

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



**ITEM: 3.33  
(ID # 13830)**

**MEETING DATE:**

Tuesday, December 08, 2020

**FROM:** TLMA-TRANSPORTATION:

**SUBJECT:** TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION:  
Adopt Resolution No. 2020-228 and Resolution No. 2020-229 to Initiate proceedings for the Annexation of Zone 216 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated, French Valley, District 3. [\$5,470 Ongoing Cost - L&LMD No. 89 1 C 100%] (Set for Public Hearing on January 26, 2021) (Clerk to Advertise)

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

1. Adopt Resolution No. 2020-228 a Resolution of the Board of Supervisors of the County of Riverside initiating proceedings for the annexation of Zone 216 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 the Engineer's Report regarding said annexation;
2. Adopt Resolution No. 2020-229, a Resolution of the Board of Supervisors of the County of Riverside declaring its intent to order the annexation of Zone 216 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 traffic signals, adopting the preliminary Engineer's Report, giving notice of and setting the time and place of the public hearing on the annexation of Zone 216, ordering an assessment ballot proceeding conducted by mail, and directing the notice of 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; and

**ACTION:** Policy

  
Patricia Romo, Director of Transportation 11/10/2020


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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Spiegel, seconded by Supervisor Perez and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended and is set for public hearing on Tuesday, January 26, 2021 at 9:30 a.m. or as soon as possible thereafter.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt  
Nays: None  
Absent: None  
Date: December 8, 2020  
xc: Transp., COB

Kecia R. Harper  
Clerk of the Board

By:   
Deputy

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

- Set the public hearing on the annexation of Zone 216 for January 26, 2021, order a mailed assessment ballot proceeding; and direct notice of the public hearing and ballot be mailed pursuant to Article XIID of the California Constitution. (Clerk to Advertise)

<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	\$ 5,470	\$ 0	\$ 5,470
<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> 21/22	

**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, runoff catch basin 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 an 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 166 individual zones with different fee structures spread throughout Riverside County. The commercial property owner of Plot Plan No. 180016, as described in the attached Exhibit "A", has petitioned the County to annex their property into L&LMD No. 89-1-C, creating Zone 216. The boundaries of Zone 216 will encompass the entire Plot Plan No. 180016 and will include the maintenance and servicing of streetlights and traffic signals.

Adoption of Resolution No. 2020-228 appoints the Director of the Transportation Department, or designee, as the Engineer to prepare a Report regarding the proposed annexation of Zone 216 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated ("L&LMD No. 89-1-C").

Resolution No. 2020-229 declares the Board of Supervisors' intention of ordering the annexation of Zone 216 to L&LMD No. 89-1-C. The annexation of Zone 216 to L&LMD No. 89-1-C will fund the maintenance and servicing of streetlights and traffic signals within public right-of-way located east of Winchester Road, north of Benton Road and east of Leon Road in the French Valley area and includes one commercial parcel totalling 13.19 acres.

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 January 26,

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

2021 to receive testimony for and against the proposed assessment. Each property owner within the proposed Zone 216 will receive a notice of the public hearing and mail-in assessment ballot, an impartial analysis, a copy of Resolution No. 2020-229, and an information sheet.

Assessment ballots must be returned prior to the conclusion of the public hearing. If, at the time designated for the tabulation of the assessment ballots, the assessment ballots submitted in favor of the annexation and levy of the assessment exceed the assessment ballots submitted in opposition of said annexation and levy, Zone 216 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 216 and said property owner has executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election and public hearing to be held on January 26, 2021.

**Impact on Residents and Businesses**

The new assessment is for the purpose of providing the maintenance and servicing of streetlights and traffic signals within public right-of-way.

Only the commercial property owners within the proposed boundaries of Zone 216, which are represented by Plot Plan No. 180016, 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 2021-22 for Zone 216 is \$5,470.00. This will result in an assessment for fiscal year 2021-22 within Zone 216 of \$415.00 per acre. 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 for electricity (CPI-U), if any, as it stands as of March of each year over the base index for March of 2021.

