

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



**ITEM: 19.1
(ID # 21040)**

MEETING DATE:

Tuesday, January 31, 2023

FROM : TLMA-TRANSPORTATION:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION:
Public Hearing on the Annexation of Street Lighting Zone 155 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Winchester, District 3. [\$3,543 Ongoing Cost - L&LMD No. 89 1 C 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. With regard to the annexation of Street Lighting Zone 155 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated, conduct the public hearing and, after closing the public hearing, direct the Director of Transportation, or their designee, who the Board of Supervisors finds to be an impartial person as that term is used in Section 53753(e) of the Government Code, to tabulate all assessment ballots received prior to the close of the public hearing. All assessment ballots received prior to the close of the public hearing will be tabulated at 10:00 a.m. on Wednesday, February 1, 2023 in Conference Room B on the 8th Floor of the County Administrative Center, 4080 Lemon Street, Riverside, California. Staff is directed to cause the appropriate resolution, based on the proceeding tabulation, to be prepared and returned to the Board of Supervisors for its consideration.

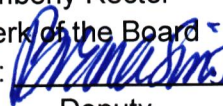
ACTION:Policy


Mark Lancaster, Director of Transportation 1/13/2023

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Spiegel, Washington, Perez and Gutierrez
Nays: None
Absent: None
Date: January 31, 2023
xc: Transp.

Kimberly Rector
Clerk of the Board
By: 
Deputy

**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	\$3,543	N/A	\$3,543
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:	23/24

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

Pursuant to the Landscaping and Lighting Act of 1972 and Resolution No. 2022-042 adopted December 13, 2022 (Agenda Item 3.48), the Board of Supervisors gave notice of a public hearing for January 31, 2023, to receive testimony regarding the Annexation of Street Lighting Zone 155 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated (L&LMD No. 89-1-C). Annexation of Street Lighting Zone 155 will fund the maintenance and servicing of streetlights within public rights-of-way located south of Domengoni Parkway and east of Leon Road in the Winchester area and includes 378 condominium units totalling 26.17 acres.

The annexation of territory to an existing assessment district formed under the Landscaping and Lighting Act is a change of organization that requires a public hearing as part of the annexation process. Sts. & Hy. Code §§ 22605(a), 22607, 22588; Gov't. Code § 53753(d).

On December 14, 2022 a notice of the public hearing and information sheet, a mail-in assessment ballot, an impartial analysis, and a copy of Resolution No. 2022-042 was mailed to all property owners within Street Lighting Zone 155, proposed for annexation to L&LMD No. 89-1-C. Pursuant to the notice, all assessment ballots must be returned prior to the conclusion of the public hearing.

Notice of the public hearing was also given by publication of a certified copy of Resolution No. 2022-042 in an appropriate newspaper at least ten (10) days prior to the public hearing date and by posting a certified copy of Resolution No. 2022-042 on the official bulletin board customarily used by the Board of Supervisors for the posting of notices and in two (2) other public locations within the County.

Impact on Residents and Businesses

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

Only the commercial property owners within the proposed boundaries of Street Lighting Zone 155, which are represented by Tract Map No. 33145 (TR33145), as described in the

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

attached Exhibit "A" (a two-page exhibit containing a description and diagram) are impacted by the cost of this annexation. The property owners within the proposed boundaries of Street Lighting Zone 155 have petitioned the County of Riverside to annex their property to L&LMD No. 89-1-C and understand that this annexation will result in an assessment on their property to fund the maintenance and servicing of the aforementioned improvements (streetlights).

SUPPLEMENTAL:

Additional Fiscal Information

The proposed budget for fiscal year 2023-24 for Street Lighting Zone 155 is \$3,543. This will result in an assessment for fiscal year 2023-24 within Street Lighting Zone 155 of \$9.38 per condominium units. 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_Electricity), if any, as it stands as of March of each year over the base index for March of 2022.

