

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

855A



FROM: TLMA - Transportation Dept.

SUBMITTAL DATE:
April 30, 2015

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Street Lighting Zone 111 (Glen Ivy Hot Springs) District 1 [\$252 Annual Base]; L&LMD No. 89-1-C -- 100%

RECOMMENDED MOTION: That the Board of Supervisors adopt the following Resolutions:

1. Resolution No. 2015-036 a Resolution of the County of Riverside initiating proceedings for the annexation of Street Lighting Zone 111 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated and ordering preparation of the Engineer's Report regarding the proposed annexation of Street Lighting Zone 111.
2. Resolution No. 2015-037, a Resolution of the County of Riverside declaring its intent to order the annexation of Street Lighting Zone 111 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 111, ordering a mailed ballot election; and directing notice of the public hearing and ballot be mailed pursuant to Article XIII D of the California Constitution.

Patricia Romo
Assistant Director of Transportation

Juan C. Perez
Director of Transportation and Land Management

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0	\$ 252	\$ N/A	\$ 252	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
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: 15/16

C.E.O. RECOMMENDATION:

APPROVE

BY: Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

- ☐ A-30
☐ Positions Added
☐ 4/5 Vote
☐ Change Order

Prev. Agn. Ref.:

District: 1

Agenda Number:

3-41

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

FORM 11: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Street Lighting Zone 111 (Glen Ivy Hot Springs) District 1 [\$252]; L&LMD No. 89-1-C – 100%.

DATE: April 30, 2015

PAGE: 2 of 3

BACKGROUND:

Summary

Adoption of Resolution No. 2015-036 appoints the Director of the Transportation Department, or his designee, as the Engineer to prepare a Report regarding the proposed annexation of Street Lighting Zone 111 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated ("L&LMD No. 89-1-C").

Resolution No. 2015-037 declares the Board of Supervisors' intention of ordering the annexation of Street Lighting Zone 111 to L&LMD No. 89-1-C. The annexation of Street Lighting Zone 111 to L&LMD No. 89-1-C will fund the maintenance and servicing of streetlights within public right-of-way located southwesterly of Temescal Canyon Road in the Glen Ivy Hot Springs area and includes (1) assessable commercial parcel.

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 30, 2015 to receive testimony for and against the proposed assessment. Each property owner within the proposed Street Lighting Zone 111 will receive a notice of the public hearing and mail-in ballot, an impartial analysis, a copy of Resolution No. 2015-037, and an information sheet.

Ballots must be returned prior to the conclusion of the public hearing. If, at the time designated for the tabulation of the ballots, the ballots submitted in favor of the annexation and levy of the assessment exceed the ballots submitted in opposition of said annexation and levy, Street Lighting Zone 111 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 111 and said property owner has executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election and public hearing to be held on June 30, 2015.

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.

The property owners within the proposed boundaries of Street Lighting Zone 111, which are represented by Plot Plan No. 25397, as described in the 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 111 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 2015-16 for Street Lighting Zone 111 is \$252. This will result in an assessment for fiscal year 2015-16 within Street Lighting Zone 111 of \$252 per 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 2015.

Contract History and Price Reasonableness

N/A

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

FORM 11: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Street
Lighting Zone 111 (Glen Ivy Hot Springs) District 1 [\$252]; L&LMD No. 89-1-C – 100%.

DATE: April 30, 2015

PAGE: 3 of 3

ATTACHMENTS:

- A. Exhibit A
- B. Resolution No. 2015-036
- C. Resolution No. 2015-037
- D. Engineer's Report

EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

The boundaries of Street Lighting Zone 111 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside, are coterminous with the boundaries of APN 283-110-051 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2015-16.

STREET LIGHTING ZONE 111

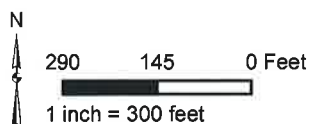
PORTION OF SECTION 27, T.4S., R.6W.

