

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



ITEM: 3.39
(ID # 14695)

MEETING DATE:

Tuesday, March 23, 2021

FROM: TLMA-TRANSPORTATION:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION:
Adopt Resolution No. 2021-046 and Resolution No. 2021-047 to Initiate proceedings for the Annexation of Street Lighting Zone 147 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Mead Valley, District 1. [\$252 Ongoing Cost - L&LMD No. 89-1-C 100%]
(Set for Public Hearing on May 18, 2021) (Clerk to Advertise)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. 2021-046 a Resolution of the Board of Supervisors of the County of Riverside initiating proceedings for the annexation of Street Lighting Zone 147 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;

Continued on Page 2

ACTION: Policy, Set for Hearing


Mark Lancaster, Director of Transportation 3/9/2021

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Hewitt, 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 Tuesday, May 18, 2021, at 9:30 a.m. or as soon as possible thereafter.

Ayes: Jeffries, Spiegel, Washington, Perez, and Hewitt
Nays: None
Absent: None
Date: March 23, 2021
xc: Transp., COB

Kecia R. Harper
Clerk of the Board

By 
Deputy

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

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. 2021-047, a Resolution of the Board of Supervisors of the County of Riverside declaring its intent to order the annexation of Street Lighting Zone 147 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated of the County of Riverside pursuant to the Landscaping and Lighting Act of 1972 for the maintenance and servicing of streetlights, adopting the preliminary Engineer's Report, giving notice of and setting the time and place of the public hearing on the annexation of Street Lighting Zone 147, ordering an assessment ballot proceeding conducted by mail, and directing the 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; and
2. Set the public hearing on the annexation of Street Lighting Zone 147 for May 18, 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.

Continued on Page 3

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 0	\$ 252	\$ 0	\$ 252
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: L&LMD No. 89-1-C – 100% There are no General Funds used in this project.			Budget Adjustment: N/A	
			For Fiscal Year: 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, stormwater 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 PPT No. 190005, as described in the attached Exhibit "A", has petitioned the County to annex their property into L&LMD No. 89-1-C, creating Street Lighting Zone 147. The boundaries of Street Lighting Zone 147 will encompass the entire PPT No. 190005 and will include the maintenance and servicing of streetlights.

Adoption of Resolution No. 2021-046 appoints the Director of the Transportation Department, or their designee, as the Engineer to prepare a Report regarding the proposed annexation of Street Lighting Zone 147 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated ("L&LMD No. 89-1-C").

Resolution No. 2021-047 declares the Board of Supervisors' intention of ordering the annexation of Street Lighting Zone 147 to L&LMD No. 89-1-C. The annexation of Street Lighting Zone 147 to L&LMD No. 89-1-C will fund the maintenance and servicing of streetlights within public right-of-way located south of Orange Avenue, east of Harvill Avenue and west of I-215 in the Mead Valley area and includes one commercial parcel totalling 16.64 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 May 18, 2021

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

to receive testimony for and against the proposed assessment. Each property owner within the proposed Street Lighting Zone 147 will receive a notice of the public hearing and mail-in assessment ballot, an impartial analysis, a copy of Resolution No. 2021-047, 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, Street Lighting Zone 147 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 147 and said property owner has executed a "Waiver and Consent Regarding Date of Assessment Ballot Proceeding" allowing for the proceeding and public hearing to be held on May 18, 2021.

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 2021-22 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 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

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

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

Only the commercial property owners within the proposed boundaries of Street Lighting Zone 147, which are represented by PPT No. 190005, 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 Street Lighting Zone 147 is \$252. This will result in an assessment for fiscal year 2021-22 within Street Lighting Zone 147 of \$15 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. 2021-046
Resolution No. 2021-047
Engineer's Report



Jason Farin, Principal Management Analyst

3/17/2021



Shellie Clack

3/11/2021

FORM APPROVED COUNTY COUNSEL
BY: D-C-2-
DATE 3/11/21
DARREN C. ZIEGLER

Board of Supervisors

County of Riverside

RESOLUTION NO. 2021-047

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING ITS INTENT TO ORDER THE ANNEXATION OF STREET LIGHTING ZONE 147 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 147 ; ORDERING AN ASSESSMENT PROCEEDING; 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. 2021-046 on March 23, 2021 initiating proceedings for the annexation of Street Lighting Zone 147 (hereinafter "Street Lighting Zone 147"), 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 Street Lighting Zone 147 and the assessments to be levied within Street Lighting Zone 147 each fiscal year beginning fiscal year 2021-22 for the maintenance and servicing of 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 147; and

WHEREAS, the Board of Supervisors by Resolution No. 2021-046 directed the Director of the Transportation Department, or their designee (hereinafter the "Engineer"), to prepare and file the Report

03.23.2021 3.39

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 Proceeding" allowing for the proceeding to be held on May 18, 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 Street Lighting Zone 147, and the assessments to be levied on parcels within Street
11 Lighting Zone 147 beginning in fiscal year 2021-22;

12 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the Board
13 of Supervisors in regular session assembled on March 23, 2021 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 Street Lighting
20 Zone 147 will be \$15.00 per acre.

21 **Section 2. Intent.** The Board of Supervisors hereby declares its intention to order the
22 annexation of Street Lighting Zone 147, 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 Street
24 Lighting Zone 147 commencing with the fiscal year 2021-22 as set forth in the Report. The Report
25 expressly states that there are no parcels or lots within Street Lighting Zone 147 that are owned by a
26 federal, state or other local governmental agency that will benefit from the services to be financed by the

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

4 **Section 3. Boundaries.** All the property within the boundaries of Street Lighting Zone 147 is
5 proposed to be annexed to L&LMD No. 89-1-C and shall include that property in the unincorporated area
6 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 147 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 benefits
12 from the annexation of Street Lighting Zone 147 to L&LMD No. 89-1-C will be \$15.00 per acre for fiscal
13 year 2021-22. As stated in the Report, the total budget for Street Lighting Zone 147 for the fiscal year
14 2021-22 is \$252.00; there is 1 parcel that is to be assessed that aggregates to 16.64 acres. Each
15 succeeding fiscal year the special assessment may be subject to an annual adjustment that is the greater
16 of two percent (2%) or the cumulative percentage increase, if any, in the Consumer Price Index for all
17 Urban Consumers for electricity ("CPI-U") for the Riverside-San Bernardino-Ontario 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 2021. Any increase larger
21 than the greater of 2% or the CPI-U annual adjustment requires a majority approval of all the property
22 owners in Street Lighting Zone 147. The Board of Supervisors will levy the assessment in each
23 subsequent fiscal year until the Board of Supervisors undertakes proceedings for the dissolution of Street
24 Lighting Zone 147 of L&LMD No. 89-1-C. The annual assessment will fund the services described in
25 Section 4 of this Resolution. For further particulars, reference is to be made to the Report on file in the
26 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. 89-1-C
2 is Street Lighting Zone 147. The boundaries of Street Lighting Zone 147 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 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 Street Lighting Zone 147, and
7 the annual assessment to be levied upon assessable lots and parcels within Street Lighting Zone 147
8 proposed to be annexed to L&LMD No. 89-1-C.

9 **Section 8. Public Hearing.** The question of whether Street Lighting Zone 147 shall be
10 annexed to L&LMD No. 89-1-C and an annual assessment levied beginning with fiscal year 2021-22 shall
11 be considered at a public hearing (hereinafter the "Public Hearing") to be held on May 18, 2021, at 9:30
12 a.m. at the meeting room of the Board of Supervisors of the County at 4080 Lemon Street, 1st Floor,
13 Riverside, California.

