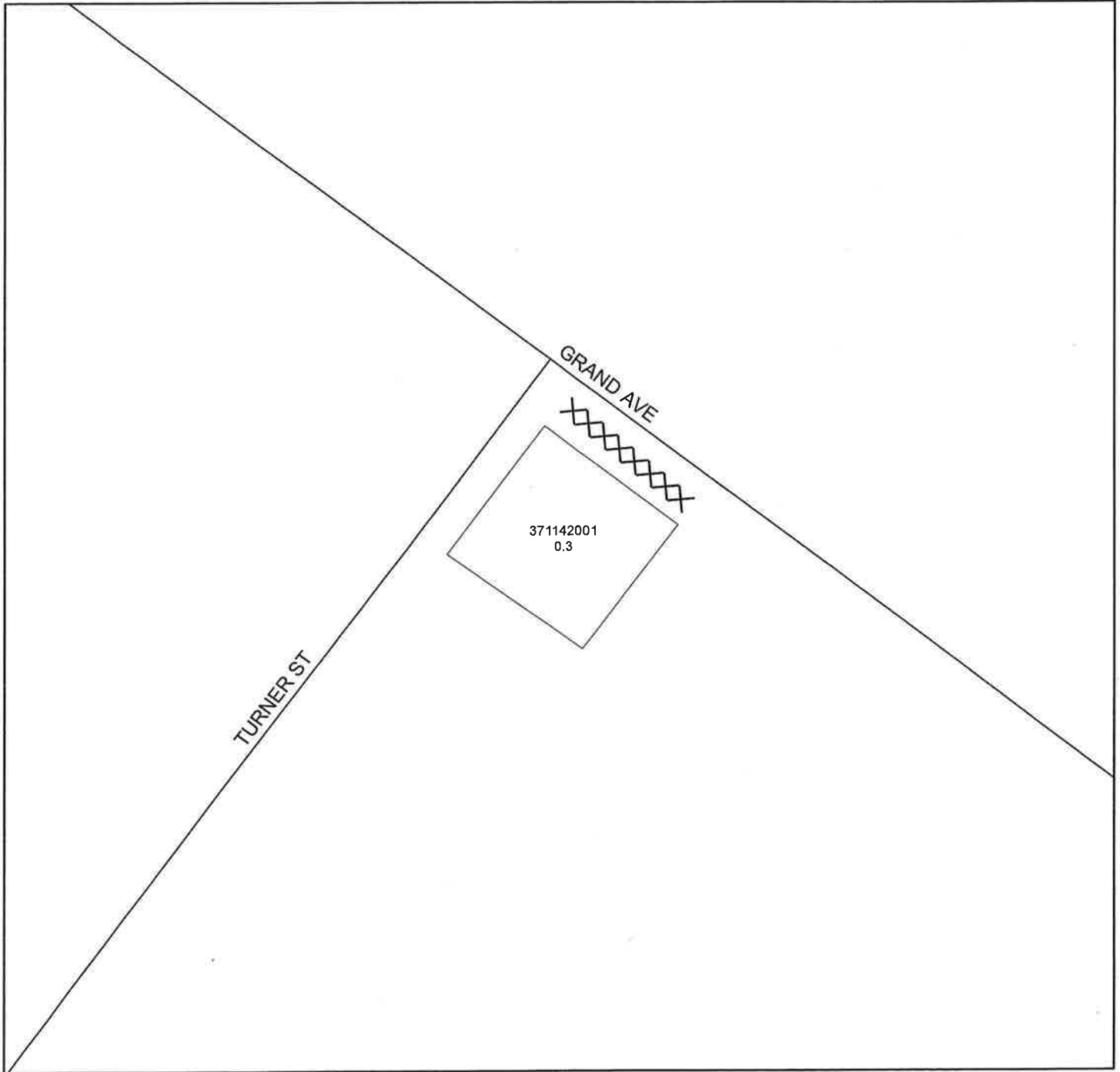


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**ASSESSMENT DIAGRAM**

Printed by jpickeri on 10/7/10



XXXXX DENOTES FUTURE LANDSCAPED AND MAINTAINED MEDIAN

2 RESOLUTION NO. 2010-303

3 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING  
4 ITS INTENT TO ORDER THE ANNEXATION OF ZONE 153 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 FUTURE MEDIAN LANDSCAPING; ADOPTING THE PRELIMINARY  
8 ENGINEER'S REPORT; GIVING NOTICE OF AND SETTING THE TIME AND PLACE OF THE  
9 PUBLIC HEARING ON THE ANNEXATION OF ZONE 153; ORDERING AN ASSESSMENT  
10 PROCEEDING; ORDERING A MAILED BALLOT ELECTION; AND DIRECTING NOTICE OF THE  
11 PUBLIC HEARING AND THE ASSESSMENT BALLOT TO BE MAILED PURSUANT TO ARTICLE  
12 XIIID OF THE CALIFORNIA 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. 2010-302 on November 30, 2010  
15 initiating proceedings for the annexation of Zone 153 (hereinafter "Zone 153"), as described and shown  
16 in 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 153 and the assessments to be levied within  
22 Zone 153 each fiscal year beginning fiscal year 2011-12 for the the maintenance and servicing of future  
23 median landscaping within the public right-of-way within said Zone; and

24 WHEREAS, such proceedings shall comply with the requirements of Article XIIID of the  
25 California Constitution (hereinafter "Article XIIID:"), 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 153;  
and

WHEREAS, the Board of Supervisors by Resolution No. 2010-302 directed the Director of the  
Transportation Department, or his designee (hereinafter the "Engineer"), to prepare and file the Report

FORM APPROVED COUNTY COUNSEL  
BY: *Cheryl Gardner* 11/19/10  
GALE GARDNER  
DO

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

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

5 **WHEREAS**, the Applicant has executed a "Waiver and Consent Regarding Date of  
6 Assessment Ballot Election" allowing for the election to be held on January 25, 2011; 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 153, and the assessments to be levied on parcels within Zone 153  
11 beginning in fiscal year 2011-12;

12 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the  
13 Board of Supervisors in regular session assembled on November 30, 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 2011-12 on all parcels within Zone 153 proposed  
20 to be annexed to L&LMD No. 89-1-C will be \$1666.66 per acre.