PP25397

1 PARCEL

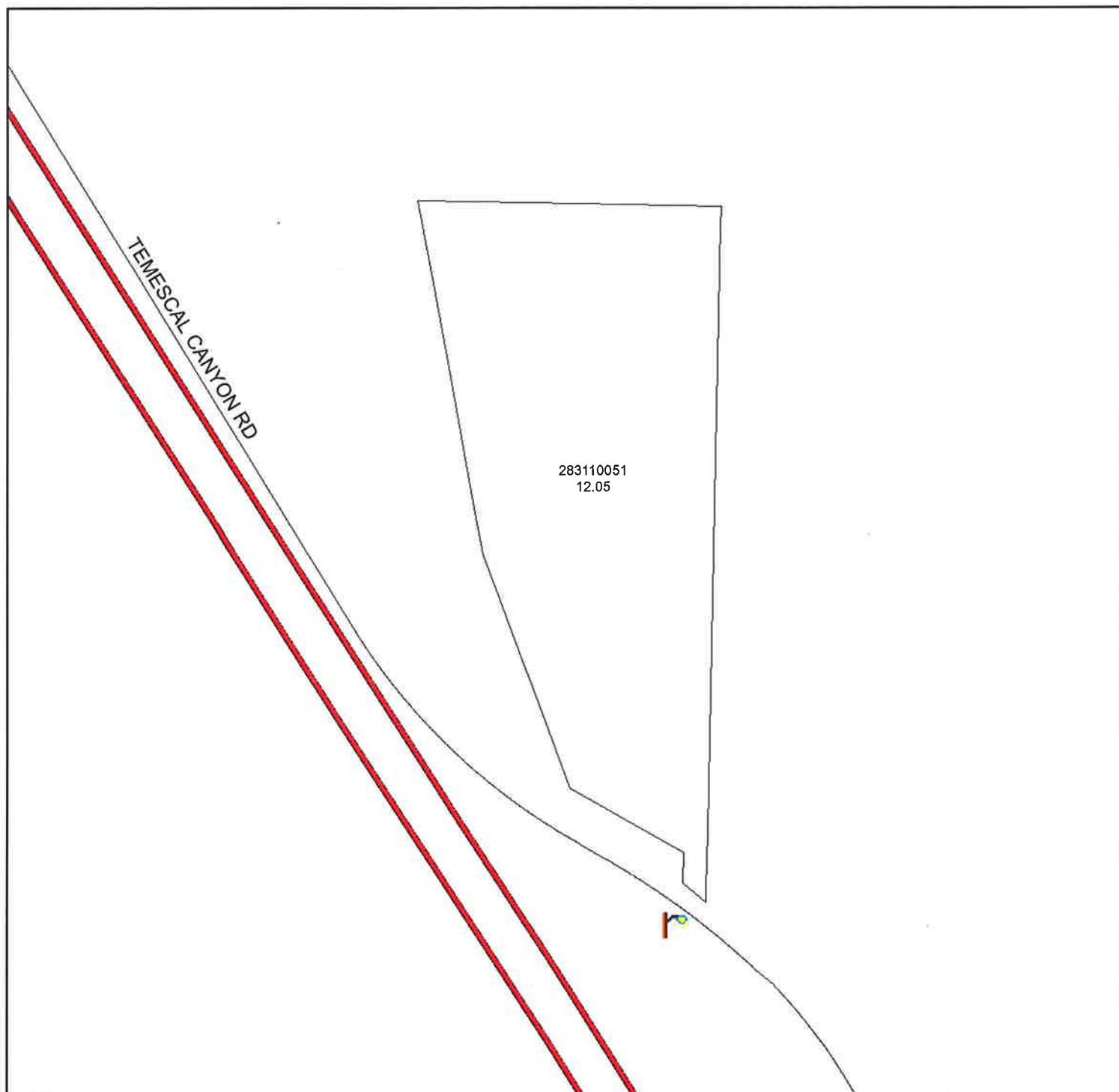


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ASSESSMENT DIAGRAM

Printed by bhahn on 3/12/2015



DENOTES MAINTAINED STREETLIGHT

RESOLUTION NO. 2015-036

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE INITIATING PROCEEDINGS FOR THE ANNEXATION OF STREET LIGHTING ZONE 111 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 111"), 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 111 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 "Street 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 111; and

WHEREAS, the Applicant has executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election to be held on June 30, 2015; and

WHEREAS, the Director of the Department, or his 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: *[Signature]* DATE: 3/30/15
DALE A. GARDNER

1 to serve as the engineer (hereinafter the "Engineer") for the County with regard to the annexation of
2 Street Lighting Zone 111 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 May 12, 2015 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 111 to L&LMD No. 89-1-C and to initiate and conduct proceedings therefore pursuant to the Act
10 for the purpose of levying an annual assessment on all parcels within Street Lighting Zone 111 to pay
11 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 **Section 3. Boundaries and Designation.** The boundaries of Street Lighting
15 Zone 111 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 his 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.

EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

The boundaries of Street Lighting Zone 111 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside, are coterminous with the boundaries of APN 283-110-051 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2015-16.

STREET LIGHTING ZONE 111

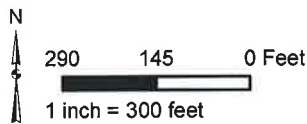
PORTION OF SECTION 27, T.4S., R.6W.

PP25397

1 PARCEL

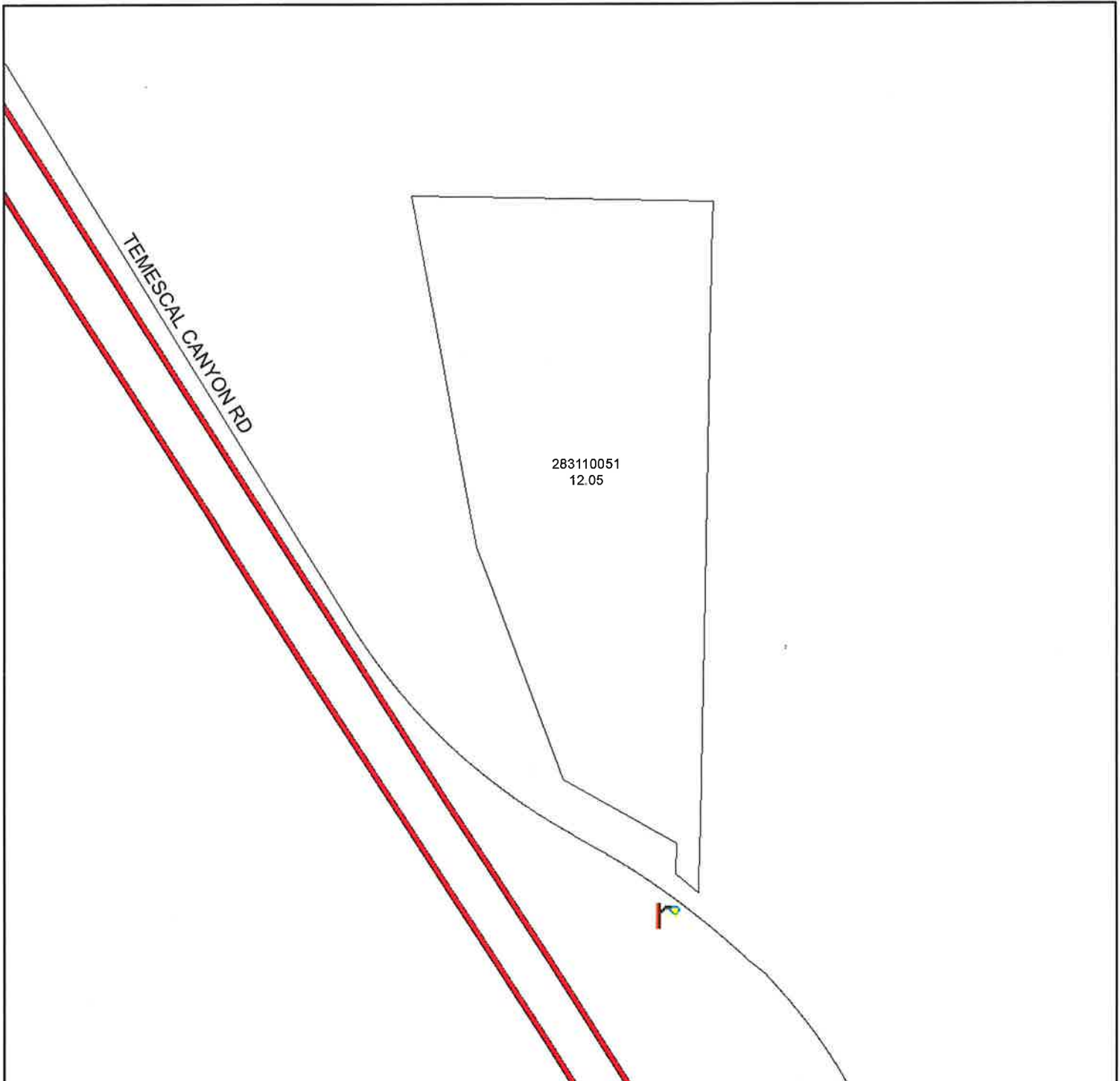


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ASSESSMENT DIAGRAM

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DENOTES MAINTAINED STREETLIGHT

