

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



412A

**FROM:** TLMA - Transportation Dept.

**SUBMITTAL DATE:**  
April 21, 2011

**SUBJECT:** Landscaping and Lighting Maintenance District No. 89-1-Consolidated,  
Annexation of Street Lighting Zone 101 (Southeast Desert Hot Springs).

**RECOMMENDED MOTION:** That the Board:

With regard to the annexation of Street Lighting Zone 101 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated, conduct the public hearing and, after closing the public hearing, direct the Director of Transportation, or his designee, who the Board finds to be an impartial person as that term is used in Section 53753(e) of the Government Code, to tally all ballots received prior to the close of public hearing. All ballots received prior to the close of the public hearing will be tallied at 10:00 a.m. on Wednesday, May 4, 2011 in Conference Room C on the 8<sup>th</sup> Floor of the County Administrative Center, 4080 Lemon Street, Riverside, California.

\_\_\_\_\_  
Juan C. Perez  
Director of Transportation

MH:jp

FORM APPROVED COUNTY COUNSEL  
BY: DALE A. GARDNER  
DATE: 5/14/11  
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% |                               |     | <b>Positions To Be Deleted Per A-30</b> | <input type="checkbox"/> |
|  |                               |     | <b>Requires 4/5 Vote</b>                | <input type="checkbox"/> |

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

APPROVE

BY:   
Tina Grande

**County Executive Office Signature**

**MINUTES OF THE BOARD OF SUPERVISORS**

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

**Ayes:** Buster, Tavaglione, Stone, Benoit and Ashley  
**Nays:** None  
**Absent:** None  
**Date:** May 3, 2011  
**xc:** Transp.

Kecia Harper-Ihem  
Clerk of the Board  
By:   
Deputy

**Prev. Agn. Ref.** 03/15/11, 3.46 | **District:** 4 | **Agenda Number:**

ATTACHMENTS FILED  
WITH THE CLERK OF THE BOARD

9.10

The Honorable Board of Supervisors

RE: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Street Lighting Zone 101 (Southeast Desert Hot Springs).

April 21, 2011

Page 2 of 2

Staff is directed 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 2011-032 adopted March 15, 2011, the Board of Supervisors noticed a public hearing for May 3, 2011, to receive testimony regarding the annexation of Street Lighting Zone 101 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated (L&LMD No. 89-1-C). Annexation of Street Lighting Zone 101 will fund the provision of electricity for streetlights within public rights-of-way located easterly of Corkill Rd and southerly of Dillon Rd in the Southeast Desert Hot Springs area and includes 1 commercial parcel, totaling .74 acre(s).

On March 16, 2011 a notice of the public hearing and mail-in ballot, an impartial analysis, a copy of Resolution No. 2011-032, and an information sheet was mailed to all property owners within Street Lighting Zone 101, 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. 2011-032 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. 2011-032 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**

731A



**FROM:** TLMA - Transportation Dept.

**SUBMITTAL DATE:**  
March 3, 2011

**SUBJECT:** Landscaping and Lighting Maintenance District No. 89-1-Consolidated,  
Annexation of Street Lighting Zone 101 (Southeast Desert Hot Springs).

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

Resolution No. 2011-031 a Resolution of the County of Riverside initiating proceedings for the annexation of Street Lighting Zone 101 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated and ordering preparation of the Engineer's Report regarding the proposed annexation of Street Lighting Zone 101.

Resolution No. 2011-032, a Resolution of the County of Riverside declaring its intent to order the annexation of Street Lighting Zone 101 to Landscaping and Lighting Maintenance District

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:**

9.10 5/13/11

County Executive Office Signature

75

**MINUTE OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Buster, seconded by Supervisor Stone and duly carried, IT WAS ORDERED that the above resolutions are adopted as recommended, and that the matter is set for public hearing on Tuesday, May 3, 2011, at 9:30 a.m.

**Ayes:** Buster, Stone, Benoit and Ashley  
**Nays:** None  
**Absent:** Tavaglione  
**Date:** March 15, 2011  
**xc:** Transp., COB(2)

Kecia Harper-Ihem  
Clerk of the Board  
By   
Deputy

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

**3.46**

FORM APPROVED COUNTY COUNSEL  
BY Dale A. Gardner 2/23/11  
DATE

Departmental Concurrence

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

The Honorable Board of Supervisors

RE: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Street Lighting Zone 101 (Southeast Desert Hot Springs).

March 3, 2011

Page 2 of 2

No. 89-1-Consolidated of the County of Riverside pursuant to the Landscaping and Lighting Act of 1972 for the provision of electricity for streetlights; adopting the preliminary engineer's report; giving notice of and setting the time and place of the public hearing on the annexation of Street Lighting Zone 101, 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. 2011-031 appoints the Director of the Transportation Department as the Engineer to prepare a Report regarding the proposed annexation of Street Lighting Zone 101 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated ("L&LMD No. 89-1-C").

Resolution No. 2011-032 declares the Board's intention of ordering the annexation of Street Lighting Zone 101 to L&LMD No. 89-1-C. Annexation of Street Lighting Zone 101 to L&LMD No. 89-1-C will fund the provision of electricity for streetlights within public right-of-way located easterly of Corkill Rd and southerly of Dillon Rd in the Southeast Desert Hot Springs area and includes 1 commercial parcel, totaling .74 acre(s).

The proposed budget for fiscal year 2011-12 for Street Lighting Zone 101 is \$660 that will result in an assessment for fiscal year 2011-12 within Street Lighting Zone 101 of \$891.90 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 2011.

Consistent with the Board's direction regarding compliance with Article XIID of the California Constitution and the Landscaping and Lighting Act of 1972, the attached resolutions have been prepared and a public hearing scheduled for 9:30 a.m. on May 3, 2011 to receive testimony for and against the proposed assessment. Each property owner within the proposed Street Lighting Zone 101 will receive a notice of the public hearing and mail-in ballot, an impartial analysis, a copy of Resolution No. 2011-032, and an information sheet.

Ballots must be returned prior to the conclusion of the public hearing. If, at the time designated for the tabulation of the ballots, the ballots submitted in favor of the annexation and levy of the assessment exceed the ballots submitted in opposition of said annexation and levy, Street Lighting Zone 101 will be annexed to L&LMD No. 89-1-C.

2 **RESOLUTION NO. 2011-031**

3  
4 **RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE INITIATING**  
5 **PROCEEDINGS FOR THE ANNEXATION OF STREET LIGHTING ZONE 101 TO LANDSCAPING**  
6 **AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF**  
7 **RIVERSIDE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 AND ORDERING**  
8 **PREPARATION OF ENGINEER'S REPORT REGARDING SAID ANNEXATION**

9 **WHEREAS**, the Board of Supervisors (hereinafter the "Board of Supervisors") of the County of  
10 Riverside (hereinafter the "County") has been advised by the Transportation Department (hereinafter  
11 "Department") of the County that said Department has received an application from the owner (the  
12 "Applicant") of all the property within the unincorporated area of the County (hereinafter Street Lighting  
13 "Zone 101"), as shown and described in Exhibit "A", which is attached hereto and made a part hereof,  
14 to be annexed to Landscaping and Lighting Maintenance District No. 89-1-Consolidated (hereinafter  
15 "L&LMD No. 89-1-C") of the County of Riverside, State of California, and the Board of Supervisors has  
16 determined that it is necessary and desirable to initiate proceedings for the annexation of Street  
17 Lighting Zone 101 to L&LMD No. 89-1-C pursuant to the Landscaping and Lighting Act of 1972, Part 2  
18 (commencing with Section 22500) of Division 15 of the Streets and Highways Code (hereinafter,  
19 respectively, the "Act" and the "Street and Highways Code"); and

20 **WHEREAS**, such proceedings shall comply with the requirements of Article XIID of the  
21 California Constitution and Section 4000 of the Elections Code requiring voter approval of the  
22 proposed assessment to be levied by L&LMD No. 89-1-C for Street Lighting Zone 101; and

23 **WHEREAS**, the Director of the Department, or his designee, is a licensed and registered civil  
24 engineer, has expertise with respect to the annexation of territory to landscaping and lighting  
25 maintenance districts and the levying of assessments for said purposes and, therefore, is able to serve  
26 as the engineer (hereinafter the "Engineer") for the County with regard to the annexation of Street  
Lighting Zone 101 to L&LMD No. 89-1-C.