14 **Section 9. Majority Protest.** Each owner of record of property within Street Lighting Zone 147
15 is to receive by mail an assessment ballot that shall conform to the requirements of Section 4 of Article
16 XIID and Section 4000 of the California Elections Code. The assessment ballots are to be returned prior
17 to the 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 Street
23 Lighting Zone 147 of L&LMD No. 89-1-C, the Report, or the proposed assessment is to contact
24 Ms. Brigitte Hahn, Senior Engineering Technician, Transportation Department of the County of Riverside,
25 4080 Lemon Street, 8th Floor, Riverside, California, 92501, or by telephone at 951-955-6263, or by e-mail
26 at bhahn@rivco.org.

Section 11. Notice of the Public Hearing. Notice of Public Hearing with regard to the annexation of Street Lighting Zone 147 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 XIID. The Clerk of the Board of Supervisors shall give notice of the Public Hearing by causing a certified copy of this Resolution to be published once in an appropriate newspaper at least ten (10) days prior to the date of the Public Hearing that is May 18, 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 Street Lighting Zone 147 as shown on the last equalized assessment roll of the County. Mailing is to be made by the Engineer and deposited with the U. S. Post Office at least forty-five (45) days prior to the Public Hearing on May 18, 2021.

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

ROLL CALL:

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

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 R. Harper, Clerk of said Board

By

Deputy

EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

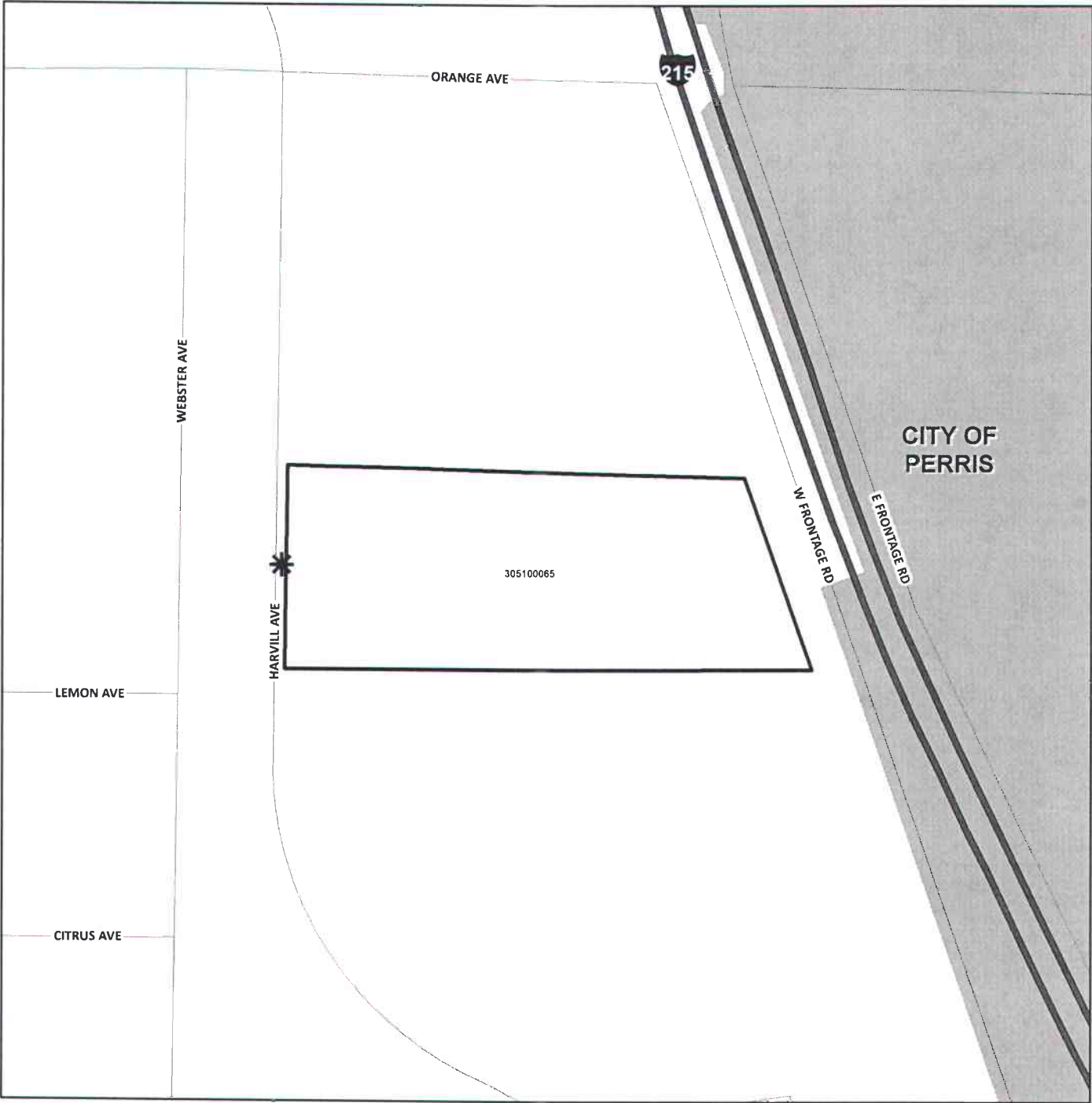
The boundaries of Street Lighting Zone 147 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside, County of Riverside, are coterminous with the boundaries of APN 305-100-065 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2021-22.

STREET LIGHT ZONE 147
PORTION(S) OF SECTION 19, T.4S., R3W.
PLOT PLAN TRANSMITTED NO. 190005
1 PARCEL



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ASSESSMENT DIAGRAM



- * DENOTES MAINTAINED ROW STREETLIGHT
- DENOTES ZONE BOUNDARY

RESOLUTION NO. 2021-046

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE INITIATING PROCEEDINGS FOR THE ANNEXATION OF STREET LIGHTING ZONE 147 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 147"), 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 147 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 "Streets 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 147; and

WHEREAS, the Applicant has executed a "Waiver and Consent Regarding Date of Assessment Ballot Proceeding" allowing for the proceeding to be held on May 18, 2021; and

WHEREAS, the Director of the Department, or their 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 to

03.23.2021 3.39

FORM APPROVED COUNTY COUNCIL
BY: D-C-2 DATE: 3/11/21
BY: DARREN C. ZIEGLER

1 serve as the engineer (hereinafter the "Engineer") for the County with regard to the annexation of Street
2 Lighting Zone 147 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 March 23, 2021 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 Street Lighting
8 Zone 147 to L&LMD No. 89-1-C and to initiate and conduct proceedings therefor pursuant to the Act for
9 the purpose of levying an annual assessment on all parcels within Street Lighting Zone 147 to pay the
10 costs of the following services:

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

13 **Section 3. Boundaries and Designation.** The boundaries of Street Lighting
14 Zone 147 that are proposed to be annexed to L&LMD No. 89-1-C shall include all of the property as
15 shown and described in Exhibit "A".