2 RESOLUTION NO. 2015-037

3 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING
4 ITS INTENT TO ORDER THE ANNEXATION OF STREET LIGHTING ZONE 111 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 111 ; ORDERING AN
10 ASSESSMENT PROCEEDING; ORDERING A MAILED BALLOT ELECTION; AND DIRECTING
11 NOTICE OF THE PUBLIC HEARING AND THE ASSESSMENT BALLOT TO BE MAILED
12 PURSUANT TO SAID ACT AND ARTICLE XIID OF THE CALIFORNIA CONSTITUTION AND
13 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. 2015-036 on May 12, 2015 initiating
16 proceedings for the annexation of Street Lighting Zone 111 (hereinafter "Street Lighting Zone 111"), 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 No. 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 "Street and Highways Code"), and ordering the preparation of a report
22 (hereinafter the "Report") regarding the proposed annexation of Street Lighting Zone 111 and the
23 assessments to be levied within Street Lighting Zone 111 each fiscal year beginning fiscal year 2015-
24 16 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 No. 89-1-C for Street
Lighting Zone 111; and

WHEREAS, the Board of Supervisors by Resolution No. 2015-036 directed the Director of the
Transportation Department, or his designee (hereinafter the "Engineer"), to prepare and file the Report

FORM APPROVED COUNTY COUNSEL
BY: *Alvin A. Gardner* 3/30/15
DATE: *DALE A. GARDNER*

1 with the Clerk of the Board of Supervisors in accordance with Sections 22608 and 22585 et. seq. of the
2 Street 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 Election" allowing for the election to be held on June 30, 2015; and

7 **WHEREAS**, it is necessary that the Board of Supervisors adopt a resolution of intention
8 pursuant to Section 22624 of the Streets and Highways Code, which fixes and gives notice, pursuant to
9 Section 22626 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 111, and the assessments to be levied on parcels within
11 Street Lighting Zone 111 beginning in fiscal year 2015-16;

12 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the
13 Board of Supervisors in regular session assembled on May 12, 2015 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 2015-16 on all parcels within Street Lighting
20 Zone 111 will be \$251.85 per parcel.

21 **Section 2. Intent.** The Board of Supervisors hereby declares its intention to order the
22 annexation of Street Lighting Zone 111, 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
24 Street Lighting Zone 111 commencing with the fiscal year 2015-16 as set forth in the Report. The
25 Report expressly states that there are no parcels or lots within Street Lighting Zone 111 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 boundaries of Street Lighting Zone 111 is
5 proposed to be annexed to L&LMD No. 89-1-C and shall include that property in the unincorporated
6 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 111 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
12 benefits from the annexation of Street Lighting Zone 111 to L&LMD No. 89-1-C will be \$251.85 per
13 parcel for fiscal year 2015-16. As stated in the Report, the total budget for Street Lighting Zone 111 for
14 the fiscal year 2015-16 is \$251.85; there is 1 parcel that is to be assessed. Each succeeding fiscal year
15 the special assessment may be subject to an annual adjustment that is the greater of two percent (2%)
16 or the cumulative percentage increase, if any, in the Consumer Price Index for all Urban Consumers for
17 electricity ("CPI-U") for the Los Angeles-Riverside-Orange County California Standard Metropolitan
18 Statistical area ("Index") published by the Bureau of Labor Statistics of the United States Department of
19 Labor. The annual CPI-U adjustment will be based on the cumulative increase, if any, in the "Index" as
20 it stands on March of each year over the base Index for March of 2015. Any increase larger than the
21 greater of 2% or the CPI-U annual adjustment requires a majority approval of all the property owners in
22 Street Lighting Zone 111. The Board of Supervisors will levy the assessment in each subsequent fiscal
23 year until the Board of Supervisors undertakes proceedings for the dissolution of Street Lighting
24 Zone 111 of L&LMD No. 89-1-C. The annual assessment will fund the services described in Section 4
25 of this Resolution. For further particulars, reference is to be made to the Report on file in the Office of
26 the Clerk of the Board of Supervisors.

1 **Section 6. The Property to be Annexed.** The property to be annexed to L&LMD No.
2 89-1-C is Street Lighting Zone 111. The boundaries of Street Lighting Zone 111 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
5 and which has been presented to the Board of Supervisors, is hereby approved. Reference is made to
6 the Report for a full and detailed description of the services, the boundaries of Street Lighting
7 Zone 111, and the annual assessment to be levied upon assessable lots and parcels within Street
8 Lighting Zone 111 proposed to be annexed to L&LMD No. 89-1-C.

9 **Section 8. Public Hearing.** The question of whether Street Lighting Zone 111 shall be
10 annexed to L&LMD No. 89-1-C and an annual assessment levied beginning with fiscal year 2015-16
11 shall be considered at a public hearing (hereinafter the "Public Hearing") to be held on June 30, 2015,
12 at 9:30 a.m. at the meeting room of the Board of Supervisors of the County at 4080 Lemon Street,
13 1st Floor, Riverside, California.

14 **Section 9. Majority Protest.** Each owner of record of property within Street Lighting
15 Zone 111 is to receive by mail an assessment ballot that shall conform to the requirements of Section 4
16 of Article XIID and Section 4000 of the California Elections Code. The assessment ballots are to be
17 returned prior to the Public Hearing. The agency shall not impose an assessment if there is a majority
18 protest. A majority protest exists if, upon the conclusion of the hearing, ballots submitted in opposition
19 to the assessment exceed the ballots submitted in favor of the assessment. In tabulating the ballots, the
20 ballots shall be weighted according to the proportional financial obligation of the affected property.