FORM APPROVED COUNTY COUNSEL  
BY *[Signature]* DATE 2/23/11  
DALE A. GARDNER

1           **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the  
2 Board of Supervisors of the County of Riverside assembled in regular session on March 15, 2011 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 Street  
7 Lighting Zone 101 to L&LMD No. 89-1-C and to initiate and conduct proceedings therefore pursuant to  
8 the Act for the purpose of levying an annual assessment on all parcels within Street Lighting Zone 101  
9 to pay the costs of the following services:

- 10           (a)    Providing electricity to all streetlights within the public right-of-way including  
11                    incidental costs and expenses.

12           **Section 3.    Boundaries and Designation.** The boundaries of Street Lighting  
13 Zone 101 that are proposed to be annexed to L&LMD No. 89-1-C shall include all of the property as  
14 shown and 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 of  
17 Supervisors in accordance with Sections 22608 and 22585 et. seq. of the Streets and Highways Code  
18 and Section 4 of Article XIID of the California Constitution regarding said annexation and the levy.

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

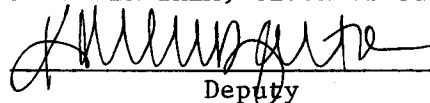
21    ROLL CALL:

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

25           The foregoing is certified to be a true copy of a resolution duly  
26           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 Street Lighting Zone 101 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 654-190-019 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

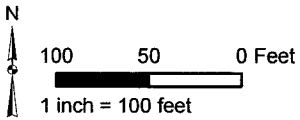
**STREET LIGHTING ZONE 101**

PORTION OF SECTION 11, T.3S., R.5E.  
CONDITIONAL USE PERMIT NO. 03355R1

1 PARCEL

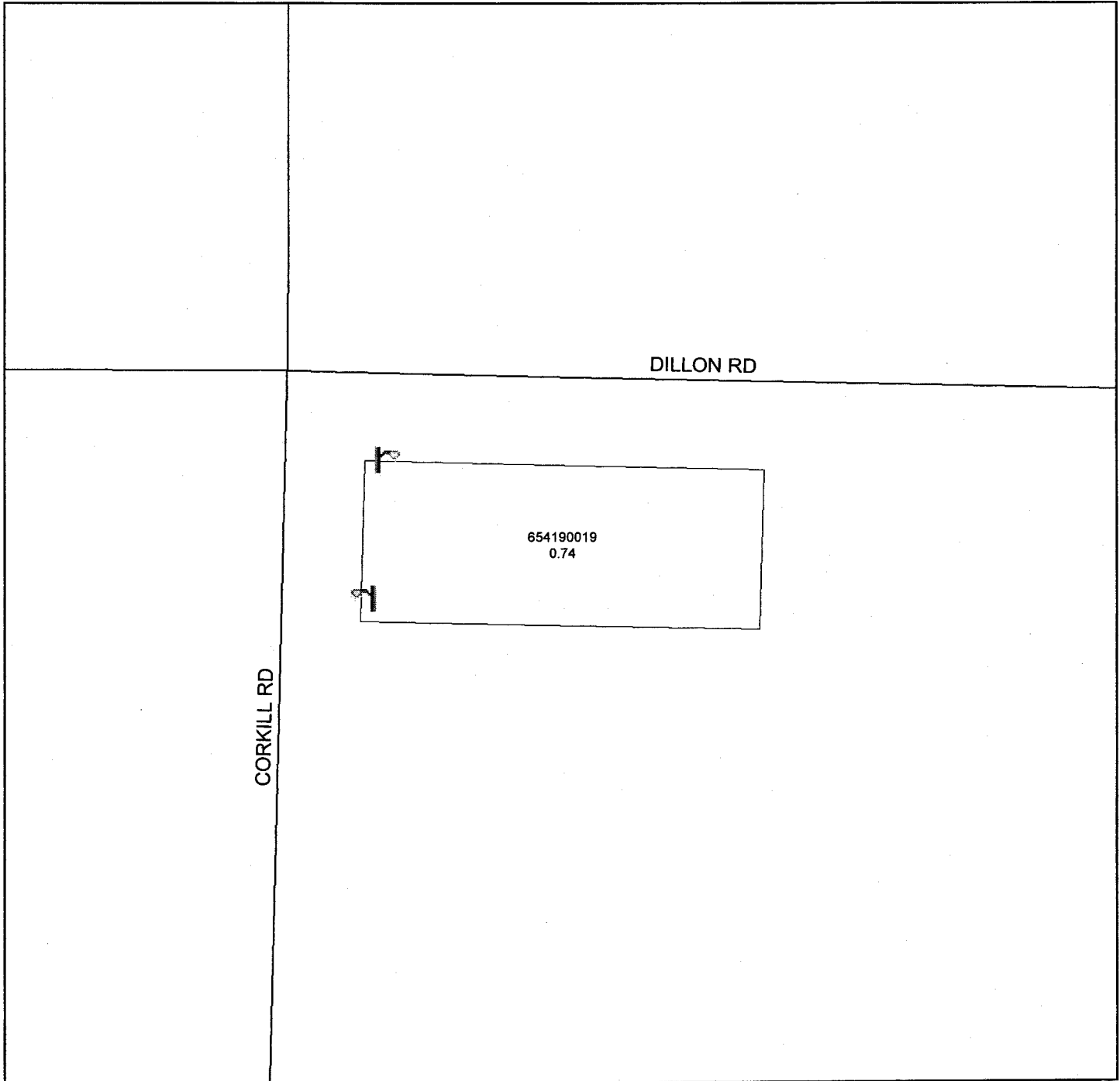


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**ASSESSMENT DIAGRAM**

Printed by jpickeri on 2/1/11



**P** DENOTES MAINTAINED STREETLIGHT



2 RESOLUTION NO. 2011-032

3 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING  
4 ITS INTENT TO ORDER THE ANNEXATION OF STREET LIGHTING ZONE 101 TO LANDSCAPING  
5 AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF  
6 RIVERSIDE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 FOR THE  
7 MAINTENANCE AND SERVICING OF STREETLIGHTS; ADOPTING THE PRELIMINARY  
8 ENGINEER'S REPORT; GIVING NOTICE OF AND SETTING THE TIME AND PLACE OF THE  
9 PUBLIC HEARING ON THE ANNEXATION OF STREET LIGHTING ZONE 101; ORDERING AN  
10 ASSESSMENT PROCEEDING; ORDERING A MAILED BALLOT ELECTION; AND DIRECTING  
11 NOTICE OF THE PUBLIC HEARING AND THE ASSESSMENT BALLOT TO BE MAILED  
12 PURSUANT TO ARTICLE XIIID OF THE CALIFORNIA CONSTITUTION AND SECTION 4000 OF  
13 THE ELECTIONS CODE

14 WHEREAS, the Board of Supervisors (hereinafter the "Board of Supervisors") of the County of  
15 Riverside (hereinafter the "County") has adopted Resolution No. 2011-031 on March 15, 2011 initiating  
16 proceedings for the annexation of Street Lighting Zone 101 (hereinafter "Street Lighting Zone 101"), as  
17 described and shown in Exhibit "A", which is attached hereto and incorporated herein, to Landscaping  
18 and Lighting Maintenance District No.89-1-Consolidated of the County of Riverside, State of California,  
19 (hereinafter "L&LMD No. 89-1-C") pursuant to the Landscaping and Lighting Act of 1972 (hereinafter  
20 the "Act"), which is Part 2 (commencing with Section 22500) of Division 15 of the Streets and Highways  
21 Code (hereinafter the "Street and Highways Code"), and ordering the preparation of a report  
22 (hereinafter the "Report") regarding the proposed annexation of Street Lighting Zone 101 and the  
23 assessments to be levied within Street Lighting Zone 101 each fiscal year beginning fiscal year 2011-  
24 12 for providing electricity for streetlights within the public right-of-way within said Zone; and

