

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



**ITEM**  
9.2  
(ID # 6041)

**MEETING DATE:**

Tuesday, February 27, 2018


**FROM :** TLMA-TRANSPORTATION:

**SUBJECT:** TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION:  
Public Hearing on Landscaping and Lighting Maintenance District No. 89 1  
Consolidated, Annexation of Zone 197 (Green Acres) District 3 [\$1,474]; L&LMD  
No. 89-1 C – 100%.

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. With regard to the annexation of Zone 197 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated, conduct the public hearing; and
2. After closing the public hearing, direct the Director of Transportation, or his designee, who the Board of Supervisors 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, February 28, 2018 in Conference Room C on the 8th Floor of the County Administrative Center, 4080 Lemon Street, Riverside, 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.

**ACTION:** Policy

  
Patricia Romo, Director of Transportation 1/30/2018


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**MINUTES OF THE BOARD OF SUPERVISORS**

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

**Ayes:** Jeffries, Tavaglione, Washington, Perez and Ashley  
**Nays:** None  
**Absent:** None  
**Date:** February 27, 2018  
**xc:** Transp.

Kecia Harper-Ihem  
Clerk of the Board

By:   
Deputy

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

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 0	\$ 1474.00	\$ N/A	\$ 1474.00
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS:</b> L&LMD No. 89-1-C – 100% There are no General Funds used in this project.			<b>Budget Adjustment:</b>	N/A
			<b>For Fiscal Year:</b>	18/19

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

**BACKGROUND:**

**Summary**

Pursuant to the Landscaping and Lighting Act of 1972 and Resolution 2017-179 adopted December 12, 2017, the Board of Supervisors noticed a public hearing for February 27, 2018, to receive testimony regarding the Annexation of Zone 197 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated (L&LMD No. 89-1-C). Annexation of Zone 197 will fund the maintenance and servicing of streetlights and dormant parkway landscaping within public rights-of-way located southerly of State Highway 74 and westerly of Winchester Rd in the Green Acres area and includes 3 commercial parcels.

On December 13, 2017 a notice of the public hearing and information sheet, a mail-in ballot, an impartial analysis, and a copy of Resolution No. 2017-179 was mailed to all property owners within Zone 197, 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. 2017-179 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. 2017-179 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.

**Impact on Residents and Businesses**

The new assessment is for the purpose of providing the maintenance and servicing of streetlights and dormant parkway landscaping within public right-of-way.

Only the commercial property owners within the proposed boundaries of Zone 197, which are represented by Conditional Use Permit No. 03579 S2, as described in the attached Exhibit "A" (a two page exhibit containing a description and diagram) are impacted by the cost of this annexation. The property owners within the proposed boundaries of Zone 197 have petitioned the County of Riverside to annex their property to L&LMD No. 89-1-C and understand that this annexation will result in an assessment on their property to fund the maintenance and servicing of the aforementioned improvements (streetlights and dormant parkway landscaping).

**SUPPLEMENTAL:**

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

**Additional Fiscal Information**


The proposed budget for fiscal year 2018-19 for Zone 197 is \$1,474.00. This will result in an assessment for fiscal year 2018-19 within Zone 197 of \$492.00 per parcel. The annual assessment may be adjusted annually by the greater of 2% or the cumulative percentage increase in the Consumer Price Index for all Urban Consumers (CPI-U), if any, as it stands as of March of each year over the base index for March of 2017.

**Contract History and Price Reasonableness**

N/A

**ATTACHMENTS:**

Exhibit A

  
\_\_\_\_\_  
Gregory T. Priamos, Director County Counsel      2/1/2018

**EXHIBIT "A"**

**DESCRIPTION OF BOUNDARIES**

The boundaries of Zone 197 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside, are coterminous with the boundaries of APN 458-103-037, 038 & 039 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2017-18.