**Contract History and Price Reasonableness**

N/A

**ATTACHMENTS:**

Location Map  
Exhibit A  
Resolution No. 2020-228

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

Resolution No. 2020-229  
Engineer's Report



Jason Farin, Principal Management Analyst 12/1/2020



Gregory H. Priamos, Director County Counsel 11/24/2020

2 RESOLUTION NO. 2020-228

3  
4 **RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE INITIATING**  
5 **PROCEEDINGS FOR THE ANNEXATION OF ZONE 216 TO LANDSCAPING AND LIGHTING**  
6 **MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE**  
7 **PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 AND ORDERING**  
8 **PREPARATION OF ENGINEER’S REPORT REGARDING SAID ANNEXATION**

9 **WHEREAS**, the Board of Supervisors (hereinafter the “Board of Supervisors”) of the County of  
10 Riverside (hereinafter the “County”) has been advised by the Riverside County Transportation  
11 Department (hereinafter “Department”) that said Department has received an application from the owner  
12 (the “Applicant”) of all the property within the unincorporated area of the County (hereinafter “Zone 216”),  
13 as shown and described in Exhibit “A”, which is attached hereto and made a part hereof, to be annexed  
14 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated (hereinafter “L&LMD No.  
15 89-1-C”) of the County of Riverside, State of California, and the Board of Supervisors has determined  
16 that it is necessary and desirable to initiate proceedings for the annexation of Zone 216 to L&LMD No.  
17 89-1-C pursuant to the Landscaping and Lighting Act of 1972, Part 2 (commencing with Section 22500)  
18 of Division 15 of the Streets and Highways Code (hereinafter, respectively, the “Act” and the “Streets and  
19 Highways Code”); and

20 **WHEREAS**, such proceedings shall comply with the requirements of Article XIID of the California  
21 Constitution and Section 4000 of the Elections Code requiring voter approval of the proposed assessment  
22 to be levied by L&LMD No. 89-1-C for Zone 216; and

23 **WHEREAS**, the Applicant has executed a “Waiver and Consent Regarding Date of Assessment  
24 Ballot Election” allowing for the election to be held on January 26, 2021; and

25 **WHEREAS**, the Director of the Department, or her designee, is a licensed and registered civil  
26 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 to

FORM APPROVED COUNTY COUNSEL  
BY MCT MICHAEL C THOMAS  
DATE 24 NOV 20

1 serve as the engineer (hereinafter the "Engineer") for the County with regard to the annexation of  
2 Zone 216 to L&LMD No. 89-1-C.

3 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the Board  
4 of Supervisors of the County of Riverside assembled in regular session on December 8, 2020 as follows:

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

7 **Section 2. Annexation.** The Board of Supervisors proposes to annex Zone 216 to  
8 L&LMD No. 89-1-C and to initiate and conduct proceedings therefor pursuant to the Act for the purpose  
9 of levying an annual assessment on all parcels within Zone 216 to pay the costs of the following services:

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

13 **Section 3. Boundaries and Designation.** The boundaries of Zone 216 that are  
14 proposed to be annexed to L&LMD No. 89-1-C shall include all of the property as shown and described  
15 in Exhibit "A".

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

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

22 ROLL CALL:

23 Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt  
24 Nays: None  
Absent: None

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

Kecia R. Harper, Clerk of said Board

By   
Deputy

RESOLUTION NO. 2020-229

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING ITS INTENT TO ORDER THE ANNEXATION OF ZONE 216 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 TRAFFIC SIGNALS; 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 216 ; ORDERING AN ASSESSMENT BALLOT PROCEEDING CONDUCTED BY MAIL; AND DIRECTING NOTICE OF THE PUBLIC HEARING AND THE ASSESSMENT BALLOT TO BE MAILED PURSUANT TO SAID ACT AND ARTICLE XIIRD 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. 2020-228 on December 8, 2020 initiating proceedings for the annexation of Zone 216 (hereinafter "Zone 216"), 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 "Streets and Highways Code"), and ordering the preparation of a report (hereinafter the "Report") regarding the proposed annexation of Zone 216 and the assessments to be levied within Zone 216 each fiscal year beginning fiscal year 2021-22 for the maintenance and servicing of streetlights and traffic signals within the public right-of-way within said zone; and

**WHEREAS**, such proceedings shall comply with the requirements of Article XIIRD of the California Constitution (hereinafter "Article XIIRD"), 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 216; and

**WHEREAS**, the Board of Supervisors by Resolution No. 2020-228 directed the Director of the Transportation Department, or her designee (hereinafter the "Engineer"), to prepare and file the Report