21 **Section 2. Intent.** The Board of Supervisors hereby declares its intention to order the  
22 annexation of Zone 153, as described and shown in Exhibit "A", to L&LMD No. 89-1-C, and to levy and  
23 collect an annual assessment on all assessable lots and parcels of property within Zone 153  
24 commencing with the fiscal year 2011-12 as set forth in the Report. The Report expressly states that  
25 there are no parcels or lots within Zone 153 that are owned by a federal, state or other local  
26 governmental agency that will benefit from the services to be financed by the annual assessments. The

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

4 **Section 3. Boundaries.** All the property within boundaries of Zone 153 is proposed to be  
5 annexed into L&LMD No. 89-1-C and shall include that property in the unincorporated area of the  
6 County as described and shown in Exhibit "A".

7 **Section 4. Description of Services to be Provided.** The maintenance and servicing of  
8 future median landscaping authorized for Zone 153 of L&LMD No. 89-1-C are:

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

15 **Section 5. Amount to be Levied.** The assessment to be levied upon each parcel that  
16 benefits from the annexation of Zone 153 of L&LMD No. 89-1-C will be \$1,666.66 per acre for fiscal  
17 year 2011-12. As stated in the Report, the total budget for Zone 153 for the fiscal year 2011-12 is \$500;  
18 there is 1 parcel that is to be assessed that aggregates to .3 acres. The annual assessment will be  
19 increased by the greater of two percent (2.0%) or the cumulative percentage increase, if any, in the  
20 Consumer Price Index for all Urban Consumers ("CPI-U") for the Los Angeles-Riverside-Orange  
21 County California Standard Metropolitan Statistical area ("Index") published by the Bureau of Labor  
22 Statistics of the United States Department of Labor. The annual CPI-U adjustment will be based on the  
23 cumulative increase, if any, in the Index as it stands on March of each year over the base Index for  
24 March of 2010. Any increase larger than the greater of 2.0% or the CPI-U annual adjustment requires a  
25 majority approval of all the property owners within Zone 153. The Board of Supervisors will levy the  
26 assessment in each subsequent fiscal year until the Board of Supervisors undertakes proceedings for

1 the dissolution of Zone 153 of L&LMD No. 89-1-C. The annual assessment will fund the services  
2 described in Section 4 of this Resolution. For further particulars, reference is to be made to the Report  
3 on file in the Office of the Clerk of the Board of Supervisors.

4 **Section 6. The Property to be Annexed.** The property to be annexed into L&LMD No.  
5 89-1-C is Zone 153. The boundaries of Zone 153 are located within the unincorporated area of the  
6 County and are described and shown in the Report and Exhibit "A".

7 **Section 7. Report.** The Report, which is on file with the Clerk of the Board of Supervisors  
8 and which has been presented to the Board of Supervisors, is hereby approved. Reference is made to  
9 the Report for a full and detailed description of the services, the boundaries of Zone 153, and the  
10 annual assessment to be levied upon assessable lots and parcels within Zone 153 proposed to be  
11 annexed to L&LMD No. 89-1-C.

12 **Section 8. Public Hearing.** The question of whether Zone 153 shall be annexed into  
13 L&LMD No. 89-1-C and an annual assessment levied beginning with fiscal year 2011-12 shall be  
14 considered at a public hearing (hereinafter the "Public Hearing") to be held on January 25, 2011, at  
15 9:30 a.m. at the meeting room of the Board of Supervisors of the County at 4080 Lemon Street,  
16 1<sup>st</sup> Floor, Riverside, California.

17 **Section 9. Majority Protest.** Each owner of record of property within Zone 153 is to receive  
18 by mail an assessment ballot that shall conform to the requirements of Section 4 of Article XIID and  
19 Section 4000 of the California Elections Code. The assessment ballots are to be returned prior to the  
20 Public Hearing. L&LMD No. 89-1-C shall not impose assessments on property within the boundaries of  
21 Zone 153 if there is a majority protest with regard to the annexation of Zone 153. A majority protest  
22 exists if, upon the conclusion of the Public Hearing, the tabulation of the assessment ballots submitted  
23 in opposition to the annexation and assessment of Zone 153 exceeds the assessment ballots in favor  
24 of the annexation and assessment of Zone 153.

25 **Section 10. Information.** Any property owner desiring additional information regarding  
26 Zone 153 of L&LMD No. 89-1-C, the Report, or the proposed assessment is to contact Ms. Joan

1 Pickering, Engineering Technician II, Transportation Department of the County of Riverside, 4080  
2 Lemon Street, 8th Floor, Riverside, California, 92501 or by telephone at 951-955 6748.

3 **Section 11. Notice of the Public Hearing.** Notice of Public Hearing with regard to the  
4 annexation of Zone 153 to L&LMD No. 89-1-C shall be given consistent with Section 22626 of the  
5 Streets and Highways Code and Section 4 of Article XIID. The Clerk of the Board of Supervisors shall  
6 give notice of the Public Hearing by causing a certified copy of this Resolution to be published once in  
7 an appropriate newspaper at least ten (10) days prior to the date of the Public Hearing that is  
8 January 25, 2011. Publication of this Resolution is to be effected by the Clerk of the Board of  
9 Supervisors. Notice shall also be given by mailing first-class, postage prepaid, those notices, as  
10 prepared by County Counsel, assessment ballot and information sheets as required by Section 4 of  
11 Article XIID and Section 4000 of the California Elections Code to all owners of record of property within  
12 Zone 153 as shown on the last equalized assessment roll of the County. Mailing is to be made by the  
13 Engineer and deposited with the U. S. Post Office at least forty-five (45) days prior to the Public  
14 Hearing on January 25, 2011.