Contract History and Price Reasonableness

N/A

ATTACHMENTS:

Exhibit A



Jason Farin, Principal Management Analyst 1/23/2023



Aaron Gettis, Deputy County Counsel 1/19/2023

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



ITEM: 3.48
(ID # 20579)

MEETING DATE:

Tuesday, December 13, 2022

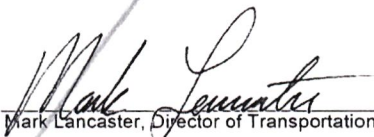
FROM : TLMA-TRANSPORTATION:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION:
Adopt Resolution No. 2022-041 and Resolution No. 2022-042 to Initiate proceedings for the Annexation of Street Lighting Zone 155 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Winchester, District 3. [\$3,543 Ongoing Cost - L&LMD No. 89-1-C 100%]
(Set for Public Hearing on January 31, 2023) (Clerk to Advertise)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. 2022-041 a Resolution of the Board of Supervisors of the County of Riverside initiating proceedings for the annexation of Street Lighting Zone 155 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. 2022-042, a Resolution of the Board of Supervisors of the County of Riverside declaring its intent to order the annexation of Street Lighting Zone 155 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 155, 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
3. Set the public hearing on the annexation of Street Lighting Zone 155 for January 31, 2023, 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)

ACTION: Set for Hearing, Policy


Mark Lancaster, Director of Transportation

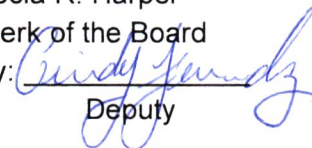
11/21/2022

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Washington, seconded by Supervisor Spiegel and duly carried, IT WAS ORDERED that the above matter is approved as recommended and is set for public hearing on Tuesday, January 31, 2023, at 9:30 a.m. or as soon as possible thereafter.

Ayes: Jeffries, Spiegel, Washington, and Hewitt
Nays: None
Absent: Perez
Date: December 13, 2022
xc: Trans., COBs/ZM

Kecia R. Harper
Clerk of the Board

By: 
Deputy

**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	\$3,543	\$0	\$3,543
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: 2023/24	

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 residential property owner of Tract Map No. 33145, 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 155. The boundaries of Street Lighting Zone 155 will encompass the entire Tract Map No. 33145 and will include the maintenance and servicing of streetlights.

Adoption of Resolution No. 2022-041 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 155 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated ("L&LMD No. 89-1-C").

Resolution No. 2022-042 declares the Board of Supervisors' intention of ordering the annexation of Street Lighting Zone 155 to L&LMD No. 89-1-C. The annexation of Street Lighting Zone 155 to L&LMD No. 89-1-C will fund the maintenance and servicing of streetlights within public right-of-way located south of Domengoni Parkway and east of Leon Road in the Winchester area and includes 378 condominium units totalling 26.17 acres.

Consistent with the Board of Supervisors' direction regarding compliance with Article XIIID 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 31, 2023 to receive testimony for and against the proposed assessment. Each property owner within the proposed Street Lighting Zone 155 will receive a notice of the public hearing and mail-

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

in assessment ballot, an impartial analysis, a copy of Resolution No. 2022-042, 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 155 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 155 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 January 31, 2023.

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 2022-23 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

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

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

Only the residential property owners within the proposed boundaries of Street Lighting Zone 155, which are represented by Tract Map No. 33145, 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 2023-24 for Street Lighting Zone 155 is \$3,543. This will result in an assessment for fiscal year 2023-24 within Street Lighting Zone 155 of \$9.38 per condominium parcel. The annual assessment may be adjusted annually by the greater of 2% or the cumulative percentage increase in the Consumer Price Index for all Urban Consumers for electricity (CPI-U), if any, as it stands as of March of each year over the base index for March of 2022.

Contract History and Price Reasonableness

N/A

ATTACHMENTS:

Location Map
Exhibit A
Resolution No. 2022-041
Resolution No. 2022-042
Engineer's Report



Jason Farin, Principal Management Analyst 12/7/2022



Aaron Gettis, Deputy County Counsel 12/1/2022

RESOLUTION NO. 2022-041

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE INITIATING PROCEEDINGS FOR THE ANNEXATION OF STREET LIGHTING ZONE 155 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 155"), 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 155 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 155; and

WHEREAS, the Applicant has executed a "Waiver and Consent Regarding Date of Assessment Ballot Proceeding" allowing for the proceeding to be held on January 31, 2023; 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

FORM APPROVED COUNTY COUNSEL
BY: *Caroline K. Monroy* 12-1-22
DATE
CAROLINE K. MONROY

1 to serve as the engineer (hereinafter the "Engineer") for the County with regard to the annexation of
2 Street Lighting Zone 155 to L&LMD No. 89-1-C.