16 **Section 4. Report.** The Director of the Department, or their 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 XIID 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
25 Absent: None

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


KECIA R. HARPER, Clerk of said Board
By  Deputy

EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

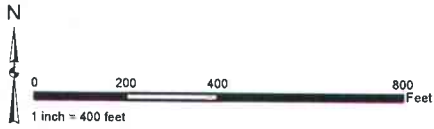
The boundaries of Street Lighting Zone 147 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside, County of Riverside, are coterminous with the boundaries of APN 305-100-065 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2021-22.

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1 CONSOLIDATED

STREET LIGHT ZONE 147
PORTION(S) OF SECTION 19, T.4S., R3W.
PLOT PLAN TRANSMITTED NO. 190005
1 PARCEL



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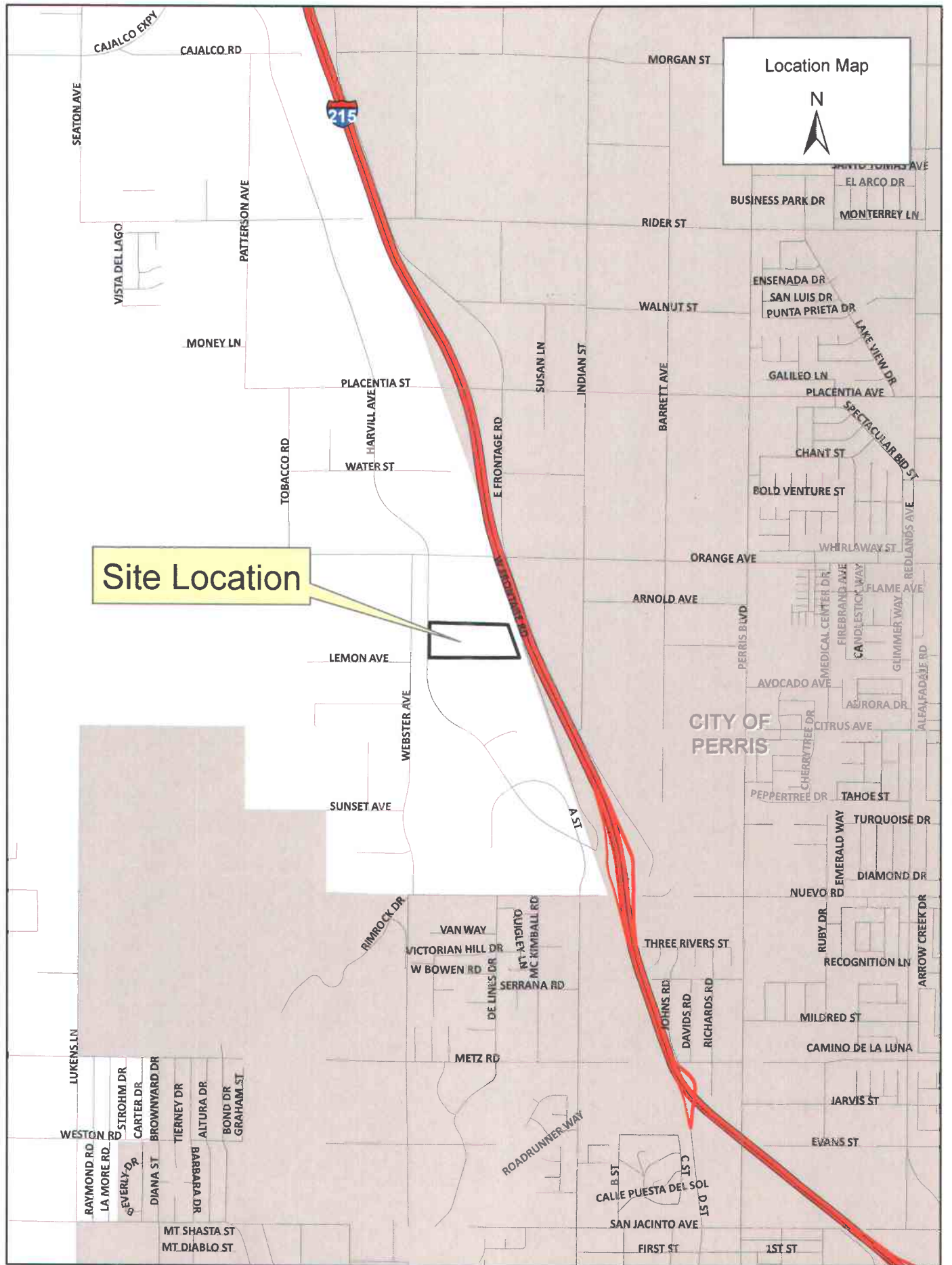
ASSESSMENT DIAGRAM



DENOTES MAINTAINED ROW STREETLIGHT



DENOTES ZONE BOUNDARY



Site Location

Location Map



CITY OF
PERRIS



COUNTY OF RIVERSIDE - TRANSPORTATION AND LAND MANAGEMENT AGENCY

**ENGINEER'S REPORT FOR
LANDSCAPING AND LIGHTING MAINTENANCE
DISTRICT NO. 89-1-CONSOLIDATED
ANNEXATION OF STREET LIGHTING ZONE 147
PPT190005**

March 2021

PREPARED BY



Harris & Associates

41593 Winchester Rd, Suite 200

Temecula, CA 92590

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TABLE OF CONTENTS

Engineer's Certification.....	i
Executive Summary.....	1
A. Introduction.....	1
B. Description of Street Lighting Assessment Zone.....	2
Part I – Plans and Specifications	3
A. Description of Improvements and Services for L&LMD No. 89-1-C	3
B. Improvements and Services for L&LMD No. 89-1-C STL Zone 147.....	3
C. Location of Street Lighting Zone 147.....	4
Part II – Method of Apportionment.....	5
A. Benefit Analysis.....	5
B. Maximum Assessment Methodology	7
C. Annual Assessment.....	9
Part III – Cost Estimate.....	10
Part IV – Assessment Diagram/Boundary Map	11
Part V – Assessment Roll.....	14
Waiver and Consent.....	15



ENGINEER'S CERTIFICATION

AGENCY: COUNTY OF RIVERSIDE, CALIFORNIA – TRANSPORTATION DEPARTMENT

PROJECT: ANNEXATION OF PPT190005 TO
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO.
89-1-CONSOLIDATED ("L&LMD NO. 89-1-C") AS STREET LIGHTING ZONE 147
PPT190005

TO: BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

ENGINEER'S REPORT

Pursuant to the provisions of Section 22565 through 22574 of the Landscaping and Lighting Act of 1972 ("1972 Act"), said Act being Part 2 of Division 15 of the Streets and Highways Code of the State of California, Section 4 of Article XIII D of the California Constitution, and direction from the Board of Supervisors of Riverside County, California, I submit herewith the following Engineer's Report ("Report"), consisting of five parts.

This Report provides for the annexation of Plot Plan Transmitted 190005 (PPT190005) to L&LMD No. 89-1-C as Street Lighting Zone 147 (STL Zone 147) and establishes the Maximum Assessment to be levied in the Fiscal Year commencing on July 1, 2021 and ending on June 30, 2022 (2021-2022) and continuing in all subsequent Fiscal Years, for this area to be known and designated as:

L&LMD NO. 89-1-C STL ZONE 147 PPT190005

I do hereby assess and apportion the total amount of the costs and expenses upon several parcels of land within said designated area liable therefor and benefited thereby, in proportion to the estimated benefits that each parcel receives, respectively, from said services.