21 **Section 10. Information.** Any property owner desiring additional information regarding Street
22 Lighting Zone 111 of L&LMD No. 89-1-C, the Report, or the proposed assessment is to contact
23 Ms. Brigitte Hahn, Senior Engineering Technician, Transportation Department of the County of
24 Riverside, 4080 Lemon Street, 8th Floor, Riverside, California, 92501, or by telephone at
25 951-955-6263, or by e-mail at bhahn@rctlma.org.

1 **Section 11. Notice of the Public Hearing.** Notice of Public Hearing with regard to the
2 annexation of Street Lighting Zone 111 to L&LMD No. 89-1-C shall be given consistent with Section
3 22626 of the Streets and Highways Code and Section 4 of Article XIID. The Clerk of the Board of
4 Supervisors shall give notice of the Public Hearing by causing a certified copy of this Resolution to be
5 published once in an appropriate newspaper at least ten (10) days prior to the date of the Public
6 Hearing that is June 30, 2015. 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 111 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 June 30, 2015.

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

EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

The boundaries of Street Lighting Zone 111 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside, are coterminous with the boundaries of APN 283-110-051 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2015-16.

STREET LIGHTING ZONE 111

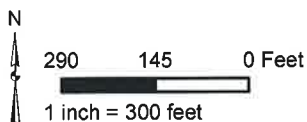
PORTION OF SECTION 27, T.4S., R.6W.

PP25397

1 PARCEL

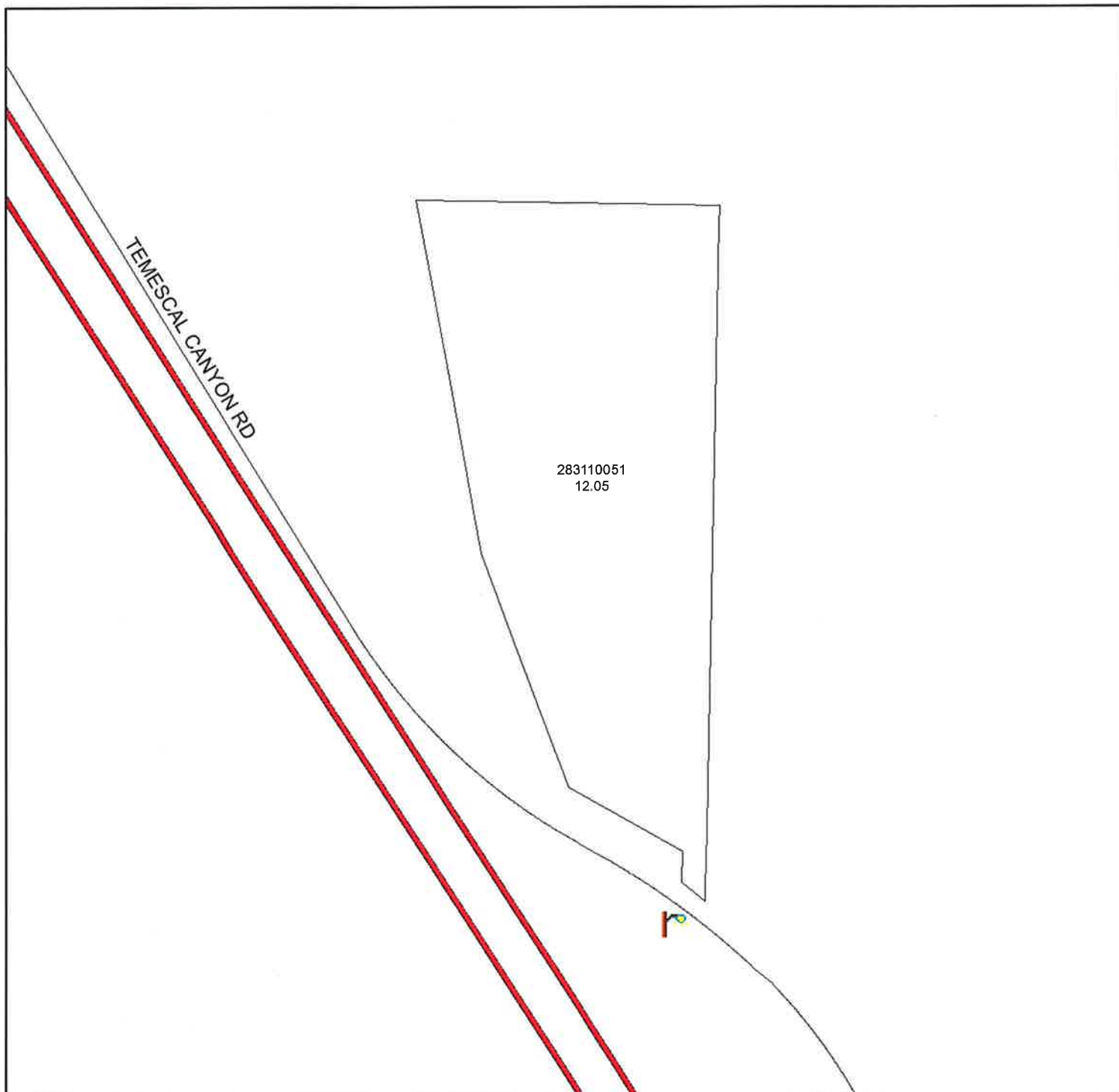


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ASSESSMENT DIAGRAM

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DENOTES MAINTAINED STREETLIGHT

COUNTY OF RIVERSIDE TRANSPORTATION DEPARTMENT



ENGINEER'S REPORT FOR Landscaping & Lighting Maintenance District No. 89-1-Consolidated Street Lighting Zone 111 Plot Plan 25397

Prepared by
Psomas
1500 Iowa Ave., Ste. 210
Riverside, CA 92507
(951) 787-8421

March 2015

AGENCY: COUNTY OF RIVERSIDE TRANSPORTATION DEPARTMENT

**PROJECT: ANNEXATION OF PLOT PLAN 25397 TO LANDSCAPING AND LIGHTING
MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED AS STREET
LIGHTING ZONE 111**

**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").

This Report provides for the annexation of Plot Plan 25397 ("PP 25397") to Landscape & Lighting Maintenance District No. 89-1-Consolidated ("L&LMD No. 89-1-C") as Street Lighting Zone 111 ("STL Zone 111") and establishes the Maximum Assessment to be levied in the 2015–2016 Fiscal Year (from July 1, 2015 to June 30, 2016) and all subsequent fiscal years, for this area to be known and designated as:

**L&LMD NO. 89-1-C STL ZONE 111
PP25397**

I do hereby assess and apportion the total amount of the costs and expenses upon several parcels of land within said designated area liable therefore 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 111 have been assessed upon the parcels of land in STL Zone 111 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 parcel, reference is made to the Assessment Diagram/Boundary Map, a reduced copy of which is included herein.

