

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

810A



FROM: TLMA - Transportation Dept.

SUBMITTAL DATE:
June 6, 2013

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated,
Annexation of Street Lighting Zone 107 (Thousand Palms).

RECOMMENDED MOTION: That the Board of Supervisors:

With regard to the annexation of Street Lighting Zone 107 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, June 19, 2013 in Conference Room C on the 8th Floor of the County Administrative Center, 4080 Lemon Street, Riverside,

Juan C. Perez
Director of Transportation and Land Management

MH:jp

FORM APPROVED COUNTY COUNSEL
BY: Dale A. Gardner 5/15/13
DALE A. GARDNER Departmental Concurrence DATE

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:	2012-13

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"/>

There are no General Funds used in this project.

C.E.O. RECOMMENDATION:

APPROVE

BY: Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: June 18, 2013
xc: Transp.

Kecia Harper-Ihem
Clerk of the Board
By:
Deputy

Prev. Agn. Ref. 04/30/13, 3-23 | District: 4/4 | Agenda Number:

9-3

The Honorable Board of Supervisors

RE: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Street Lighting Zone 107 (Thousand Palms).

June 6, 2013

Page 2 of 2

California. Staff is directed to cause the appropriate resolution, based on the election tally, to be prepared and returned to the Board of Supervisors for its consideration.

BACKGROUND: Pursuant to the Landscaping and Lighting Act of 1972 and Resolution 2013-092 adopted April 30, 2013, the Board of Supervisors noticed a public hearing for June 18, 2013, to receive testimony regarding the Annexation of Street Lighting Zone 107 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated (L&LMD No. 89-1-C). Annexation of Street Lighting Zone 107 will fund the maintenance and servicing of streetlights within public rights-of-way located southerly of 30th Avenue and easterly of Rio del Sol Road in the Thousand Palms area and includes nineteen (19) assessable commercial parcels and one (1) nonassessable retention basin.

On May 1, 2013, a notice of the public hearing and information sheet, a mail-in ballot, an impartial analysis, and a copy of Resolution No. 2013-092 was mailed to all property owners within Street Lighting Zone 107, 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. 2013-092 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. 2013-092 on the official bulletin board customarily used by the Board of Supervisors for the posting of notices and in two (2) other public locations within the County.

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

301A



FROM: TLMA - Transportation Dept.

SUBMITTAL DATE:
April 18, 2013

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated,
Annexation of Street Lighting Zone 107 (Thousand Palms).

RECOMMENDED MOTION: That the Board of Supervisors adopt the following Resolutions:

Resolution No. 2013-091 a Resolution of the County of Riverside initiating proceedings for the annexation of Street Lighting Zone 107 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 107.

Resolution No. 2013-092, a Resolution of the County of Riverside declaring its intent to order the annexation of Street Lighting Zone 107 to Landscaping and Lighting Maintenance District

Juan C. Perez
Director of Transportation and Land Management

MH:jp

FORM APPROVED COUNTY COUNSEL
BY: *[Signature]*
DALE A. GARDNER
Departmental Concurrence
DATE: 4/17/13

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:	2012-13

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

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Stone, seconded by Supervisor Ashley and duly carried by unanimous vote, IT WAS ORDERED that the above resolutions are adopted as recommended, and that the matter is set for public hearing on Tuesday, June 18, 2013, at 9:30 a.m.

Ayes: Jeffries, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: April 30, 2013
xc: Transp., COB(2)

Kecia Harper-Ihem
Clerk of the Board
By:
Deputy

2013 JUN 13 6:15:52
RECEIVED RIVERSIDE COUNTY BOARD OF SUPERVISORS

Prev. Agn. Ref. | **District:** 4/4 | **Agenda Num:** 3 25

The Honorable Board of Supervisors

RE: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Street Lighting Zone 107 (Thousand Palms).

April 18, 2013

Page 2 of 2

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 107, 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. 2013-091 appoints the Director of the Transportation Department, or his designee, as the Engineer to prepare a Report regarding the proposed annexation of Street Lighting Zone 107 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated ("L&LMD No. 89-1-C").

Resolution No. 2013-092 declares the Board's intention of ordering the annexation of Street Lighting Zone 107 to L&LMD No. 89-1-C. The annexation of Street Lighting Zone 107 to L&LMD No. 89-1-C will fund the maintenance and servicing of streetlights within public right-of-way located southerly of 30th Ave and easterly of Rio del Sol Rd in the Thousand Palms area and includes 19 assessable commercial parcels and 1 nonassessable retention basin.

The proposed budget for fiscal year 2013-14 for Street Lighting Zone 107 is \$1,035 that will result in an assessment for fiscal year 2013-14 within Street Lighting Zone 107 of \$54.46 per parcel. The annual assessment may 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 2013.