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

17 ROLL CALL:

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

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

22 KECIA HARPER-IHEM, Clerk of said Board

23 By:   
24 Deputy

**EXHIBIT "A"**

**DESCRIPTION OF BOUNDARIES**

The boundaries of Zone 153 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 371-142-001 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2011-12.

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

**ZONE 153**

PORTION OF SECTION 19, T.6S., R.4W.

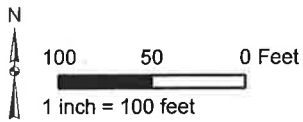
PLOT PLAN NO. 23924

1 PARCEL

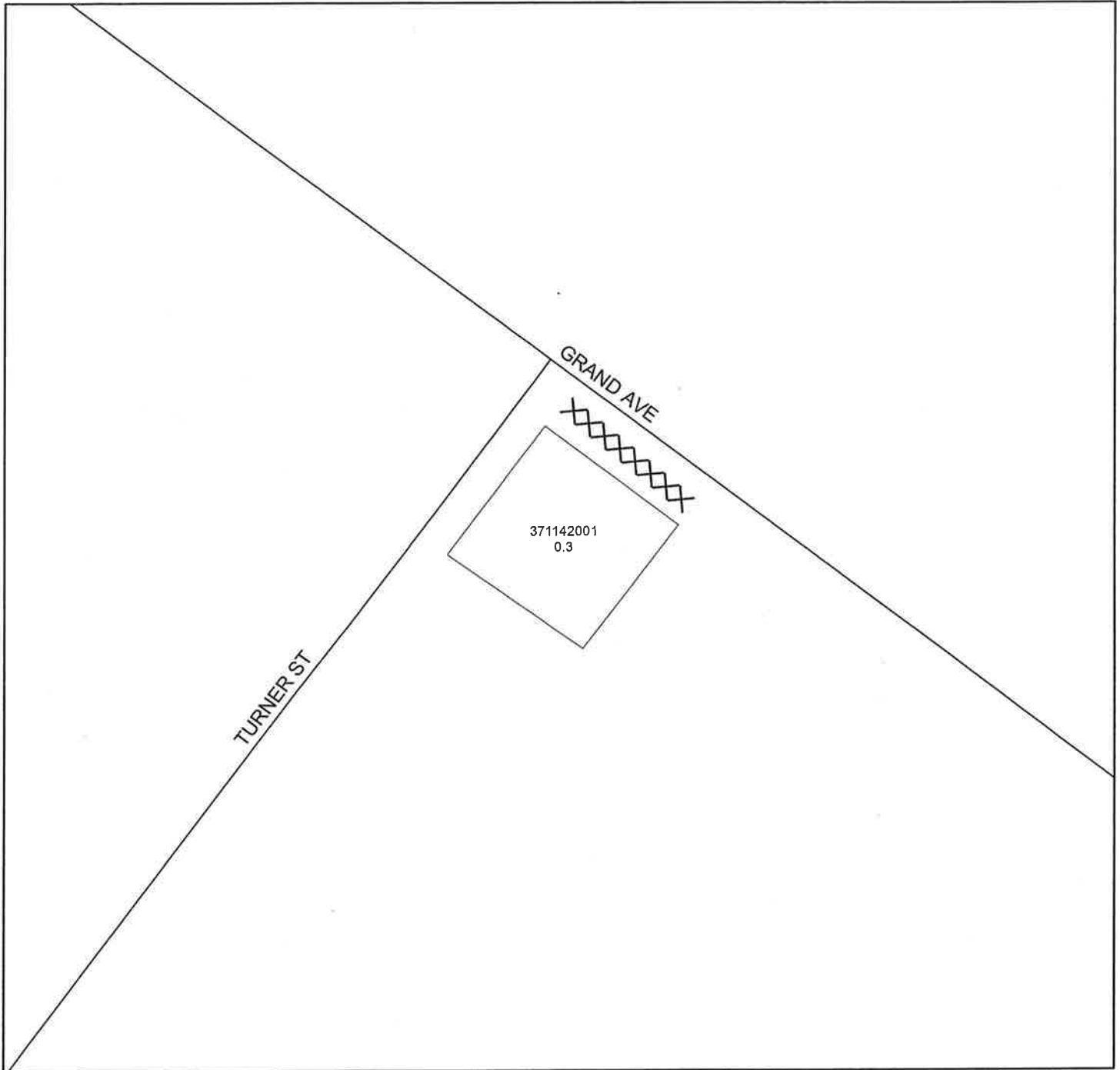


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**ASSESSMENT DIAGRAM**



XXXXX DENOTES FUTURE LANDSCAPED AND MAINTAINED MEDIAN



**COUNTY OF RIVERSIDE  
STATE OF CALIFORNIA**



**ENGINEER'S REPORT FOR FISCAL YEAR 2011-12**

**for**

**LANDSCAPING AND LIGHTING MAINTENANCE  
DISTRICT NO. 89-1-CONSOLIDATED  
ZONE 153  
(LAKELAND VILLAGE)**

**PREPARED BY:**

**RIVERSIDE COUNTY  
TRANSPORTATION DEPARTMENT  
NOVEMBER 8, 2010**

**AGENCY: COUNTY OF RIVERSIDE, CALIFORNIA**

**PROJECT: LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT  
NO. 89-1-CONSOLIDATED - ZONE 153 ANNEXATION**

**TO: BOARD OF SUPERVISORS**

**ENGINEER'S REPORT  
FOR FISCAL YEAR 2011-12**

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

**PART I**

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

**PART II**

An estimate of the cost of the future median landscaping improvements and maintenance including incidental costs and expenses in connection therewith for fiscal year 2011-12, 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 153 Annexation, the lines and dimensions of each parcel of land within said Zone 153, as the same exists on the maps of the Assessor of Riverside County for fiscal year 2011-12 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 2011-12 upon each parcel of land within said Zone 153, in proportion to the estimated benefits to be received by such parcels from said future median landscaping improvements, is set forth upon the assessment roll filed herewith and made a part hereof.

