

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



ITEM: 3.36  
(ID # 21727)

**MEETING DATE:**  
Tuesday, May 09, 2023

**FROM :** TLMA-TRANSPORTATION:

**SUBJECT:** TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION:  
Adopt Resolution No. 2023-019 and Resolution No. 2023-020 to Initiate proceedings for the Annexation of Street Lighting Zone 154 to Landscaping and Lighting Maintenance District Number 89-1-Consolidated, Mead Valley, District 1. [\$5,524 Ongoing Cost - L&LMD Number 89 1 C 100%] (Set for Public Hearing on June 27, 2023) (Clerk to Advertise)

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

1. Adopt Resolution No. 2023-019 a Resolution of the Board of Supervisors of the County of Riverside initiating proceedings for the annexation of Street Lighting Zone 154 to Landscaping and Lighting Maintenance District Number 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**

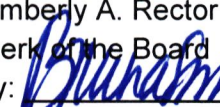
  
Mark Lancaster, Director of Transportation 4/19/2023

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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Gutierrez, seconded by Supervisor Perez 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: May 9, 2023  
xc: Trans., COBAB/CF

Kimberly A. Rector  
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:

2. Adopt Resolution No. 2023-020, a Resolution of the Board of Supervisors of the County of Riverside declaring its intent to order the annexation of Street Lighting Zone 154 to Landscaping and Lighting Maintenance District Number 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 154, 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 154 for June 27, 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 Advrtise)

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 0	\$ 5,524	\$ 0	\$ 5,524
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS:</b> L&LMD No. 89-1-C – 100% There are no General Funds used in this project.			<b>Budget Adjustment:</b> N/A	
			<b>For Fiscal Year:</b> 23/24	

**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 commercial property owner of Plot Plan Tentative Number 190011 (PPT190011), as described

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

in the attached Exhibit "A", has petitioned the County to annex their property into L&LMD Number 89-1-C, creating Street Lighting Zone 154. The boundaries of Street Lighting Zone 154 will encompass the entire PPT190011 and will include the maintenance and servicing of streetlights.

Adoption of Resolution No. 2023-019 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 154 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated (L&LMD Number 89-1-C).

Resolution No. 2023-020 declares the Board of Supervisors' intention of ordering the annexation of Street Lighting Zone 154 to L&LMD Number 89-1-C. The annexation of Street Lighting Zone 154 to L&LMD Number 89-1-C will fund the maintenance and servicing of streetlights within public right-of-way located north Markham Street, south of Nandina Avenue, east of Day Street and west of Interstate 215 in the Mead Valley area and includes totalling 38.63 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 June 27, 2023 to receive testimony for and against the proposed assessment. Each property owner within the proposed Street Lighting Zone 154 will receive a notice of the public hearing and mail-in assessment ballot, an impartial analysis, a copy of Resolution No. 2023-020, 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 154 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 154 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 June 27, 2023.

**Reference**

At the direction of the County of Riverside Board of Supervisors, L&LMD Number 89-1-C was formed in 1994 by Resolution No. 94-389 authorizing the annexation of new zones into L&LMD Number 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.

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

The zone-specific Engineer's Report for fiscal year 2023-24 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.

Only the commercial property owners within the proposed boundaries of Street Lighting Zone 154, which are represented by PPT190011, 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 154 is \$5,524. This will result in an assessment for fiscal year 2023-24 within Street Lighting Zone 154 of \$143 per acre, based on 38.63 acres. 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 2023.