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

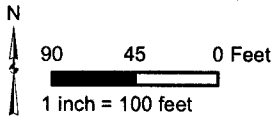
**ZONE 197**

PORTION OF SECTION 15, T.5S., R.2W.  
CONDITIONAL USE PERMIT NO. 03579

3 PARCELS

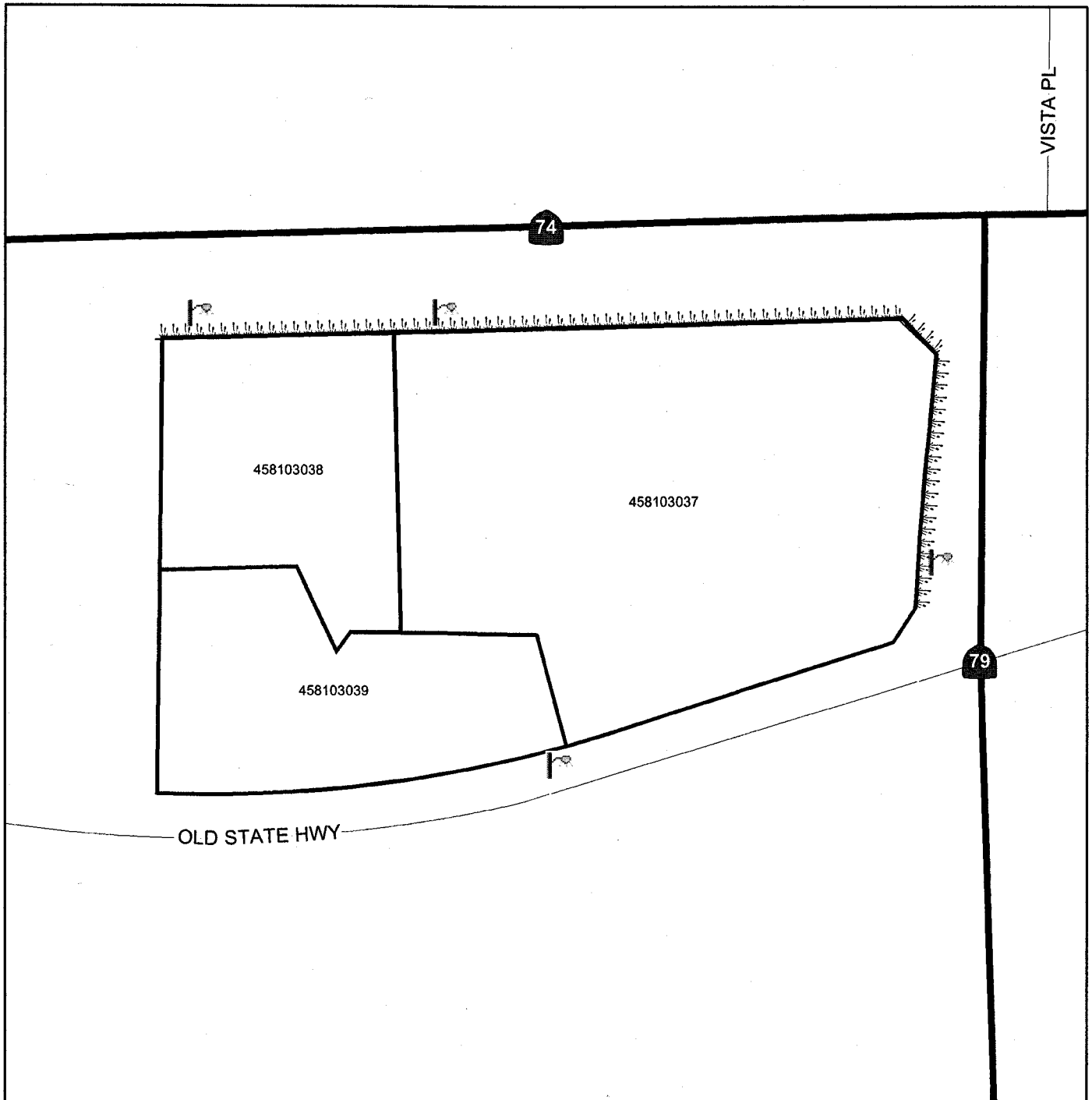


The County of Riverside assumes no warranty or legal responsibility for the information contained on this map. Data and information represented on this map is subject to updates, modifications and may not be complete or appropriate for all purposes. County GIS and other sources should be queried for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