As required by law, an Assessment Diagram/Boundary Map is filed herewith, showing STL Zone 111, as well as the boundaries and dimensions of the respective parcels and subdivisions of land within STL Zone 111 as the same exist, each of which subdivisions of land or parcels or lots, respectively, have been assigned a parcel/lot

and/or Assessor Parcel Number within a specific tract and indicated on said Assessment Diagram/Boundary Map and in the Assessment Roll contained herein. Assessor Parcel Numbers as shown on said Assessment Diagram/Boundary Map as of the date of this report, correspond with the numbers assigned to each parcel by the Riverside County Assessor. Reference is made to the Assessor Parcel Map for a description of the lots or parcels and dimensions.

As of the date of this Report, there are no parcels or lots within STL Zone 111 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 17 day of March, 2015



PSOMAS

A handwritten signature in blue ink, appearing to be "S. B. Frieson", written over a horizontal line.

STEVEN B. FRIESON
PROFESSIONAL CIVIL ENGINEER 42110
ENGINEER OF WORK
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

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EXECUTIVE SUMMARY

A. Introduction

Pursuant to the provisions of law, the costs and expenses of Street Lighting Zone 111 ("STL Zone 111") have been assessed upon the parcels of land in STL Zone 111 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 parcel, reference is made to the Assessment Diagram/Boundary Map, a reduced copy of which is included herein. WHEREAS, on this 12th of May, 2015 the Board of Supervisors of the County of Riverside ("Board"), State of California, ordering the preparation of the Engineer's Report ("Report") providing for the annexation of Plot Plan 25397 ("PP 25397") to Landscape & Lighting Maintenance District No. 89-1-Consolidated ("L&LMD No. 89-1-C") as STL Zone 111 did, pursuant to the provisions of the Landscaping and Lighting Act of 1972 ("1972 Act"), being Division 15 of the Streets and Highways Code of the State of California, adopt Resolution No. 2015-037 for a special assessment district zone known and designated as:

STL ZONE 111 PP 25397

The annexation of STL Zone 111 includes all parcels of land within the commercial subdivision known as PP 25397, also identified by the following Assessor Parcel Number(s), which are valid as of the date of this Report:

283110051-3.

As required by law, an Assessment Diagram/Boundary Map is filed herewith, showing the STL Zone 111, as well as the boundaries and dimensions of the respective parcels and subdivisions of land within said STL Zone 111 as the same exist, each of which subdivisions of land or parcels or lots, respectively, have been given a parcel/lot number and/or Assessor Parcel Number within a specific plot plan and indicated on the Assessment Diagram/Boundary Map and in the Assessment Roll contained herein. Psomas submits this Report, for the annexation of said STL Zone 111 and the establishment of the Maximum Assessment to be levied and collected commencing Fiscal Year 2015-2016 and all subsequent fiscal years, consisting of five parts.

PART I

Plans and Specifications: This section contains a description of STL Zone 111's boundaries and the proposed improvements within STL Zone 111. STL Zone 111 shall consist of a benefit zone encompassing all of the properties within the commercial development known as PP 25397.

The proposed improvements described in this Report are based on the current development and improvement plans provided to Psomas as of the date of this Report. Improvement plans ("Plans") include (1) Riverside County

Transportation Department Conditions of Approval for PP 25397 (COA); and (2) Street Light Plans for PM 35882.

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 111 is based on the Plans and estimated annual costs and expenses associated with all improvements to be accepted and maintained by STL Zone 111 at build-out. At build-out there will be one streetlight to maintain and service. The initial Maximum Assessment may be adjusted by the greater of two percent or the cumulative percentage increase in the Consumer Price Index for all Urban Consumers (CPI-U) for the Los Angeles-Riverside-Orange County California Standard Metropolitan Statistical Area ("Index") published by the U.S. Department of Labor's Bureau of Labor Statistics (BLS), if any. The annual CPI-U adjustment will be based on the cumulative increase, if any, in the Index as it stands on March 1st of each year over the base Index of 2015. The initial Maximum Assessment established within STL Zone 111 shall be \$252. Pursuant to the Plans, which includes one assessable parcel and no non-assessable parcels, the initial Maximum Assessment shall be \$252 per parcel.

PART III

The Cost Estimate: An estimate of the cost of the streetlight maintenance including incidental costs and expenses in connection therewith for Fiscal Year 2015–2016, 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 111. 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.

PART V

Assessment Roll: A listing of the Assessor's Parcel Numbers, and the initial Maximum Assessment per parcel or lot to be applied on the tax roll for Fiscal Year 2015–2016.

B. Assessment Zone:

The services to be provided by L&LMD No. 89-1-C STL Zone 111 generally includes local street lighting. The annexation of PP 25397 to L&LMD No. 89-1-C as STL Zone 111 will provide the financial mechanism (annual assessments) by which the ongoing operation and maintenance of these services will be funded. STL Zone 111's structure, proposed services, method of apportionment and assessments described in this Report are based on the Plans provided to

Psomas as of the date of this Report, including all estimated direct expenditures, incidental expenses, and reserves associated with the maintenance, energizing and servicing of the street lights as indicated in the Plans.

PART I – PLANS AND SPECIFICATIONS

A. Description of the STL Assessment Zone

STL Zone 111 is located within the unincorporated area known as Temescal Canyon in the County of Riverside, State of California and is comprised of PP 25397. The area for PP 25397 is generally located north of Temescal Canyon Road, south of Stellar Court, east of Interstate 15 and west of the AT & SF Railroad easement. At full development, PP 25397 is projected to include 1 assessable commercial lot and no non-assessable lots. STL Zone 111 consists of all lots, parcels and subdivision of land located in the following development area(s):

- PP 25397 – Assessor Parcel Number(s) as of the date of this Report:

283110051-3

B. Description of Improvements and Services For Landscape & Lighting Maintenance District No. 89-1-C

The following services were authorized pursuant to 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:
 - 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 or servicing, or both of any of the foregoing.