Consistent with the Board's direction regarding compliance with Article XIID of the California Constitution and the Landscaping and Lighting Act of 1972, the attached resolutions have been prepared and a public hearing scheduled for 9:30 a.m. on June 18, 2013 to receive testimony for and against the proposed assessment. Each property owner within the proposed Street Lighting Zone 107 will receive a notice of the public hearing and mail-in ballot, an impartial analysis, a copy of Resolution No. 2013-092, 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 107 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 Street Lighting Zone 107 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 June 18, 2013.

RESOLUTION NO. 2013-091

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE INITIATING PROCEEDINGS FOR THE ANNEXATION OF STREET LIGHTING ZONE 107 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 Riverside County Transportation Department (hereinafter "Department") that said Department has received an application from the owner (the "Applicant") of all the property within the unincorporated area of the County (hereinafter "Street Lighting Zone 107"), 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 Street Lighting Zone 107 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 Street Lighting Zone 107; and

WHEREAS, the Applicant has executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election to be held on June 18, 2013; and

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

FORM APPROVED COUNTY COUNSEL
BY: *Daisy A. Gardner* 5/2/13
DATE
DAISY A. GARDNER

1 to serve as the engineer (hereinafter the "Engineer") for the County with regard to the annexation of
2 Street Lighting Zone 107 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 April 30, 2013 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 Street Lighting
9 Zone 107 to L&LMD No. 89-1-C and to initiate and conduct proceedings therefore pursuant to the Act
10 for the purpose of levying an annual assessment on all parcels within Street Lighting Zone 107 to pay
11 the costs of the following services:

- 12 (a) Providing electricity to and the maintenance and servicing of streetlights within
13 the public right-of-way including incidental costs and expenses.

14 **Section 3. Boundaries and Designation.** The boundaries of Street Lighting
15 Zone 107 that are proposed to be annexed to L&LMD No. 89-1-C shall include all of the property as
16 shown and described in Exhibit "A".

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

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

23 ROLL CALL:

24 Ayes: Jeffries, Tavaglione, Stone, Benoit and Ashley
25 Nays: None
Absent: None

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

KECIA HARPER-IHEM, Clerk of said Board

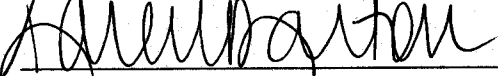
By: 
Deputy

EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

The boundaries of Street Lighting Zone 107 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside, are coterminous with the boundaries of 19 assessable parcels and 1 nonassessable retention basin as shown on Parcel Map No. 36108 in the County of Riverside, State of California for fiscal year 2013-14.