There is only one individual/entity which owns all of the property within the proposed boundaries of Zone 153 and said property owner has executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election and public hearing to be held on January 25, 2011; a copy of said waiver is filed herewith and made a part hereof.

Dated November 8, 2010



---

Juan C. Perez, Director of Transportation

Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Zone 153,  
County of Riverside, California

**PART I**

**DESCRIPTION OF IMPROVEMENTS AND MAINTENANCE PLANS FOR  
FISCAL YEAR 2011-12  
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT  
NO. 89-1-CONSOLIDATED, ZONE 153  
COUNTY OF RIVERSIDE, CALIFORNIA**

**Description of Improvements**

Improvements to be funded by Zone 153 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated generally include the maintenance and servicing of future median landscaping within the public right-of-way:

- Southwesterly of Grand Ave

**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 153**

PORTION OF SECTION 19, T.6S., R.4W.

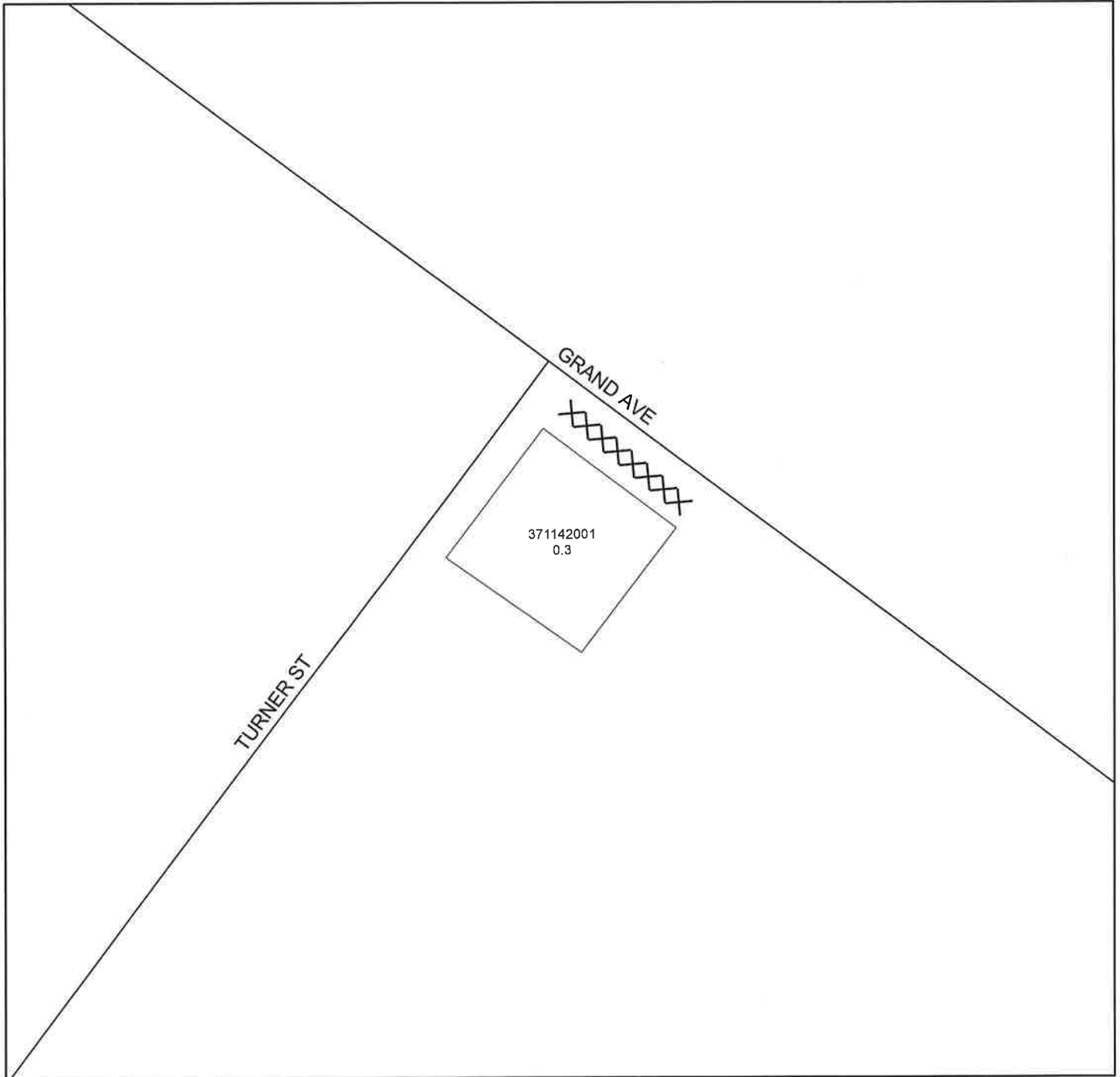
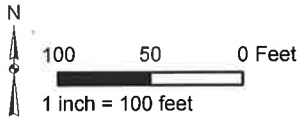
PLOT PLAN NO. 23924

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 update, modifications and may not be complete or appropriate for all purposes. County GIS and other sources should be queried for the most current information. Do not copy or resell this map.

