

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

903A




FROM: TLMA - Transportation Dept.

SUBMITTAL DATE:
November 10, 2011

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated,
Annexation of Zone 168 (Glen Ivy Hot Springs/Horsethief Canyon).

RECOMMENDED MOTION: That the Board:

With regard to the annexation of Zone 168 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 the public hearing. All ballots received prior to the close of the public hearing will be tallied at 10:00 a.m. on Wednesday, November 23, 2011 in Conference Room C on the 8th Floor of the County Administrative Center, 4080 Lemon Street, Riverside, California. Staff is



Juan C. Perez
Director of Transportation

MH:jp

FORM APPROVED COUNTY COUNSEL
BY: Dale A. Gardner 10/25/11 DATE
DALE A. GARDNER
Departmental Concurrence

FINANCIAL DATA	Current F.Y. Total Cost:	\$0	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$0	Budget Adjustment:	N/A
	Annual Net County Cost:	\$0	For Fiscal Year:	2011-12

SOURCE OF FUNDS: Landscaping and Lighting Maintenance District No. 89-1-Consolidated – 100% There are no General Funds used in this project.	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE
BY: 
Tina Grande

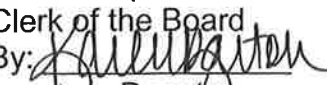
County Executive Office Signature

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

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: November 22, 2011
 xc: Transp.

Kecia Harper-Ihem
 Clerk of the Board
 By: 
 Deputy

Prev. Agn. Ref. 10/04/11, 3.24 | **District:** 1 | **Agenda Number:**

9.6

The Honorable Board of Supervisors

RE: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Zone 168 (Glen Ivy Hot Springs/Horsethief Canyon).

November 10, 2011

Page 2 of 2

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 2011-242 adopted October 4, 2011, the Board of Supervisors noticed a public hearing for November 22, 2011, to receive testimony regarding the annexation of Zone 168 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated (L&LMD No. 89-1-C). Annexation of Zone 168 will fund the maintenance and servicing of fossil filters within public rights-of-way located southerly of De Palma Rd, westerly of Glen Eden Rd, and easterly, northerly and southerly of Santiago Canyon Rd in the Glen Ivy Hot Springs/Horsethief Canyon area and includes 261 single-family residential lots.

On October 5, 2011 a notice of the public hearing and mail-in ballot, an impartial analysis, a copy of Resolution No. 2011-242, and an information sheet was mailed to all property owners within Zone 168, 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. 2011-242 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. 2011-242 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**

303
A



FROM: TLMA - Transportation Dept.

SUBMITTAL DATE:
September 22, 2011

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated,
Annexation of Zone 168 (Glen Ivy Hot Springs/Horsethief Canyon).

RECOMMENDED MOTION: That the Board adopt the following Resolutions:

Resolution No. 2011-241 a Resolution of the County of Riverside initiating proceedings for the annexation of Zone 168 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated and ordering preparation of the Engineer's Report regarding the proposed annexation of Zone 168.

Resolution No. 2011-242, a Resolution of the County of Riverside declaring its intent to order the annexation of Zone 168 to Landscaping and Lighting Maintenance District No.

Juan C. Perez
Director of Transportation

MH:jp

FORM APPROVED COUNTY COUNSEL

BY: Dale A. Gardner 9/27/11
DATE: _____
DALE A. GARDNER

Departmental Concurrence

FINANCIAL DATA	Current F.Y. Total Cost:	\$0	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$0	Budget Adjustment:	N/A
	Annual Net County Cost:	\$0	For Fiscal Year:	2011-12

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

C.E.O. RECOMMENDATION:

APPROVE

BY: Tina Grande
Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Buster, seconded by Supervisor Tavaglione 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, November 22, 2011, at 9:30 a.m.

Ayes: Buster, Tavaglione, Stone and Ashley
Nays: None
Absent: Benoit
Date: October 4, 2011
xc: Transp. COB(2)

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

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

Prev. Agn. Ref.

District: 1

Agenda Number:

3.24

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

The Honorable Board of Supervisors

RE: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Zone 168 (Glen Ivy Hot Springs/Horsethief Canyon).

September 22, 2011

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 fossil filters; adopting the preliminary engineer's report; giving notice of and setting the time and place of the public hearing on the annexation of Zone 168, 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. 2011-241 appoints the Director of the Transportation Department as the Engineer to prepare a Report regarding the proposed annexation of Zone 168 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated ("L&LMD No. 89-1-C").

Resolution No. 2011-242 declares the Board's intention of ordering the annexation of Zone 168 to L&LMD No. 89-1-C. Annexation of Zone 168 to L&LMD No. 89-1-C will fund the maintenance and servicing of fossil filters within public right-of-way located southerly of De Palma Rd, westerly of Glen Eden Rd, and easterly, northerly and southerly of Santiago Canyon Rd in the Glen Ivy Hot Springs/Horsethief Canyon area and includes 261 single-family residential lots.

The proposed budget for fiscal year 2012-13 for Zone 168 is \$15,616 that will result in an assessment for fiscal year 2012-13 within Zone 168 of \$59.82 per parcel. The annual assessment may 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 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 November 22, 2011 to receive testimony for and against the proposed assessment. Each property owner within the proposed Zone 168 will receive a notice of the public hearing and mail-in ballot, an impartial analysis, a copy of Resolution No. 2011-242, 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 168 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 168 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 November 22, 2011.

RESOLUTION NO. 2011-241

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE INITIATING PROCEEDINGS FOR THE ANNEXATION OF ZONE 168 TO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 AND ORDERING PREPARATION OF ENGINEER'S REPORT REGARDING SAID ANNEXATION

WHEREAS, the Board of Supervisors (hereinafter the "Board of Supervisors") of the County of Riverside (hereinafter the "County") has been advised by the Transportation Department (hereinafter "Department") of the County that said Department has received an application from the owner (the "Applicant") of all the property within the unincorporated area of the County (hereinafter "Zone 168"), as shown and described in Exhibit "A", which is attached hereto and made a part hereof, to be annexed to Landscaping and Lighting Maintenance District No. 89-1-Consolidated (hereinafter "L&LMD No. 89-1-C") of the County of Riverside, State of California, and the Board of Supervisors has determined that it is necessary and desirable to initiate proceedings for the annexation of Zone 168 to L&LMD No. 89-1-C pursuant to the Landscaping and Lighting Act of 1972, Part 2 (commencing with Section 22500) of Division 15 of the Streets and Highways Code (hereinafter, respectively, the "Act" and the "Street and Highways Code"); and

WHEREAS, such proceedings shall comply with the requirements of Article XIID of the California Constitution and Section 4000 of the Elections Code requiring voter approval of the proposed assessment to be levied by L&LMD No. 89-1-C for Zone 168; and

WHEREAS, the Applicant has executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election to be held on November 22, 2011; and

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

COUNCIL MEMBER
BY: Dale A. Gardner
DATE: 9/17/11

1 as the engineer (hereinafter the "Engineer") for the County with regard to the annexation of Zone 168
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 October 4, 2011 as
5 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 168 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 168 to pay the costs of the
11 following services:

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

15 **Section 3. Boundaries and Designation.** The boundaries of Zone 168 that are
16 proposed to be annexed to L&LMD No. 89-1-C shall include all of the property as shown and
17 described in Exhibit "A".

