

MINUTES OF THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



**19.4**  
(MT 22208)

9:30 a.m. being the time set for public hearing on the recommendation from Transportation and Land Management Agency/Transportation regarding the Public Hearing for the Landscaping and Lighting Maintenance District No. 89-1- Consolidated (L&LMD No. 89-1-C), Unincorporated Countywide Zones and Street Lighting Zones, All Districts.

On motion of Supervisor Perez, seconded by Supervisor Jeffries and duly carried, IT WAS ORDERED that the above matter is continued to July 18, 2023 at 9:30 a.m. or as soon as possible thereafter.

Roll Call:

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

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on July 11, 2023, of Supervisors Minutes.

(seal) WITNESS my hand and the seal of the Board of Supervisors  
Dated: July 11, 2023  
Kimberly A. Rector, Clerk of the Board of Supervisors, in  
and for the County of Riverside, State of California.

By: \_\_\_\_\_ Deputy

AGENDA NO.  
**19.4**

xc: Trans., COB

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



ITEM: 19.4  
(ID # 22208)

**MEETING DATE:**

Tuesday, July 11, 2023

**FROM :** TLMA-TRANSPORTATION:

**SUBJECT:** TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION:  
Public Hearing - Landscaping and Lighting Maintenance District No. 89-1- Consolidated  
(L&LMD No. 89-1-C), Unincorporated Countywide Zones and Street Lighting Zones, All  
Districts. [\$1,973,153 Ongoing Cost - L&LMD No. 89-1-C 100%] (CONTINUE TO JULY 18,  
2023)

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

1. Continue public hearing to July 18, 2023, regarding adoption of Resolution No. 2023-083, a Resolution of the Board of Supervisors of the County of Riverside confirming the diagram and assessment for Zones 1, 3, 8, 10, 11, 15, 19, 24, 26, 28, 29, 31, 36, 39, 43, 44, 45, 53, 55, 57, 58, 66, 68, 72, 74, 83, 84, 86, 87, 89, 91, 92, 94, 97, 100, 103, 109, 110, 112, 119, 123, 124, 135, 138, 145, 146, 148, 149, 152, 153, 154, 155, 157, 160, 161, 162, 164, 166, 168, 171, 172, 174, 175, 180, 187, 188, 190, 191, 192, 193, 195, 197, 198, 199, 200, 202, 204, 206, 207, 211, 213, 214, 215, 216, 218 and 220, and Street Lighting Zones 2, 3, 4, 9, 11, 12, 13, 14, 16, 20, 21, 22, 25, 29, 30, 31, 36, 37, 38, 42, 43, 44, 45, 46, 47, 48, 52, 53, 54, 55, 56, 57, 58, 61, 64, 65, 66, 67, 68, 72, 74, 75, 76, 78, 81, 82, 85, 89, 95, 97, 99, 101, 103, 104, 107, 108, 109, 110, 113, 115, 116, 117, 119, 121, 122, 123, 124, 127, 129, 132, 133, 134, 135, 136, 137, 138, 139, 141, 143, 146, 147, 148, 149, 151 and 152 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated of the County of Riverside and levying assessments on all lots and parcels of land therein for fiscal year 2023-2024.

**ACTION:**Policy

  
Mark Lancaster, Director of Transportation 6/16/2023

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MINUTES OF THE BOARD OF SUPERVISORS

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

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$0	\$1,973,153	\$0	\$1,973,153
<b>NET COUNTY COST</b>	\$0	\$0	\$0	\$0
<b>SOURCE OF FUNDS:</b> L&LMD No. 89-1-C Assessments – 100%. There are no General Funds used in this project.			<b>Budget Adjustment:</b>	No
			<b>For Fiscal Year:</b>	23/24

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

**BACKGROUND:**

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 and authorized to levy an annual assessment to pay for the installation and maintenance of landscaping and streetlights within L&LMD No. 89-1-C. Since that date, L&LMD No. 89-1-C has included zone-specific improvements such as the maintenance and servicing of landscaping, trails, fossil filters, bio-swales, streetlights, traffic signals, bridge lights, and graffiti abatement.

The combined Annual Engineer’s Report for fiscal year 2023-2024 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 proceedings for the annual levy of assessments by passing a resolution, which proposes the annual levy under the Landscaping and Lighting Act of 1972. This resolution also describes the improvements, describes the location of 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.