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XXXXX DENOTES FUTURE LANDSCAPED AND MAINTAINED MEDIAN

**PART II**

**ENGINEER'S ESTIMATE OF COSTS AND EXPENSES  
FOR FISCAL YEAR 2011-12  
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT  
NO. 89-1-CONSOLIDATED, ZONE 153  
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 153**

**Costs for Maintenance of Improvements**

Maintenance <sup>1</sup> & Servicing <sup>2</sup> of the Future Median Landscaping	\$460
Administrative Costs <sup>3</sup>	<u>40</u>
<b>Total Amount to be Assessed for FY 2011-12</b>	<b>\$500</b>

<sup>1</sup>Maintenance 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.

<sup>2</sup>Servicing means furnishing of energy and water to the landscaping improvements.

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

**LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED**  
**ZONE 153**  
**SUMMARY**  
**ANNUAL BUDGET**  
**FISCAL YEAR 2011-12**

MAINTENANCE OF FUTURE MEDIAN LANDSCAPING	
FUNCTION	ZONE 153
Landscaping	\$ 260
Electricity	\$ 5
Field Inspection/Management	\$ 45
Repair/Replacement	\$ 150
	<b>\$ 460</b>

ADMINISTRATIVE COSTS	
FUNCTION	ZONE 153
Assessment Engineer	\$ 10
County Counsel	\$ 10
Transportation Administration/Miscellaneous Expense	\$ 20
	<b>\$ 40</b>

<b>TOTAL BUDGET</b>	<b>\$ 500</b>
<b>FISCAL YEAR 2011-12 ASSESSMENT</b>	<b>\$ 1,666.66/acre</b>

**.3 acre(s)**

**PART III**

**ASSESSMENT DIAGRAM AND CHANGES IN ORGANIZATION  
FOR FISCAL YEAR 2011-12  
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT  
NO. 89-1-CONSOLIDATED, ZONE 153  
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 153

Annexation of Zone 153 as described and shown in Exhibit "A" is filed herewith and made a part hereof changes the organization for this District for Fiscal Year 2011-12.



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

**ZONE 153**

PORTION OF SECTION 19, T.6S., R.4W.