25 WHEREAS, such proceedings shall comply with the requirements of Article XIIID of the  
26 California Constitution (hereinafter "Article XIIID:"), the Act, and Section 4000 of the Elections Code  
requiring voter approval of the proposed assessment to be levied by L&LMD No. 89-1-C for Street  
Lighting Zone 101; and

WHEREAS, the Board of Supervisors by Resolution No. 2011-031 directed the Director of the  
Transportation Department, or his designee (hereinafter the "Engineer"), to prepare and file the Report

FORM APPROVED COUNTY COUNSEL  
BY Dale A. Gardner 2/23/11 DATE  
DALE A. GARDNER

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

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

5 **WHEREAS**, it is necessary that the Board of Supervisors adopt a resolution of intention  
6 pursuant to Section 22624 of the Streets and Highways Code, which fixes and gives notice, pursuant to  
7 Section 22626 of the Streets and Highways Code, of the time and place of a public hearing on said  
8 Report, the annexation of Street Lighting Zone 101, and the assessments to be levied on parcels within  
9 Street Lighting Zone 101 beginning in fiscal year 2011-12;

10 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the  
11 Board of Supervisors in regular session assembled on March 15, 2011 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 2011-12 on all parcels within Street Lighting  
18 Zone 101 proposed to be annexed to L&LMD No. 89-1-C will be \$891.90 per acre.

19 **Section 2. Intent.** The Board of Supervisors hereby declares its intention to order the  
20 annexation of Street Lighting Zone 101, as described and shown in Exhibit "A", to L&LMD No. 89-1-C,  
21 and to levy and collect an annual assessment on all assessable lots and parcels of property within  
22 Street Lighting Zone 101 commencing with the fiscal year 2011-12 as set forth in the Report. The  
23 Report expressly states that there are no parcels or lots within Street Lighting Zone 101 that are owned  
24 by a federal, state or other local governmental agency that will benefit from the services to be financed  
25 by the annual assessments. The annual assessments will be collected at the same time and in the  
26

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

3 **Section 3. Boundaries.** All the property within boundaries of Street Lighting Zone 101 is  
4 proposed to be annexed into L&LMD No. 89-1-C and shall include that property in the unincorporated  
5 area of the County as described and shown in Exhibit "A".

6 **Section 4. Description of Services to be Provided.** The service authorized for Street  
7 Lighting Zone 101 of L&LMD No. 89-1-C is the provision of electricity to all streetlights within the public  
8 right-of-way including incidental costs and expenses.

9 **Section 5. Amount to be Levied.** The assessment to be levied upon each parcel that  
10 benefits from the annexation of Street Lighting Zone 101 of L&LMD No. 89-1-C will be \$891.90 per acre  
11 for fiscal year 2011-12. As stated in the Report, the total budget for Street Lighting Zone 101 for the  
12 fiscal year 2011-12 is \$660; there is 1 parcel(s) that is to be assessed that aggregates to .74 acre(s).  
13 The annual assessment will be increased by the greater of two percent (2.0%) or the cumulative  
14 percentage increase, if any, in the Consumer Price Index for all Urban Consumers for "electricity"  
15 ("CPI-U") for the Los Angeles-Riverside-Orange County California Standard Metropolitan Statistical  
16 area ("Index") published by the Bureau of Labor Statistics of the United States Department of Labor.  
17 The annual CPI-U adjustment will be based on the cumulative increase, if any, in the Index as it stands  
18 on March of each year over the base Index for March of 2010. Any increase larger than the greater of  
19 2.0% or the CPI-U annual adjustment requires a majority approval of all the property owners within  
20 Street Lighting Zone 101. The Board of Supervisors will levy the assessment in each subsequent fiscal  
21 year until the Board of Supervisors undertakes proceedings for the dissolution of Street Lighting  
22 Zone 101 of L&LMD No. 89-1-C. The annual assessment will fund the services described in Section 4  
23 of this Resolution. For further particulars, reference is to be made to the Report on file in the Office of  
24 the Clerk of the Board of Supervisors.

1           **Section 6.    The Property to be Annexed.** The property to be annexed into L&LMD No.  
2 89-1-C is Street Lighting Zone 101. The boundaries of Street Lighting Zone 101 are located within the  
3 unincorporated area of the County and are described and shown in the Report and Exhibit "A".

4           **Section 7.    Report.** The Report, which is on file with the Clerk of the Board of Supervisors  
5 and which has been presented to the Board of Supervisors, is hereby approved. Reference is made to  
6 the Report for a full and detailed description of the services, the boundaries of Street Lighting  
7 Zone 101, and the annual assessment to be levied upon assessable lots and parcels within Street  
8 Lighting Zone 101 proposed to be annexed to L&LMD No. 89-1-C.

9           **Section 8.    Public Hearing.** The question of whether Street Lighting Zone 101 shall be  
10 annexed into L&LMD No. 89-1-C and an annual assessment levied beginning with fiscal year 2011-12  
11 shall be considered at a public hearing (hereinafter the "Public Hearing") to be held on May 3, 2011, at  
12 9:30 a.m. at the meeting room of the Board of Supervisors of the County at 4080 Lemon Street,  
13 1<sup>st</sup> Floor, Riverside, California.

14           **Section 9.    Majority Protest.** Each owner of record of property within Street Lighting  
15 Zone 101 is to receive by mail an assessment ballot that shall conform to the requirements of Section 4  
16 of Article XIID and Section 4000 of the California Elections Code. The assessment ballots are to be  
17 returned prior to the Public Hearing. L&LMD No. 89-1-C shall not impose assessments on property  
18 within the boundaries of Street Lighting Zone 101 if there is a majority protest with regard to the  
19 annexation of Street Lighting Zone 101. A majority protest exists if, upon the conclusion of the Public  
20 Hearing, the tabulation of the assessment ballots submitted in opposition to the annexation and  
21 assessment of Street Lighting Zone 101 exceeds the assessment ballots in favor of the annexation and  
22 assessment of Street Lighting Zone 101.

23           **Section 10. Information.** Any property owner desiring additional information regarding Street  
24 Lighting Zone 101 of L&LMD No. 89-1-C, the Report, or the proposed assessment is to contact  
25 Ms. Joan Pickering, Engineering Technician II, Transportation Department of the County of Riverside,  
26 4080 Lemon Street, 8th Floor, Riverside, California, 92501 or by telephone at 951-955 6748.

1           **Section 11. Notice of the Public Hearing.** Notice of Public Hearing with regard to the  
2 annexation of Street Lighting Zone 101 to L&LMD No. 89-1-C shall be given consistent with Section  
3 22626 of the Streets and Highways Code and Section 4 of Article XIID. The Clerk of the Board of  
4 Supervisors shall give notice of the Public Hearing by causing a certified copy of this Resolution to be  
5 published once in an appropriate newspaper at least ten (10) days prior to the date of the Public  
6 Hearing that is May 3, 2011. Publication of this Resolution is to be effected by the Clerk of the Board of  
7 Supervisors. Notice shall also be given by mailing first-class, postage prepaid, those notices, as  
8 prepared by County Counsel, assessment ballot and information sheets as required by Section 4 of  
9 Article XIID and Section 4000 of the California Elections Code to all owners of record of property within  
10 Street Lighting Zone 101 as shown on the last equalized assessment roll of the County. Mailing is to be  
11 made by the Engineer and deposited with the U. S. Post Office at least forty-five (45) days prior to the  
12 Public Hearing on May 3, 2011.