NOW, THEREFORE, I, the appointed ENGINEER, acting on behalf of the County of Riverside Transportation Department, pursuant to the 1972 Act, do hereby submit the following:

Pursuant to the provisions of law, the costs and expenses of STL Zone 147 have been assessed upon the parcels of land in STL Zone 147 benefited thereby in direct proportion and relation to the estimated benefits to be received by each of said parcels. For particulars as to the identification of said parcels, reference is made to the Assessment Diagram/Boundary Map, a reduced copy of which is included herein.

Engineer's Report

L&LMD No. 89-1-C Annexation of Street Lighting Zone 147

PPT190005



Harris & Associates

As required by law, an Assessment Diagram/Boundary Map is filed herewith, showing STL Zone 147, as well as the boundaries and dimensions of the respective parcels and subdivisions of land within said STL Zone 147 as they exist as of the date of this Report, each of which subdivisions of land or parcels or lots, respectively, have been assigned a parcel/lot number within a specific tract and indicated on said Assessment Diagram/Boundary Map and in the Assessment Roll contained herein.

The separate numbers given the subdivisions and parcels of land, as shown on said Assessment Diagram/Boundary Map and Assessment Roll, correspond with the numbers assigned to each parcel by the Riverside County Assessor. Reference is made to the County Assessor Parcel Map for a description of the lots or parcels.

As of the date of this Report, there are no parcels or lots within STL Zone 147 that are owned by a federal, state or other local governmental agency that will benefit from the services to be provided by the assessments to be collected.

DATED this 25th day of February 2021



Alison M. Bouley P.E., Assessment Engineer
R.C.E. No. C61383
Engineer of Work
County of Riverside
State of California



EXECUTIVE SUMMARY

A. Introduction

Pursuant to the provisions of law, the costs and expenses of STL Zone 147 have been assessed upon the parcels of land in STL Zone 147 benefited thereby in direct proportion and relation to the estimated benefits to be received by each of said parcel(s). For particulars as to the identification of said parcel(s), reference is made to the Assessment Diagram/Boundary Map, a reduced copy of which is included herein. On this 30th day of March, 2021, the Riverside County Board of Supervisors, County of Riverside, State of California, ordering the preparation of the Report providing for the annexation of PPT190005 to L&LMD No. 89-1-C as STL Zone 147 did, pursuant to the provisions of the 1972 Act, being Division 15 of the Streets and Highways Code of the State of California, adopt Resolution No. 2021-046 for a special assessment district zone known and designated as:

STL ZONE 147
PPT190005

The annexation of STL Zone 147 includes the parcel(s) of land within the commercial development known as PPT190005, also identified by the Assessor Parcel Number(s) valid as of the date of this Report:

305-100-065

Harris & Associates submits this Report, consisting of (5) parts, for the annexation of said STL Zone 147 and the establishment of the Maximum Assessment to be levied and collected commencing Fiscal Year 2021-2022 and continuing in subsequent fiscal years.

Part I

Plans and Specifications: This section contains a description of STL Zone 147's boundaries and the proposed improvements within said STL Zone 147 ("Plans" as described in Part I). STL Zone 147 shall consist of a benefit zone encompassing all of the properties within the commercial development known as PPT190005.

Part II

The Method of Apportionment: A narrative of the property benefits from the improvements and the method of calculating each property's proportional special benefit and annual assessment. The proposed initial Maximum Assessment and assessment range formula established for STL Zone 147 is based on current property development Plans and estimated annual costs and expenses associated with all improvements to be accepted and maintained by STL Zone 147 at build-out.



Part III

The Cost Estimate: An estimate of the cost of streetlight maintenance, including incidental costs and expenses in connection therewith for Fiscal Year 2021-2022, is as set forth on the lists thereof, attached hereto.

Part IV

Assessment Diagram/Boundary Map: The Assessment Diagram/Boundary Map shows the parcels of land included within the boundaries of STL Zone 147. For details concerning the lines and dimensions of the applicable Assessor's Parcel Number(s), refer to the Riverside County Assessor's Map(s) as of the date of this Report.

Part V

Assessment Roll: Separate numbers given the subdivisions and parcels of land/lots and the initial Maximum Assessment per parcel or lot to be applied on the tax roll for Fiscal Year 2021-2022.

B. Description of Street Lighting Assessment Zone

The services to be provided by L&LMD No. 89-1-C STL Zone 147 include public street lighting which provides a special benefit to the parcel(s) to be assessed. The annexation of PPT190005 to L&LMD No. 89-1-C as STL Zone 147 will provide the financial mechanism (annual assessments) by which the ongoing operation and maintenance of these improvements and services will be funded. STL Zone 147's structure, proposed improvements, method of apportionment and assessments described in this Report are based on the Plans provided to Harris & Associates as of the date of this Report, including all estimated direct expenditures, incidental expenses, and reserves associated with the energizing, maintenance and servicing of the proposed improvements.



PART I – PLANS AND SPECIFICATIONS

A. Description of Improvements and Services for L&LMD No. 89-1-C

The following services were authorized pursuant to the County of Riverside Board of Supervisors approved Resolution No. 94-389 for L&LMD No. 89-1-C:

- L&LMD No. 89-1-C will annually levy an assessment on property within its boundaries to pay the cost of the following services and improvements in proportion to the special benefit provided to the parcels to be assessed:
 - The installation and planting of landscaping, including trees, shrubs, grass and other ornamental vegetation;
 - The installation or construction of statuary, fountains and other ornamental structures and facilities;
 - The installation or construction of public lighting facilities including but not limited to, traffic signals;
 - The installation or construction of any facilities which are appurtenant to any of the foregoing, or which are necessary or convenient for the maintenance or servicing thereof, including, but not limited to, grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks or paving, water irrigation, drainage or electrical facilities; and,
 - The maintenance and/or servicing of any of the foregoing.
- The street lighting improvements to be funded by L&LMD No. 89-1-C STL Zone 147 generally include the maintenance and servicing of:
 - Streetlights within the public right-of-way which were required to be installed as a condition of approval necessary for development of properties within the Street Lighting Assessment Zone.

B. Improvements and Services for L&LMD No. 89-1-C STL Zone 147

The services to be funded by L&LMD No. 89-1-C STL Zone 147 include the maintenance and servicing of one public streetlight adjacent to the parcel(s) within the public right-of-way known as:

- Harvill Avenue

The proposed improvements described in this Report are based on current development and improvement plans provided to Harris & Associates as of the date of this Report. Improvement plans include the Harvill Avenue Site Plan-Plot Plan Transmitted No. 190005 by RGA, Submittal 3 PPT190005 approved by Planning Commission 3/4/2020; and County of Riverside Street



Improvement Plans-Harvill Avenue, PPT190005, IP200043 by J.F. Davidson Associates, Inc., dated March 1991, approved by delta #9 revision to File 907-H, 12/21/2020 ("Plans").

C. Location of Street Lighting Zone 147

STL Zone 147 is located within the unincorporated area of the County of Riverside, State of California and is comprised of PPT190005. The area for STL Zone 147 is generally located south of Orange Avenue, east of Harvill Avenue, and west of West Frontage Road. At full development, STL Zone 147 is projected to include one (1) assessable commercial lot/unit and zero (0) non-assessable lots/units. STL Zone 147 currently consists of the lot/unit, parcel and subdivisions of land located in the following development area:

- PPT190005 – Assessor Parcel Number(s) as of the date of this Report:

305-100-065



PART II – METHOD OF APPORTIONMENT

A. Benefit Analysis

The proposed improvements, the associated costs, and assessments have been carefully reviewed, identified, and allocated based on special benefit.