3 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the
4 Board of Supervisors of the County of Riverside assembled in regular session on December 13, 2022
5 as follows:

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

8 **Section 2. Annexation.** The Board of Supervisors proposes to annex Street Lighting
9 Zone 155 to L&LMD No. 89-1-C and to initiate and conduct proceedings therefor pursuant to the Act for
10 the purpose of levying an annual assessment on all parcels within Street Lighting Zone 155 to pay the
11 costs of the following services:

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

14 **Section 3. Boundaries and Designation.** The boundaries of Street Lighting
15 Zone 155 that are proposed to be annexed to L&LMD No. 89-1-C shall include all of the property as
16 shown and described in Exhibit "A".

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

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

2
3 RESOLUTION NO. 2022-041

4 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF
5 RIVERSIDE INITIATING PROCEEDINGS FOR THE ANNEXATION OF
6 STREET LIGHTING ZONE 155 TO LANDSCAPING AND LIGHTING
7 MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF
8 RIVERSIDE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF
9 1972 AND ORDERING PREPARATION OF ENGINEER'S REPORT
10 REGARDING SAID ANNEXATION

11 ROLL CALL:

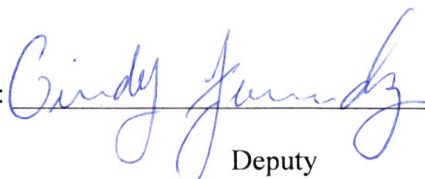
12
13 Ayes: Jeffries, Spiegel, Washington, and Hewitt

14 Nays: None

15 Absent: Perez
16
17

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

21 KECIA R. HARPER, Clerk of said Board

22
23 By:  Deputy
24
25

2 RESOLUTION NO. 2022-042

3 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING
4 ITS INTENT TO ORDER THE ANNEXATION OF STREET LIGHTING ZONE 155 TO LANDSCAPING
5 AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF
6 RIVERSIDE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 FOR THE
7 MAINTENANCE AND SERVICING OF STREETLIGHTS; ADOPTING THE PRELIMINARY
8 ENGINEER'S REPORT; GIVING NOTICE OF AND SETTING THE TIME AND PLACE OF THE
9 PUBLIC HEARING ON THE THE ANNEXATION OF STREET LIGHTING ZONE 155 ; ORDERING AN
10 ASSESSMENT PROCEEDING; ORDERING AN ASSESSMENT BALLOT PROCEEDING
11 CONDUCTED BY MAIL; AND DIRECTING NOTICE OF THE PUBLIC HEARING AND THE
12 ASSESSMENT BALLOT TO BE MAILED PURSUANT TO SAID ACT AND ARTICLE XIID OF THE
13 CALIFORNIA CONSTITUTION AND SECTION 4000 OF THE ELECTIONS CODE

14 WHEREAS, the Board of Supervisors (hereinafter the "Board of Supervisors") of the County of
15 Riverside (hereinafter the "County") has adopted Resolution No. 2022-041 on December 13, 2022
16 initiating proceedings for the annexation of Street Lighting Zone 155 (hereinafter "Street Lighting Zone
17 155"), as described and shown in Exhibit "A", which is attached hereto and incorporated herein, to
18 Landscaping and Lighting Maintenance District No. 89-1-Consolidated of the County of Riverside, State
19 of California, (hereinafter "L&LMD No. 89-1-C") pursuant to the Landscaping and Lighting Act of 1972
20 (hereinafter the "Act"), which is Part 2 (commencing with Section 22500) of Division 15 of the Streets and
21 Highways Code (hereinafter the "Streets and Highways Code"), and ordering the preparation of a report
22 (hereinafter the "Report") regarding the proposed annexation of Street Lighting Zone 155 and the
23 assessments to be levied within Street Lighting Zone 155 each fiscal year beginning fiscal year 2023-24
24 for the maintenance and servicing of streetlights within the public right-of-way within said zone; and

25 WHEREAS, such proceedings shall comply with the requirements of Article XIID of the California
26 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 155;
and

WHEREAS, the Board of Supervisors by Resolution No. 2022-041 directed the Director of the
Transportation Department, or their designee (hereinafter the "Engineer"), to prepare and file the Report

FORM APPROVED COUNTY COUNSEL
BY: *Caroline K. Monroy* 12/13/22
DATE
CAROLINE K. MONROY

DEC 13 2022 3.48

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 January 31, 2023; 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 155, and the assessments to be levied on parcels within Street
11 Lighting Zone 155 beginning in fiscal year 2023-24;

12 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the Board
13 of Supervisors in regular session assembled on December 13, 2022 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 2023-24 on all parcels within Street Lighting
20 Zone 155 will be \$9.38 per condominium parcel.