**Contract History and Price Reasonableness**

N/A

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

ATTACHMENTS:

Location Map

Exhibit A

Resolution No. 2023-019

Resolution No. 2023-020

Engineer's Report

  
Jason Farin, Principal Management Analyst 5/4/2023

  
Aaron Gettis, Deputy County Counsel 4/27/2023

2 RESOLUTION NO. 2023-019

3 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE INITIATING  
4 PROCEEDINGS FOR THE ANNEXATION OF STREET LIGHTING ZONE 154 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 AND ORDERING  
7 PREPARATION OF ENGINEER’S REPORT REGARDING SAID ANNEXATION

8 WHEREAS, the Board of Supervisors (hereinafter the “Board of Supervisors”) of the County of  
9 Riverside (hereinafter the “County”) has been advised by the Riverside County Transportation  
10 Department (hereinafter “Department”) that said Department has received an application from the  
11 owner (the “Applicant”) of all the property within the unincorporated area of the County (hereinafter  
12 “Street Lighting Zone 154”), as shown and described in Exhibit “A”, which is attached hereto and made  
13 a part hereof, to be annexed to Landscaping and Lighting Maintenance District No. 89-1-Consolidated  
14 (hereinafter L&LMD Number 89-1-C) of the County of Riverside, State of California, and the Board of  
15 Supervisors has determined that it is necessary and desirable to initiate proceedings for the annexation  
16 of Street Lighting Zone 154 to L&LMD Number 89-1-C pursuant to the Landscaping and Lighting Act of  
17 1972, Part 2 (commencing with Section 22500) of Division 15 of the Streets and Highways Code  
18 (hereinafter, respectively, the “Act” and the “Streets and Highways Code”); and

19 WHEREAS, such proceedings shall comply with the requirements of Article XIID of the  
20 California Constitution and Section 4000 of the Elections Code requiring voter approval of the proposed  
21 assessment to be levied by L&LMD Number 89-1-C for Street Lighting Zone 154; and

22 WHEREAS, the Applicant has executed a “Waiver and Consent Regarding Date of Assessment  
23 Ballot Proceeding” allowing for the proceeding to be held on June 27, 2023; and

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

FORM APPROVED COUNTY COUNSEL  
BY Caroline K. Monroy 4-27-23  
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 154 to L&LMD Number 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 May 9, 2023 as  
5 follows:

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

8 **Section 2. Annexation.** The Board of Supervisors proposes to annex Street Lighting  
9 Zone 154 to L&LMD Number 89-1-C and to initiate and conduct proceedings therefor pursuant to the  
10 Act for the purpose of levying an annual assessment on all parcels within Street Lighting Zone 154 to  
11 pay the costs of the following services:

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

14  
15 **Section 3. Boundaries and Designation.** The boundaries of Street Lighting  
16 Zone 154 that are proposed to be annexed to L&LMD Number 89-1-C shall include all of the property  
17 as shown and described in Exhibit "A".

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

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

2  
3 RESOLUTION NO. 2023-019

4 A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE  
5 INITIATING PROCEEDINGS FOR THE ANNEXATION OF STREET LIGHTING ZONE 154  
6 TO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED  
7 OF THE COUNTY OF RIVERSIDE PURSUANT TO THE LANDSCAPING AND LIGHTING  
8 ACT OF 1972 AND ORDERING PREPARATION OF ENGINEER'S REPORT REGARDING  
9 SAID ANNEXATION

10  
11 ROLL CALL:

12  
13 Ayes: Jeffries, Spiegel, Washington, Perez and Gutierrez

14 Nays: None

15 Absent: None

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 KIMBERLY A. RECTOR, Clerk of said Board

22  
23 By: 

24 Deputy



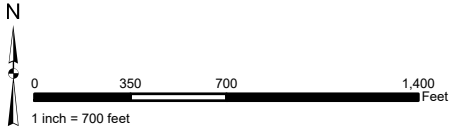
**EXHIBIT "A"**

**DESCRIPTION OF BOUNDARIES**

The boundaries of Street Lighting Zone 154 to be annexed into Landscaping and Lighting Maintenance District Number 89-1-Consolidated, of the County of Riverside, County of Riverside, are coterminous with the boundaries of APN 295-310-084, 295-310-086 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2023-24.