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

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

25 **ROLL CALL:**

26 **Ayes:** Buster, Tavaglione, Stone and Ashley
Nays: None
Absent: Benoit


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


EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

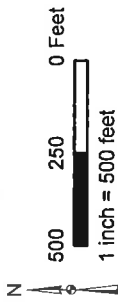
The boundaries of Zone 168 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside, are coterminous with the boundaries of lots 1 through 87 as shown on Tract Map No. 31908, and lots 1 through 115 as shown on Tract Map No. 31908-1, and lots 1 through 59 as shown on Tract Map No. 31908-2 in the County of Riverside, State of California for fiscal year 2012-13.

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LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED
ZONE 168

PORION OF SECTION 7, T.5S., R.5W. & PORTION OF SECTION 12, T.5S., R.6W
TRACT MAP NOS. 31908, 31908-1 & 31908-2

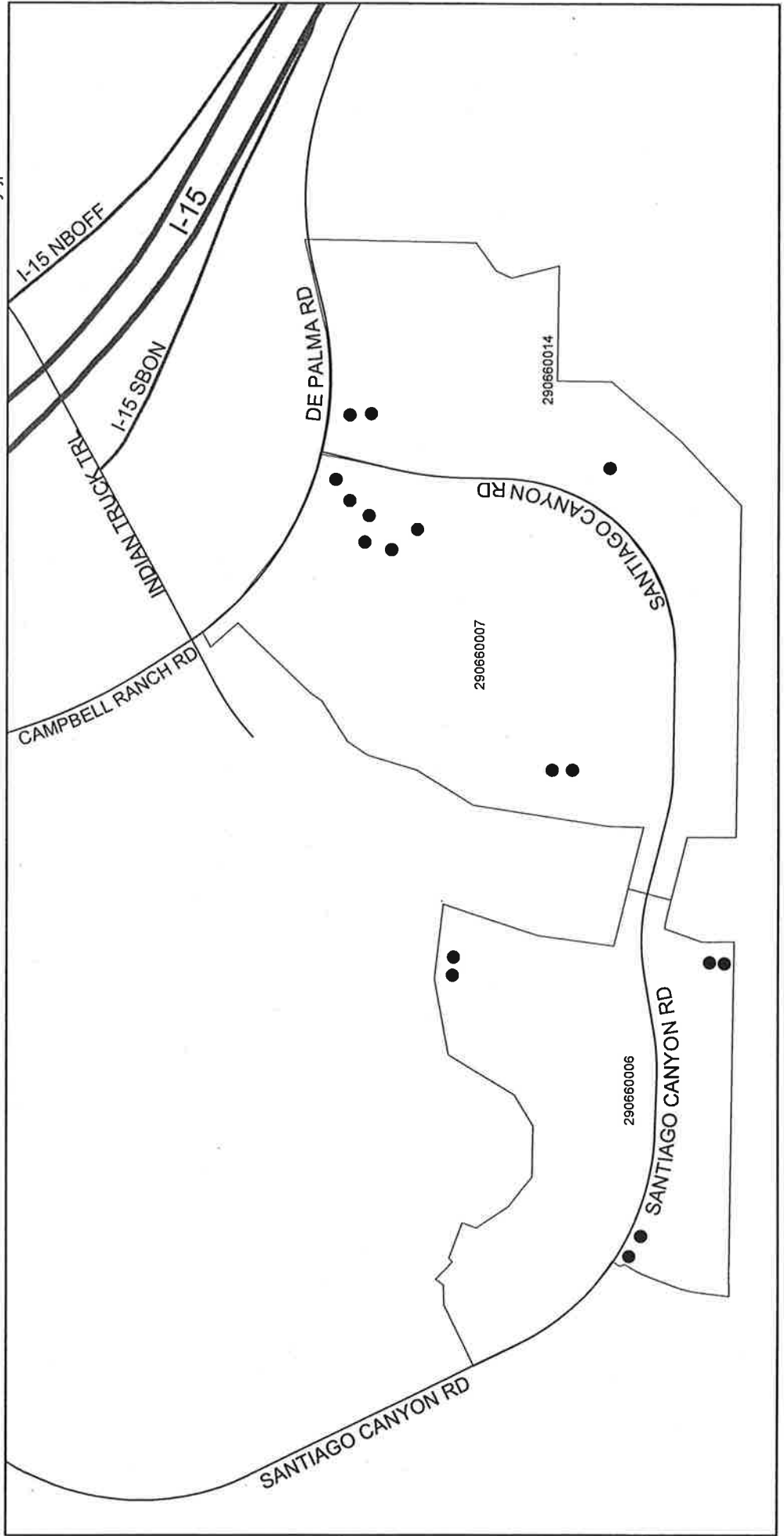
261 PARCELS



The County of Riverside assumes no warranty or legal responsibility for the accuracy of the information represented on this map. It is subject to updates, modifications and corrections. This map is for informational purposes only. Do not copy or reuse this map for any other purpose.