21 **Section 2. Intent.** The Board of Supervisors hereby declares its intention to order the
22 annexation of Street Lighting Zone 155, 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 155 commencing with the fiscal year 2023-24 as set forth in the Report. The Report
25 expressly states that there are no parcels or lots within Street Lighting Zone 155 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 155 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 155 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 155 to L&LMD No. 89-1-C will be \$9.38 per condominium
13 parcel for fiscal year 2023-24. As stated in the Report, the total budget for Street Lighting Zone 155 for
14 the fiscal year 2023-24 is \$3,543; there are 2 parcels that are to be assessed that aggregate to 378 future
15 condominium parcels. Each succeeding fiscal year the special assessment may be subject to an annual
16 adjustment that is the greater of two percent (2%) or the cumulative percentage increase, if any, in the
17 Consumer Price Index for all Urban Consumers for electricity ("CPI-U") for the Riverside-San Bernardino-
18 Ontario California Standard Metropolitan Statistical area ("Index") published by the Bureau of Labor
19 Statistics of the United States Department of Labor. The annual CPI-U adjustment will be based on the
20 cumulative increase, if any, in the Index as it stands on March of each year over the base Index for March
21 of 2022. Any increase larger than the greater of 2% or the CPI-U annual adjustment requires a majority
22 approval of all the property owners in Street Lighting Zone 155. The Board of Supervisors will levy the
23 assessment in each subsequent fiscal year until the Board of Supervisors undertakes proceedings for
24 the dissolution of Street Lighting Zone 155 of L&LMD No. 89-1-C. The annual assessment will fund the
25 services described in Section 4 of this Resolution. For further particulars, reference is to be made to the
26 Report on file in the Office of the Clerk of the Board of Supervisors.

1 **Section 6. The Property to be Annexed.** The property to be annexed to L&LMD No. 89-1-C
2 is Street Lighting Zone 155. The boundaries of Street Lighting Zone 155 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 155, and
7 the annual assessment to be levied upon assessable lots and parcels within Street Lighting Zone 155
8 proposed to be annexed to L&LMD No. 89-1-C.

9 **Section 8. Public Hearing.** The question of whether Street Lighting Zone 155 shall be
10 annexed to L&LMD No. 89-1-C and an annual assessment levied beginning with fiscal year 2023-24 shall
11 be considered at a public hearing (hereinafter the "Public Hearing") to be held on January 31, 2023, at
12 9:30 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 155
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 155 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.

1 **Section 11. Notice of the Public Hearing.** Notice of Public Hearing with regard to the
2 annexation of Street Lighting Zone 155 to L&LMD No. 89-1-C shall be given consistent with Sections
3 22608 and 22588 of the Streets and Highways Code and Section 4 of Article XIID. The Clerk of the
4 Board of Supervisors shall give notice of the Public Hearing by causing a certified copy of this Resolution
5 to be published once in an appropriate newspaper at least ten (10) days prior to the date of the Public
6 Hearing that is January 31, 2023. Publication of this Resolution is to be effected by the Clerk of the Board
7 of Supervisors. Notice shall also be given by mailing first-class, postage prepaid, those notices, as
8 prepared by County Counsel, assessment ballot and information sheets as required by Section 4 of
9 Article XIID and Section 4000 of the California Elections Code to all owners of record of property within
10 Street Lighting Zone 155 as shown on the last equalized assessment roll of the County. Mailing is to be
11 made by the Engineer and deposited with the U. S. Post Office at least forty-five (45) days prior to the
12 Public Hearing on January 31, 2023.


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

14 ROLL CALL:

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

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

20 KECIA R. HARPER, Clerk of said Board

21 By:  _____
22 Deputy

23 12.13.2022 3.48

EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

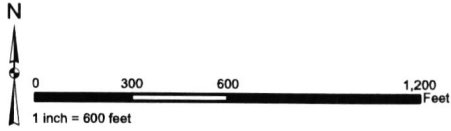
The boundaries of Street Lighting Zone 155 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside, County of Riverside, are coterminous with the boundaries of APN 461-190-072 and 461-190-088 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2022-23.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