FORM APPROVED COUNTY COUNSEL  
BY MCT 24 NOV 20  
MICHAEL C THOMAS DATE

1 with the Clerk of the Board of Supervisors in accordance with Sections 22608 and 22585 et. seq. of the  
2 Streets 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 the  
4 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 assessment ballot election to be held on January 26, 2021; and

7 **WHEREAS**, it is necessary that the Board of Supervisors adopt a resolution of intention pursuant  
8 to Section 22587 of the Streets and Highways Code, which fixes and gives notice, pursuant to Section  
9 22588 of the Streets and Highways Code, of the time and place of a public hearing on said Report, the  
10 annexation of Zone 216, and the assessments to be levied on parcels within Zone 216 beginning in fiscal  
11 year 2021-22;

12 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the Board  
13 of Supervisors in regular session assembled on December 8, 2020 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 Streets  
17 and Highways Code and Section 4 of Article XIID and may, therefore, be approved by the  
18 Board of Supervisors;
- 19 (c) The annual assessment for fiscal year 2021-22 on all parcels within Zone 216 will be  
20 \$415.00 per acre.

21 **Section 2. Intent.** The Board of Supervisors hereby declares its intention to order the  
22 annexation of Zone 216, as described and shown in Exhibit "A", to L&LMD No. 89-1-C, and to levy and  
23 collect an annual assessment on all assessable lots and parcels of property within Zone 216 commencing  
24 with the fiscal year 2021-22 as set forth in the Report. The Report expressly states that there are no  
25 parcels or lots within Zone 216 that are owned by a federal, state or other local governmental agency  
26 that will benefit from the services to be financed by the annual assessments. The annual assessments



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

4 **Section 3. Boundaries.** All the property within the boundaries of Zone 216 is proposed to  
5 be annexed to L&LMD No. 89-1-C and shall include that property in the unincorporated area of the County  
6 as described and shown in Exhibit "A".

7 **Section 4. Description of Services to be Provided.** The services authorized for Zone 216  
8 of L&LMD No. 89-1-C are:

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

11 **Section 5. Amount to be Levied.** The assessment to be levied upon each parcel that benefits  
12 from the annexation of Zone 216 to L&LMD No. 89-1-C will be \$415.00 per acre for fiscal year 2021-22.  
13 As stated in the Report, the total budget for Zone 216 for the fiscal year 2021-22 is \$5,470.00; there is 1  
14 parcel that is to be assessed that aggregates to 13.19 acres. Each succeeding fiscal year the special  
15 assessment may be subject to an annual adjustment that is the greater of two percent (2%) or the  
16 cumulative percentage increase, if any, in the Consumer Price Index for all Urban Consumers for  
17 electricity ("CPI-U") for the Riverside-San Bernardino-Ontario California Standard Metropolitan Statistical  
18 area ("Index") published by the Bureau of Labor Statistics of the United States Department of Labor. The  
19 annual CPI-U adjustment will be based on the cumulative increase, if any, in the Index as it stands on  
20 March of each year over the base Index for March of 2021. Any increase larger than the greater of 2%  
21 or the CPI-U annual adjustment requires a majority approval of all the property owners in Zone 216. The  
22 Board of Supervisors will levy the assessment in each subsequent fiscal year until the Board of  
23 Supervisors undertakes proceedings for the dissolution of Zone 216 of L&LMD No. 89-1-C. The annual  
24 assessment will fund the services described in Section 4 of this Resolution. For further particulars,  
25 reference is to be made to the Report on file in the Office of the Clerk of the Board of Supervisors.

26

1           **Section 6.    The Property to be Annexed.** The property to be annexed to L&LMD No. 89-1-C  
2 is Zone 216. The boundaries of Zone 216 are located within the unincorporated area of the County and  
3 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 and  
5 which has been presented to the Board of Supervisors, is hereby approved. Reference is made to the  
6 Report for a full and detailed description of the services, the boundaries of Zone 216, and the annual  
7 assessment to be levied upon assessable lots and parcels within Zone 216 proposed to be annexed to  
8 L&LMD No. 89-1-C.

9           **Section 8.    Public Hearing.** The question of whether Zone 216 shall be annexed to L&LMD  
10 No. 89-1-C and an annual assessment levied beginning with fiscal year 2021-22 shall be considered at  
11 a public hearing (hereinafter the "Public Hearing") to be held on January 26, 2021, at 9:30 a.m. at the  
12 meeting room of the Board of Supervisors of the County at 4080 Lemon Street, 1<sup>st</sup> Floor, Riverside,  
13 California.