Printed by jpickeri on 9/29/11

ASSESSMENT DIAGRAM



● DENOTES MAINTAINED FOSSIL FILTER

2 RESOLUTION NO. 2011-242

3 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING
4 ITS INTENT TO ORDER THE ANNEXATION OF ZONE 168 TO LANDSCAPING AND LIGHTING
5 MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE
6 PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 FOR THE MAINTENANCE
7 AND SERVICING OF FOSSIL FILTERS; ADOPTING THE PRELIMINARY ENGINEER'S REPORT;
8 GIVING NOTICE OF AND SETTING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE
9 ANNEXATION OF ZONE 168; ORDERING AN ASSESSMENT PROCEEDING; ORDERING A
10 MAILED BALLOT ELECTION; AND DIRECTING NOTICE OF THE PUBLIC HEARING AND THE
11 ASSESSMENT BALLOT TO BE MAILED PURSUANT TO ARTICLE XIID OF THE CALIFORNIA
12 CONSTITUTION AND SECTION 4000 OF THE ELECTIONS CODE

13 WHEREAS, the Board of Supervisors (hereinafter the "Board of Supervisors") of the County of
14 Riverside (hereinafter the "County") has adopted Resolution No. 2011-241 on October 4, 2011 initiating
15 proceedings for the annexation of Zone 168 (hereinafter "Zone 168"), as described and shown in
16 Exhibit "A", which is attached hereto and incorporated herein, to Landscaping and Lighting
17 Maintenance District No. 89-1-Consolidated of the County of Riverside, State of California, (hereinafter
18 "L&LMD No. 89-1-C") pursuant to the Landscaping and Lighting Act of 1972 (hereinafter the "Act"),
19 which is Part 2 (commencing with Section 22500) of Division 15 of the Streets and Highways Code
20 (hereinafter the "Street and Highways Code"), and ordering the preparation of a report (hereinafter the
21 "Report") regarding the proposed annexation of Zone 168 and the assessments to be levied within
22 Zone 168 each fiscal year beginning fiscal year 2012-13 for the the maintenance and servicing of fossil
23 filters within the public right-of-way within said Zone; and

24 WHEREAS, such proceedings shall comply with the requirements of Article XIID of the
25 California Constitution (hereinafter "Article XIID:"), the Act, and Section 4000 of the Elections Code
26 requiring voter approval of the proposed assessment to be levied by L&LMD No. 89-1-C for Zone 168;
and

WHEREAS, the Board of Supervisors by Resolution No. 2011-241 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 9/17/11
DALE A. GARDNER DATE

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 November 22, 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 168, and the assessments to be levied on parcels within Zone 168
11 beginning in fiscal year 2012-13;

12 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the
13 Board of Supervisors in regular session assembled on October 4, 2011 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 2012-13 on all parcels within Zone 168 proposed
20 to be annexed to L&LMD No. 89-1-C will be \$59.82 per parcel.

21 **Section 2. Intent.** The Board of Supervisors hereby declares its intention to order the
22 annexation of Zone 168, 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 168
24 commencing with the fiscal year 2012-13 as set forth in the Report. The Report expressly states that
25 there are no parcels or lots within Zone 168 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 168 is proposed to be
5 annexed into L&LMD No. 89-1-C and shall include that property in the unincorporated area of the
6 County as described and shown in Exhibit "A".

7 **Section 4. Description of Services to be Provided.** The maintenance and servicing of
8 fossil filters authorized for Zone 168 of L&LMD No. 89-1-C are:

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

11 **Section 5. Amount to be Levied.** The assessment to be levied upon each parcel that
12 benefits from the annexation of Zone 168 of L&LMD No. 89-1-C will be \$59.82 per parcel for fiscal year
13 2012-13. As stated in the Report, the total budget for Zone 168 for the fiscal year 2012-13 is \$15,616;
14 there are 261 parcels that are to be assessed. The annual assessment may be increased by the
15 greater of two percent (2.0%) or the cumulative percentage increase, if any, in the Consumer Price
16 Index for all Urban Consumers ("CPI-U") for the Los Angeles-Riverside-Orange County California
17 Standard Metropolitan Statistical area ("Index") published by the Bureau of Labor Statistics of the
18 United States Department of Labor. The annual CPI-U adjustment will be based on the cumulative
19 increase, if any, in the Index as it stands on March of each year over the base Index for March of 2011.
20 Any increase larger than the greater of 2.0% or the CPI-U annual adjustment requires a majority
21 approval of all the property owners within Zone 168. The Board of Supervisors will levy the assessment
22 in each subsequent fiscal year until the Board of Supervisors undertakes proceedings for the
23 dissolution of Zone 168 of L&LMD No. 89-1-C. The annual assessment will fund the services described
24 in Section 4 of this Resolution. For further particulars, reference is to be made to the Report on file in
25 the Office of the Clerk of the Board of Supervisors.

26

1 **Section 6. The Property to be Annexed.** The property to be annexed into L&LMD No.
2 89-1-C is Zone 168. The boundaries of Zone 168 are located within the unincorporated area of the
3 County and are described and shown in the Report and Exhibit "A".

4 **Section 7. Report.** The Report, which is on file with the Clerk of the Board of Supervisors
5 and which has been presented to the Board of Supervisors, is hereby approved. Reference is made to
6 the Report for a full and detailed description of the services, the boundaries of Zone 168, and the
7 annual assessment to be levied upon assessable lots and parcels within Zone 168 proposed to be
8 annexed to L&LMD No. 89-1-C.

9 **Section 8. Public Hearing.** The question of whether Zone 168 shall be annexed into
10 L&LMD No. 89-1-C and an annual assessment levied beginning with fiscal year 2012-13 shall be
11 considered at a public hearing (hereinafter the "Public Hearing") to be held on November 22, 2011, at
12 9:30 a.m. at the meeting room of the Board of Supervisors of the County at 4080 Lemon Street,
13 1st Floor, Riverside, California.

14 **Section 9. Majority Protest.** Each owner of record of property within Zone 168 is to receive
15 by mail an assessment ballot that shall conform to the requirements of Section 4 of Article XIID and
16 Section 4000 of the California Elections Code. The assessment ballots are to be returned prior to the
17 Public Hearing. L&LMD No. 89-1-C shall not impose assessments on property within the boundaries of
18 Zone 168 if there is a majority protest with regard to the annexation of Zone 168. A majority protest
19 exists if, upon the conclusion of the Public Hearing, the tabulation of the assessment ballots submitted
20 in opposition to the annexation and assessment of Zone 168 exceeds the assessment ballots in favor
21 of the annexation and assessment of Zone 168.

22 **Section 10. Information.** Any property owner desiring additional information regarding
23 Zone 168 of L&LMD No. 89-1-C, the Report, or the proposed assessment is to contact Ms. Joan
24 Pickering, Engineering Technician II, Transportation Department of the County of Riverside, 4080
25 Lemon Street, 8th Floor, Riverside, California, 92501 or by telephone at 951-955 6748.
26

1 **Section 11. Notice of the Public Hearing.** Notice of Public Hearing with regard to the
2 annexation of Zone 168 to L&LMD No. 89-1-C shall be given consistent with Section 22626 of the
3 Streets and Highways Code and Section 4 of Article XIID. The Clerk of the Board of Supervisors shall
4 give notice of the Public Hearing by causing a certified copy of this Resolution to be published once in
5 an appropriate newspaper at least ten (10) days prior to the date of the Public Hearing that is
6 November 22, 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 Zone 168 as shown on the last equalized assessment roll of the County. Mailing is to be made by the
11 Engineer and deposited with the U. S. Post Office at least forty-five (45) days prior to the Public
12 Hearing on November 22, 2011.