C. Description of Services for Landscape & Lighting Maintenance District No. 89-1-C Street Lighting Zone 111

The services to be funded by L&LMD No. 89-1-C STL Zone 111 include the maintenance and servicing of public lighting facilities, specifically streetlights, within the commercial subdivision designated as PP 25397 on public rights-of-way known as:

- Temescal Canyon Road

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.

Street lighting is the responsibility of L&LMD No. 89-1-C STL Zone 111.

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 lot(s) or parcel(s) 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 assessed value.

“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.”

The formula used for calculating assessments reflects the composition of the parcels and the improvements and services provided by STL Zone 111 to fairly apportion the costs based on the estimated benefit to each parcel.

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.

Special Benefit

The streetlight improvements within STL Zone 111 provide direct and special benefit to the lots or parcels within the STL Zone 111. 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.

Each and every lot or parcel within the STL Zone 111, receives a particular and distinct benefit from the improvements over and above general benefits conferred by the improvements. First, the improvements were conditions of approval for the creation or development of the parcels. In order to create or develop the parcels, the County required the original developer to install streetlights and to guarantee the maintenance of the streetlights and appurtenant facilities serving the lots or parcels. Therefore, each and every lot or parcel within the proposed STL Zone 111 could not have been developed in the absence of the installation and expected maintenance of these facilities.

In addition, the improvements continue to confer a particular and distinct special benefit upon parcels within STL Zone 111 because of the nature of the improvements. The proper maintenance of streetlights specially benefit parcels within STL Zone 111 by improving neighborhood property protection, increased traffic safety by improving visibility, control and restriction of traffic into and out of the development by defining a specific path, and providing an enhanced quality of life and sense of well-being for properties within STL Zone 111. Streetlights also provide safety for pedestrians and motorists living and/or owning property in STL Zone 111 during the nighttime hours, and to assign rights-of-way for the safety of pedestrians and motorists by defining a specific path during all hours of the day.

Streets are constructed for the safe and convenient travel of vehicles and pedestrians. They also provide an area for underground and overhead utilities. These elements are a distinct and special benefit to all developed parcels in the STL Zone 111. Streetlights are installed on and are for street purposes and are maintained and serviced to allow the street to perform to the standards it was designed.

Streetlights are determined to be an integral part of "streets" as a "permanent public improvement." One of the principal purposes of fixed roadway lighting is to create a nighttime environment conducive to quick, accurate, and comfortable seeing for the users as well as a sense of safe motoring and pedestrian experience of traffic egress and ingress into the facility. These factors, if attained, combine to improve traffic safety and achieve efficient traffic movement. Fixed lighting can enable the motorist to see detail more distinctly and to react safely toward roadway and traffic conditions present on or near the roadway facility.

The system of streets within STL Zone 111 is established to provide access to each parcel in STL Zone 111. Streetlights provide a safer street environment for owners of the parcels served. If the parcels were not subdivided to provide individual parcels to owners within STL Zone 111, there would be no need for a

system of streets with streetlights. Therefore, the installation of streetlights is for the express, special benefit of the parcels within STL Zone 111.

Finally, the proper maintenance of streetlights, and appurtenant structures, provides an enhanced quality of life and sense of well-being for properties within the STL Zone 111.

Because all benefiting properties consist of a uniform land use, it is determined that all commercial parcels benefit equally from the improvements and the costs and expenses for the maintenance and servicing of streetlights are apportioned on a per parcel basis.

Based on the benefits described above, streetlights are an integral part of the quality of life of STL Zone 111. This quality of life is a special benefit to those parcels with a commercial land use within STL Zone 111 and do not include government owned easements, utility easements, and flood channel parcels. Government-owned easement, utility easement and flood channel parcels do not benefit from the improvements due to their use and lack of habitation on such parcels. Parcels of this nature are usually vacant narrow strips of land or flood control channels and therefore do not generate or experience pedestrian or vehicular traffic. Nor do these types of parcels support dwelling units or other structures that would promote frequent use of the parcels by the traveling public. As a result of this lack of activity on such parcels they do not receive any benefit from streetlights and are not assessed.

SPECIAL BENEFITS OF LANDSCAPE & LIGHTING MAINTENANCE DISTRICT NO. 89-1-C STREET LIGHTING ZONE 111 AUTHORIZED SERVICES:

The special benefits of street lighting are the provision of energy, convenience, safety, security of property, improvements and goods. This includes the following:

- Enhanced deterrence of crime such as vandalism and other criminal activities which would reduce damage to improvements or property.
- Improved visibility to assist police in the protection of property.
- Increased nighttime safety on roads and streets by reducing nighttime accidents and personal property loss.
- Improved traffic circulation.
- Improved ability to see for pedestrians and motorists.
- Improved visibility for ingress and egress to the property.

General Benefit

The total benefit from the works of improvement is a combination of the special benefits to the parcels within the STL Zone 111 and the general benefits to the public at large and to adjacent property owners. A portion of the total maintenance costs for streetlights, if any, associated with general benefits will not be assessed to the parcels in STL Zone 111, but will be paid from other Riverside County Transportation Department Funds. Because the streetlight improvements are located immediately adjacent to properties within STL Zone 111 and are maintained solely for the benefit of the properties within STL Zone 111, any benefit

received by properties outside of STL Zone 111 is nominal. Therefore, the general benefit portion of the benefit received from the improvements for STL Zone 111 is zero. In summary, no property is assessed in excess of the reasonable cost of the proportional special benefit conferred on that property.

Additionally, because the benefiting properties consist of a uniform land use (commercial), it is determined that each of the commercial parcels within STL Zone 111 benefit equally from the improvements. Therefore, the proportionate share of the costs and expenses for the provision of street lighting as well as costs and expenses for the maintenance and servicing of the streetlights are apportioned equally on a per parcel basis.

B. Maximum Assessment Methodology

The following methodology was previously adopted by the Riverside County Board of Supervisors in the annual Engineers 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 111 costs and assessments.

The Maximum Assessment formula shall be applied to all assessable parcels of land within STL Zone 111. For STL Zone 111, the initial Maximum Assessments for Fiscal Year 2015–2016 are as follows:

- The initial Maximum Assessment established within STL Zone 111 shall be \$252
- Pursuant to the Plans, each parcel's initial Maximum Assessment shall be \$252

The initial Maximum Assessment is subject to an annual inflator starting in Fiscal Year 2016–2017. The initial Maximum Assessment may be adjusted by the greater of two percent or the cumulative percentage increase in the CPI-U Index published by the BLS, if any. 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 of 2015.