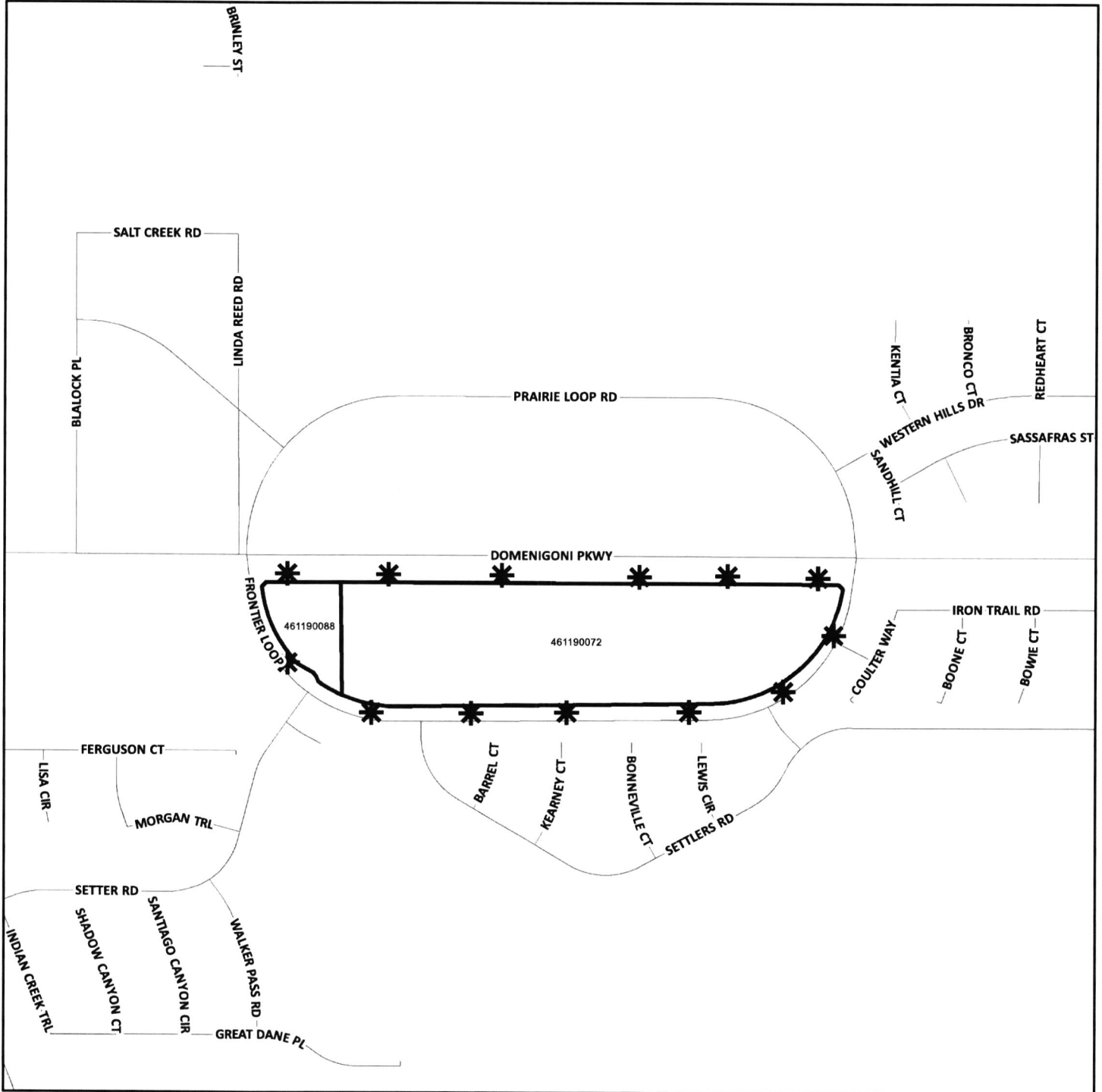
STREET LIGHT ZONE 155
PORTION(S) OF SECTION 32, T.5S., R.2W.
TRACT MAP NO. 33145
2 PARCELS



The County of Riverside assumes no warranty or legal responsibility for the information contained on this map. Data and information represented on this map is subject to updates, modifications and may not be complete or appropriate for all purposes. County GIS and other sources should be queried for the most current information. Do not copy or resell this map. Printed by BHANN on 4/1/2021



ASSESSMENT DIAGRAM



* DENOTES MAINTAINED ROW STREETLIGHT

▭ DENOTES ZONE BOUNDARY