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

STREET LIGHTING ZONE 107

PARCEL MAP NO. 36108

19 ASSESSABLE PARCELS AND 1 NONASSESSABLE RETENTION BASIN

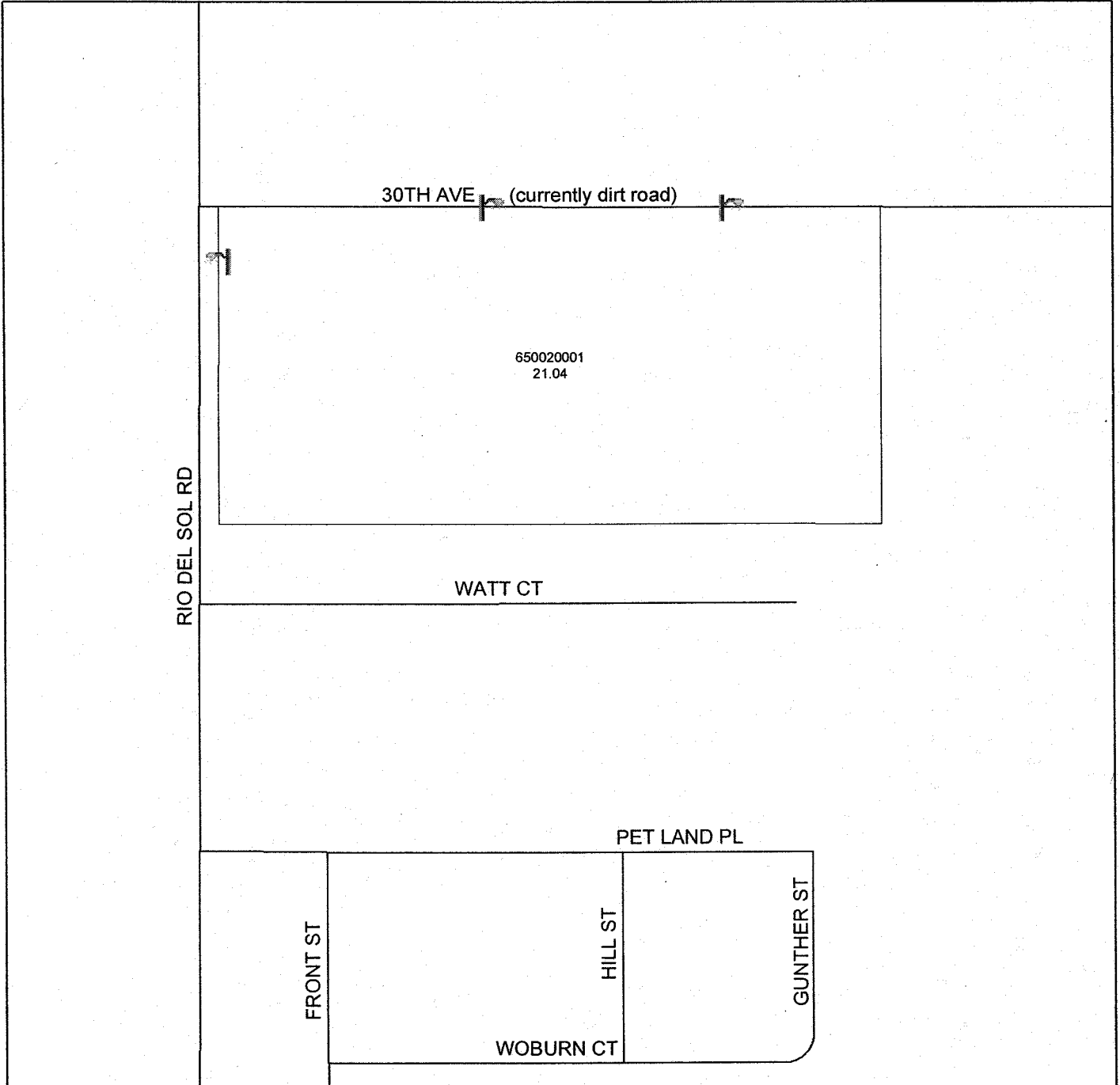
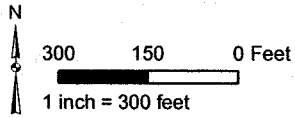
PORTION OF SECTION 18, T.4S., R.6E.

**ASSESSMENT DIAGRAM/
BOUNDARY MAP**



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

Printed by jpickeri on 03/25/2013



DENOTES MAINTAINED STREETLIGHT

2 RESOLUTION NO. 2013-092

3 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING
4 ITS INTENT TO ORDER THE ANNEXATION OF STREET LIGHTING ZONE 107 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 THE ANNEXATION OF STREET LIGHTING ZONE 107 ; 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 SAID ACT AND ARTICLE XIID OF THE CALIFORNIA CONSTITUTION AND
13 SECTION 4000 OF THE ELECTIONS CODE

14 WHEREAS, the Board of Supervisors (hereinafter the "Board of Supervisors") of the County of
15 Riverside (hereinafter the "County") has adopted Resolution No. 2013-091 on April 30, 2013 initiating
16 proceedings for the annexation of Street Lighting Zone 107 (hereinafter "Street Lighting Zone 107"), 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 107 and the
23 assessments to be levied within Street Lighting Zone 107 each fiscal year beginning fiscal year
24 2013-14 for the provision of electricity for streetlights within the public right-of-way within said Zone; and

25 WHEREAS, such proceedings shall comply with the requirements of Article XIID of the
26 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 107; and

WHEREAS, the Board of Supervisors by Resolution No. 2013-091 directed the Director of the
Transportation Department, or his designee (hereinafter the "Engineer"), to prepare and file the Report

FORM APPROVED COUNTY COUNSEL
BY *[Signature]* DATE 5/13/13
BY GARDNER DATE 5/13/13

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 Assessment
6 Ballot Election" allowing for the election to be held on June 18, 2013; 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 Street Lighting Zone 107, and the assessments to be levied on parcels within
11 Street Lighting Zone 107 beginning in fiscal year 2013-14;

12 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the
13 Board of Supervisors in regular session assembled on April 30, 2013 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 2013-14 on all parcels within Street Lighting
20 Zone 107 will be \$54.46 per parcel.