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

15 ROLL CALL:

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

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

21 KECIA HARPER-IHEM, Clerk of said Board

22 By: 
23 Deputy

EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

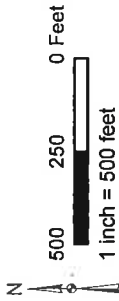
The boundaries of Zone 168 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside, are coterminous with the boundaries of lots 1 through 87 as shown on Tract Map No. 31908, and lots 1 through 115 as shown on Tract Map No. 31908-1, and lots 1 through 59 as shown on Tract Map No. 31908-2 in the County of Riverside, State of California for fiscal year 2012-13.

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LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED
ZONE 168

PORTION OF SECTION 7, T.5S., R.5W. & PORTION OF SECTION 12, T.5S., R.6W
TRACT MAP NOS. 31908, 31908-1 & 31908-2

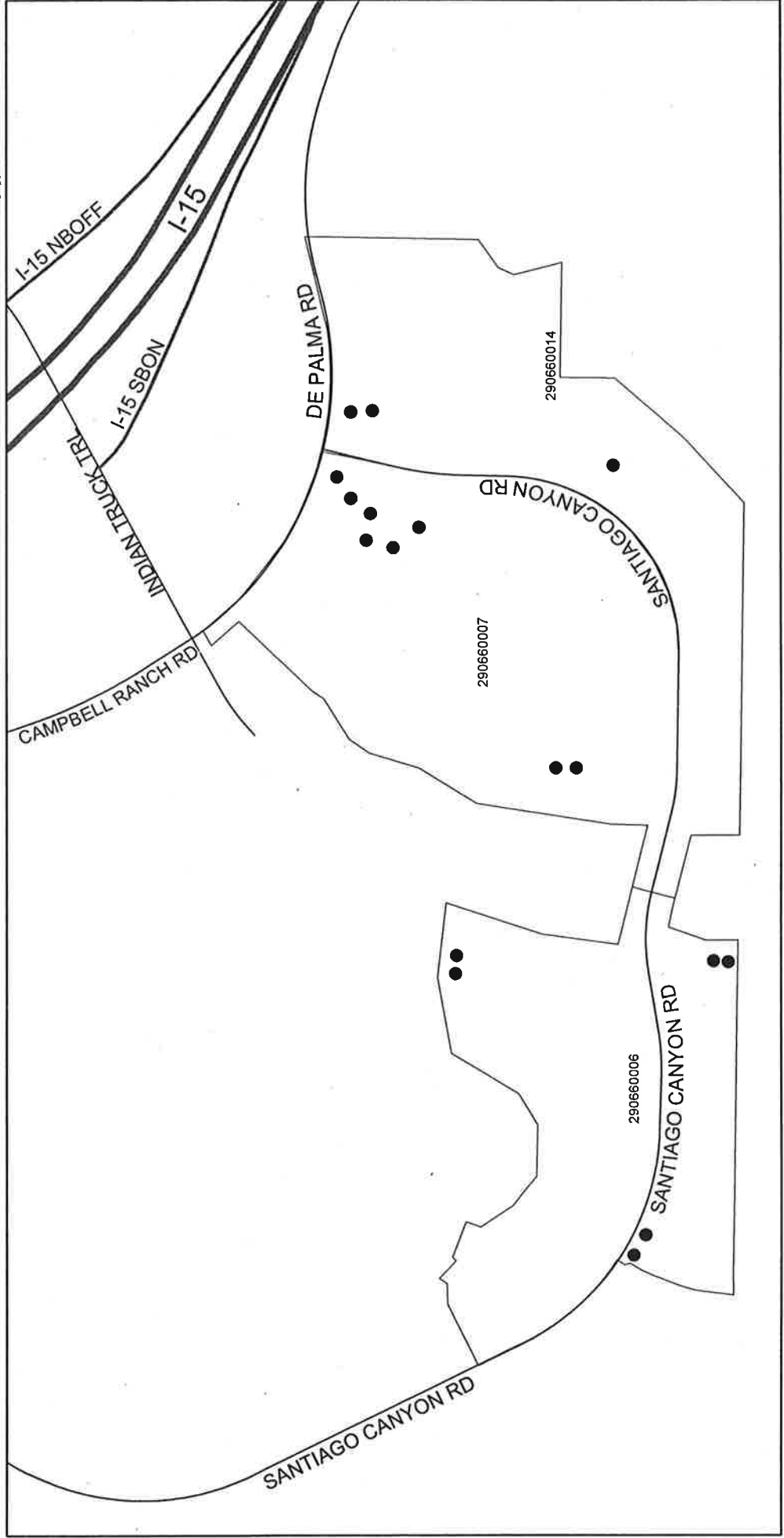
261 PARCELS



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Printed by jpickeri on 9/29/11

ASSESSMENT DIAGRAM



● DENOTES MAINTAINED FOSSIL FILTER

**COUNTY OF RIVERSIDE
STATE OF CALIFORNIA**



ENGINEER'S REPORT FOR FISCAL YEAR 2012-13

for

**LANDSCAPING AND LIGHTING MAINTENANCE
DISTRICT NO. 89-1-CONSOLIDATED
ZONE 168
(GLEN IVY HOT SPRINGS/HORSETHIEF CANYON)**

PREPARED BY:

**RIVERSIDE COUNTY
TRANSPORTATION DEPARTMENT
SEPTEMBER 13, 2011**

AGENCY: COUNTY OF RIVERSIDE, CALIFORNIA

**PROJECT: LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT
NO. 89-1-CONSOLIDATED - ZONE 168 ANNEXATION**

TO: BOARD OF SUPERVISORS

**ENGINEER'S REPORT
FOR FISCAL YEAR 2012-13**

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

PART I

A general description and plans of the fossil filter improvements proposed to be funded.

PART II

An estimate of the cost of the fossil filter improvements and maintenance including incidental costs and expenses in connection therewith for fiscal year 2012-13, 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 168 Annexation, the lines and dimensions of each parcel of land within said Zone 168, as the same exists on the maps of the Assessor of Riverside County for fiscal year 2012-13 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 2012-13 upon each parcel of land within said Zone 168, in proportion to the estimated benefits to be received by such parcels from said fossil filter 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 168 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 November 22, 2011; a copy of said waiver is filed herewith and made a part hereof.