The proposed assessments for Zones 1, 3, 8, 10, 11, 15, 19, 24, 26, 28, 29, 31, 36, 39, 43, 44, 45, 53, 55, 57, 58, 66, 68, 72, 74, 83, 84, 86, 87, 89, 91, 92, 94, 97, 100, 103, 109, 110, 112, 119, 123, 124, 135, 138, 145, 146, 148, 149, 152, 153, 154, 155, 157, 160, 161, 162, 164, 166, 168, 171, 172, 174, 175, 180, 187, 188, 190, 191, 192, 193, 195, 197, 198, 199, 200, 202, 204, 206, 207, 211, 213, 214, 215, 216, 218 and 220, and Street Lighting Zones 2, 3, 4, 9, 11, 12, 13, 14, 16, 20, 21, 22, 25, 29, 30, 31, 36, 37, 38, 42, 43, 44, 45, 46, 47, 48, 52, 53, 54, 55, 56, 57, 58, 61, 64, 65, 66, 67, 68, 72, 74, 75, 76, 78, 81, 82, 85, 89, 95, 97, 99, 101, 103, 104, 107, 108, 109, 110, 113, 115, 116, 117, 119, 121, 122, 123, 124, 127, 129, 132, 133, 134, 135, 136, 137, 138, 139, 141, 143, 146, 147, 148, 149, 151 and 152 of L&LMD No. 89-1-C are described in Attachment A.

Pursuant to the Landscaping and Lighting Act of 1972 and Resolution No. 2021-098 a public hearing is scheduled for July 11, 2023 to receive testimony regarding the assessment levy for fiscal year 2023-24 for Zones 1, 3, 8, 10, 11, 15, 19, 24, 26, 28, 29, 31, 36, 39, 43, 44, 45, 53, 55, 57, 58, 66, 68, 72, 74, 83, 84, 86, 87, 89, 91, 92, 94, 97, 100, 103, 109, 110, 112, 119, 123, 124, 135, 138, 145, 146, 148, 149, 152, 153, 154, 155, 157, 160, 161, 162, 164, 166, 168, 171,

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172, 174, 175, 180, 187, 188, 190, 191, 192, 193, 195, 197, 198, 199, 200, 202, 204, 206, 207, 211, 213, 214, 215, 216, 218 and 220, and Street Lighting Zones 2, 3, 4, 9, 11, 12, 13, 14, 16, 20, 21, 22, 25, 29, 30, 31, 36, 37, 38, 42, 43, 44, 45, 46, 47, 48, 52, 53, 54, 55, 56, 57, 58, 61, 64, 65, 66, 67, 68, 72, 74, 75, 76, 78, 81, 82, 85, 89, 95, 97, 99, 101, 103, 104, 107, 108, 109, 110, 113, 115, 116, 117, 119, 121, 122, 123, 124, 127, 129, 132, 133, 134, 135, 136, 137, 138, 139, 141, 143, 146, 147, 148, 149, 151 and 152 of L&LMD No. 89 1 C. Notice of the public hearing was given by publication of a certified copy of Resolution No. 2023-082 in The Press Enterprise at least ten (10) days prior to the public hearing date of July 11, 2023.

Adoption of Resolution No. 2023-083 confirms the assessment levy, as indicated in the Engineer's Report for fiscal year 2023-2024 for L&LMD No. 89-1-C and orders the placement of the annual assessment on the County of Riverside's Assessment Roll.

**Impact on Residents and Businesses**

L&LMD No. 89-1-C is a County-wide district; however, only the property owners within the boundaries of each Zone within L&LMD No. 89-1-C are impacted by the assessments collected for the maintenance of the improvements within these zones, as described in Attachment A and the Engineer's 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. 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. Depending on the time the Zones were annexed into L&LMD No. 89-1-C and the type of improvements, the mailed assessment ballot proposition approved by the property owners provides for these assessments and that either no inflation factor was established (Zones 1 and 3), a two percent (2%) inflation factor was established, or the annual assessment may be increased each year by the greater of two percent (2%) or the cumulative percentage increase, if any, in the Consumer Price Index (CPI-U), or the Consumer Price Index for electricity (CPI-UE "for electricity"), for the Riverside-San Bernardino-Ontario Standard Metropolitan Statistical Area (the "Index") as the Index stands as of March of each calendar year.

**SUPPLEMENTAL:**

**Additional Fiscal Information**

The annual budget for fiscal year 2023-2024 totals \$1,973,153. For Fiscal Year 2023-2024 the inflation factor, when appropriate, will be four percent (4%). The March 2023 CPI report is attached.

The inflation factor affects the maximum assessment, which is the maximum allowable assessment to be placed on a parcel, acre, or equivalent dwelling unit (EDU) within the L&LMD No. 89-1-C. Zones may be assessed at the maximum assessment if needed; however, some zones are assessed less depending on overall annual maintenance costs and existing reserves, if any.

SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
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**ATTACHMENTS:**

- A. Resolution No. 2023-083
- B. FY 2023-24 Attachment A
- C. March 2023 CPI Report



Jason Farin, Principal Management Analyst 7/5/2023



Aaron Gettis, Deputy County Counsel 6/30/2023