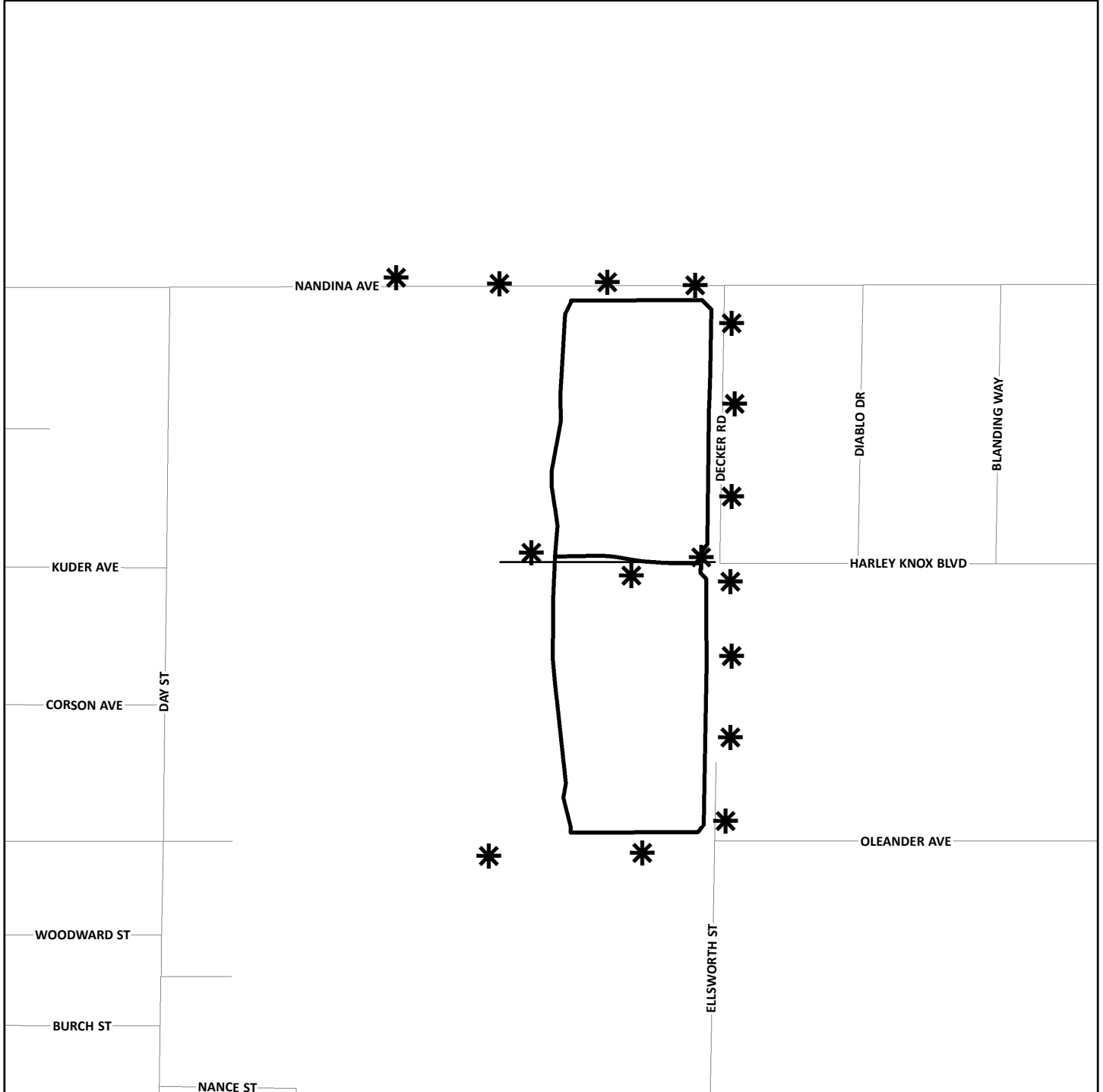
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**STREET LIGHT ZONE 154**  
PORTION(S) OF SECTION 35, T.3S., R.4W.  
PLOT PLAN NO. 190011  
4 PARCELS