The Maximum Assessment is adjusted annually and is calculated independent of the STL Zone 111's annual budget and proposed annual assessment. The proposed annual assessment (rate per assessable parcel) applied in any fiscal year is not considered to be an increased assessment if it is 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 111 assessments may remain virtually unchanged. The Maximum Assessment adjustment is designed to establish a reasonable limit on STL Zone 111 assessments. The Maximum Assessment calculated each year does not require or facilitate an increase to the annual assessment, neither does it restrict

assessments to the adjusted maximum amount. If the budget and assessments for the fiscal year require an increase and if 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 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. Through the balloting process, property owners must approve the proposed assessment increase. If the proposed assessment is approved, then a new Maximum Assessment is established for STL Zone 111. 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 111.

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 111 over and above general benefit conferred upon the assessable real property within STL Zone 111 or to the public at large. The Assessment for each assessable parcel within STL Zone 111 is calculated by dividing the total Annual Balance to Levy by the total number of assessable subdivided parcels within STL Zone 111 to determine the Annual Assessment per assessable parcel.

$$\text{Annual Balance to Levy} \div \text{Total number of assessable parcels} = \text{Annual Assessment per assessable parcel.}$$

The Annual Balance to Levy is the Total Annual Street Lighting Costs as seen in Part III – Cost Estimate.

PART III – COST ESTIMATE

L&LMD NO. 89-1-C STL ZONE 111 PLOT PLAN 25397 FOR FISCAL YEAR 2015–2016¹

Cost Description	Total Costs for 1 Parcel/Lot ²	Cost per Parcel/Lot ²
Annual Energy Charge of \$219.00 per street light For 1 Street Light - 200 Watt 22,000 lumen HPSV ³ For Assessment STL Zone 111	\$219	\$219
Administrative Costs	\$22	\$22
Operating Reserve Contribution	\$11	\$11
Total Annual Street Lighting Costs	\$252	\$252

Recapitulation of Assessments per Assessable Parcel/Lot		
Total Assessment per Assessable Parcel/Lot		\$252

¹ STL Zone 111 Proposed Budget is based on information provided in the Plans.

² All costs were rounded up to whole dollars.

³ HPSV means high pressure sodium vapor.

PART IV - STL ZONE 111 ASSESSMENT DIAGRAM / BOUNDARY MAP

FISCAL YEAR 2015–2016 L&LMD NO. 89-1-C STL ZONE 111

The Assessment Diagram/Boundary Map for STL Zone 111 by this reference is incorporated and made a part of this Report. Only the parcels identified within the STL Zone 111 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 recalculated and applied 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 received from Riverside County Transportation Department.

The STL Zone 111 Assessment Diagram/Boundary Map identifying the boundaries of parcels within PP 25397 in L&LMD No. 89-1-C STL Zone 111 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 LIGHTING ZONE 111

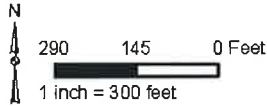
PORTION OF SECTION 27, T.4S., R.6W.

PP25397

1 PARCEL

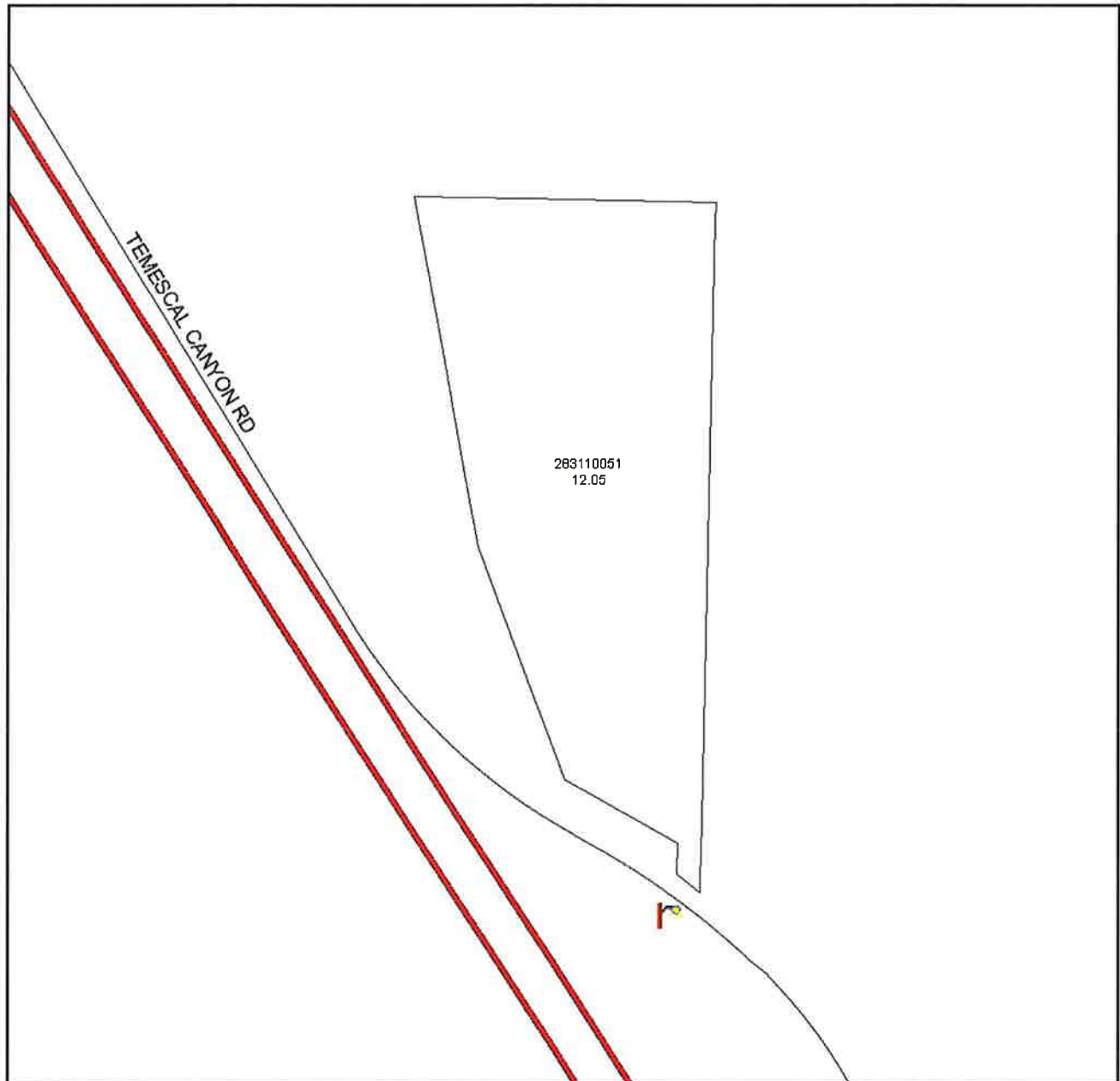


The City of Tempe does not warrant or accept responsibility for the information contained on this map. Data and information represented on this map is subject to updates, modifications and may not be complete or accurate for all purposes. City of Tempe and its employees shall not be liable for any errors or omissions on this map. Do not copy or reuse this map.