The 1972 Act permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements, which include the construction, maintenance, and servicing of public lights, landscaping, dedicated easements for landscape use, and appurtenant facilities. The 1972 Act further provides that assessments may be apportioned upon all assessable lots or parcels of land within an assessment district in proportion to the estimated benefits to be received by each lot or parcel from the improvements rather than by assessed value.

Section 22573 of the 1972 Act gives the following instructions for apportioning assessments to the parcels within the district:

“The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements.”

In addition, Article XIII D of the California Constitution (“Article”) requires that a parcel's assessment may not exceed the reasonable cost of the proportional special benefit conferred on that parcel. The Article provides that only special benefits are assessable, and the County must separate the general benefits from the special benefits conferred on a parcel. A special benefit is a particular and distinct benefit over and above general benefits conferred on the public at large, including real property within the district. The general enhancement of property value does not constitute a special benefit.

The proposed improvements, the associated costs, and assessments have been carefully reviewed, and allocated based on the special benefit received by the parcels to be assessed as required by the 1972 Act and Article XIII D as described in the following section.



Special Benefit

The street lighting improvements within STL Zone 147 provide direct and special benefit to the lots or parcels within STL Zone 147. Therefore, the maintenance of these improvements also provides direct and special benefit by maintaining the functionality of the improvements and allowing the improvements to operate in a proper manner.

Public streetlights confer particular and distinct special benefits upon developable parcels within the District because of the nature of the improvements. The servicing of streetlights, and appurtenant facilities, specially benefit parcels within the District by allowing for the development of the parcel(s) and the economic benefit which results from development. Installation and ongoing maintenance of the streetlights will provide safety for employees and customers, reduced property-related crimes (especially vandalism), and increased traffic safety for ingress to and egress from the parcel(s) by improving visibility. Streetlights also help to define public rights-of-way for the safety of pedestrians and motorists by defining a specific path of travel during all hours of the day.

The installation and maintenance of streetlights within the public rights-of-way adjacent to STL Zone 147 provide a safer street environment for owners of the parcels served. Therefore, the installation of streetlights is for the express, special benefit of the parcel(s) within STL Zone 147.

Finally, the proper maintenance of public streetlights, and appurtenant structures, provides an enhanced quality of life and sense of well-being for owner(s) of properties within STL Zone 147.

STL Zone 147 does not include any government-owned parcels or easements, utility easements, or flood channel parcels.

Special Benefits of Landscaping and Lighting Maintenance District No. 89-1-C STL Zone 147 Authorized Improvements and Services:

The special benefits of street lighting are the provision of energy, convenience, safety, security of property, improvements and goods, specifically:

- Increased nighttime safety on roads and streets.
- Improved ability of pedestrians and motorists to see during the hours of darkness.
- Improved ingress to and egress from property.
- Reduced vandalism and other criminal acts and damage to improvements or property.
- Improved traffic circulation and reduced nighttime accidents and personal property loss.

General Benefit

The total benefit from the works of improvement is a combination of the special benefits to the parcels within STL Zone 147 and the general benefits to the public at large and to adjacent property owners. A portion of the total maintenance costs for the public street lighting, if any, associated with general benefits cannot not be assessed to the parcels in STL Zone 147, but would be paid from other Riverside County Transportation Department funds. Because the public streetlight improvements



are located adjacent to properties within STL Zone 147, were required as a condition of approval for the development of the property, and are maintained solely for the benefit of the properties within STL Zone 147, any benefit received by properties outside of STL Zone 147 is nominal. Therefore, the general benefit portion of the benefit received from the improvements for STL Zone 147 is zero.

Summary

In summary, no property is assessed in excess of the reasonable cost of the proportional special benefit conferred on that property. Additionally, benefits received by each parcel within STL Zone 147 are proportional to the lot size. Therefore, the proportionate share of the costs and expenses for the maintenance and servicing of the streetlights are apportioned on a per acre basis for all benefiting parcels within STL Zone 147.

B. Maximum Assessment Methodology

The following methodology for establishing the Maximum Annual Assessment was adopted by Riverside County Board of Supervisors in the annual Report approved on November 29, 1994. Such methodology has been maintained in preparation of this Report. The purpose of establishing a Maximum Assessment formula is to provide for reasonable increases and inflationary adjustments to annual assessments without requiring costly noticing and mailing procedures, which would add to STL Zone 147 costs and assessments.

The Maximum Assessment formula shall be applied to all assessable parcels of land within STL Zone 147. For STL Zone 147, the initial Maximum Assessment for Fiscal Year 2021-2022 is as follows:

- The initial Maximum Assessment established within STL Zone 147 (PPT190005) shall be \$252.
- The initial Maximum Assessment per assessable acre established within STL Zone 147 (PPT190005) shall be \$15.

The initial Maximum Assessment shall be adjusted by the greater of two percent (2%) or the cumulative percentage increase in the Consumer Price Index for all Urban Consumers for Electricity ("CPI-U-E") for Riverside-San Bernardino-Ontario California Standard Metropolitan Statistical Area ("Index") published by the Bureau of Labor Statistics of the United States Department of Labor (BLS). The annual CPI-U-E adjustment will be based on the cumulative increase, if any, in the Index as it stands in March of each year over the base Index of 2021, starting in Fiscal Year 2022-2023.

The Maximum Assessment is adjusted annually and is calculated independent of STL Zone 147's annual budget and proposed annual assessment. The proposed annual assessment (rate per acre) applied in any fiscal year is not considered to be an increased assessment if less than or equal to the Maximum Assessment amount. In no case shall the annual assessment exceed the Maximum Assessment.

Although the Maximum Assessment will increase each year, the actual STL Zone 147 assessments may remain virtually unchanged. The Maximum Assessment adjustment is designed to establish a



reasonable limit on STL Zone 147 assessments. The Maximum Assessment calculated each year does not require or facilitate an increase to the annual assessment and neither does it restrict assessments to the adjusted maximum amount. If the budget and assessments for the fiscal year require an increase and the increase is more than the adjusted Maximum Assessment, it is considered an increased assessment.

To impose an increased assessment, the County of Riverside must comply with the provisions of the California Constitution Article XIII D Section 4c, that requires a public hearing and certain protest procedures including mailed notice of the public hearing and property owner protest balloting. Property owners, through the balloting process, must approve the proposed assessment increase. If the proposed assessment is approved, then a new Maximum Assessment is established for STL Zone 147. If the proposed assessment is not approved, the County may not levy an assessment greater than the adjusted Maximum Assessment previously established for STL Zone 147.



C. Annual Assessment

The Method of Apportionment of the Assessment is based upon the relative special benefit derived from the improvements and conferred upon the assessable real property within STL Zone 147 over and above general benefit conferred upon the assessable real property within STL Zone 147 or to the public at large. The benefits received by each parcel within STL Zone 147 would be in proportion to the lot size. Therefore, the proportionate share of the costs and expenses for the maintenance and servicing of the streetlights are apportioned on a per acre basis for all benefiting parcels within STL Zone 147. Any Exempt Property within STL Zone 147 is specifically excluded from the apportionment calculation and is exempt from assessment.