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 BHAWN on 4/1/2023

**ASSESSMENT DIAGRAM**



 DENOTES MAINTAINED ROW STREETLIGHT  
 DENOTES ZONE BOUNDARY

2 RESOLUTION NO. 2023-020

3 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING  
4 ITS INTENT TO ORDER THE ANNEXATION OF STREET LIGHTING ZONE 154 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 154 ; 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. 2023-019 on May 9, 2023 initiating  
16 proceedings for the annexation of Street Lighting Zone 154 (hereinafter "Street Lighting Zone 154"), as  
17 described and shown in Exhibit "A", which is attached hereto and incorporated herein, to Landscaping  
18 and Lighting Maintenance District No. 89-1-Consolidated of the County of Riverside, State of California,  
19 (hereinafter L&LMD Number 89-1-C) pursuant to the Landscaping and Lighting Act of 1972 (hereinafter  
20 the "Act"), which is Part 2 (commencing with Section 22500) of Division 15 of the Streets and Highways  
21 Code (hereinafter the "Streets and Highways Code"), and ordering the preparation of a report  
22 (hereinafter the "Report") regarding the proposed annexation of Street Lighting Zone 154 and the  
23 assessments to be levied within Street Lighting Zone 154 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  
26 California Constitution (hereinafter "Article XIID"), the Act, and Section 4000 of the Elections Code  
requiring voter approval of the proposed assessment to be levied by L&LMD Number 89-1-C for Street  
Lighting Zone 154; and

WHEREAS, the Board of Supervisors by Resolution No. 2023-019 directed the Director of the  
Transportation Department, or their designee (hereinafter the "Engineer"), to prepare and file the

FORM APPROVED COUNTY COUNSEL  
BY: *Caroline K. Monroy* 5-24-23  
CAROLINE K. MONROY DATE

1 Report with the Clerk of the Board of Supervisors in accordance with Sections 22608 and 22585 et.  
2 seq. of the 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  
4 the Report has been presented to and considered by the Board of Supervisors; and

5 **WHEREAS**, the Applicant has executed a "Waiver and Consent Regarding Date of Assessment  
6 Ballot Proceeding" allowing for the proceeding to be held on June 27, 2023; and

7 **WHEREAS**, it is necessary that the Board of Supervisors adopt a resolution of intention  
8 pursuant to Section 22587 of the Streets and Highways Code, which fixes and gives notice, pursuant to  
9 Section 22588 of the Streets and Highways Code, of the time and place of a public hearing on said  
10 Report, the annexation of Street Lighting Zone 154, and the assessments to be levied on parcels within  
11 Street Lighting Zone 154 beginning in fiscal year 2023-24;

12 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the  
13 Board of Supervisors in regular session assembled on May 9, 2023 as follows:

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

15 (a) The foregoing recitals are true and correct;

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

19 (c) The annual assessment for fiscal year 2023-24 on all parcels within Street Lighting  
20 Zone 154 will be \$143 per acre.

21 **Section 2. Intent.** The Board of Supervisors hereby declares its intention to order the  
22 annexation of Street Lighting Zone 154, as described and shown in Exhibit "A", to L&LMD Number 89-  
23 1-C, and to levy and collect an annual assessment on all assessable lots and parcels of property within  
24 Street Lighting Zone 154 commencing with the fiscal year 2023-24 as set forth in the Report. The  
25 Report expressly states that there are no parcels or lots within Street Lighting Zone 154 that are owned  
26 by a federal, state or other local governmental agency that will benefit from the services to be financed

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

4 |       **Section 3. Boundaries.** All the property within the boundaries of Street Lighting Zone 154  
5 | is proposed to be annexed to L&LMD Number 89-1-C and shall include that property in the  
6 | unincorporated area of the County as described and shown in Exhibit "A".