21 **Section 2. Intent.** The Board of Supervisors hereby declares its intention to order the
22 annexation of Street Lighting Zone 107, as described and shown in Exhibit "A", to L&LMD No. 89-1-C,
23 and to levy and collect an annual assessment on all assessable lots and parcels of property within
24 Street Lighting Zone 107 commencing with the fiscal year 2013-14 as set forth in the Report. The
25 Report expressly states that there are no parcels or lots within Street Lighting Zone 107 that are owned
26 by a federal, state or other local governmental agency that will benefit from the services to be financed

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

4 **Section 3. Boundaries.** All the property within boundaries of Street Lighting Zone 107 is
5 proposed to be annexed to L&LMD No. 89-1-C and shall include that property in the unincorporated
6 area of the County as described and shown in Exhibit "A".

7 **Section 4. Description of Services to be Provided** . The services authorized for Street
8 Lighting Zone 107 of L&LMD No. 89-1-C are:

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

11 **Section 5. Amount to be Levied.** The assessment to be levied upon each parcel that
12 benefits from the annexation of Street Lighting Zone 107 to L&LMD No. 89-1-C will be \$54.46 per
13 parcel for fiscal year 2013-14. As stated in the Report, the total budget for Street Lighting Zone 107 for
14 the fiscal year 2013-14 is \$1,035; there are 19 parcels that are to be assessed. Each succeeding fiscal
15 year the special assessment may be subject to an annual adjustment that is the greater of two percent
16 (2%) or the cumulative percentage increase, if any, in the Consumer Price Index for all Urban
17 Consumers "for electricity" ("CPI-U") for the Los Angeles-Riverside-Orange County California Standard
18 Metropolitan Statistical area ("Index") published by the Bureau of Labor Statistics of the United States
19 Department of Labor. The annual CPI-U adjustment will be based on the cumulative increase, if any, in
20 the "Index" as it stands on March of each year over the base Index for March of 2013. Any increase
21 larger than the greater of 2% or the CPI-U annual adjustment requires a majority approval of all the
22 property owners in Street Lighting Zone 107. The Board of Supervisors will levy the assessment in
23 each subsequent fiscal year until the Board of Supervisors undertakes proceedings for the dissolution
24 of Street Lighting Zone 107 of L&LMD No. 89-1-C. The annual assessment will fund the services
25 described in Section 4 of this Resolution. For further particulars, reference is to be made to the Report
26 on file in the Office of the Clerk of the Board of Supervisors.

1 **Section 6. The Property to be Annexed.** The property to be annexed to L&LMD No.
2 89-1-C is Street Lighting Zone 107. The boundaries of Street Lighting Zone 107 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 107, and the annual assessment to be levied upon assessable lots and parcels within Street
8 Lighting Zone 107 proposed to be annexed to L&LMD No. 89-1-C.

9 **Section 8. Public Hearing.** The question of whether Street Lighting Zone 107 shall be
10 annexed to L&LMD No. 89-1-C and an annual assessment levied beginning with fiscal year 2013-14
11 shall be considered at a public hearing (hereinafter the "Public Hearing") to be held on June 18, 2013,
12 at 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 Street Lighting
15 Zone 107 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. The agency shall not impose an assessment if there is a majority
18 protest. A majority protest exists if, upon the conclusion of the hearing, ballots submitted in opposition
19 to the assessment exceed the ballots submitted in favor of the assessment. In tabulating the ballots, the
20 ballots shall be weighted according to the proportional financial obligation of the affected property.

21 **Section 10. Information.** Any property owner desiring additional information regarding Street
22 Lighting Zone 107 of L&LMD No. 89-1-C, the Report, or the proposed assessment is to contact
23 Ms. Joan Pickering, Engineering Technician II, Transportation Department of the County of Riverside,
24 4080 Lemon Street, 8th Floor, Riverside, California, 92501, or by telephone at 951-955-6748, or by
25 e-mail at jpickeri@rctlma.org.
26

1 **Section 11. Notice of the Public Hearing.** Notice of Public Hearing with regard to the
2 annexation of Street Lighting Zone 107 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 June 18, 2013. Publication of this Resolution is to be effected by the Clerk of the Board
7 of 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 107 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 June 18, 2013.

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

15 ROLL CALL:

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

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

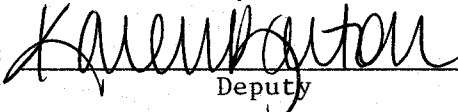
22 By: 
23 Deputy

EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

The boundaries of Street Lighting Zone 107 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside, are coterminous with the boundaries of 19 assessable parcels and 1 nonassessable retention basin as shown on Parcel Map No. 36108 in the County of Riverside, State of California for fiscal year 2013-14.

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

STREET LIGHTING ZONE 107

PARCEL MAP NO. 36108

19 ASSESSABLE PARCELS AND 1 NONASSESSABLE RETENTION BASIN

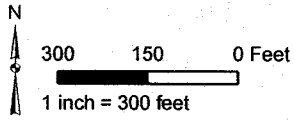
PORTION OF SECTION 18, T.4S., R.6E.