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

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 Street Lighting Zone 101 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 654-190-019 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

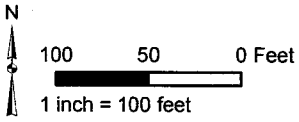
**STREET LIGHTING ZONE 101**

PORTION OF SECTION 11, T.3S., R.5E.  
CONDITIONAL USE PERMIT NO. 03355R1

1 PARCEL



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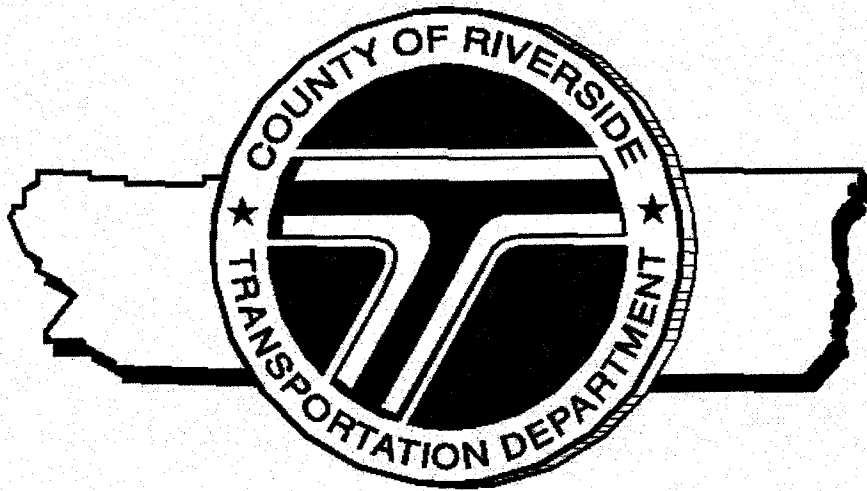
**ASSESSMENT DIAGRAM**

Printed by jpickeri on 2/1/11



 DENOTES MAINTAINED STREETLIGHT

**COUNTY OF RIVERSIDE  
STATE OF CALIFORNIA**



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

**for**

**LANDSCAPING AND LIGHTING MAINTENANCE  
DISTRICT NO. 89-1-CONSOLIDATED  
STREET LIGHTING ZONE 101  
(SOUTHEAST DESERT HOT SPRINGS)**

**PREPARED BY:**

**RIVERSIDE COUNTY  
TRANSPORTATION DEPARTMENT  
FEBRUARY 24, 2011**



**AGENCY: COUNTY OF RIVERSIDE, CALIFORNIA**

**PROJECT: LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT  
NO. 89-1-CONSOLIDATED - STREET LIGHTING ZONE 101  
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 - Street Lighting Zone 101 Annexation consisting of four (4) parts as follows:

**PART I**

A general description of the street lighting services proposed to be funded.

**PART II**

An estimate of the cost of the street lighting services including incidental costs and expenses in connection therewith for fiscal year 2011-12, is as set forth on the lists thereof, attached hereto.

### **PART III**

A diagram displaying each streetlight to be energized illustrating the parcels receiving the service, the lines and dimensions of each parcel of land within said Street Lighting Zone 101, 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 street lighting services for fiscal year 2011-12 upon each parcel of land within said Street Lighting Zone 101, in proportion to the estimated benefits to be received by such parcels from said streetlights, is set forth upon the assessment roll filed herewith and made a part hereof.

Dated February 24, 2011



---

Juan C. Perez, Director of Transportation

Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Street Lighting Zone 101, County of Riverside, California

## **PART I**

### **DESCRIPTION OF SPECIFICATIONS FOR STREET LIGHTING SERVICES FOR FISCAL YEAR 2011-12 LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED, STREET LIGHTING ZONE 101 COUNTY OF RIVERSIDE, CALIFORNIA**

#### **Specifications**

Specifications displaying the street lighting services are shown on Street Lighting Zone 101 exhibit within the public right-of-way:

Provision of electricity to all streetlights within the public right-of-way to be funded by Street Lighting Zone 101 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated including incidental costs and expenses:

- Easterly of Corkill Rd
- Southerly of Dillon Rd

#### **Description of Services**

Services to be funded include electrical costs for street lighting, and incidental administrative costs.

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

**STREET LIGHTING ZONE 101**

PORTION OF SECTION 11, T.3S., R.5E.

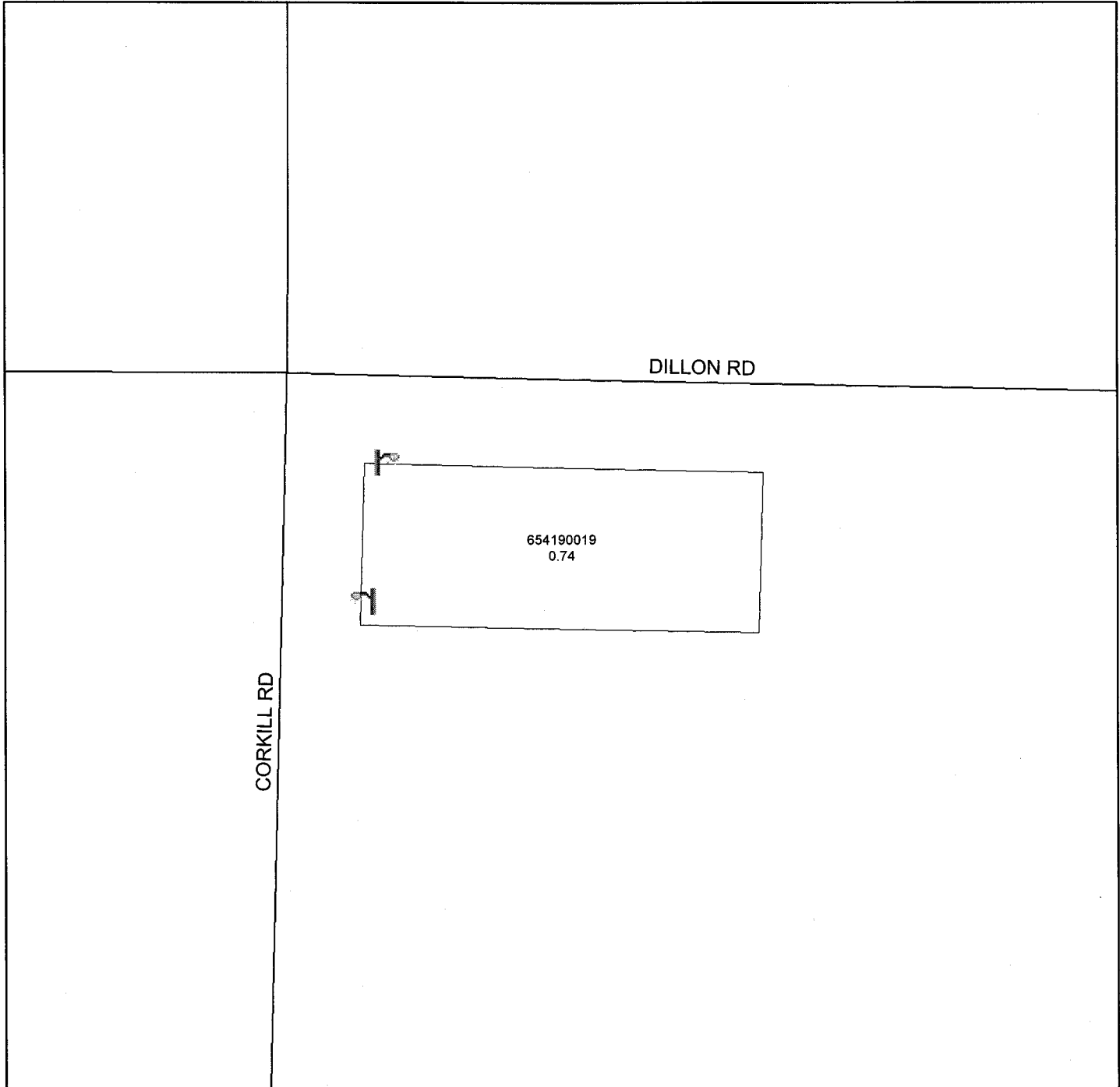
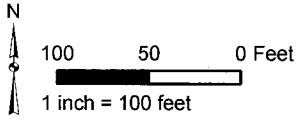
CONDITIONAL USE PERMIT NO. 03355R1

1 PARCEL



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 DENOTES MAINTAINED STREETLIGHT

**PART II**

**ENGINEER'S ESTIMATE OF COSTS AND EXPENSES  
FOR STREET LIGHTING SERVICES  
FOR FISCAL YEAR 2011-12  
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT  
NO. 89-1-CONSOLIDATED, STREET LIGHTING ZONE 101  
COUNTY OF RIVERSIDE, CALIFORNIA**

The cost estimate contains each of the items specified in Section 22569 of the Landscaping and Lighting Act of 1972.