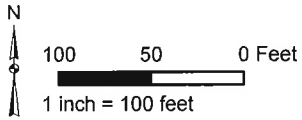
PLOT PLAN NO. 23924

1 PARCEL

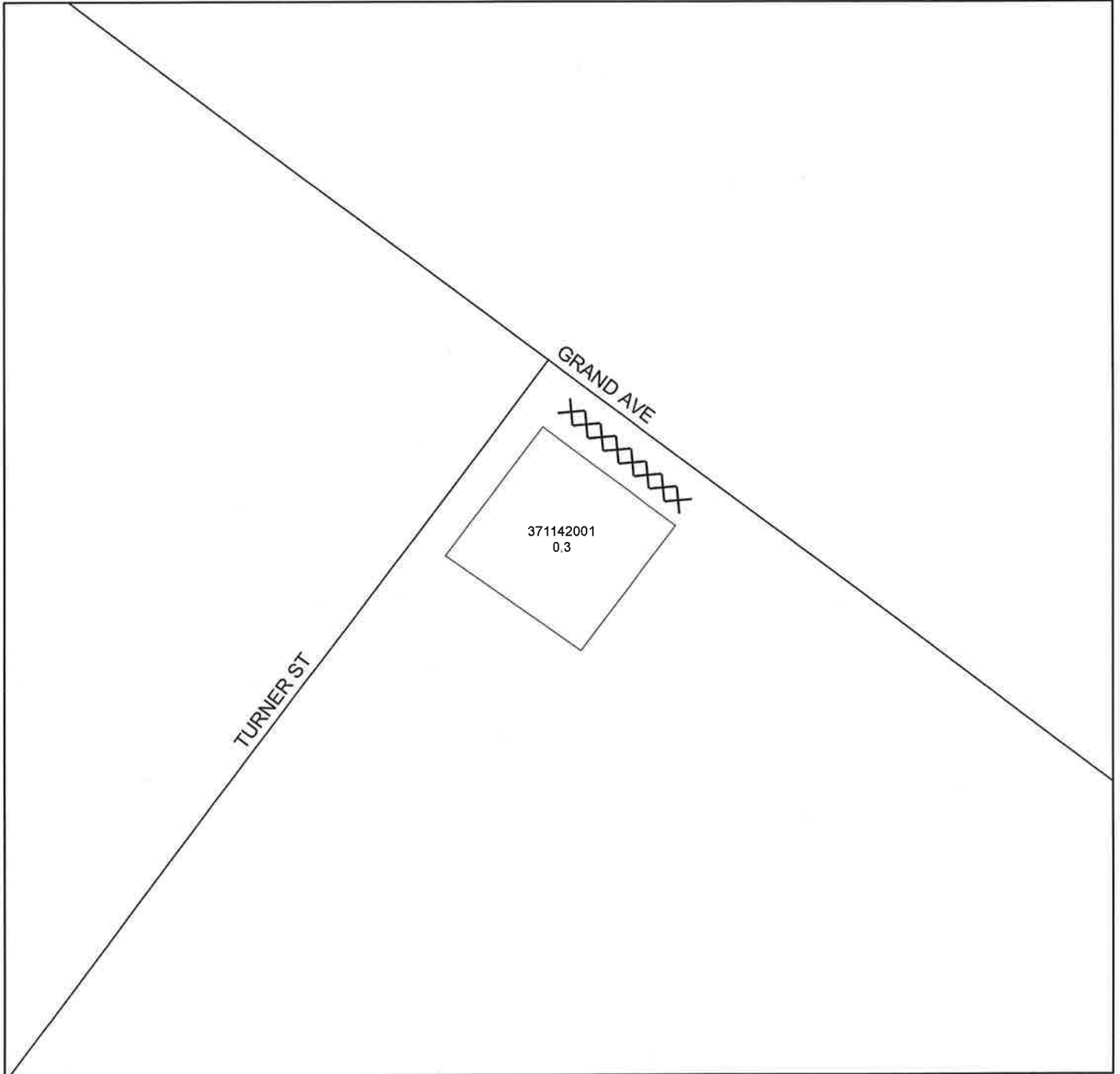


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**ASSESSMENT DIAGRAM**



XXXXX DENOTES FUTURE LANDSCAPED AND MAINTAINED MEDIAN

**PART IV**

**ASSESSMENT FOR FISCAL YEAR 2011-12  
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT  
NO. 89-1-CONSOLIDATED, ZONE 153  
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 November 30, 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. 2010-302 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 153 (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 future median landscaping improvements
- b. An estimate of the costs of servicing future median 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 153 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 future median landscaping provides direct and special benefit to those properties located within Zone 153 in Landscaping and Lighting Maintenance District No. 89-1-Consolidated (DISTRICT). Median landscaping enhances the properties within the DISTRICT, improves erosion control, provides dust abatement, increases public safety (controls sight distance restrictions and fire hazards), improves neighborhood aesthetics, and provides an enhanced quality of life and sense of well being for properties within the DISTRICT.

The future median landscaping improvements maintained by the DISTRICT provide no general public benefit in that the properties within Zone 153 are discrete neighborhoods or communities for which the future median landscaping improvements were installed. Future median 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 and the costs and expenses for the future median landscaping improvements maintenance and services are apportioned on a per acre basis.

The dollar per acre value for Fiscal Year 2011-12 for Zone 153 is as follows:

$$\begin{array}{rcl} \text{Total Budget} = & \underline{\$500} & \\ \text{Total No. Acres} & .3 & = \quad \$1,666.66/\text{acre} \end{array}$$

The assessment for Fiscal Year 2011-12 for Zone 153 that is to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated will be \$1,666.66 per acre. The annual assessment will be increased by the greater of two percent (2.0%) or the cumulative percentage increase, if any, in the Consumer Price Index for all Urban Consumers ("CPI-U") for the Los Angeles-Riverside-Orange County California Standard Metropolitan Statistical area ("Index") published by the Bureau of Labor Statistics of United States Department of Labor. The annual "CPI-U" adjustment will be based on the cumulative increase, if any, in the Index as it stands on March of each year over the base Index for March of 2010. Any increase larger than the greater of 2.0% or the

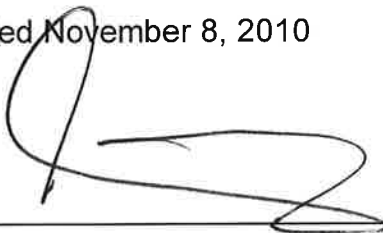
“CPI-U” annual adjustment requires a majority approval of all the property owners within Zone 153.

**Waiver and Consent Regarding Date of Assessment Ballot Election**

There is only one individual/entity which owns all of the property within the proposed boundaries of Zone 153 and said property owner has executed a “Waiver and Consent Regarding Date of Assessment Ballot Election” allowing for the election and public hearing to be held on January 25, 2011; a copy of said waiver is filed herewith and made a part hereof.

In conclusion, it is my opinion that the assessments for Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Zone 153 have been spread in direct accordance with the benefits that each parcel receives from the items being financed.

Dated November 8, 2010



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Juan C. Perez, Director of Transportation

Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Zone 153,  
County of Riverside, California

APN

ACRES

ASSESSMENT

371-142-001

.30

500.00

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

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

The undersigned, an authorized representative of Abel Flores Garcia Sr. and Adelita Flores (the "Owner") owns property within the unincorporated area of the County of Riverside (the "County") represented by the following Assessors Parcel Numbers for fiscal year 2011-12 (the "Property"): APN(s) 371-142-001.

The Owner has made application that the Property be annexed as Zone 153 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated of the County ("L&LMD No. 89-1-C") and certifies the following:

1. The Owner waives the requirements of Section 4000 of the Elections Code of the State of California (the "Elections Code") that the mailed ballot election required for annexation and the levy of an annual assessment must be held on an established mailed ballot election date pursuant to Section 1500 of the Election Code; and
2. The Owner consents to the mailed assessment ballot election with respect to the levy of an annual assessment on the Property being held on January 25, 2011

**OWNER: Abel Flores Garcia Sr. and Adelita Flores**  
(Name of Company as Stated in Initial Paragraph)

By: \_\_\_\_\_

Signature

Name: \_\_\_\_\_

Print

Title: \_\_\_\_\_

OWNERS



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

January 10, 2011

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

FAX: (951) 699-1467  
E-MAIL: [tswenson@nctimes.com](mailto:tswenson@nctimes.com)

**RE: NOTICE OF PUBLIC HEARING: RESOLUTION 2010-303 ZONE 153**

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Thursday, January 13, 2011**.