**ASSESSMENT DIAGRAM/
BOUNDARY MAP**



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Printed by jpickeri on 03/25/2013



DENOTES MAINTAINED STREETLIGHT



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

June 4, 2013

THE DESERT SUN
ATTN: LEGALS
P.O. BOX 2734
PALM SPRINGS, CA 92263

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

RE: NOTICE OF PUBLIC HEARING: RESOLUTION 2013-092 ZONE 107

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Thursday, June 6, 2013**.

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,

Cecilia Gil

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

Gil, Cecilia

From: Moeller, Charlene <CMOELLER@palmspri.gannett.com>
Sent: Tuesday, June 04, 2013 8:30 AM
To: Gil, Cecilia
Subject: RE: FOR PUBLICATION: Res. 2013-092 Zone 107

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
legals@thedesertsun.com / dpwlegals@thedesertsun.com

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From: Gil, Cecilia [<mailto:CCGIL@rcbos.org>]
Sent: Monday, June 03, 2013 5:01 PM
To: tds-legals
Subject: FOR PUBLICATION: Res. 2013-092 Zone 107

Hello! Attached is a Notice of Public Hearing, for publication on Thursday, June 6, 2013. Please confirm. THANK YOU!

Cecilia Gil

Board Assistant to the
Clerk of the Board of Supervisors
951-955-8464

**THE COUNTY ADMINISTRATIVE CENTER IS CLOSED EVERY FRIDAY UNTIL FURTHER NOTICE.
PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING.**

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

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor, County Administrative Center, Board of Supervisors Chambers, 4080 Lemon Street, Riverside, on **Tuesday, June 18, 2013 at 9:30 a.m.** to consider the following:

RESOLUTION NO. 2013-092

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING ITS INTENT TO ORDER THE ANNEXATION OF STREET LIGHTING ZONE 107 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 THE ANNEXATION OF STREET LIGHTING ZONE 107 ; 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 SAID ACT AND 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. 2013-091 on April 30, 2013 initiating proceedings for the annexation of Street Lighting Zone 107 (hereinafter "Street Lighting Zone 107"), 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 107 and the assessments to be levied within Street Lighting Zone 107 each fiscal year beginning fiscal year 2013-14 for the provision of 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 107; and

WHEREAS, the Board of Supervisors by Resolution No. 2013-091 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 June 18, 2013; 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 107, and the assessments to be levied on parcels within Street Lighting Zone 107 beginning in fiscal year 2013-14;

NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the Board of Supervisors in regular session assembled on April 30, 2013 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 2013-14 on all parcels within Street Lighting Zone 107 will be \$54.46 per parcel.

Section 2. Intent. The Board of Supervisors hereby declares its intention to order the annexation of Street Lighting Zone 107, 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 107 commencing with the fiscal year 2013-14 as set forth in the Report. The Report expressly states that there are no parcels or lots within Street Lighting Zone 107 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 107 is proposed to be annexed to 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 services authorized for Street Lighting Zone 107 of L&LMD No. 89-1-C are:

- (a) Providing electricity to and the maintenance and servicing of 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 107 to L&LMD No. 89-1-C will be \$54.46 per parcel for fiscal year 2013-14. As stated in the Report, the total budget for Street Lighting Zone 107 for the fiscal year 2013-14 is \$1,035; there are 19 parcels that are to be assessed. Each succeeding fiscal year the special assessment may be subject to an annual adjustment that is the greater of two percent (2%) 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 2013. Any increase larger than the greater of 2% or the CPI-U annual adjustment requires a majority approval of all the property owners in Street Lighting Zone 107. 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 107 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 to L&LMD No. 89-1-C is Street Lighting Zone 107. The boundaries of Street Lighting Zone 107 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 107, and the annual assessment to be levied upon assessable lots and parcels within Street Lighting Zone 107 proposed to be annexed to L&LMD No. 89-1-C.

Section 8. Public Hearing. The question of whether Street Lighting Zone 107 shall be annexed to L&LMD No. 89-1-C and an annual assessment levied beginning with fiscal year 2013-14 shall be considered at a public hearing (hereinafter the "Public Hearing") to be held on June 18, 2013, 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 107 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. The agency shall not impose an assessment if there is a majority

protest. A majority protest exists if, upon the conclusion of the hearing, ballots submitted in opposition to the assessment exceed the ballots submitted in favor of the assessment. In tabulating the ballots, the ballots shall be weighted according to the proportional financial obligation of the affected property.

Section 10. Information. Any property owner desiring additional information regarding Street Lighting Zone 107 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, or by e-mail at jpickeri@rctlma.org.