**Cost Estimate for Street Lighting Zone 101**

**Costs for Provision of Electricity**

|   |              |
|---|--------------|
| Servicing <sup>1</sup> of the Streetlights        | \$600        |
| Administrative Costs <sup>2</sup>                 | <u>60</u>    |
| <b>Total Amount to be Assessed for FY 2011-12</b> | <b>\$660</b> |

<sup>1</sup>Servicing means funding of energy costs.

<sup>2</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  
 STREET LIGHTING ZONE 101  
 SUMMARY  
 ANNUAL BUDGET  
 FISCAL YEAR 2011-12**

| QUANTITY | COST PER<br>STREETLIGHT | TOTAL FOR<br>STREETLIGHTS | ANNUAL<br>ADMIN. COST | ANNUAL<br>RATE |
|----------|-------------------------|---------------------------|-----------------------|----------------|
| 2        | \$ 300                  | \$ 600                    | \$ 60                 | \$ 660         |

|                                |                |
|--------------------------------|----------------|
| TOTAL BUDGET                   | \$ 660         |
| FISCAL YEAR 2011-12 ASSESSMENT | \$ 891.90/acre |

.74 acre(s)

Utility Provider: SCE

**PART III**

**ASSESSMENT DIAGRAM AND CHANGES IN ORGANIZATION  
FOR FISCAL YEAR 2011-12  
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT  
NO. 89-1-CONSOLIDATED, STREET LIGHTING ZONE 101  
COUNTY OF RIVERSIDE, CALIFORNIA**

**Assessment Diagram**

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

**Changes in Organization**

**Street Lighting Zone 101**

A map displaying all streetlights within Street Lighting Zone 101 Annexation as shown on the following Exhibit is filed herewith and made a part hereof changes the organization for this District for Fiscal Year 2011-12.

# STREET LIGHTING ZONE 101

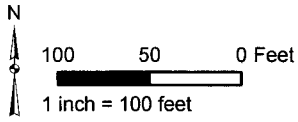
PORTION OF SECTION 11, T.3S., R.5E.

CONDITIONAL USE PERMIT NO. 03355R1

1 PARCEL

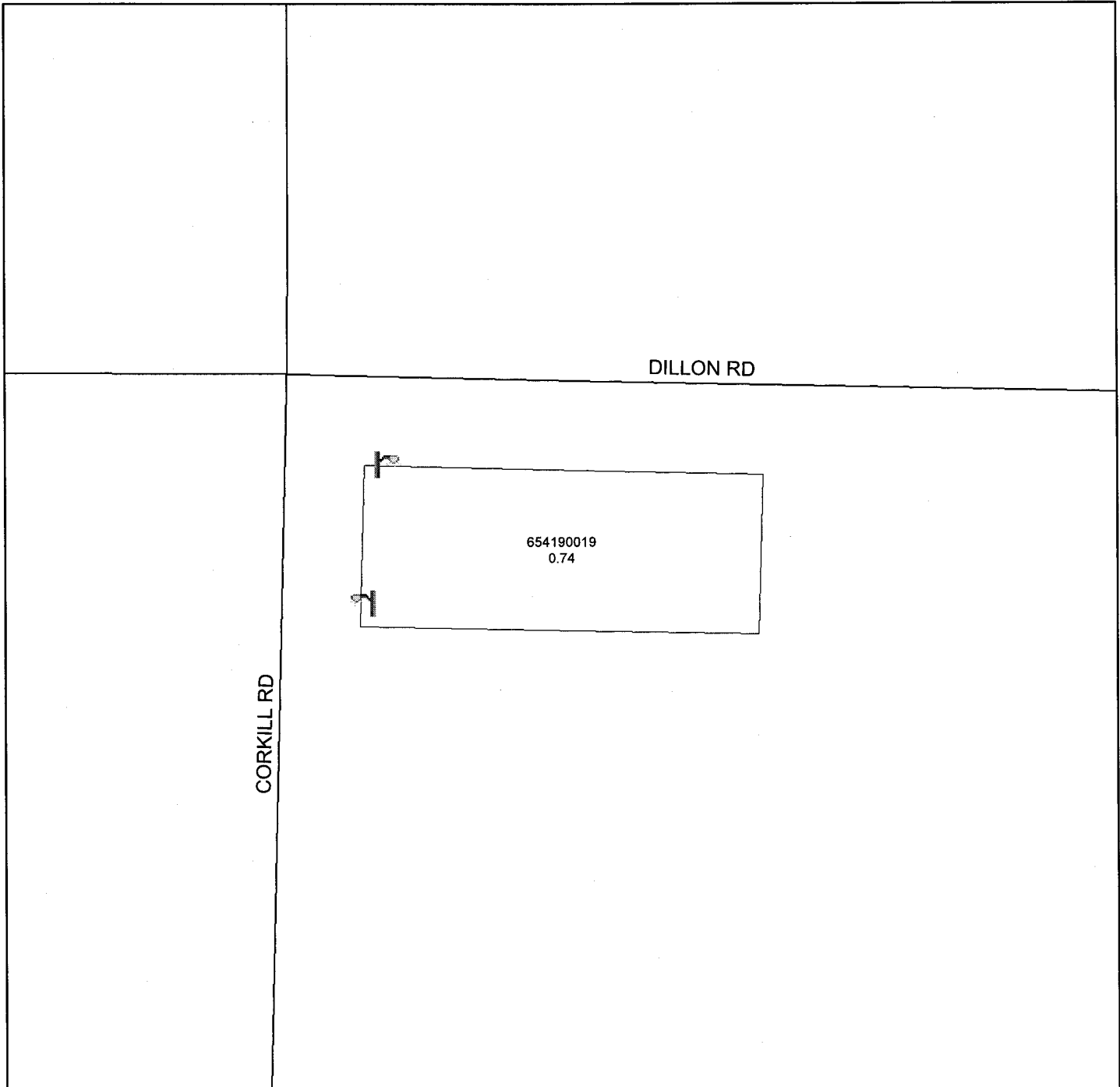


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## ASSESSMENT DIAGRAM

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 DENOTES MAINTAINED STREETLIGHT



**PART IV**

**ASSESSMENT FOR FISCAL YEAR 2011-12  
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT  
NO. 89-1-CONSOLIDATED, STREET LIGHTING ZONE 101  
COUNTY OF RIVERSIDE, CALIFORNIA**

**“LANDSCAPING AND LIGHTING ACT OF 1972”, DIVISION 16 OF THE  
STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA**

WHEREAS, on March 15, 2011 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. 2011-031 ordering the preparation of the engineer’s report for a special assessment district known and designated as:

Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Street Lighting Zone 101 (herein referred to as “District”); and,

WHEREAS, the Board of Supervisors, did direct the appointed Engineer to make and file a “Report”, in accordance with Article 4 (commencing with Section 22565) of Chapter 1 of Part 2 of Division 15 of the Streets and Highways Code, being an article of the aforementioned Landscaping and Lighting Act of 1972.