7 |       **Section 4. Description of Services to be Provided** . The services authorized for Street  
8 | Lighting Zone 154 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 |  
12 |       **Section 5. Amount to be Levied.** The assessment to be levied upon each parcel that  
13 | benefits from the annexation of Street Lighting Zone 154 to L&LMD Number 89-1-C will be \$143 per  
14 | acre for fiscal year 2023-24. As stated in the Report, the total budget for Street Lighting Zone 154 for  
15 | the fiscal year 2023-24 is \$5,524; there are parcels that are to be assessed that aggregate to 38.63  
16 | acres. Each succeeding fiscal year the special assessment may be subject to an annual adjustment  
17 | that is the greater of two percent (2%) or the cumulative percentage increase, if any, in the Consumer  
18 | Price Index for all Urban Consumers for electricity ("CPI-U") for the Riverside-San Bernardino-Ontario  
19 | California Standard Metropolitan Statistical area ("Index") published by the Bureau of Labor Statistics of  
20 | the United States Department of Labor. The annual CPI-U adjustment will be based on the cumulative  
21 | increase, if any, in the Index as it stands on March of each year over the base Index for March of 2023.  
22 | Any increase larger than the greater of 2% or the CPI-U annual adjustment requires a majority approval  
23 | of all the property owners in Street Lighting Zone 154. The Board of Supervisors will levy the  
24 | assessment in each subsequent fiscal year until the Board of Supervisors undertakes proceedings for  
25 | the dissolution of Street Lighting Zone 154 of L&LMD Number 89-1-C. The annual assessment will fund  
26 |

1 the services described in Section 4 of this Resolution. For further particulars, reference is to be made to  
2 the Report on file in the Office of the Clerk of the Board of Supervisors.

3 **Section 6. The Property to be Annexed.** The property to be annexed to L&LMD No.  
4 89-1-C is Street Lighting Zone 154. The boundaries of Street Lighting Zone 154 are located within the  
5 unincorporated area of the County and are described and shown in the Report and Exhibit "A".

6 **Section 7. Report.** The Report, which is on file with the Clerk of the Board of Supervisors  
7 and which has been presented to the Board of Supervisors, is hereby approved. Reference is made to  
8 the Report for a full and detailed description of the services, the boundaries of Street Lighting  
9 Zone 154, and the annual assessment to be levied upon assessable lots and parcels within Street  
10 Lighting Zone 154 proposed to be annexed to L&LMD Number 89-1-C.

11 **Section 8. Public Hearing.** The question of whether Street Lighting Zone 154 shall be  
12 annexed to L&LMD Number 89-1-C and an annual assessment levied beginning with fiscal year 2023-  
13 24 shall be considered at a public hearing (hereinafter the "Public Hearing") to be held on June 27,  
14 2023, at 9:30 a.m. at the meeting room of the Board of Supervisors of the County at 4080 Lemon  
15 Street, 1<sup>st</sup> Floor, Riverside, California.

16 **Section 9. Majority Protest.** Each owner of record of property within Street Lighting  
17 Zone 154 is to receive by mail an assessment ballot that shall conform to the requirements of Section 4  
18 of Article XIID and Section 4000 of the California Elections Code. The assessment ballots are to be  
19 returned prior to the Public Hearing. The agency shall not impose an assessment if there is a majority  
20 protest. A majority protest exists if, upon the conclusion of the hearing, assessment ballots submitted in  
21 opposition to the assessment exceed the assessment ballots submitted in favor of the assessment. In  
22 tabulating the assessment ballots, the assessment ballots shall be weighted according to the  
23 proportional financial obligation of the affected property.