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:** Monday, January 10, 2011 9:09 AM  
**To:** Gil, Cecilia  
**Subject:** RE: FOR PUBLICATION: RES. NO. 2010-303 ZONE 153

### Received...

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

---

**From:** Gil, Cecilia [<mailto:CCGIL@rcbos.org>]  
**Sent:** Monday, January 10, 2011 8:36 AM  
**To:** Tammi Swenson  
**Subject:** FOR PUBLICATION: RES. NO. 2010-303 ZONE 153

*Good Morning again! One more Resolution for publication on Thursday, Jan. 13, 2011. 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 1<sup>st</sup> Floor, County Administrative Center, Board of Supervisors Chambers, 4080 Lemon Street, Riverside, on **Tuesday, January 25, 2011 at 9:30 a.m.** to consider the following:

**RESOLUTION NO. 2010-303**

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING ITS INTENT TO ORDER THE ANNEXATION OF ZONE 153 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 FUTURE MEDIAN 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 153; 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. 2010-302 on November 30, 2010 initiating proceedings for the annexation of Zone 153 (hereinafter "Zone 153"), 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 153 and the assessments to be levied within Zone 153 each fiscal year beginning fiscal year 2011-12 for the the maintenance and servicing of future median 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 153; and

**WHEREAS**, the Board of Supervisors by Resolution No. 2010-302 directed the Director of the Transportation Department, or his designee (hereinafter the "Engineer"), to prepare and file the Report with the Clerk of the Board of Supervisors in accordance with Sections 22608 and 22585 et. seq. of the Street and Highways Code and Section 4 of Article XIID; and

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

**WHEREAS**, the Applicant has executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election to be held on January 25, 2011; 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 153, and the assessments to be levied on parcels within Zone 153 beginning in fiscal year 2011-12;

**NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the Board of Supervisors in regular session assembled on November 30, 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 2011-12 on all parcels within Zone 153 proposed to be annexed to L&LMD No. 89-1-C will be \$1666.66 per acre.

**Section 2. Intent.** The Board of Supervisors hereby declares its intention to order the annexation of Zone 153, 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 153 commencing with the fiscal year 2011-12 as set forth in the Report. The Report expressly states that there are no parcels or lots within Zone 153 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 153 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 future median landscaping authorized for Zone 153 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.

**Section 5. Amount to be Levied.** The assessment to be levied upon each parcel that benefits from the annexation of Zone 153 of L&LMD No. 89-1-C will be \$1,666.66 per acre for fiscal year 2011-12. As stated in the Report, the total budget for Zone 153 for the fiscal year 2011-12 is \$500; there is 1 parcel that is to be assessed that aggregates to .3 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. 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 153. 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 153 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 153. The boundaries of Zone 153 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 153, and the annual assessment to be levied upon assessable lots and parcels within Zone 153 proposed to be annexed to L&LMD No. 89-1-C.

**Section 8. Public Hearing.** The question of whether Zone 153 shall be annexed into L&LMD No. 89-1-C and an annual assessment levied beginning with fiscal year 2011-12 shall be considered at a public hearing (hereinafter the "Public Hearing") to be held on January 25, 2011, at 9:30 a.m. at the meeting room of the Board of Supervisors of the County at 4080 Lemon Street, 1<sup>st</sup> Floor, Riverside, California.

**Section 9. Majority Protest.** Each owner of record of property within Zone 153 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 153 if there is a majority protest with regard to the annexation of Zone 153. 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 153 exceeds the assessment ballots in favor of the annexation and assessment of Zone 153.

**Section 10. Information.** Any property owner desiring additional information regarding Zone 153 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 153 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 January 25, 2011. 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 153 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 January 25, 2011.

**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 153 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 371-142-001 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2011-12.

**(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 November 30, 2010.

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: January 10, 2011

Kecia Harper-Ihem, Clerk of the Board

By: Cecilia Gil, Board Assistant

# ZONE 153

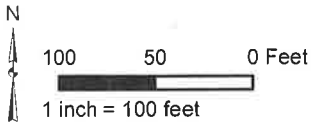
PORTION OF SECTION 19, T.6S., R.4W.