**ASSESSMENT DIAGRAM**

Printed by bhahn on 8/15/2017



ZONE 197 BOUNDARY

DENOTES MAINTAINED STREETLIGHT

DENOTES LANDSCAPED AND MAINTAINED PARKWAY

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



ITEM  
3.43  
(ID # 5171)

**MEETING DATE:**

Tuesday, December 12, 2017

**FROM :** TLMA-TRANSPORTATION:

**SUBJECT:** TRANSPORTATION AND LAND MANAGEMENT AGENCY/ TRANSPORTATION:  
Initiate proceedings for the Annexation of Zone 197 (Green Acres) to Landscaping and Lighting Maintenance District No. 89-1-Consolidated, District 3 [\$1,474]; L&LMD No. 89 1 C – 100%; (Set for Public Hearing on February 27, 2018) (Clerk to Advertise)

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Adopt Resolution No. 2017-178 a Resolution of the County of Riverside initiating proceedings for the annexation of Zone 197 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated and ordering preparation of the Engineer's Report regarding the proposed annexation of Zone 197; and,
2. Adopt Resolution No. 2017-179, a Resolution of the County of Riverside declaring its intent to order the annexation of Zone 197 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 and parkway landscaping; and,
3. Set the time and place of the public hearing on the annexation of Zone 197, ordering a mailed ballot election; and directing notice of the public hearing and ballot be mailed pursuant to Article XIID of the California Constitution. (Clerk to Advertise)

**ACTION:** Clerk to Advertise, Set for Hearing

Patricia Romo, Director of Transportation 11/29/2017

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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Tavaglione, seconded by Supervisor Jeffries and duly carried, IT WAS ORDERED that the above matter is approved as recommended, and is set for public hearing Tuesday, February 27, 2018 at 9:00 a.m. or as soon as possible thereafter.

Ayes: Jeffries, Tavaglione, Perez and Ashley  
Nays: None  
Absent: Washington  
Date: December 12, 2017  
XC: Transp., CØB  
Page 1 of 5

ID# 5171

Kecia Harper-Ihem  
Clerk of the Board

By   
DCA

9.2

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

<b>COST</b>	\$ 0	\$ 1,474	\$ N/A	\$ 1,474
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS:</b> L&LMD No. 89-1-C – 100% There are no General Funds used in this project.			<b>Budget Adjustment:</b>	N/A
			<b>For Fiscal Year:</b>	18/19

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

**BACKGROUND:**

**Summary**

Landscaping and Lighting Maintenance Districts (L&LMD's) are formed for the purpose of creating a funding mechanism to pay for the installation and maintenance of landscaping, streetlights, traffic signals, drainage inlet water quality filters, decorative fencing, and other roadside features within the road right of way. Within an established L&LMD, zones are created for specific developments, a fee structure is developed specific to the features within that zone, and the zone is then assessed through a tax levy on annual basis for the installation and maintenance of the features within that particular zone.

L&LMD No. 89-1-C was formed in 1994, Resolution No. 94-389, and currently consists of 124 individual zones with different fee structures spread throughout Riverside County. The commercial property owner of Conditional Use Permit No. 03579 S2, as described in the attached Exhibit "A", has petitioned the County to annex their property into L&LMD No. 89-1-C, creating Zone 197. The boundaries of Zone 197 will encompass the entire Conditional Use Permit No. 03579 S2 and will include the maintenance and servicing of streetlights and parkway landscaping.

Adoption of Resolution No. 2017-178 appoints the Director of the Transportation Department, or his designee, as the Engineer to prepare a Report regarding the proposed annexation of Zone 197 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated ("L&LMD No. 89-1-C").

Resolution No. 2017-179 declares the Board of Supervisors' intention of ordering the annexation of Zone 197 to L&LMD No. 89-1-C. The annexation of Zone 197 to L&LMD No. 89-1-C will fund the maintenance and servicing of streetlights, the remote monitoring of the irrigation activity on Caltrans right-of-way known as Service Level 1; ensuring the possible future maintenance and servicing of parkway landscaping within Caltrans right-of-way, known as Service Level 2, located southerly of State Highway 74 and westerly of State Highway 79/Winchester Rd in the Green Acres area and includes four commercial parcels.