Section 11. Notice of the Public Hearing. Notice of Public Hearing with regard to the annexation of Street Lighting Zone 107 to L&LMD No. 89-1-C shall be given consistent with Section 22626 of the Streets and Highways Code and Section 4 of Article XIID. The Clerk of the Board of Supervisors shall give notice of the Public Hearing by causing a certified copy of this Resolution to be published once in an appropriate newspaper at least ten (10) days prior to the date of the Public Hearing that is June 18, 2013. 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 107 as shown on the last equalized assessment roll of the County. Mailing is to be made by the Engineer and deposited with the U. S. Post Office at least forty-five (45) days prior to the Public Hearing on June 18, 2013.

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 107 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside, are coterminous with the boundaries of 19 assessable parcels and 1 nonassessable retention basin as shown on Parcel Map No. 36108 in the County of Riverside, State of California for fiscal year 2013-14.



ROLL CALL:

AYES: Jeffries, Tavaglione, Stone, Benoit, and Ashley
NAYS: None
ABSENT: None

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on April 30, 2013.

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: June 4, 2013

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

STREET LIGHTING ZONE 107

PARCEL MAP NO. 36108

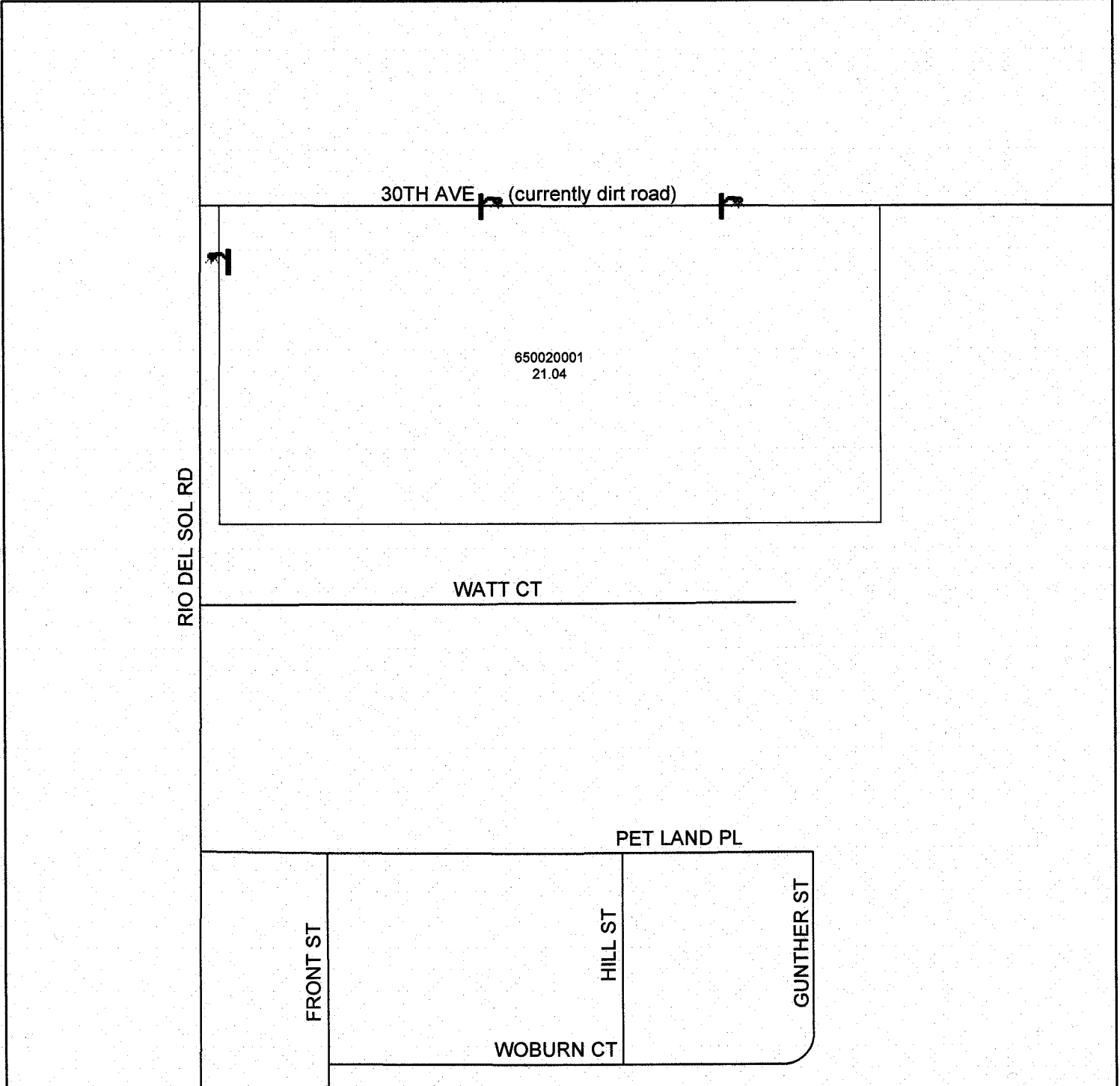
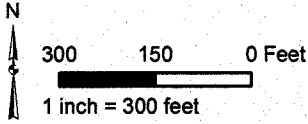
19 ASSESSABLE PARCELS AND 1 NONASSESSABLE RETENTION BASIN
PORTION OF SECTION 18, T.4S., R.6E.