The Assessment Rate per Acre within STL Zone 147 is calculated by dividing the total Annual Balance to Levy by the total Net Assessable Acres. The Assessment Rate per Acre is multiplied times the Net Assessable Acres of each parcel that is not Exempt. Total STL Zone 147 acres less Exempt Property acres, if any, equals total Net Assessable Acres. The Annual Balance to Levy is the Total Annual Street Lighting Costs as seen in Part III – Cost Estimate.

The Assessment Rate per Acre is calculated as follows:

Total Zone 147 Acres	16.84
Less: Reserved for Future Dedication	0.20
Net Assessable Acres	16.64

Annual Balance to Levy	\$252	=	\$15	Assessment Rate per Acre
Total Net Assessable Acres	16.64			

The Assessment for each Assessable Parcel for FY 2021-2022 is calculated as follows:

$$\text{Assessment Rate per Acre} \times \text{Net Assessable Acreage of each parcel that is not Exempt} = \text{Annual Assessment for each Assessable Parcel}$$



PART III – COST ESTIMATE

L&LMD NO. 89-1-C STL ZONE 147 (PPT190005) FOR FISCAL YEAR 2021-2022

Cost Description	Total Costs for STL Zone 147 ^{2,3}	Cost per Acre for STL Zone 147 ^{3,4}
Annual Energy Charge of \$219.00 per Streetlight For 1 Streetlight – 22,000 Lumen 200 Watt HPSV ¹	\$219	\$13
Maintenance Total	\$219	\$13
Administrative Costs	\$22	\$1
Contingency	\$11	\$1
Total Annual Street Lighting Costs	\$252	\$15

Initial Maximum Assessment for STL Zone 147 ⁵	\$252
--	-------

¹ HPSV means High Pressure Sodium Vapor.

² Projected base rates of services for Fiscal Year 2021-2022 were provided by the County of Riverside Transportation Department.

³ Total costs and cost per acre rounded to whole dollars.

⁴ Based on 16.64 Net Assessable Acres which is subject to change based on future parcel configuration.

⁵ The initial Maximum Assessment shall be adjusted annually by the greater of two percent or the cumulative percentage increase in the CPI-U-E Index published by the BLS.



PART IV – ASSESSMENT DIAGRAM/BOUNDARY MAP

Part IV – Assessment Diagram/Boundary Map

Fiscal Year 2021-2022 L&LMD NO. 89-1-C STL ZONE 147

The Assessment Diagram/Boundary Map for STL Zone 147 by this reference is incorporated and made a part of this Report. Only the parcels identified within STL Zone 147 Assessment Diagram are within said boundary.

If any parcel submitted for collection is identified by the County Auditor Controller to be an invalid parcel number for the current fiscal year, a corrected parcel number and/or new parcel number will be identified and resubmitted to the County Auditor Controller. The assessment amount to be levied and collected for the resubmitted parcel or parcels shall be based on the method of apportionment and assessment rate approved in this Report. Therefore, if a single parcel has changed to multiple parcels, the assessment amount applied to each of the new parcels shall be according to the approved method of apportionment and assessment rate rather than a proportionate share of the original assessment.

Information identified on this Assessment Diagram/Boundary Map was provided by the Riverside County Transportation Department.

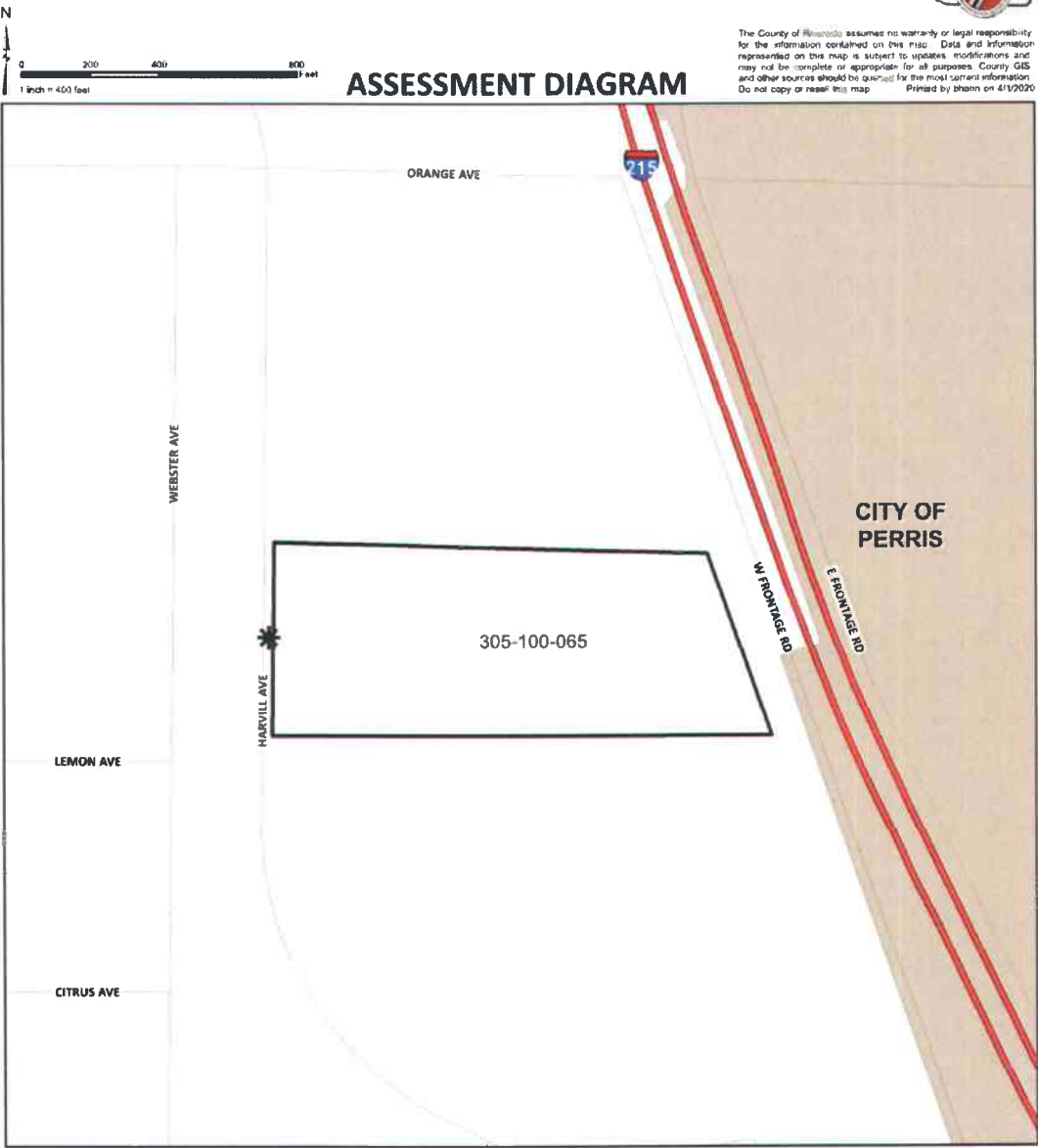
The STL Zone 147 Assessment Diagram/Boundary Map identifying the boundaries of parcels within PPT190005 in L&LMD No. 89-1-C STL Zone 147 is included in this Report for reference on the following page. For details concerning the lines and dimensions of the applicable Assessor's Parcel Numbers, refer to the County Assessor's Maps as of the date of this Report.