Per Caltrans requirements, parkway landscape improvements located in Caltrans right-of-way shall be maintained in perpetuity. The maintenance and servicing of parkway landscaping on

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

SH-74 and SH-79 will be the responsibility of the property owners within Zone 197, per their signed maintenance agreement with the County of Riverside Transportation Department (Agreement for Maintenance of Parkways, dated November 2, 2017). Should the property owners default on this agreement, the maintenance and servicing of the parkway landscaping will transfer to L&LMD No. 89-1-C, and the annual assessment known as Service Level 2 for such services will become active.

Irrigation controller subscriptions enable County staff to remotely monitor the irrigation activity of a proposed L&LMD No. 89-1-C zone. Along with monitoring irrigation activity, the subscription enables County staff to check for power issues, irrigation breaks, water off conditions, and many other reports and saves time by not requiring frequent field inspections.

Consistent with the Board of Supervisors' 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 February 27, 2018 to receive testimony for and against the proposed assessment. Each property owner within the proposed Zone 197 will receive a notice of the public hearing and mail-in ballot, an impartial analysis, a copy of Resolution No. 2017-179, 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 197 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 197 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 February 27, 2018.

**Reference**

At the direction of the County of Riverside Board of Supervisors, L&LMD No. 89-1-C was formed in 1994 by Resolution No. 94-389 authorizing the annexation of new zones into L&LMD No. 89-1-C for the purpose of levying assessments to pay for the installation and maintenance of landscaping, streetlights and other right-of-way approved improvements.

The zone specific Engineer's Report for fiscal year 2018-19 was prepared in compliance with the requirement of Article 4, Chapter, 1, of the Landscaping and Lighting Act of 1972, which is Part 2, Division 15 of the California Streets and Highways Code. The County initiates annexation proceedings for the annual levy of assessments by passing a resolution, which proposes the new levy under the Landscaping and Lighting Act of 1972. This resolution also describes the improvements, describes the location of the zone within the District and finally



**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
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orders an engineer, who is a registered professional engineer, certified by the State of California, to prepare and file a detailed report.

In November 1996, California voters passed Proposition 218, Right to Vote on Taxes Act which added Articles XIII C and XIII D to the California Constitution, new procedures must be followed to levy annual assessments under the Landscaping and Lighting Act of 1972. A County may levy annual assessments for an assessment district after complying with the requirements of the Landscaping and Lighting Act of 1972, and the provisions of Proposition 218 Right to Vote on Taxes Act.

**Impact on Residents and Businesses**

The new assessment is for the purpose of providing the maintenance and servicing of streetlights, the remote monitoring of the irrigation activity on Caltrans right-of-way (Service Level 1), and ensuring the possible future maintenance and servicing of parkway landscaping within Caltrans right-of-way (Service Level 2).

Only the commercial property owners within the proposed boundaries of Zone 197, which are represented by Conditional Use Permit No. 03579 S2, as described in the attached Exhibit "A" (a two page exhibit containing a description and diagram) are impacted by the cost of this annexation. By setting up an assessment for the maintenance of certain infrastructure required by the development, the County requires that the development pay for its maintenance impact, rather than the obligation falling upon public funding sources.

**SUPPLEMENTAL:**

**Additional Fiscal Information**

The proposed budget for fiscal year 2018-19 for Zone 197 is \$1,474.00. This will result in an assessment for fiscal year 2018-19 within Zone 197 of \$491.32 per parcel. The annual assessment may be adjusted annually by the greater of 2% or the cumulative percentage increase in the Consumer Price Index for all Urban Consumers (CPI-U), if any, as it stands as of March of each year over the base index for March of 2017.

In addition to the standard annual adjustment, beginning in the fiscal year in which Service Level 2 becomes active, the annual assessments may be further increased. For the fiscal year in which the maintenance and servicing of the parkway improvements on SH-74 and SH-79 becomes active, the annual assessment may be increased by \$2,810.00 per parcel which, when added to the assessment for streetlights and the irrigation controller subscription, will result in an aggregate assessment of \$3,301.32 per parcel, adjusted for inflation. The standard annual adjustment will be applied to this increased assessment in all subsequent fiscal years following the year in which Service Level 2 becomes active. Under the proposed annexation, neither the assessment increases based on the standard annual adjustment nor the further increases

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

associated with Level 2 services becoming active, will require any further approval of the property owners within Zone 197.