14           **Section 9.    Majority Protest.** Each owner of record of property within Zone 216 is to receive  
15 by mail an assessment ballot that shall conform to the requirements of Section 4 of Article XIID and  
16 Section 4000 of the California Elections Code. The assessment ballots are to be returned prior to the  
17 Public Hearing. The agency shall not impose an assessment if there is a majority protest. A majority  
18 protest exists if, upon the conclusion of the hearing, assessment ballots submitted in opposition to the  
19 assessment exceed the assessment ballots submitted in favor of the assessment. In tabulating the  
20 assessment ballots, the assessment ballots shall be weighted according to the proportional financial  
21 obligation of the affected property.

22           **Section 10. Information.** Any property owner desiring additional information regarding  
23 Zone 216 of L&LMD No. 89-1-C, the Report, or the proposed assessment is to contact Ms. Brigitte Hahn,  
24 Senior Engineering Technician, Transportation Department of the County of Riverside, 4080 Lemon  
25 Street, 8th Floor, Riverside, California, 92501, or by telephone at 951-955-6263, or by e-mail at  
26 bhahn@rivco.org.



# THE PRESS-ENTERPRISE

1825 Chicago Ave, Suite 100  
Riverside, CA 92507  
951-684-1200  
951-368-9018 FAX

## PROOF OF PUBLICATION (2010, 2015.5 C.C.P)

Publication(s): The Press-Enterprise

### PROOF OF PUBLICATION OF

Ad Desc.: NOH - Resolution 2020-229 /

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

**12/23/2020**

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

Date: December 23, 2020  
At: Riverside, California



Legal Advertising Representative, The Press-Enterprise

BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE  
PO BOX 1147  
RIVERSIDE, CA 92502

Ad Number: 0011431801-01

P.O. Number:

Ad Copy:

*TRMA/Transportation  
Item 3.33 of 12/08/20*

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

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 Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, January 26, 2021, at 9:30 a.m.**, or as soon as possible thereafter, to consider the following Resolution of the Board of Supervisors of the County of Riverside:

**RESOLUTION NO. 2020-229**  
**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING ITS INTENTION TO ORDER THE ANNEXATION OF ZONE 216 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 STREETS, LIGHTS AND TRAFFIC SIGNALS; ADOPTING THE PRELIMINARY ENGINEER'S REPORT; GIVING NOTICE OF AND SETTING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE ANNEXATION OF ZONE 216; ORDERING AN ASSESSMENT BALLOT PROCEEDING CONDUCTED BY MAIL AND DIRECTING 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. 2020-228 on December 8, 2020 initiating proceedings for the annexation of Zone 216 (hereinafter "Zone 216"), 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 "Streets and Highways Code"), and ordering the preparation of a report (hereinafter the "Report") regarding the proposed annexation of Zone 216 and the assessments to be levied within Zone 216 each fiscal year beginning fiscal year 2021-22 for the maintenance and servicing of streetlights and traffic signals 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 216; and

**WHEREAS**, the Board of Supervisors by Resolution No. 2020-228 directed the Director of the Transportation Department, or her 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 Streets 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 assessment ballot election to be held on January 26, 2021; and

**WHEREAS**, it is necessary that the Board of Supervisors adopt a resolution of intention pursuant to Section 22587 of the Streets and Highways Code, which fixes and gives notice, pursuant to Section 22588 of the Streets and Highways Code, of the time and place of a public hearing on said Report, the annexation of Zone 216, and the assessments to be levied on parcels within Zone 216 beginning in fiscal year 2021-22;

**NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the Board of Supervisors in regular session assembled on December 8, 2020 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 2021-22 on all parcels within Zone 216 will be \$415.00 per acre.

**Section 2. Intent.** The Board of Supervisors hereby declares its intention to order the annexation of Zone 216, 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 216 commencing with the fiscal year 2021-22 as set forth in the Report. The Report expressly states that there are no parcels or lots within Zone 216 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 the boundaries of Zone 216 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 216 of L&LMD No. 89-1-C are:

- (a) Providing electricity to and the maintenance and servicing of streetlights and traffic signals 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 216 to L&LMD No. 89-1-C will be \$415.00 per acre for fiscal year 2021-22. As stated in the Report, the total budget for Zone 216 for the fiscal year 2021-22 is \$5,470,000; there is 1 parcel that is to be assessed that aggregates to 13.19 acres. Each succeeding 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 Riverside-San Bernardino-Ontario 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 2021. 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 216. The Board of Supervisors will levy the assessments in each subsequent fiscal year until the Board of Supervisors undertakes proceedings for the dissolution of Zone 216 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 Zone 216. The boundaries of Zone 216 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 216, and the annual assessment to be levied upon assessable lots and parcels within Zone 216 proposed to be annexed to L&LMD No. 89-1-C.