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1 CONSOLIDATED

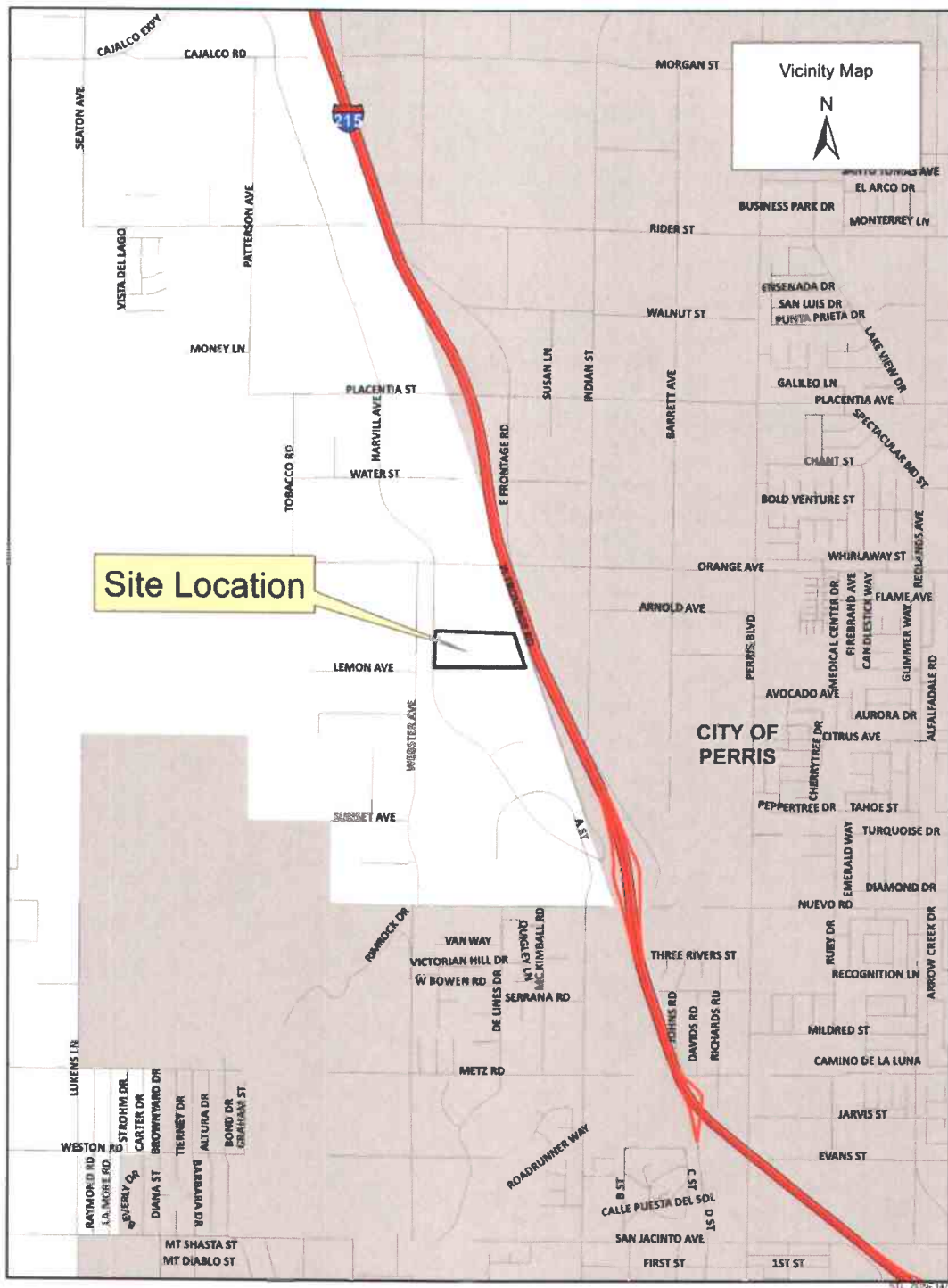
STREET LIGHT ZONE 147
PORTION(S) OF SECTION 19, T.4S., R3W.
PLOT PLAN TRANSMITTED NO. 190005
1 PARCEL



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 consulted for the most current information. Do not copy or reuse this map. Printed by bhenn on 4/1/2020



* DENOTES MAINTAINED ROW STREETLIGHT
□ DENOTES ZONE BOUNDARY





PART V – ASSESSMENT ROLL

Parcel identification for each lot/unit or parcel within STL Zone 147 shall be the parcel as shown on the Riverside County Secured Roll for the year in which this Report is prepared and reflective of the Assessor's Parcel Maps. STL Zone 147 includes the following APN(s) as of the date of this Report:

305-100-065

The initial Maximum Assessment for STL Zone 147 is as follows:

**L&LMD NO. 89-1-C STL ZONE 147
(PPT190005)
PROPOSED FISCAL YEAR 2021-2022 MAXIMUM ASSESSMENT¹**

PP	Assessor Parcel Number/ Lot No.	Net Assessable Acres	Maximum Assessment
PPT190005	305-100-065	16.64	\$252
Total		16.64	\$252

¹ The initial Maximum Assessment shall be adjusted annually by the greater of two percent or the cumulative percentage increase in the CPI-U-E Index published by the BLS.



WAIVER AND CONSENT

Waiver and Consent Regarding Date of Assessment Ballot Proceeding

There is one entity which owns all of the property within the proposed boundaries of STL Zone 147. Said property owner has executed a "Waiver and Consent Regarding Date of Assessment Ballot Proceeding" allowing for the proceeding and public hearing to be held on May 18, 2021. A copy of said waiver is filed herewith and made a part hereof as seen on the following page.



DocuSign Envelope ID: DFD931BB-8041-4FD3-BDBA-8C1DD304D2FE

**LANDSCAPING AND LIGHTING MAINTENANCE
DISTRICT NO. 89-1-CONSOLIDATED
OF THE COUNTY OF RIVERSIDE COUNTY OF RIVERSIDE, CALIFORNIA**

**WAIVER AND CONSENT REGARDING DATE OF
ASSESSMENT BALLOT PROCEEDING**

The undersigned, an authorized representative of RG Harvill Riv Co, LLC (the "Owner") owns property within the unincorporated area of the County of Riverside unincorporated area of the County of Riverside (the "County") represented by the following Assessor's Parcel Numbers for fiscal year (the "Property"): APN(s) 305-100-065.