**Contract History and Price Reasonableness**

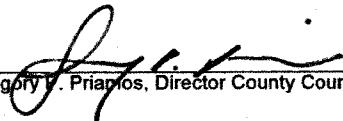
N/A

**ATTACHMENTS:**

- A. Location Map
- B. Exhibit A
- C. Resolution No. 2017-178
- D. Resolution No. 2017-179
- E. Engineer's Report

  
Melissa Noone, Associate Management Analyst

12/5/2017

  
Gregory V. Priaplos, Director County Counsel

11/30/2017



OFFICE OF THE  
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

February 8, 2018

THE PRESS ENTERPRISE  
ATTN: LEGALS  
PO BOX 792  
RIVERSIDE, CA 92501

TEL: (951) 368-9229  
E-MAIL: [legals@pe.com](mailto:legals@pe.com)

**RE: NOTICE OF PUBLIC HEARING: RESOLUTION 2017-179 ZONE 197**

To Whom It May Concern:

Attached is a copy for publication in your newspaper for ONE (1) TIME on **Wednesday, February 14, 2018**.

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

Your invoice must be submitted to this office, **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**

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**From:** Legals <legals@pe.com>  
**Sent:** Thursday, February 8, 2018 8:30 AM  
**To:** Gil, Cecilia  
**Subject:** Re: FOR PUBLICATION: Res. 2017-179 Zone 197

Received for publication on 2/14. Proof with cost to follow.

Nick Eller

Legal Advertising Phone: **951-368-9222** / Fax: **951-368-9018** / E-mail: [legals@pe.com](mailto:legals@pe.com)  
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Standard Deadlines are 10:30am, 3 business days prior to the day you would like to publish

**The Press-Enterprise** PE.com / La Prensa

On Thu, Feb 8, 2018 at 8:16 AM, Gil, Cecilia <[CCGIL@rivco.org](mailto:CCGIL@rivco.org)> wrote:

Good morning! Notice of Public Hearing for publication on Wednesday, Feb. 14, 2018. Please confirm.  
THANK YOU!

*Cecilia Gil*

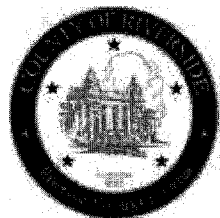
Board Assistant

Clerk of the Board of Supervisors

4080 Lemon St., 1st Floor, Room 127

Riverside, CA 92501

(951) 955-8464 Mail Stop# 1010



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

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1<sup>st</sup> Floor, County Administrative Center, Board of Supervisors Chambers, 4080 Lemon Street, Riverside, on **Tuesday, February 27, 2018 at 9:00 a.m.** to consider the following:

**RESOLUTION NO. 2017-179**

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING ITS INTENT TO ORDER THE ANNEXATION OF ZONE 197 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 AND DORMANT PARKWAY LANDSCAPING; ADOPTING THE PRELIMINARY ENGINEER'S REPORT; GIVING NOTICE OF AND SETTING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE THE ANNEXATION OF ZONE 197 ; 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. 2017-178 on December 12, 2017 initiating proceedings for the annexation of Zone 197 (hereinafter "Zone 197"), 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 197 and the assessments to be levied within Zone 197 each fiscal year beginning fiscal year 2018-19 for the maintenance and servicing of streetlights, the subscription and monitoring of a Calsense controller, and ensuring the maintenance and servicing of dormant parkway landscaping within the public right-of-way within said Zone; and

**WHEREAS**, such proceedings shall comply with the requirements of Article XIID of the California Constitution (hereinafter "Article XIID:"), the Act, and Section 4000 of the Elections Code requiring voter approval of the proposed assessment to be levied by L&LMD No. 89-1-C for Zone 197; and

**WHEREAS**, the Board of Supervisors by Resolution No. 2017-178 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 February 27, 2018; 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 197, and the assessments to be levied on parcels within Zone 197 beginning in fiscal year 2018-19;

**NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the Board of Supervisors in regular session assembled on December 12, 2017 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 Service Level 1 for fiscal year 2018-19 on all parcels within Zone 197 will be \$492.00 per parcel.