**Section 8. Public Hearing.** The question of whether Zone 216 shall be annexed to L&LMD No. 89-1-C and an annual assessment levied beginning with fiscal year 2021-22 shall be considered at a public hearing (hereinafter the "Public Hearing") to be held on January 26, 2021, at 9:30 a.m., at the meeting room of the Board of Supervisors of the County at 4080 Lemon Street, 1st Floor, Riverside, California.

**Section 9. Majority Protest.** Each owner of record of property within Zone 216 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, assessment ballots submitted in opposition to the assessment exceed the assessment ballots submitted in favor of the assessment. In tabulating the assessment ballots, the assessment 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 216 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@rivco.org.

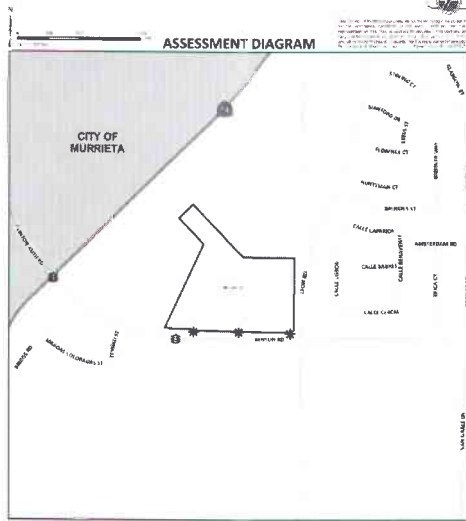
**Section 11. Notice of the Public Hearing.** Notice of Public Hearing with regard to the annexation of Zone 216 to L&LMD No. 89-1-C shall be given consistent with Sections 22608 and 22688 of the Streets and Highways Code and Section 4 of Article XIID. The Clerk of the Board of Supervisors shall give notice of the Public Hearing by causing a certified copy of this Resolution to be published once in an appropriate newspaper at least ten (10) days prior to the date of the Public Hearing that is January 26, 2021. 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 216 as shown on the last equalized assessment roll of the County. Mailing is to be made by the Engineer and deposited with the U. S. Post Office at least forty-five (45) days prior to the Public Hearing on January 26, 2021.

**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 216 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 963-060-032 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2021-22.

**ZONE 216**  
 PORTION(S) OF SECTION 6, T.7S., R.2W.  
 PLOT PLAN NO. 180016  
 1 PARCEL



- \* ELECTRIC AND GAS TO NEW PROJECT (60 FT)
- ⊙ ELECTRIC MAINTENANCE DISTRICT TRUNK
- ELECTRIC TRUNK ENCLOSURE

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

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147 or email [cob@rivco.org](mailto:cob@rivco.org)

Dated: December 17, 2020      Kecia R. Harper, Clerk of the Board  
 By: Hannah Lumanauw, Board Assistant      Press-Enterprise: 12/23



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 R. HARPER**  
Clerk of the Board of Supervisors

**KIMBERLY A. RECTOR**  
Assistant Clerk of the Board

December 17, 2020

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

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

RE: NOTICE OF PUBLIC HEARING: Resolution No. 2020-229 Resolution of the Board of Supervisors of the County of Riverside

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME on Wednesday, December 23, 2020.**

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,

*Hannah Lumanauw*

Board Assistant to:  
KECIA R. HARPER, CLERK OF THE BOARD

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

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 Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, January 26, 2021, at 9:30 a.m.**, or as soon as possible thereafter, to consider the following Resolution of the Board of Supervisors of the County of Riverside:

**RESOLUTION NO. 2020-229**

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING ITS INTENT TO ORDER THE ANNEXATION OF ZONE 216 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 TRAFFIC SIGNALS; 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 216 ; ORDERING AN ASSESSMENT BALLOT PROCEEDING CONDUCTED BY MAIL; 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. 2020-228 on December 8, 2020 initiating proceedings for the annexation of Zone 216 (hereinafter "Zone 216"), 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 "Streets and Highways Code"), and ordering the preparation of a report (hereinafter the "Report") regarding the proposed annexation of Zone 216 and the assessments to be levied within Zone 216 each fiscal year beginning fiscal year 2021-22 for the maintenance and servicing of streetlights and traffic signals 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 216; and

**WHEREAS**, the Board of Supervisors by Resolution No. 2020-228 directed the Director of the Transportation Department, or her 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 Streets 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 assessment ballot election to be held on January 26, 2021; and



**WHEREAS**, it is necessary that the Board of Supervisors adopt a resolution of intention pursuant to Section 22587 of the Streets and Highways Code, which fixes and gives notice, pursuant to Section 22588 of the Streets and Highways Code, of the time and place of a public hearing on said Report, the annexation of Zone 216, and the assessments to be levied on parcels within Zone 216 beginning in fiscal year 2021-22;

**NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the Board of Supervisors in regular session assembled on December 8, 2020 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 2021-22 on all parcels within Zone 216 will be \$415.00 per acre.

**Section 2. Intent.** The Board of Supervisors hereby declares its intention to order the annexation of Zone 216, 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 216 commencing with the fiscal year 2021-22 as set forth in the Report. The Report expressly states that there are no parcels or lots within Zone 216 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 the boundaries of Zone 216 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 216 of L&LMD No. 89-1-C are:

- (a) Providing electricity to and the maintenance and servicing of streetlights and traffic signals 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 216 to L&LMD No. 89 1 C will be \$415.00 per acre for fiscal year 2021-22. As stated in the Report, the total budget for Zone 216 for the fiscal year 2021-22 is \$5,470.00; there is 1 parcel that is to be assessed that aggregates to 13.19 acres. 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 Riverside-San Bernardino-Ontario 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 2021. 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 216. 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 216 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 Zone 216. The boundaries of Zone 216 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 216, and the annual assessment to be levied upon assessable lots and parcels within Zone 216 proposed to be annexed to L&LMD No. 89-1-C.

**Section 8. Public Hearing.** The question of whether Zone 216 shall be annexed to L&LMD No. 89-1-C and an annual assessment levied beginning with fiscal year 2021-22 shall be considered at a public hearing (hereinafter the "Public Hearing") to be held on January 26, 2021, at 9:30 a.m. at the meeting room of the Board of Supervisors of the County at 4080 Lemon Street, 1st Floor, Riverside, California.

**Section 9. Majority Protest.** Each owner of record of property within Zone 216 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, assessment ballots submitted in opposition to the assessment exceed the assessment ballots submitted in favor of the assessment. In tabulating the assessment ballots, the assessment 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 216 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@rivco.org.

**Section 11. Notice of the Public Hearing.** Notice of Public Hearing with regard to the annexation of Zone 216 to L&LMD No. 89 1 C shall be given consistent with Sections 22608 and 22588 of the Streets and Highways Code and Section 4 of Article XIII D. The Clerk of the Board of Supervisors shall give notice of the Public Hearing by causing a certified copy of this Resolution to be published once in an appropriate newspaper at least ten (10) days prior to the date of the Public Hearing that is January 26, 2021. 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 Zone 216 as shown on the last equalized assessment roll of the County. Mailing is to be made by the Engineer and deposited with the U. S. Post Office at least forty-five (45) days prior to the Public Hearing on January 26, 2021.

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

**(Insert Exhibit "A")**

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

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147 or email [cob@rivco.org](mailto:cob@rivco.org)

Dated: December 17, 2020

Kecia R. Harper, Clerk of the Board  
By: Hannah Lumanauw, Board Assistant

**EXHIBIT "A"**

**DESCRIPTION OF BOUNDARIES**

The boundaries of Zone 216 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 963-060-032 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2021-22.