24 **Section 10. Information.** Any property owner desiring additional information regarding Street  
25 Lighting Zone 154 of L&LMD Number 89-1-C, the Report, or the proposed assessment is to contact  
26 Ms. Michelle Cervantes, Administrative Services Officer, Transportation Department of the County of

1 Riverside, 4080 Lemon Street, 8th Floor, Riverside, California, 92501, or by telephone at  
2 951-955-6591, or by e-mail at MICERVAN@rivco.org.

3 **Section 11. Notice of the Public Hearing.** Notice of Public Hearing with regard to the  
4 annexation of Street Lighting Zone 154 to L&LMD Number 89-1-C shall be given consistent with  
5 Sections 22608 and 22588 of the Streets and Highways Code and Section 4 of Article XIID. The Clerk  
6 of the Board of Supervisors shall give notice of the Public Hearing by causing a certified copy of this  
7 Resolution to be published once in an appropriate newspaper at least ten (10) days prior to the date of  
8 the Public Hearing that is June 27, 2023. Publication of this Resolution is to be effected by the Clerk of  
9 the Board of Supervisors. Notice shall also be given by mailing first-class, postage prepaid, those  
10 notices, as prepared by County Counsel, assessment ballot and information sheets as required by  
11 Section 4 of Article XIID and Section 4000 of the California Elections Code to all owners of record of  
12 property within Street Lighting Zone 154 as shown on the last equalized assessment roll of the County.  
13 Mailing is to be made by the Engineer and deposited with the U. S. Post Office at least forty-five (45)  
14 days prior to the Public Hearing on June 27, 2023.

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

17 ROLL CALL:

18  
19 Ayes: Jeffries, Spiegel, Washington, Perez and Gutierrez  
20 Nays: None  
21 Absent: None

22 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.

23 KIMBERLY A. RECTOR, Clerk of said Board

24 By:   
25 Deputy  
26

05.09.2023 3.36

**EXHIBIT "A"**

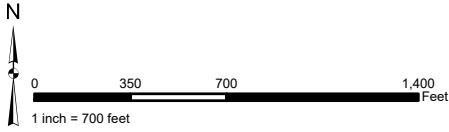
**DESCRIPTION OF BOUNDARIES**

The boundaries of Street Lighting Zone 154 to be annexed into Landscaping and Lighting Maintenance District Number 89-1-Consolidated, of the County of Riverside, County of Riverside, are coterminous with the boundaries of APN 295-310-084, 295-310-086 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2023-24.