Dated September 13, 2011



Juan C. Perez, Director of Transportation

Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Zone 168,
County of Riverside, California

PART I

DESCRIPTION OF IMPROVEMENTS AND MAINTENANCE PLANS FOR FISCAL YEAR 2012-13 LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED, ZONE 168 COUNTY OF RIVERSIDE, CALIFORNIA

Description of Improvements

Improvements to be funded by Zone 168 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated generally include the maintenance and servicing of fossil filters within the public right-of-way:

- Basil Ct
- Bunting Cir
- Clematis Dr
- Kingbird Dr
- Silver Birch Rd
- Teaberry Ct
- Towhee Ln

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 168

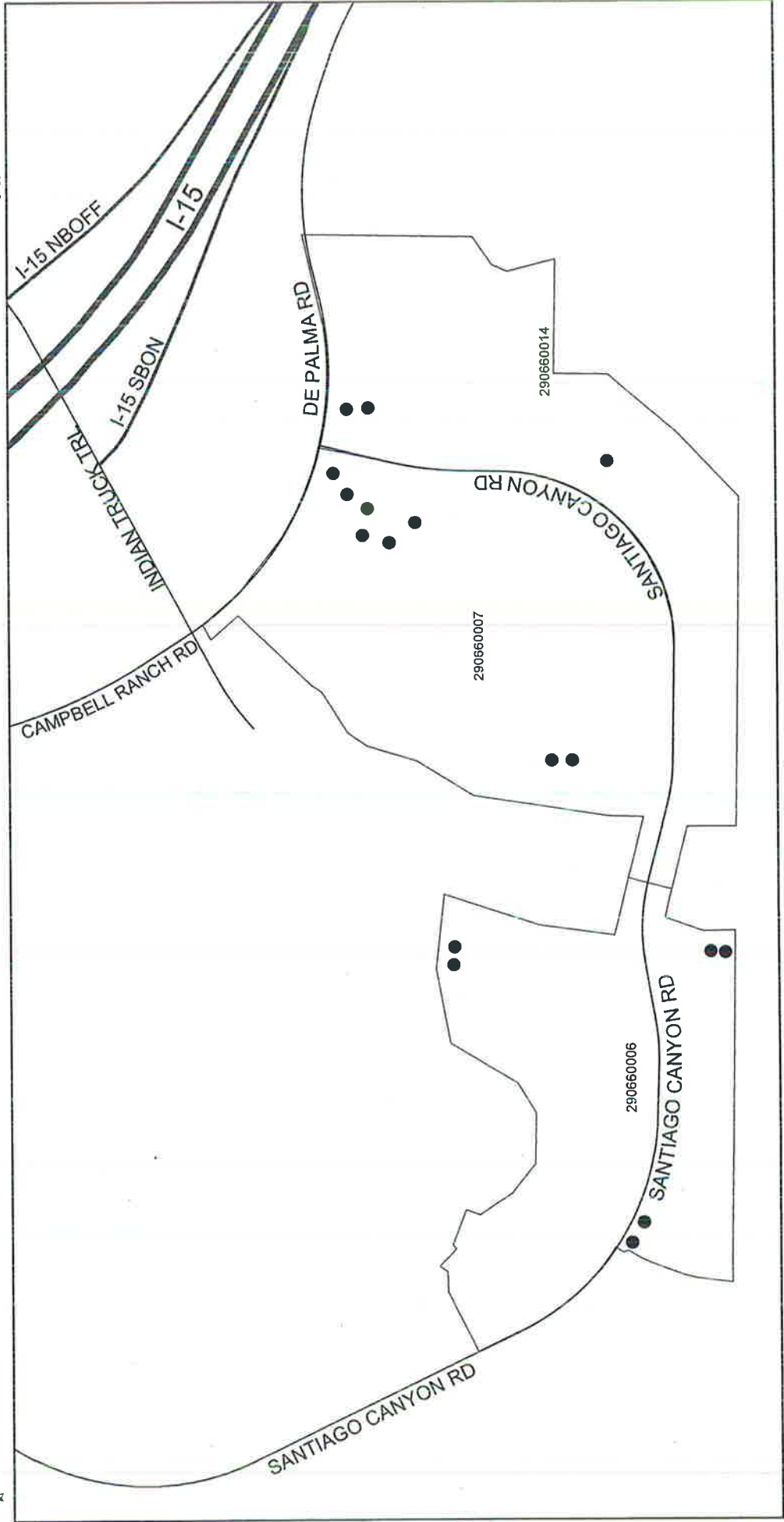
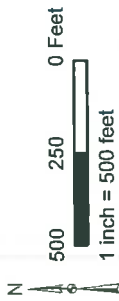
PORTION OF SECTION 7, T.5S., R.5W. & PORTION OF SECTION 12, T.5S., R.6W
TRACT MAP NOS. 31908, 31908-1 & 31908-2

261 PARCELS



The County of Riverside assumes no warranty or legal responsibility for the information contained on this map. Data and information were obtained from various sources and are not guaranteed to be complete or accurate for all purposes. County GIS and other sources should be queried for the most current information. Do not copy or reuse this map.

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● DENOTES MAINTAINED FOSSIL FILTER

PART II

**ENGINEER'S ESTIMATE OF COSTS AND EXPENSES
FOR FISCAL YEAR 2012-13
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT
NO. 89-1-CONSOLIDATED, ZONE 168
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 168

Costs for Maintenance of Improvements

Maintenance ¹ & Servicing ² of the Fossil Filters	\$14,500
Administrative Costs ³	<u>1,116</u>
Total Amount to be Assessed for FY 2012-13	\$15,616

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

Servicing means furnishing the cleaning of fossil filters.

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

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED
ZONE 168
SUMMARY
ANNUAL BUDGET
FISCAL YEAR 2012-13

MAINTENANCE OF FOSSIL FILTERS	
FUNCTION	ZONE 168
Fossil Filters	\$ 10,875
Field Inspection/Management	\$ 1,450
Repair/Replacement	\$ 2,175
	\$ 14,500

ADMINISTRATIVE COSTS	
FUNCTION	ZONE 168
Assessment Engineer	\$ 261
County Counsel	\$ 174
Auditor-Controller/Treasurer	\$ 246
Transportation Administration/Miscellaneous Expense	\$ 435
	\$ 1,116

TOTAL BUDGET	\$ 15,616
FISCAL YEAR 2012-13 ASSESSMENT	\$ 59.82/parcel

261 parcel(s)

PART III

**ASSESSMENT DIAGRAM AND CHANGES IN ORGANIZATION
FOR FISCAL YEAR 2012-13
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT
NO. 89-1-CONSOLIDATED, ZONE 168
COUNTY OF RIVERSIDE, CALIFORNIA**

Assessment Diagram

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

Changes in Organization

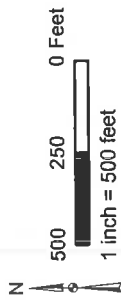
Zone 168

Annexation of Zone 168 as described and shown in Exhibit "A" is filed herewith and made a part hereof changes the organization for this District for Fiscal Year 2012-13.