ASSESSMENT DIAGRAM/ BOUNDARY MAP



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

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The Desert Sun

mydesert.com

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 Palm Springs, CA 92262
 Billing Inquiries: (866) 875-0854
 Main Office: (760) 322-8889

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 P.O. Box 677368 Dallas, TX 75267-7368
 A finance charge of 1.5% per month (18% Annually) will be added to balances not paid by the 20th.

RIV06900000000000000000000046791550051546410823

68

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

Customer No.	Invoice No.
RIV069	0004679155
For the Period	Thru
06/03/13	06/30/13
Due Date	Amount Due
07/15/13	5,154.64
AMOUNT PAID	

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
0603			BALANCE FORWARD						8,883.56
0603			PAYMENT - THANK YOU						6,829.44-
0602	CLS	0001	CECILIA NO 1049 - RES 20	2	5	9.00	90.00		1,373.40
0606	CLS	0001	CECILIA NO 1085 NOTICE O	2	2	316.00	1264.00		694.88
0607	CLS	0001	CECILIA NO 1095 NOTICE O	2	2	68.00	272.00		154.24
0609	CLS	0001	CECILIA NO 1108 - GATE F	1	4	5.00	20.00		305.20
0626	CLS	0001	CECILIA NO 1218 NOTICE I	10	2	52.00	1040.00		572.80

<u>1049</u> - EDA 3-8 of 05/21/13 \$1,373.40	<u>1085</u> - Transp. 3-23 of 04/30/13 \$694.88
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<u>1095</u> - CAP 3-12 of 06/18/13 \$154.24	<u>1108</u> - Waste 12-10 of 06/4/13 \$305.20	<u>1218</u> - Transp. 3-62 of 06/18/13 \$572.80
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 CLERK / BOARD OF SUPERVISORS

Current	Over 30 Days	Over 60 Days	Over 90 Days	Over 120 Days	Total Due	
3,100.52	2,054.12	.00	.00	.00	5,154.64	
Contract Type	Contract Qty.	Expiration Date	Current Usage	Total Used	Quantity Remaining	Salesperson
						MARLEY

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.

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Customer Number	Name	Invoice Number	Amount Paid
RIV069	RIVERSIDE COUNTY-BOARD OF SUP.	0004679155	

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

2000371782

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 pariel) in each and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

Newspaper: .The Desert Sun

6/6/2013

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 6th day of June, 2013 in Palm Springs, California.

Declarant's Signature

No 1085
**NOTICE OF PUBLIC HEARING BEFORE
THE BOARD OF SUPERVISORS OF THE
COUNTY OF RIVERSIDE**

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor, County Administrative Center, Board of Supervisors Chambers, 4080 Lemon Street, Riverside, on Tuesday, June 18, 2013 at 9:30 a.m. to consider the following:

RESOLUTION NO. 2013-092
RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING ITS INTENT TO ORDER THE ANNEXATION OF STREET LIGHTING ZONE 107 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 THE ANNEXATION OF STREET LIGHTING ZONE 107; 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 SAID ACT AND ARTICLE XIIIID 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. 2013-091 on April 30, 2013 initiating proceedings for the annexation of Street Lighting Zone 107 (hereinafter "Street Lighting Zone 107") 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 107 and the assessments to be levied within Street Lighting Zone 107, each fiscal year beginning fiscal year 2013-14 for the provision of electricity for streetlights within the public right-of-way within said Zone; and

WHEREAS, such proceedings shall comply with the requirements of Article XIIIID of the California Constitution (hereinafter "Article XIIIID"), the Act, and Section 4000 of the Elections Code requiring voter approval of the proposed assessment to be levied by L&LMD No. 89-1-C for Street Lighting Zone 107; and

WHEREAS, the Board of Supervisors by Resolution No. 2013-091 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 XIIIID; and

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

WHEREAS, the Applicant has executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election to be held on June 18, 2013; 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 107, and the assessments to be levied on parcels within Street Lighting Zone 107 beginning in fiscal year 2013-14.

NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the Board of Supervisors in regular session assembled on April 30, 2013 as follows:

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

(a) The foregoing recitals are true and correct;

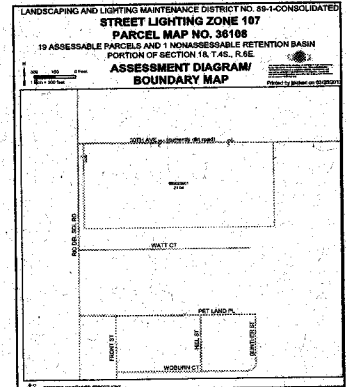
(b) The Report contains all matters required by Sections 22565 through 22574 of the Streets and Highways Code and Section 4 of Article XIIIID and may, therefore, be approved by the Board of Supervisors;

(c) The annual assessment for fiscal year 2013-14 on all parcels within Street Lighting Zone 107 will be \$54.46 per parcel.

Section 2. Intent. The Board of Supervisors hereby declares its intention to order the annexation of Street Lighting Zone 107, 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 107 commencing with the fiscal year 2013-14 as set forth in the Report. The Report expressly states that there are no parcels or lots within Street Lighting Zone 107 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.

EXHIBIT "A"
DESCRIPTION OF BOUNDARIES

The boundaries of Street Lighting Zone 107 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside, are coterminous with the boundaries of 19 assessable parcels and 1 nonassessable retention basin as shown on Parcel Map No. 36108 in the County of Riverside, State of California for fiscal year 2013-14.



ROLL CALL:

AYES: Jeffries, Tavaglione, Stone, Benoit,
and Ashley
NAYS: None
ABSENT: None

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on April 30, 2013.

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: June 4, 2013
Kecia Harper-Ihem, Clerk of the Board
By: Cecilia Gil, Board Assistant

Published: 6/6/13

1700 10 15:20

1700 10 15:20

Section 3. Boundaries. All the property within boundaries of Street Lighting Zone 107 is proposed to be annexed to 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 services authorized for Street Lighting Zone 107 of L&LMD No. 89-1-C are:

(a) Providing electricity to and the maintenance and servicing of 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 107 to L&LMD No. 89-1-C will be \$54.46 per parcel for fiscal year 2013-14. As stated in the Report, the total budget for Street Lighting Zone 107 for the fiscal year 2013-14 is \$1,035; there are 19 parcels that are to be assessed. Each succeeding fiscal year the special assessment may be subject to an annual adjustment that is the greater of two percent (2%) 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 2013. Any increase larger than the greater of 2% or the CPI U annual adjustment requires a majority approval of all the property owners in Street Lighting Zone 107. 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 107 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 to L&LMD No. 89-1-C is Street Lighting Zone 107. The boundaries of Street Lighting Zone 107 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 107, and the annual assessment to be levied upon assessable lots and parcels within Street Lighting Zone 107 proposed to be annexed to L&LMD No. 89-1-C.

Section 8. Public Hearing. The question of whether Street Lighting Zone 107 shall be annexed to L&LMD No. 89-1-C and an annual assessment levied beginning with fiscal year 2013-14 shall be considered at a public hearing (hereinafter the "Public Hearing") to be held on June 18, 2013, 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 107 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. The agency shall not impose an assessment if there is a majority protest. A majority protest exists if, upon the conclusion of the hearing, ballots submitted in opposition to the assessment exceed the ballots submitted in favor of the assessment. In tabulating the ballots, the ballots shall be weighted according to the proportional financial obligation of the affected property.

Section 10. Information. Any property owner desiring additional information regarding Street Lighting Zone 107 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, or by e mail at jpicken@rctma.org.

Section 11. Notice of the Public Hearing. Notice of Public Hearing with regard to the annexation of Street Lighting Zone 107 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 publishing a certified copy of this Resolution to be published once in an appropriate newspaper at least ten (10) days prior to the date of the Public Hearing that is June 18, 2013. Publication of this Resolution is to be effected by the Clerk of the Board of Supervisors. Notice shall also be given by mailing first-class, postage prepaid, those notices, as prepared by County Counsel, assessment ballot and information sheets as required by Section 4 of Article XIII D and Section 4000 of the California Elections Code to all owners of record of property within Street Lighting Zone 107 as shown on the last equalized assessment roll of the County. Mailing is to be made by the Engineer and deposited with the U. S. Post Office at least forty-five (45) days prior to the Public Hearing on June 18, 2013.

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

RECEIVED RIVERSIDE COUNTY
CLERK/BOARD OF SUPERVISORS
2013 JUN 10 PM 5:50