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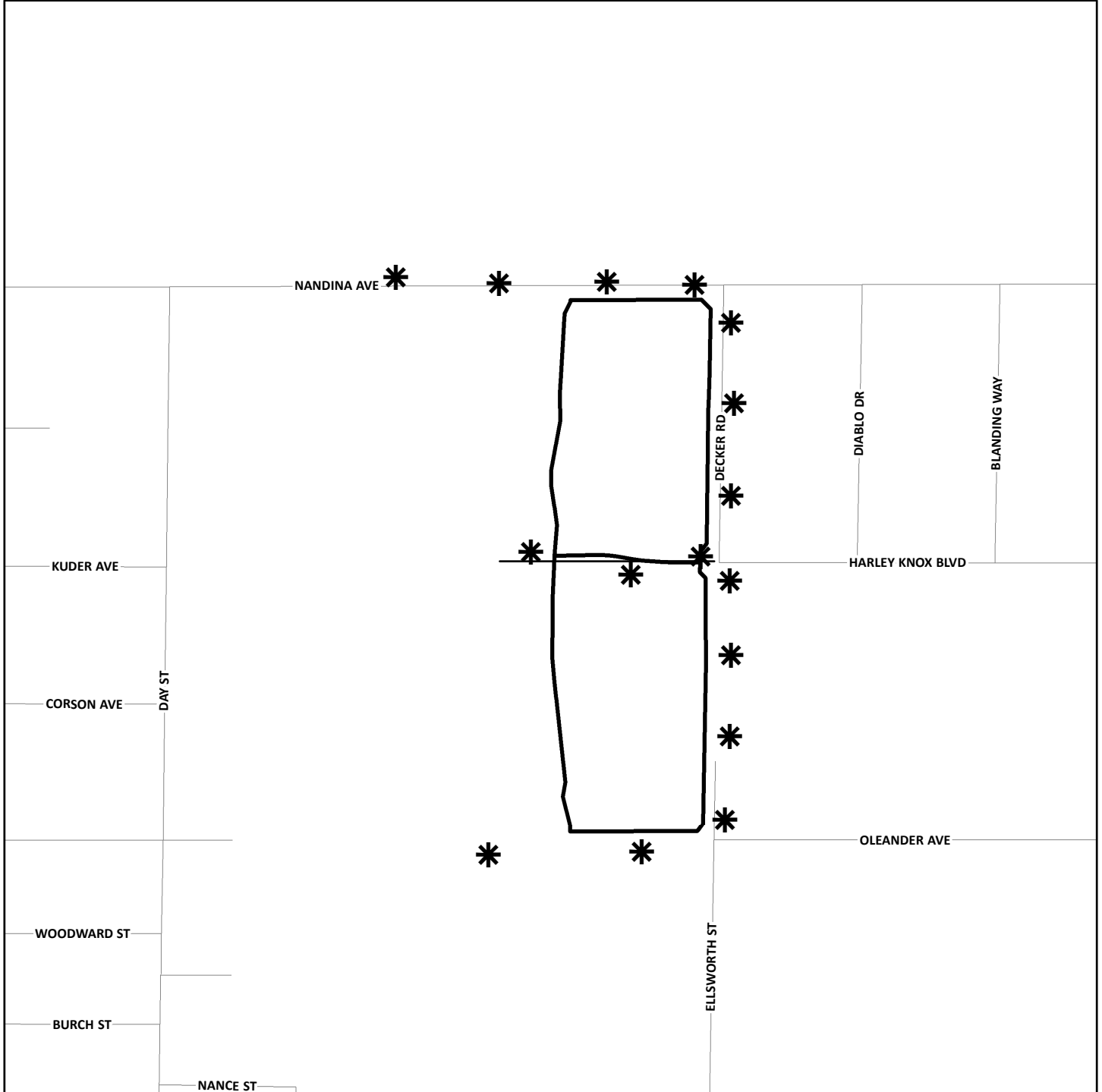


**STREET LIGHT ZONE 154**  
PORTION(S) OF SECTION 35, T.3S., R.4W.  
PLOT PLAN NO. 190011  
4 PARCELS



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**ASSESSMENT DIAGRAM**



- DENOTES MAINTAINED ROW STREETLIGHT
- DENOTES ZONE BOUNDARY

# THE PRESS-ENTERPRISE

KEEP YOUR EYES ON THE 'PRISE

pe.com

3512 14 Street  
Riverside, California 92501  
(951) 368-9229  
neller@scng.com

County of Riverside - Clerk of the Board  
PO Box 1147  
Riverside, California 92502

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*Notice ID:* z3z4eRO7xJLml3WHbDx5  
*Invoice Text:* NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on Tuesday, June 27, 2023 at 9:30 a.m., or as soon as possible thereafter, to consider the following: RESOLUTION NO. 2023-020 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING ITS INTENT TO ORDER THE ANNEXATION OF Street Lighting Zone 154 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 154 ; 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. 2023-019 on May 9, 2023 initiating proceedings for the annexation of Street Lighting Zone 154 (hereinafter "Street Lighting Zone 154"), as described and

5/19  
3:34

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Publication: The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc: 0011602799

**FILE NO. 0011602799**

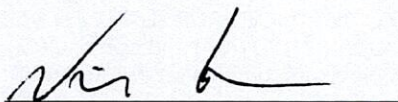
## **PROOF OF PUBLICATION**

I am a citizen of the United States. I am over the age of eighteen years and not party to or interested in the above-entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper of 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:

**05/16/2023**

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

Date: May 16, 2023.  
At: Riverside, California

  
\_\_\_\_\_  
Signature

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

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, June 27, 2023 at 9:30 a.m.**, or as soon as possible thereafter, to consider the following:

**RESOLUTION NO. 2023-020**

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING ITS INTENT TO ORDER THE ANNEXATION OF Street Lighting Zone 154 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 154 ; 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. 2023-019 on May 9, 2023 Initiating proceedings for the annexation of Street Lighting Zone 154 (hereinafter "Street Lighting Zone 154"), 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 Number 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 154 and the assessments to be levied within Street Lighting Zone 154 each fiscal year beginning fiscal year 2023-24 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 Number 89-1-C for Street Lighting Zone 154; and

**WHEREAS**, the Board of Supervisors by Resolution No. 2023-019 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 June 27, 2023; 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 154, and the assessments to be levied on parcels within Street Lighting Zone 154 beginning in fiscal year 2023-24;

**NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the Board of Supervisors in regular session assembled on May 9, 2023 as follows:

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

- (a) The foregoing recitals are true and correct;
- (b) The Report contains all matters required by Sections 22565 through 22574 of the Streets and Highways Code and Section 4 of Article XIID and may, therefore, be approved by the Board of Supervisors;
- (c) The annual assessment for fiscal year 2023-24 on all parcels within Street Lighting Zone 154 will be \$143 per acre.

**Section 2. Intent.** The Board of Supervisors hereby declares its intention to order the annexation of Street Lighting Zone 154, as described and shown in Exhibit "A", to L&LMD Number 89-1-C, and to levy and collect an annual assessment on all assessable lots and parcels of property within Street Lighting Zone 154 commencing with the fiscal year 2023-24 as set forth in the Report. The Report expressly states that there are no parcels or lots within Street Lighting Zone 154 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 154 is proposed to be annexed to L&LMD Number 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 154 of L&LMD No. 89-1-C are:

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

**Section 4. Amount to be Levied.** The assessment to be levied upon each parcel that benefits from the annexation of Street Lighting Zone 154 to L&LMD Number 89-1-C will be \$143 per acre for fiscal year 2023-24. As stated in the Report, the total budget for Street Lighting Zone 154 for the fiscal year 2023-24 is \$5,524; there are parcels that are to be assessed that aggregate to 38.63 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 . 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 154. 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 154 of L&LMD Number 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 154. The boundaries of Street Lighting Zone 154 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 154, and the annual assessment to be levied upon assessable lots and parcels within Street Lighting Zone 154 proposed to be annexed to L&LMD Number 89-1-C.

**Section 8. Public Hearing.** The question of whether Street Lighting Zone 154 shall be annexed to L&LMD Number 89-1-C and an annual assessment levied beginning with fiscal year 2023-24 shall be considered at a public hearing (hereinafter the "Public Hearing") to be held on June 27, 2023, 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 154 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 154 of L&LMD Number 89-1-C, the Report, or the proposed assessment is to contact Ms. Michelle Cervantes, Administrative Services Officer, Transportation Department of the County of Riverside, 4080 Lemon Street, 8th Floor, Riverside, California, 92501, or by telephone at 951-955-6591, or by e-mail at MICERVAN@rivco.org.

**Section 11. Notice of the Public Hearing.** Notice of Public Hearing with regard to the annexation of Street Lighting Zone 154 to L&LMD Number 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 June 27, 2023. 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 154 as shown on the last equalized assessment roll of the County. Mailing is to be made by the Engineer and deposited with the U. S. Post Office at least forty-five (45) days prior to the Public Hearing on June 27, 2023.

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

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 hearing.

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

Dated: May 11, 2023  
Kimberly A. Rector, Clerk of the Board  
By: Cindy Fernandez, Clerk of the Board Assistant

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