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED
ZONE 168

PORTION OF SECTION 7, T.5S., R.5W. & PORTION OF SECTION 12, T.5S., R.6W
TRACT MAP NOS. 31908, 31908-1 & 31908-2

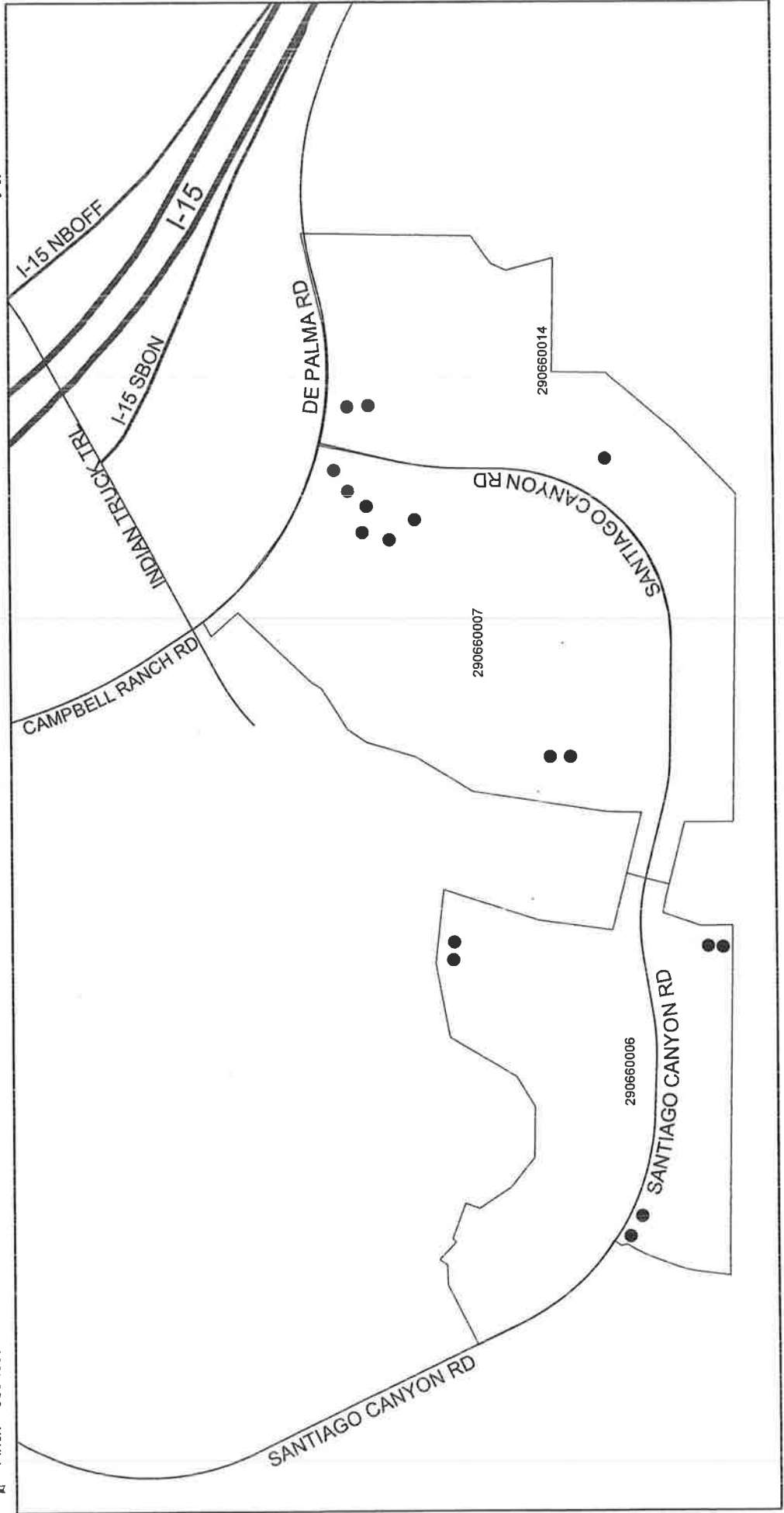
261 PARCELS



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Printed by jpickeri on 9/29/11

ASSESSMENT DIAGRAM



● DENOTES MAINTAINED FOSSIL FILTER

PART IV

**ASSESSMENT FOR FISCAL YEAR 2012-13
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT
NO. 89-1-CONSOLIDATED, ZONE 168
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 October 4, 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. 2011-241 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 168 (herein referred to as “District”); and,

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

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

- a. Maintenance plans for the fossil filter improvements
- b. An estimate of the costs of servicing fossil filter 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 168 that are owned by a federal, state or other local governmental agency that will benefit from the services to be provided by the assessments to be collected.

Method of Assessment Apportionment

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

The maintenance of fossil filters provides direct and special benefit to those properties located within Zone 168 in Landscaping and Lighting Maintenance District No. 89-1-Consolidated (DISTRICT). Fossil filters enhance the properties within the DISTRICT, improve water quality control, increase public safety, improve neighborhood aesthetics, and provide an enhanced quality of life and sense of well being for properties within the DISTRICT.

The fossil filter improvements maintained by the DISTRICT provide no general public benefit in that the properties within Zone 168 are discrete neighborhoods or communities for which the fossil filter improvements were installed. Fossil filter improvements do not extend beyond the perimeter of the boundary of each of those discrete neighborhoods or communities. It is therefore determined that all properties within the DISTRICT benefit equally from the financed improvements and the costs and expenses for the fossil filter improvements maintenance and services are apportioned on a per parcel basis.

The dollar per parcel value for Fiscal Year 2012-13 for Zone 168 is as follows:

$$\begin{array}{rcl} \text{Total Budget} = & \underline{\$15,616} & \\ \text{Total No. Parcels} & 261 & = \quad \$59.82/\text{parcel} \end{array}$$

The assessment for Fiscal Year 2012-13 for Zone 168 that is to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated will be \$59.82 per parcel. The annual assessment may 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 2011. 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 168.