PLOT PLAN NO. 23924

1 PARCEL

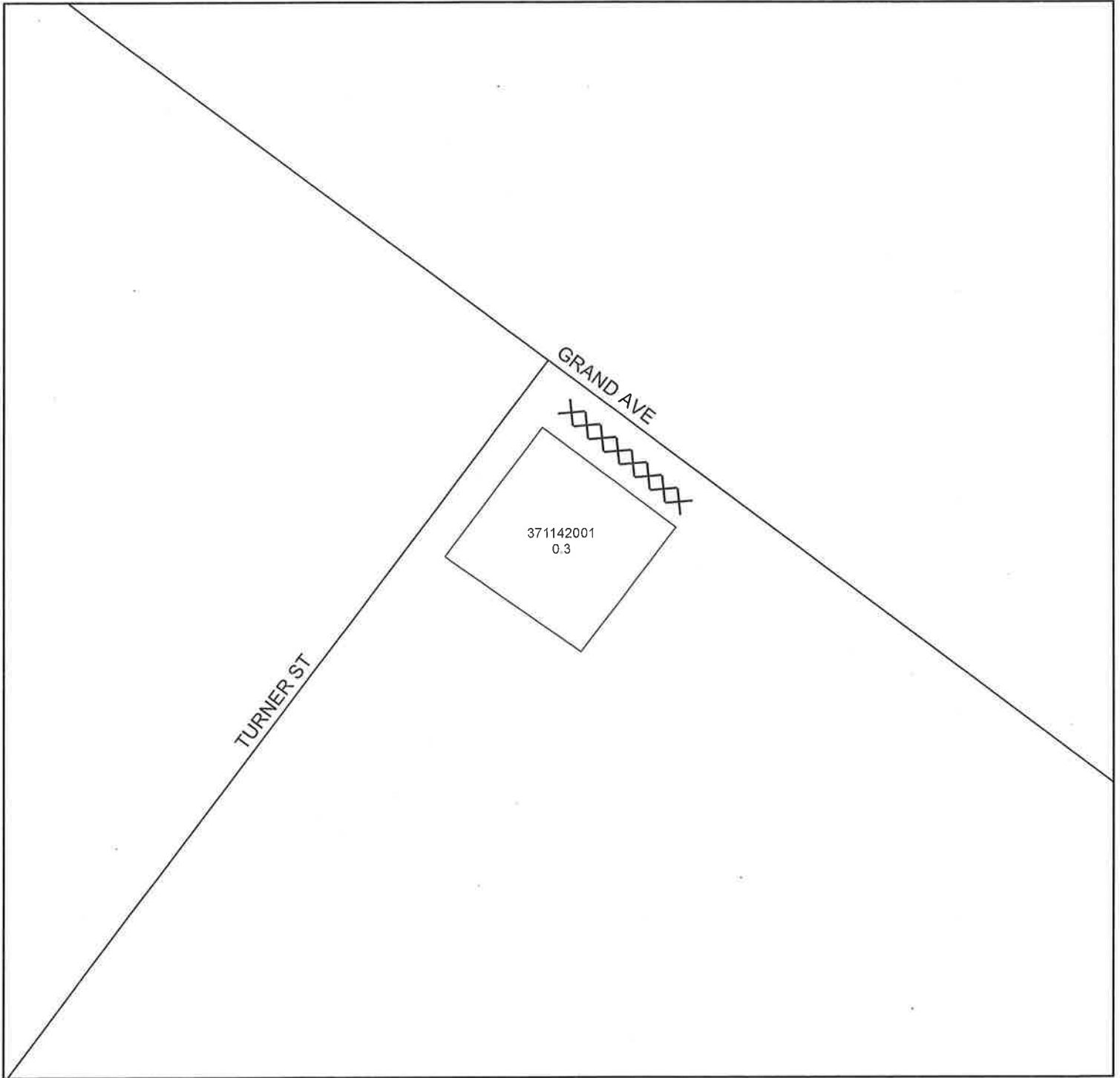


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## ASSESSMENT DIAGRAM

Printed by jpickeri on 10/7/10



XXXXX DENOTES FUTURE LANDSCAPED AND MAINTAINED MEDIAN

**RIVERSIDE CO. BOARD OF SUPERVISORS**  
 ATTN: CECILIA GIL  
 P.O. BOX 1147  
 RIVERSIDE, CA 92502-1147  
 951-955-8464

AD NUMBER	PAGE NO.
<b>2280583</b>	<b>1 of 1</b>
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<b>2280583</b>	<b>NOTICE OF PUBLIC HEARING BEFORE THE</b>	<b>16000 LEGAL ADVERTISING</b>	<b>484 * 4</b>

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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, January 25, 2011 at 9:30 a.m. to consider the following:

RESOLUTION NO. 2010-303

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING ITS INTENT TO ORDER THE ANNEXATION OF ZONE 153 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 FUTURE MEDIAN 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 153; 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. 2010-302 on November 30, 2010 initiating proceedings for the annexation of Zone 153 (hereinafter "Zone 153"), 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 153 and the assessments to be levied within Zone 153 each fiscal year beginning fiscal year 2011-12 for the the maintenance and servicing of future median 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 153; and

WHEREAS, the Board of Supervisors by Resolution No. 2010-302 directed the Director of the Transportation Department, or his designee (hereinafter the "Engineer"), to prepare and file the Report with the Clerk of the Board of Supervisors in accordance with Sections 22608 and 22585 et. seq. of the Street and Highways Code and Section 4 of Article XIID; and

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

WHEREAS, the Applicant has executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election to be held on January 25, 2011; 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 153, and the assessments to be levied on parcels within Zone 153 beginning in fiscal year 2011-12;

NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the Board of Supervisors in regular session assembled on November 30, 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 2011-12 on all parcels within Zone 153 proposed to be annexed to L&LMD No. 89-1-C will be \$1666.66 per acre.

Section 2. Intent. The Board of Supervisors hereby declares its intention to order the annexation of Zone 153, 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 153 commencing with the fiscal year 2011-12 as set forth in the Report. The Report expressly states that there are no parcels or lots within Zone 153 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 153 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 future median landscaping authorized for Zone 153 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.

Section 5. Amount to be Levied. The assessment to be levied upon each parcel that benefits from the annexation of Zone 153 of L&LMD No. 89-1-C will be \$1,666.66 per acre for fiscal year 2011-12. As stated in the Report, the total budget for Zone 153 for the fiscal year 2011-12 is \$500; there is 1 parcel that is to be assessed that aggregates to .3 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. 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 153. 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 153 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 153. The boundaries of Zone 153 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 153, and the annual assessment to be levied upon assessable lots and parcels within Zone 153 proposed to be annexed to L&LMD No. 89-1-C.

Section 8. Public Hearing. The question of whether Zone 153 shall be annexed into L&LMD No. 89-1-C and an annual assessment levied beginning with fiscal year 2011-12 shall be considered at a public hearing (hereinafter the "Public Hearing") to be held on January 25, 2011, 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 153 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 153 if there is a majority protest with regard to the annexation of Zone 153. 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 153 exceeds the assessment ballots in favor of the annexation and assessment of Zone 153.

Section 10. Information. Any property owner desiring additional information regarding Zone 153 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 153 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 January 25, 2011. 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 153 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 January 25, 2011.

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 153 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 371-142-001 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2011-12.

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 November 30, 2010.

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: January 10, 2011
Kecia Harper-Ihem, Clerk of the Board
By: Cecilia Gil, Board Assistant

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED
ZONE 153
PORTION OF SECTION 19, T. 6S., R. 4W.
PLOT PLAN NO. 23924
1 PARCEL