(d) Beginning in the fiscal year in which the services for Service Level 2 become active, the annual assessment and all subsequent annual assessments may be increased accordingly, as detailed in Section 5 of this Resolution.

**Section 2. Intent.** The Board of Supervisors hereby declares its intention to order the annexation of Zone 197, 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 197 commencing with the fiscal year 2018-19 as set forth in the Report. The Report expressly states that there are no parcels or lots within Zone 197 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 197 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 Zone 197 of L&LMD No. 89-1-C are:

(a) The maintenance and servicing of landscaping within the public right-of-way including the trimming, fertilizing, weeding and replanting of trees, shrubs, grass, and other ornamental vegetation; and

(b) The maintenance and servicing of irrigation and electrical facilities associated with the landscaping, including but not limited to electricity for operation of the irrigation system and water for irrigation; and

(c) 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 Zone 197 to L&LMD No. 89-1-C will be \$492.00 per parcel for fiscal year 2018-19. As stated in the Report, the total budget for Zone 197 for the fiscal year 2018-19 is \$1,474.00; there are 3 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 ("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 2017. Any increase larger than the greater of 2% or the CPI-U annual adjustment requires a majority approval of all the property owners in Zone 197. 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 197 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.

In addition to the Standard Annual Adjustment, beginning in the fiscal year in which the services for Service Level 2 become active, the annual assessments may be further increased. For the fiscal year in which the maintenance and servicing of the parkway landscaping on SH-74 and SH-79 becomes active, the annual assessment may be increased by \$2,910.00 per parcel which when added to the assessment for Service Level 1 will result in an aggregate assessment of \$3,402.00 per parcel, adjusted for inflation, as detailed in the Report. The Standard Annual Adjustment will be applied to this increased assessment in all subsequent fiscal years following the year in which the services for Service Level 2 became active without regard to the \$3,402.00 per parcel, inflation adjusted, assessment ceiling.

**Section 6. The Property to be Annexed.** The property to be annexed to L&LMD No. 89-1-C is Zone 197. The boundaries of Zone 197 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 197, and the annual assessment to be levied upon assessable lots and parcels within Zone 197 proposed to be annexed to L&LMD No. 89-1-C.

**Section 8. Public Hearing.** The question of whether Zone 197 shall be annexed to L&LMD No. 89-1-C and an annual assessment levied beginning with fiscal year 2018-19 shall be considered at a public hearing (hereinafter the "Public Hearing") to be held on February 27, 2018, at 9:00 a.m. at the meeting room of the Board of Supervisors of the County at 4080 Lemon Street, 1<sup>st</sup> Floor, Riverside, California.

**Section 9. Majority Protest.** Each owner of record of property within Zone 197 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 Zone 197 of L&LMD No. 89-1-C, the Report, or the proposed assessment is to contact Ms. Brigitte Hahn, Senior Engineering Technician, Transportation Department of the County of Riverside, 4080 Lemon Street, 8th Floor, Riverside, California, 92501, or by telephone at 951-955-6263, or by e-mail at bhahn@rctlma.org.

**Section 11. Notice of the Public Hearing.** Notice of Public Hearing with regard to the annexation of Zone 197 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 February 27, 2018. 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 197 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 February 27, 2018.

**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 197 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside, are coterminous with the boundaries of APN 458-103-037, 038 & 039 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2017-18.

(INSERT MAP HERE)

**ROLL CALL:**

AYES: Jeffries, Tavaglione, Perez, and Ashley  
NAYS: None  
ABSENT: Washington

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on December 12, 2017.

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.

Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Lisa Wagner at (951) 955-1063, at least 72 hours prior to the hearing.

Dated: February 8, 2018

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

**Location Map**



CITY OF  
HEMET

CORTLAND LN

JUNIPER SPRINGS RD

BEVERLY DR

**ZONE 197**

TRUELSON AVE

74

OLD STATE HWY

EL-CENTRO AVE

RICHMOND RD

79

GREEN AVE

CORTRITE AVE

STETSON AVE