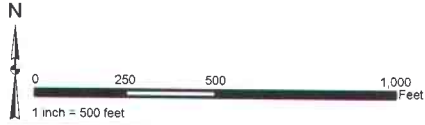
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LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1 CONSOLIDATED

**ZONE 216**  
PORTION(S) OF SECTION 6, T.7S., R.2W.  
PLOT PLAN NO. 180016  
1 PARCEL



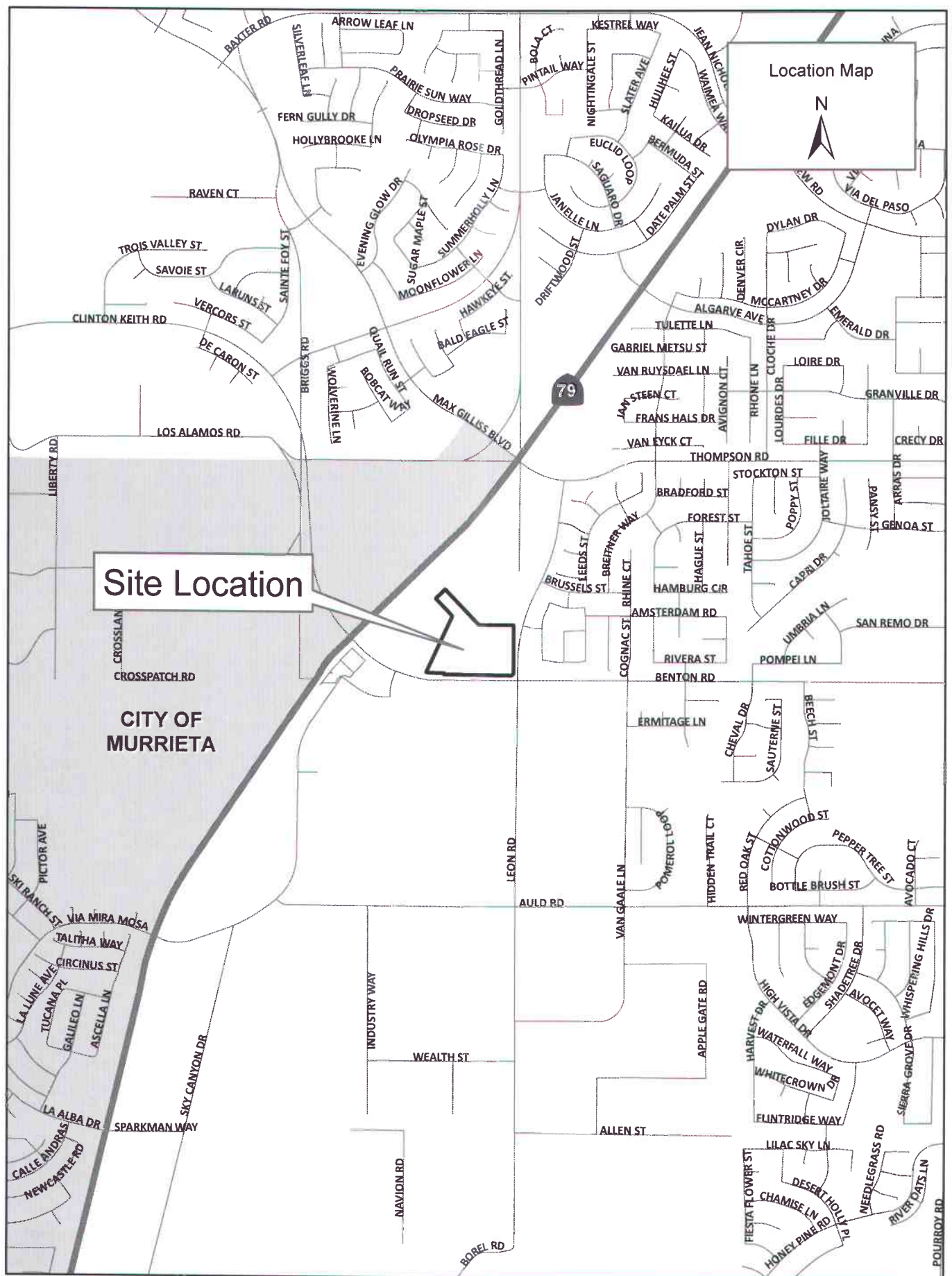
The County of Riverside assumes no warranty or legal responsibility for the information contained on this map. Data and information represented on this map is subject to updates, modifications and may not be complete or appropriate for all purposes. County GIS and other sources should be queried for the most current information. Do not copy or resell this map. Printed by bhahn on 4/1/2020



**ASSESSMENT DIAGRAM**



- DENOTES MAINTAINED ROW STREETLIGHT
- DENOTES MAINTAINED TRAFFIC SIGNAL
- DENOTES ZONE BOUNDARY



Site Location

Location Map

CITY OF MURRIETA