WHEREAS, Section 22567 of said Article 4 states the “Report” shall consist of the following;

- a. Specifications for the street lighting services
- b. An estimate of the street lighting services
- c. A diagram for the assessment district
- d. An assessment of the estimated costs for the street lighting services

NOW, THEREFORE, I, the appointed ENGINEER, pursuant to the 'Landscaping Act of 1972", do hereby submit the following:

1. Pursuant to the provisions of law the costs and expenses of the District have been assessed upon the parcels of land in the District benefited thereby in direct proportion and relation to the estimated benefits to be received by each of said parcels. For particulars as to the identification of said parcel, reference is made to the Assessment Diagram, a reduced copy of which is included herein.
2. As required by law, a Diagram is filed herewith, showing the District, as well as the boundaries and dimensions of the respective parcels and subdivisions of land within said District as the same exist each of which subdivisions of land or parcels or lots, respectively, have been given a separate number upon said Diagram and in the Assessment Roll contained herein.
3. The separate numbers given the subdivisions and parcels of land, as shown on said Assessment Diagram and Assessment Roll, correspond with the numbers assigned to each parcel by the Riverside County Assessor. Reference is made to the County Assessment Roll for a description of the lots or parcels.
4. There are no parcels or lots within Street Lighting Zone 101 that are owned by a federal, state or other local governmental agency that will benefit from the services to be provided by the assessments to be collected.

#### **Method of Assessment Apportionment**

The law requires and the statutes provide that assessments, as levied pursuant to the "Landscaping and Lighting Act of 1972" be based on the benefit properties receive. The statutes do not specify the method or formula that should be used to apportion the assessment in any special assessment district proceedings.

The funding of energized streetlights provides direct and special benefit to those properties located within Street Lighting Zone 101 in Landscaping and Lighting Maintenance District No. 89-1-Consolidated (DISTRICT). Streetlights enhance the properties within the DISTRICT, improve neighborhood property protection, increase traffic safety by improving visibility, and provide an enhanced quality of life and sense of well being for properties within the DISTRICT.

The costs and expenses for energizing streetlight improvements are apportioned on a per acre basis.

The dollar per acre value for Fiscal Year 2011-12 for Street Lighting Zone 101 is as follows:

$$\begin{array}{rcl} \text{Total Budget} = & \$660 & \\ \text{Total No. Acres} & .74 & = \quad \$891.90/\text{acre} \end{array}$$

The assessment for Fiscal Year 2011-12 for Street Lighting Zone 101 that is to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated will be \$891.90 per acre. The annual assessment will be increased by the greater of two percent (2.0%) or the cumulative percentage increase, if any, in the Consumer Price Index for all Urban Consumers ("CPI-U") for "electricity" for the Los Angeles-Riverside-Orange County California Standard Metropolitan Statistical area ("Index") published by the Bureau of Labor Statistics of United States Department of Labor. The annual "CPI-U" "electricity" adjustment will be based on the cumulative increase, if any, in the Index as it stands on March of each year over the base Index for March of 2011. Any increase larger than the greater of 2.0% or the "CPI-U" "electricity" annual adjustment requires a majority approval of all the property owners within Street Lighting Zone 101.

In conclusion, it is my opinion that the assessments for Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Street Lighting Zone 101 have been spread in direct accordance with the benefits that each parcel receives from the items being financed.

Dated February 24, 2011

A handwritten signature in black ink, consisting of a large, stylized 'J' followed by a horizontal line and a small flourish.

---

Juan C. Perez, Director of Transportation

Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Street Lighting  
Zone 101, County of Riverside, California

APN

ACRES

ASSESSMENT

654-190-019

.74

660.00



OFFICE OF  
CLERK OF THE BOARD OF SUPERVISORS  
1st FLOOR, COUNTY ADMINISTRATIVE CENTER  
P.O. BOX 1147, 4080 LEMON STREET  
RIVERSIDE, CA 92502-1147  
PHONE: (951) 955-1060  
FAX: (951) 955-1071

KECIA HARPER-IHEM  
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR  
Assistant Clerk of the Board

April 19, 2011

THE DESERT SUN  
ATTN: LEGALS  
PO BOX 2734  
PALM SPRINGS, CA 92263

FAX: (760) 778-4731  
E-MAIL: [legals@thedesertsun.com](mailto:legals@thedesertsun.com)

**RE: NOTICE OF PUBLIC HEARING: RESOLUTION 2011-032 STL Zone 101**

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Thursday, April 21, 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:** Moeller, Charlene [CMOELLER@palmspri.gannett.com]  
**Sent:** Tuesday, April 19, 2011 9:24 AM  
**To:** Gil, Cecilia  
**Subject:** RE: FOR PUBLICATION: RES. NO. 2011-032 STL ZONE 101

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

**Charlene Moeller** | Media Sales Legal Notice Coordinator  
The Desert Sun Media Group  
750 N. Gene Autry Trail, Palm Springs, CA 92262  
t 760.778.4578 | f 760.778.4731  
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**From:** Gil, Cecilia [<mailto:CCGIL@rcbos.org>]  
**Sent:** Tuesday, April 19, 2011 8:26 AM  
**To:** tds-legals  
**Subject:** FOR PUBLICATION: RES. NO. 2011-032 STL ZONE 101

Good Morning! Attached is a Notice of Public Hearing, for publication on Thursday, April 21, 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, May 3, 2011 at 9:30 a.m.** to consider the following:

**RESOLUTION NO. 2011-032**

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING ITS INTENT TO ORDER THE ANNEXATION OF STREET LIGHTING ZONE 101 TO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 FOR THE MAINTENANCE AND SERVICING OF STREETLIGHTS; ADOPTING THE PRELIMINARY ENGINEER'S REPORT; GIVING NOTICE OF AND SETTING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE ANNEXATION OF STREET LIGHTING ZONE 101; 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. 2011-031 on March 15, 2011 initiating proceedings for the annexation of Street Lighting Zone 101 (hereinafter "Street Lighting Zone 101"), 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 Street Lighting Zone 101 and the assessments to be levied within Street Lighting Zone 101 each fiscal year beginning fiscal year 2011-12 for providing electricity for streetlights 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 Street Lighting Zone 101; and

**WHEREAS**, the Board of Supervisors by Resolution No. 2011-031 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 Street Lighting Zone 101, and the assessments to be levied on parcels within Street Lighting Zone 101 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 March 15, 2011 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 Street Lighting Zone 101 proposed to be annexed to L&LMD No. 89-1-C will be \$891.90 per acre.



**Section 2. Intent.** The Board of Supervisors hereby declares its intention to order the annexation of Street Lighting Zone 101, 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 Street Lighting Zone 101 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 Street Lighting Zone 101 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 Street Lighting Zone 101 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 service authorized for Street Lighting Zone 101 of L&LMD No. 89-1-C is the provision of electricity to all streetlights within the public right-of-way including incidental costs and expenses.

**Section 5. Amount to be Levied.** The assessment to be levied upon each parcel that benefits from the annexation of Street Lighting Zone 101 of L&LMD No. 89-1-C will be \$891.90 per acre for fiscal year 2011-12. As stated in the Report, the total budget for Street Lighting Zone 101 for the fiscal year 2011-12 is \$660; there is 1 parcel(s) that is to be assessed that aggregates to .74 acre(s). 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 Street Lighting Zone 101. The Board of Supervisors will levy the assessment in each subsequent fiscal year until the Board of Supervisors undertakes proceedings for the dissolution of Street Lighting Zone 101 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 Street Lighting Zone 101. The boundaries of Street Lighting Zone 101 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 Street Lighting Zone 101, and the annual assessment to be levied upon assessable lots and parcels within Street Lighting Zone 101 proposed to be annexed to L&LMD No. 89-1-C.

**Section 8. Public Hearing.** The question of whether Street Lighting Zone 101 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 May 3, 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 Street Lighting Zone 101 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 Street Lighting Zone 101 if there is a majority protest with regard to the annexation of Street Lighting Zone 101. 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 Street Lighting Zone 101 exceeds the assessment ballots in favor of the annexation and assessment of Street Lighting Zone 101.