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 168 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 November 22, 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 168 have been spread in direct accordance with the benefits that each parcel receives from the items being financed.

Dated September 13, 2011



Juan C. Perez, Director of Transportation

Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Zone 168,
County of Riverside, California

APN

ASSESSMENT

APN

ASSESSMENT

290-660-006

5,204.34

290-660-007

6,879.30

290-660-014

3,529.38

**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 Starfield Sycamore Investors LLC (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 2012-13 (the "Property"): APN(s) 290-660-006, through 009.

The Owner has made application that the Property be annexed as Zone 168 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 November 22, 2011

OWNER: Starfield Sycamore Investors LLC
(Name of Company
as Stated in Initial Paragraph)

By:

Daniel Schwagerl

Signature

Name: 9/16/11

Print Daniel Schwagerl

Title:

Vice President



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

November 8, 2011

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

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

RE: NOTICE OF PUBLIC HEARING: RESOLUTION 2011-242

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Thursday, November 10, 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: PE Legals <legals@pe.com>
Sent: Tuesday, November 08, 2011 8:14 AM
To: Gil, Cecilia
Subject: RE: FOR PUBLICATION: RESOLUTION NO. 2011-242

Received for publication on Nov. 10

Thank You!

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Additional days required for larger ad sizes

From: Gil, Cecilia [<mailto:CCGIL@rcbos.org>]
Sent: Tuesday, November 08, 2011 7:37 AM
To: PE Legals
Subject: FOR PUBLICATION: RESOLUTION NO. 2011-242

One more, Notice of Public Hearing for publication on Nov. 10, 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 1st Floor, County Administrative Center, Board of Supervisors Chambers, 4080 Lemon Street, Riverside, on **Tuesday, November 22, 2011 at 9:30 a.m.** to consider the following:

RESOLUTION NO. 2011-242

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING ITS INTENT TO ORDER THE ANNEXATION OF ZONE 168 TO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 FOR THE MAINTENANCE AND SERVICING OF FOSSIL FILTERS; ADOPTING THE PRELIMINARY ENGINEER'S REPORT; GIVING NOTICE OF AND SETTING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE ANNEXATION OF ZONE 168; 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. 2011-241 on October 4, 2011 initiating proceedings for the annexation of Zone 168 (hereinafter "Zone 168"), 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 168 and the assessments to be levied within Zone 168 each fiscal year beginning fiscal year 2012-13 for the the maintenance and servicing of fossil filters 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 168; and

WHEREAS, the Board of Supervisors by Resolution No. 2011-241 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 November 22, 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 168, and the assessments to be levied on parcels within Zone 168 beginning in fiscal year 2012-13;

NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the Board of Supervisors in regular session assembled on October 4, 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 2012-13 on all parcels within Zone 168 proposed to be annexed to L&LMD No. 89-1-C will be \$59.82 per parcel.

Section 2. Intent. The Board of Supervisors hereby declares its intention to order the annexation of Zone 168, 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 168 commencing with the fiscal year 2012-13 as set forth in the Report. The Report expressly states that there are no parcels or lots within Zone 168 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 168 is proposed to be annexed into L&LMD No. 89-1-C and shall include that property in the unincorporated area of the County as described and shown in Exhibit "A".

Section 4. Description of Services to be Provided. The maintenance and servicing of fossil filters authorized for Zone 168 of L&LMD No. 89-1-C are:

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

Section 5. Amount to be Levied. The assessment to be levied upon each parcel that benefits from the annexation of Zone 168 of L&LMD No. 89-1-C will be \$59.82 per parcel for fiscal year 2012-13. As stated in the Report, the total budget for Zone 168 for the fiscal year 2012-13 is \$15,616; there are 261 parcels that are to be assessed. The annual assessment may 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 2011. 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 168. 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 168 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 168. The boundaries of Zone 168 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 168, and the annual assessment to be levied upon assessable lots and parcels within Zone 168 proposed to be annexed to L&LMD No. 89-1-C.

Section 8. Public Hearing. The question of whether Zone 168 shall be annexed into L&LMD No. 89-1-C and an annual assessment levied beginning with fiscal year 2012-13 shall be considered at a public hearing (hereinafter the "Public Hearing") to be held on November 22, 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 168 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 168 if there is a majority protest with regard to the annexation of Zone 168. 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 168 exceeds the assessment ballots in favor of the annexation and assessment of Zone 168.

Section 10. Information. Any property owner desiring additional information regarding Zone 168 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 168 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 November 22, 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 168 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 November 22, 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 168 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside, are coterminous with the boundaries of lots 1 through 87 as shown on Tract Map No. 31908, and lots 1 through 115 as shown on Tract Map No. 31908-1, and lots 1 through 59 as shown on Tract Map No. 31908-2 in the County of Riverside, State of California for fiscal year 2012-13.

(INSERT ASSESSMENT DIAGRAM HERE)

ROLL CALL:

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

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on October 4, 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: November 8, 2011 Kecia Harper-Ihem, Clerk of the Board
By: Cecilia Gil, Board Assistant

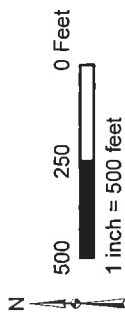
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED

ZONE 168

PORTION OF SECTION 7, T.5S., R.5W. & PORTION OF SECTION 12, T.5S., R.6W

TRACT MAP NOS. 31908, 31908-1 & 31908-2

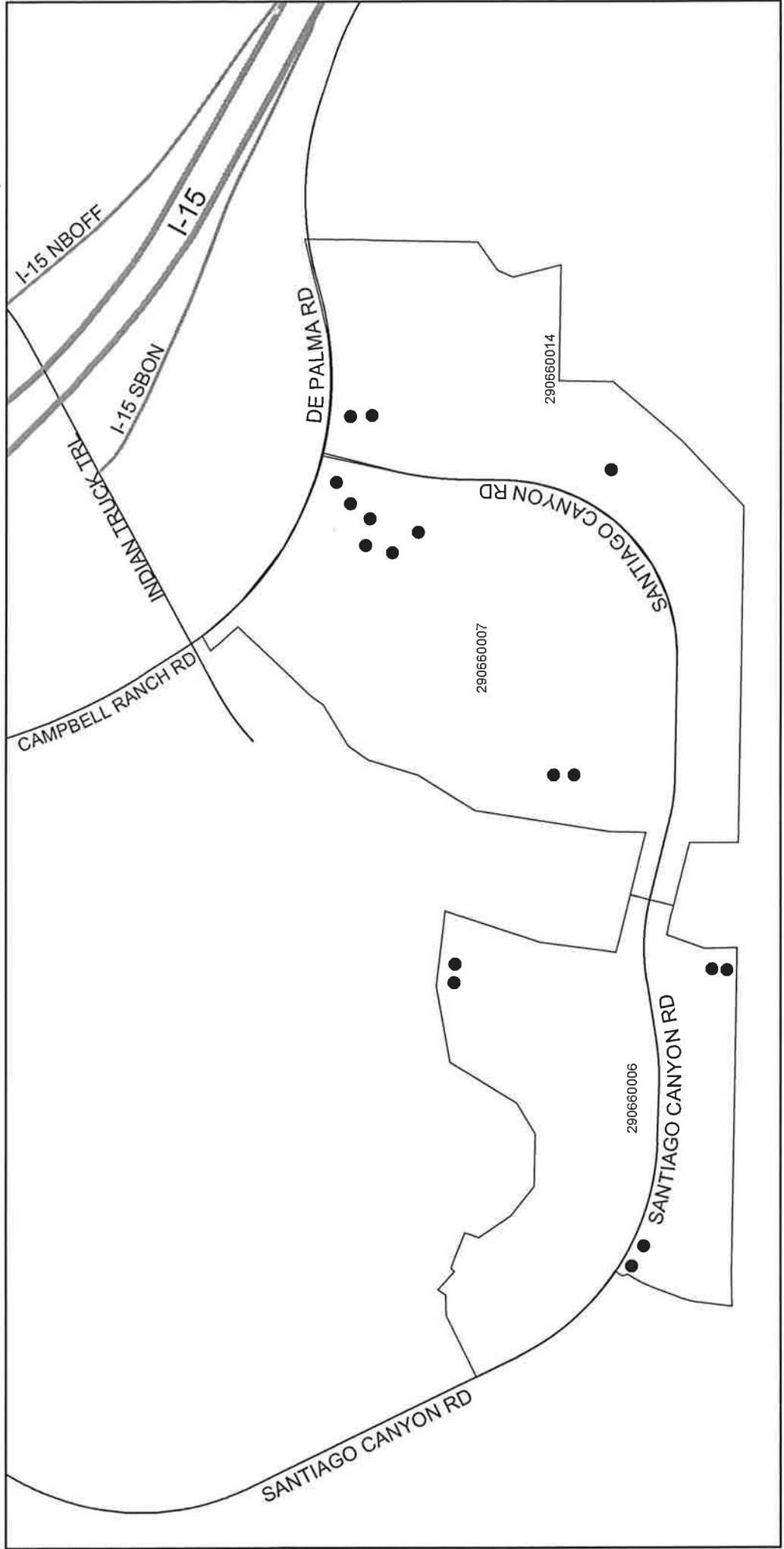
261 PARCELS



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ASSESSMENT DIAGRAM



● DENOTES MAINTAINED FOSSIL FILTER

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Publication(s): Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: / Res 2011-242

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

11/10/2011

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

Date: November 10, 2011

At: Riverside, California



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

Ad Number: 0000665529-01

P.O. Number: Res 2011-242

Ad Copy:

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

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor, County Administrative Center, Board of Supervisors Chambers, 4080 Lemon Street, Riverside, on Tuesday, November 22, 2011 at 9:30 a.m. to consider the following:

RESOLUTION NO. 2011-242

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING ITS INTENT TO ORDER THE ANNEXATION OF ZONE 168 TO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1 CONSOLIDATED OF THE COUNTY OF RIVERSIDE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 FOR THE MAINTENANCE AND SERVICING OF FOSSIL FILTERS; ADOPTING THE PRELIMINARY ENGINEER'S REPORT; GIVING NOTICE OF AND SETTING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE ANNEXATION OF ZONE 168; 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. 2011-241 on October 4, 2011 initiating proceedings for the annexation of Zone 168 (hereinafter "Zone 168"), 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 168 and the assessments to be levied within Zone 168 each fiscal year beginning fiscal year 2012-13 for the the maintenance and servicing of fossil filters 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 168; and

WHEREAS, the Board of Supervisors by Resolution No. 2011-241 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 November 22, 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 168, and the assessments to be levied on parcels within Zone 168 beginning in fiscal year 2012-13;

NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the Board of Supervisors in regular session assembled on October 4, 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 2012-13 on

all parcels within Zone 168 proposed to be annexed to L&LMD No. 89-1-C will be \$59.82 per parcel.

Section 2. Intent. The Board of Supervisors hereby declares its intention to order the annexation of Zone 168, 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 168 commencing with the fiscal year 2012-13 as set forth in the Report. The Report expressly states that there are no parcels or lots within Zone 168 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 168 is proposed to be annexed into L&LMD No. 89-1-C and shall include that property in the unincorporated area of the County as described and shown in Exhibit 'A'.

Section 4. Description of Services to be Provided. The maintenance and servicing of fossil filters authorized for Zone 168 of L&LMD No. 89-1-C are:

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

Section 5. Amount to be Levied. The assessment to be levied upon each parcel that benefits from the annexation of Zone 168 of L&LMD No. 89-1-C will be \$59.82 per parcel for fiscal year 2012-13. As stated in the Report, the total budget for Zone 168 for the fiscal year 2012-13 is \$15,616; there are 261 parcels that are to be assessed. The annual assessment may 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 2011. 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 168. 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 168 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 168. The boundaries of Zone 168 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 168, and the annual assessment to be levied upon assessable lots and parcels within Zone 168 proposed to be annexed to L&LMD No. 89-1-C.

Section 8. Public Hearing. The question of whether Zone 168 shall be annexed into L&LMD No. 89-1-C and an annual assessment levied beginning with fiscal year 2012-13 shall be considered at a public hearing (hereinafter the "Public Hearing") to be held on November 22, 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 168 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 168 if there is a majority protest with regard to the annexation of Zone 168. 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 168 exceeds the assessment ballots in favor of the annexation and assessment of Zone 168.

Section 10. Information. Any property owner desiring additional information regarding Zone 168 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 168 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 November 22, 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 168 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 November 22, 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 168 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside, are coterminous with the boundaries of lots 1 through 87 as shown on Tract Map No. 31908, and lots 1 through 115 as shown on Tract Map No. 31908-1, and lots 1 through 59 as shown on Tract Map No. 31908-2 in the County of Riverside, State of California for fiscal year 2012-13.



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

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on October 4, 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: November 8, 2011
Kecia Harper-Ihem, Clerk of the Board
By: Cecilia Gil, Board Assistant