The Owner has made application that the Property be annexed as Street Lighting Zone 147 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated of the County ("L&LMD No. 89-1-C") and certifies the following:

1. The Owner waives the requirements of Section 4000 of the Elections Code of the State of California (the "Elections Code") that the mailed ballot proceeding required for annexation and the levy of an annual assessment must be held on an established mailed ballot proceeding date pursuant to Section 1500 of the Election Code; and
2. The Owner consents to the mailed assessment ballot proceeding with respect to the levy of an annual assessment on the Property being held on May 18, 2021

OWNER: RG Harvill Riv Co, LLC
(Name of Company
as Stated in Initial Paragraph)

By: Michael Sajjadi 2/25/2021 | 12:02 EST
Signature

Name: Michael Sajjadi
Print

Title: Vice President

THE PRESS-ENTERPRISE

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

PROOF OF PUBLICATION
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Publication(s): The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: Notice of Intent - Resolution No. 2021-047 /

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:

03/31/2021

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

Date: March 31, 2021
At: Riverside, California


Legal Advertising Representative, The Press-Enterprise

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

Ad Number: 0011451621-01

P.O. Number:

TLMA /
Transportation
Item 3-39 of
03/23/21

Ad Copy:

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

RESOLUTION NO. 2021-047
RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING ITS INTENT TO ORDER THE ANNEXATION OF STREET LIGHTING ZONE 147 TO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 FOR THE MAINTENANCE AND SERVICING OF STREETLIGHTS; ADOPTING THE PRELIMINARY ENGINEER'S REPORT; GIVING NOTICE OF AND SETTING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE ANNEXATION OF STREET LIGHTING ZONE 147; ORDERING AN ASSESSMENT PROCEEDING; 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. 2021-046 on March 23, 2021 initiating proceedings for the annexation of Street Lighting Zone 147 (hereinafter "Street Lighting Zone 147"), 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. 891C") 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 Street Lighting Zone 147 and the assessments to be levied within Street Lighting Zone 147 each fiscal year beginning fiscal year 2021-22 for the maintenance and servicing of 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. 891C for Street Lighting Zone 147; and

WHEREAS, the Board of Supervisors by Resolution No. 2021-046 directed the Director of the Transportation Department, or their 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 Proceeding" allowing for the proceeding to be held on May 18, 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 Street Lighting Zone 147, and the assessments to be levied on parcels within Street Lighting Zone 147 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 March 23, 2021 as follows:

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

- The foregoing recitals are true and correct;
- 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;
- The annual assessment for fiscal year 2021-22 on all parcels within Street Lighting Zone 147 will be \$15.00 per acre.

Section 2. Intent. The Board of Supervisors hereby declares its intention to order the annexation of Street Lighting Zone 147, 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 147 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 Street Lighting Zone 147 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 Street Lighting Zone 147 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 147 of L&LMD No. 89-1-C are:

- 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 147 to L&LMD No. 891C will be \$15.00 per acre for fiscal year 2021-22. As stated in the Report, the total budget for Street Lighting Zone 147 for the fiscal year 2021-22 is \$252.00; there is 1 parcel that is to be assessed that aggregates to 16.64 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 ("CPIU") 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 CPIU 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 CPIU annual adjustment requires a majority approval of all the property owners in Street Lighting Zone 147. 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 147 of L&LMD No. 891C. 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. 891C is Street Lighting Zone 147. The boundaries of Street Lighting Zone 147 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 147, and the annual assessment to be levied upon assessable lots and parcels within Street Lighting Zone 147 proposed to be annexed to L&LMD No. 891-C.

Section 8. Public Hearing. The question of whether Street Lighting Zone 147 shall be annexed to L&LMD No. 891-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 May 18, 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 Street Lighting Zone 147 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 Street Lighting Zone 147 of L&LMD No. 891C, 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 9519556263, or by email at bhahn@rivco.org.

Section 11. Notice of the Public Hearing. Notice of Public Hearing with regard to the annexation of Street Lighting Zone 147 to L&LMD No. 891C shall be given consistent with Sections 22608 and 22588 of the Streets and Highways Code and Section 4 of Article XIID. The Clerk of the Board of Supervisors shall give notice of the Public Hearing by causing a certified copy of this Resolution to be published once in an appropriate newspaper at least ten (10) days prior to the date of the Public Hearing that is May 18, 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 Street Lighting Zone 147 as shown on the last equalized assessment roll of the County. Mailing is to be made by the Engineer and deposited with the U. S. Post Office at least forty-five (45) days prior to the Public Hearing on May 18, 2021.

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

ROLL CALL:

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt

Nays: None

Absent: None

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on March 23, 2021.

Kecia R. HARPER, Clerk of said Board
By: Hannah Lumanauw, Board Assistant

Any person affected by the above matter(s) may submit written comments to the Clerk of the Board before the public meeting or may appear and be heard in support of or opposition to the project at the time of the meeting. 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 meeting described in this notice, or in written correspondence, to the Board of Supervisors at, or prior to, the public meeting.

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

Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Clerk of the Board at (951) 955-1069, at least 72 hours prior to the hearing.

Dated: March 24, 2021 Kecia R. Harper, Clerk of the Board
By: Hannah Lumanauw, Board Assistant
Press-Enterprise: 3/31



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

March 24, 2021

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

PH: (951) 368-9225
E-MAIL: legals@pe.com

**RE: NOTICE OF PUBLIC HEARING: RESOLUTION NO. 2021-047 RESOLUTION OF
THE BOARD OF SUPERVISORS INTENDING TO ORDER THE ANNEXATION
OF STREET LIGHTING ZONE 147**

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Wednesday, March 31, 2021**.

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 THE COUNTY
RIVERSIDE

RESOLUTION NO. 2021-047

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE
DECLARING ITS INTENT TO ORDER THE ANNEXATION OF STREET LIGHTING ZONE 147
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 147 ; ORDERING AN ASSESSMENT PROCEEDING; 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. 2021-046 on March 23, 2021 initiating proceedings for the annexation of Street Lighting Zone 147 (hereinafter "Street Lighting Zone 147"), 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 Street Lighting Zone 147 and the assessments to be levied within Street Lighting Zone 147 each fiscal year beginning fiscal year 2021-22 for the maintenance and servicing of 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 147; and

WHEREAS, the Board of Supervisors by Resolution No. 2021-046 directed the Director of the Transportation Department, or their 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 Proceeding" allowing for the proceeding to be held on May 18, 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 Street Lighting Zone 147, and the assessments to be levied on parcels within Street Lighting Zone 147 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 March 23, 2021 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 2021-22 on all parcels within Street Lighting Zone 147 will be \$15.00 per acre.

Section 2. Intent. The Board of Supervisors hereby declares its intention to order the annexation of Street Lighting Zone 147, 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 147 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 Street Lighting Zone 147 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 Street Lighting Zone 147 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 147 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 147 to L&LMD No. 89-1-C will be \$15.00 per acre for fiscal year 2021-22. As stated in the Report, the total budget for Street Lighting Zone 147 for the fiscal year 2021-22 is \$252.00; there is 1 parcel that is to be assessed that aggregates to 16.64 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 Street Lighting Zone 147. 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 147 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 147. The boundaries of Street Lighting Zone 147 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 147, and the annual assessment to be levied upon assessable lots and parcels within Street Lighting Zone 147 proposed to be annexed to L&LMD No. 89-1-C.

Section 8. Public Hearing. The question of whether Street Lighting Zone 147 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 May 18, 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 Street Lighting Zone 147 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 Street Lighting Zone 147 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 Street Lighting Zone 147 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 XIID. The Clerk of the Board of Supervisors shall give notice of the Public Hearing by causing a certified copy of this Resolution to be published once in an appropriate newspaper at least ten (10) days prior to the date of the Public Hearing that is May 18, 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 Street Lighting Zone 147 as shown on the last equalized assessment roll of the County. Mailing is to be made by the Engineer and deposited with the U. S. Post Office at least forty-five (45) days prior to the Public Hearing on May 18, 2021.

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

ROLL CALL:

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

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on March 23, 2021.

KECIA R. HARPER, Clerk of said Board
By: Hannah Lumanauw, Board Assistant

Any person affected by the above matter(s) may submit written comments to the Clerk of the Board before the public meeting or may appear and be heard in support of or opposition to the project at the time of the meeting. 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 meeting described in this notice, or in written correspondence, to the Board of Supervisors at, or prior to, the public meeting.

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Dated: March 24, 2021

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