**Section 10. Information.** Any property owner desiring additional information regarding Street Lighting Zone 101 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 Street Lighting Zone 101 to L&LMD No. 89-1-C shall be given consistent with Section 22626 of the Streets and Highways Code and Section 4 of Article XIID. The Clerk of the Board of Supervisors shall give notice of the Public Hearing by causing a certified copy of this Resolution to be published once in an appropriate newspaper at least ten (10) days prior to the date of the Public Hearing that is May 3, 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 Street Lighting Zone 101 as shown on the last equalized assessment roll of the County. Mailing is to be made by the Engineer and deposited with the U. S. Post Office at least forty-five (45) days prior to the Public Hearing on May 3, 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 Street Lighting Zone 101 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 654-190-019 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, Stone, Benoit, and Ashley

**NAYS:** None

**ABSENT:** Tavaglione

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on March 15, 2011.

Kecia Harper-Ihem, Clerk of said Board

By: Cecilia Gil, Board Assistant

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

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

Dated: April 19, 2011

Kecia Harper-Ihem, Clerk of the Board

By: Cecilia Gil, Board Assistant

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

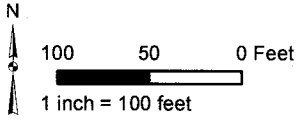
**STREET LIGHTING ZONE 101**

PORTION OF SECTION 11, T.3S., R.5E.  
CONDITIONAL USE PERMIT NO. 03355R1

1 PARCEL

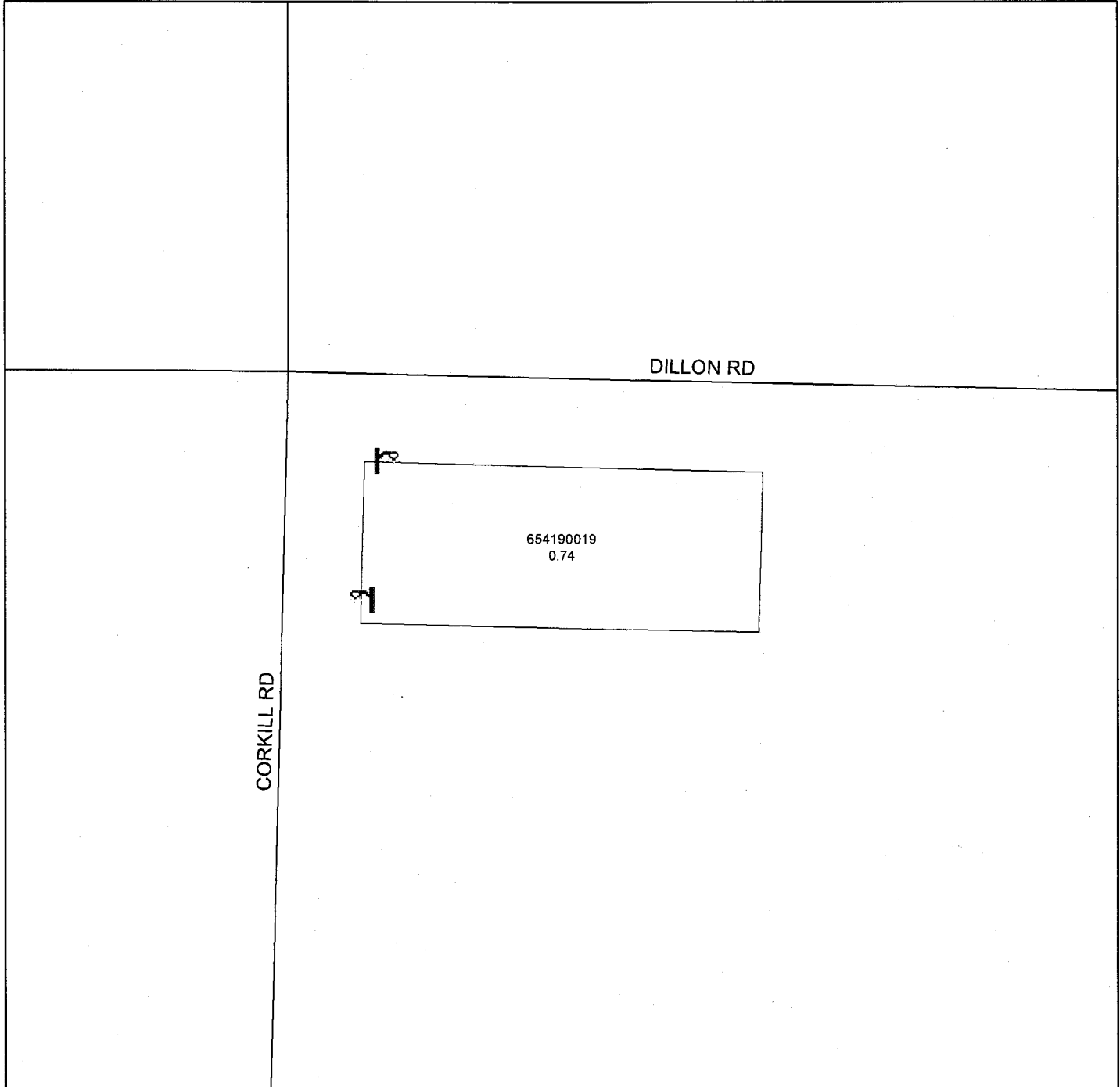


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**ASSESSMENT DIAGRAM**

Printed by jpickeri on 2/1/11



 DENOTES MAINTAINED STREETLIGHT

# The Desert Sun

mydesert.com

750 N. Gene Autry Trail  
Palm Springs, CA 92262  
Billing Inquiries: (866) 875-0854  
Main Office: (760) 322-8889

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96

RIVERSIDE COUNTY-BOARD OF SUP.  
PO BOX 1147  
RIVERSIDE CA 92502-1147

|                    |                   |
|--------------------|-------------------|
| Customer No.       | Invoice No.       |
| RIV069             | 0004025764        |
| For the Period     | Thru              |
| 03/28/11           | 05/01/11          |
| <b>Due Date</b>    | <b>Amount Due</b> |
| 05/15/11           | 3,324.36          |
| <b>AMOUNT PAID</b> |                   |

PLEASE RETURN THIS TOP SECTION WITH PAYMENT IN THE ENCLOSED ENVELOPE AND INCLUDE YOUR CUSTOMER NUMBER ON REMITTANCE.

| Date          | EDT           | Class           | Description              | Times Run    | Col                | Depth            | Total Size | Rate | Amount    |
|---------------|---------------|-----------------|--------------------------|--------------|--------------------|------------------|------------|------|-----------|
| 0328          |               |                 | BALANCE FORWARD          |              |                    |                  |            |      | 8,831.81  |
| 0404          |               |                 | PAYMENT - THANK YOU      |              |                    |                  |            |      | 5,789.38- |
| 0408          |               |                 | PAYMENT - THANK YOU      |              |                    |                  |            |      | 1,778.78- |
| 0422          |               |                 | PAYMENT - THANK YOU      |              |                    |                  |            |      | 1,074.15- |
| 0330          | CLS           | 0001            | CECILIA NO 1053 BOARD OF | 2            | 2                  | 138.00           | 552.00     |      | 245.08    |
| 0331          | CLS           | 0001            | CECILIA NO 1082 NOTICE T | 4            | 2                  | 61.00            | 488.00     |      | 218.52    |
| 0403          | DLY           |                 | SENIOR INSPIRATION AWARD | 1            | 4                  | 10.00            | 40.00      |      | 980.00    |
| 0410          | CLS           | 0001            | CECILIA NO 1194 NOTICE O | 2            | 2                  | 114.00           | 456.00     |      | 205.24    |
| 0414          | CLS           | 0001            | CECILIA NO 1227 NOTICE O | 2            | 2                  | 84.00            | 336.00     |      | 155.44    |
| 0414          | CLS           | 0001            | CECILIA NO 1228 NOTICE O | 2            | 2                  | 92.00            | 368.00     |      | 168.72    |
| 0421          | CLS           | 0001            | CECILIA NO 1317 NOTICE O | 2            | 2                  | 312.00           | 1248.00    |      | 533.92    |
| 0421          | CLS           | 0001            | CECILIA NO 1318 NOTICE O | 2            | 2                  | 312.00           | 1248.00    |      | 533.92    |
| 0422          | CLS           | 0001            | CECILIA NO 1340 NOTICE O | 2            | 2                  | 47.00            | 188.00     |      | 24.02     |
| Current       |               | Over 30 Days    | Over 60 Days             | Over 90 Days | Over 120 Days      | <b>Total Due</b> |            |      |           |
| 3,134.86      |               | .00             | .00                      | .00          | 189.50             | <b>3,324.36</b>  |            |      |           |
| Contract Type | Contract Qty. | Expiration Date | Current Usage            | Total Used   | Quantity Remaining | Salesperson      |            |      |           |
|               |               |                 |                          |              |                    | MOELLER          |            |      |           |

2011 MAY 12 PM 12:49

The Advertiser shall make payment within 15 days of the billing date indicated on Company's statement, and, in the event that it fails to make payment within such time, Company may reject advertising copy and / or immediately cancel this contract and Advertiser agrees to indemnify Company for all expenses incurred in connection with the collection of amounts payable under this contract, including but not limited to collection fees, attorney's fees and court costs. If this agreement is cancelled due to Advertiser's failure to make timely payment, Company may rebill the Advertiser for the outstanding balance due at the open or earned contract rate, whichever is applicable.

TO ENSURE PROPER CREDIT, PLEASE RETURN THE TOP SECTION AND INCLUDE YOUR CUSTOMER NUMBER ON REMITTANCE.

| Customer Number | Name                           | Invoice Number | Amount Paid |
|-----------------|--------------------------------|----------------|-------------|
| RIV069          | RIVERSIDE COUNTY-BOARD OF SUP. | 0004025764     |             |

THE DESERT SUN PUBLISHING CO.  
ADVERTISING INVOICE/STATEMENT

3.46 of 03/15/11  
5/3/11 9.10

**The Desert Sun**  
 750 N Gene Autry Trail  
 Palm Springs, CA 92262  
 760-778-4578 / Fax 760-778-4731

State Of California ss:  
 County of Riverside

Advertiser:

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

2000258540

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

Newspaper: The Desert Sun

4/21/2011

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

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 21st day of April, 2011 in Palm Springs, California.

Declarant

361 123 23 64 S: 23

No 1318  
**NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE**

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor, County Administrative Center, Board of Supervisors Chambers, 4080 Lemon Street, Riverside, on Tuesday, May 3, 2011 at 9:30 a.m. to consider the following:

**RESOLUTION NO. 2011-032**

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING ITS INTENT TO ORDER THE ANNEXATION OF STREET LIGHTING ZONE 101 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 STREET LIGHTS; ADOPTING THE PRELIMINARY ENGINEER'S REPORT; GIVING NOTICE OF AND SETTING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE ANNEXATION OF STREET LIGHTING ZONE 101; ORDERING AN ASSESSMENT PROCEEDING; ORDERING A MAILED BALLOT ELECTION; AND DIRECTING NOTICE OF THE PUBLIC HEARING AND THE ASSESSMENT BALLOT TO BE MAILED PURSUANT TO ARTICLE XIII D OF THE CALIFORNIA CONSTITUTION AND SECTION 4000 OF THE ELECTIONS CODE**

WHEREAS, the Board of Supervisors (hereinafter the "Board of Supervisors") of the County of Riverside (hereinafter the "County") has adopted Resolution No. 2011-031 on March 15, 2011 initiating proceedings for the annexation of Street Lighting Zone 101 (hereinafter "Street Lighting Zone 101"), 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 Street Lighting Zone 101 and the assessments to be levied within Street Lighting Zone 101 each fiscal year beginning fiscal year 2011-12 for providing electricity for streetlights within the public right-of-way within said Zone; and

WHEREAS, such proceedings shall comply with the requirements of Article XIII D of the California Constitution (hereinafter "Article XIII D"), the Act, and Section 4000 of the Elections Code requiring voter approval of the proposed assessment to be levied by L&LMD No. 89 1 C for Street Lighting Zone 101; and

WHEREAS, the Board of Supervisors by Resolution No. 2011-031 directed the Director of the Transportation Department, or his designee (hereinafter the "Engineer"), to prepare and file the Report with the Clerk of the Board of Supervisors in accordance with Sections 22608 and 22585 et. seq. of the Street and Highways Code and Section 4 of Article XIII D; and

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

WHEREAS, it is necessary that the Board of Supervisors adopt a resolution of intention pursuant to Section 22624 of the Streets and Highways Code, which fixes and gives notice, pursuant to Section 22626 of the Streets and Highways Code, of the time and place of a public hearing on said Report, the annexation of Street Lighting Zone 101, and the assessments to be levied on parcels within Street Lighting Zone 101 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 March 15, 2011 as follows:

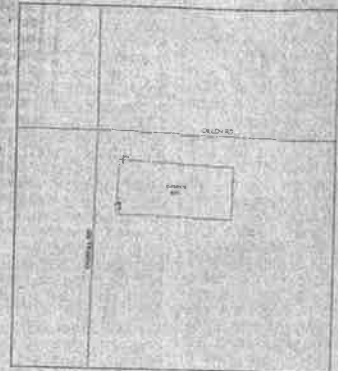
Section 1. Findings: The Board of Supervisors, after reviewing the Report, finds that:  
 (a) The foregoing recitals are true and correct;  
 (b) The Report contains all matters required by Sections 22585 through 22574 of the Streets and Highways Code and Section 4 of Article XIII D and may, therefore, be approved by the Board of Supervisors;

(c) The annual assessment for fiscal year 2011-12 on all parcels within Street Lighting Zone 101 proposed to be annexed to L&LMD No. 89 1 C will be \$891.90 per acre.

Section 2. Intent: The Board of Supervisors hereby declares its intention to order the annexation of Street Lighting Zone 101, 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 Street Lighting Zone 101 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 Street Lighting Zone 101 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.

**DESCRIPTION OF BOUNDARIES**

The boundaries of Street Lighting Zone 101 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 654-190-019 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2011-12.



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

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on March 15, 2011.

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

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

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

Dated: April 19, 2011  
 Kecia Harper-Ihem, Clerk of the Board  
 By: Cecilia Gil, Board Assistant

Published 4/21/11

2011 APR 25 PM 2:57

Section 3. Boundaries. All the property within boundaries of Street Lighting Zone 101 is proposed to be annexed into L&LMD No. 89 1 C and area of the County as described and shown in Exhibit "A".

Section 4. Description of Services to be Provided. The service authorized for Street Lighting Zone 101 of L&LMD No. 89 1 C is the provision of electricity to all streetlights within the public right-of-way including incidental costs and expenses.

Section 5. Amount to be Levied. The assessment to be levied upon each parcel that benefits from the annexation of Street Lighting Zone 101 of L&LMD No. 89 1 C will be \$831.90 per acre for fiscal year 2011-12. As stated in the Report, the total budget for Street Lighting Zone 101 for the fiscal year 2011-12 is \$860; there is 1 parcel(s) that is assessed that aggregates to .74 acre(s). 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 Street Lighting Zone 101. The Board of Supervisors will levy the assessment in each subsequent fiscal year until the Board of Supervisors undertakes proceedings for the dissolution of Street Lighting Zone 101 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 Street Lighting Zone 101. The boundaries of Street Lighting Zone 101 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 Street Lighting Zone 101, and the annual assessment to be levied upon assessable lots and parcels within Street Lighting Zone 101 proposed to be annexed to L&LMD No. 89 1 C.

Section 8. Public Hearing. The question of whether Street Lighting Zone 101 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 May 3, 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 Street Lighting Zone 101 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 Street Lighting Zone 101 if there is a majority protest with regard to the annexation of Street Lighting Zone 101. 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 Street Lighting Zone 101 exceeds the assessment ballots in favor of the annexation and assessment of Street Lighting Zone 101.

Section 10. Information. Any property owner desiring additional information regarding Street Lighting Zone 101 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 Street Lighting Zone 101 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 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 Street Lighting Zone 101 as shown on the last equalized assessment roll of the County. Mailing is to be made by the Engineer and deposited with the U. S. Post Office at least forty-five (45) days prior to the Public Hearing on May 3, 2011.

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