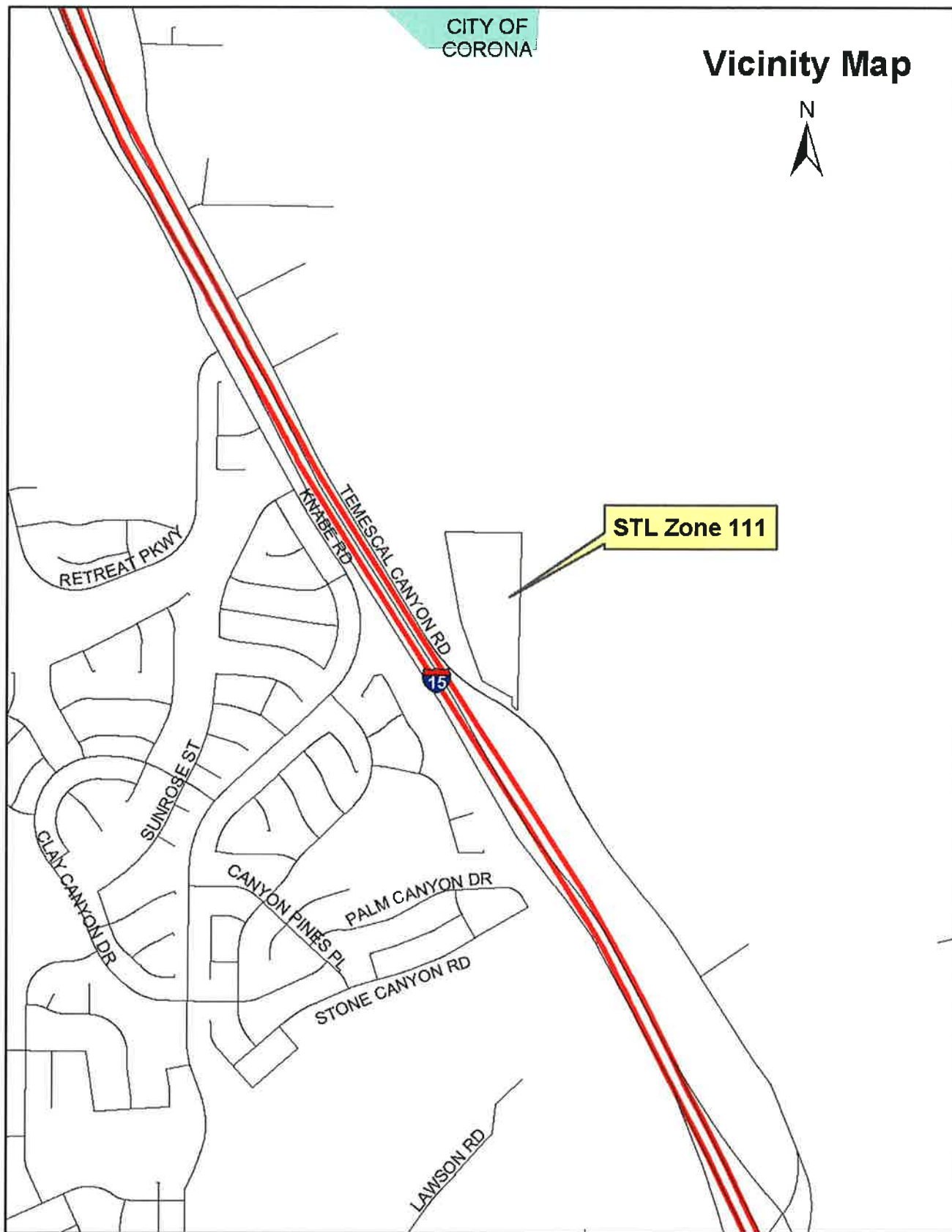


ASSESSMENT DIAGRAM

Printed by bhahn on 3/12/2015



DENOTES MAINTAINED STREETLIGHT



PART V – ASSESSMENT ROLL

Parcel identification for each parcel or lot within STL Zone 111 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 111 includes the following Assessor Parcel Number(s) as of the date of this Report:

283110051-3

The initial Maximum Assessment per parcel is as follows:

**L&LMD NO. 89-1-C STL ZONE 111
PLOT PLAN 25397
PROPOSED FISCAL YEAR 2015–2016 MAXIMUM ASSESSMENTS⁴**

Plot Plan	Assessor's Parcel Number/Lot No.	Maximum Assessment
25397	283110051-3	\$252

⁴The initial Maximum Assessment may be adjusted by the greater of two percent or the cumulative percentage increase in the CPI-U Index published by the BLS.

Waiver and Consent Regarding Date of Assessment Ballot Election

There is only one individual/entity which owns all of the property within the proposed boundaries of STL Zone 111 and said property owner has executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election and public hearing to be held on June 30th, 2015; a copy of said waiver is filed herewith and made a part hereof.

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

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

The undersigned, an authorized representative of Via Del Rio Business Park, LLC (the "Owner") owns property within the unincorporated area of the County of Riverside (the "County") represented by the following Assessor's Parcel Numbers for fiscal year 2015-16 (the "Property"): APN(s) 283-110-051.

The Owner has made application that the Property be annexed as Street Lighting Zone 111 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 election required for annexation and the levy of an annual assessment must be held on an established mailed ballot election date pursuant to Section 1500 of the Election Code; and
2. The Owner consents to the mailed assessment ballot election with respect to the levy of an annual assessment on the Property being held on June 2, 2015

OWNER: Via Del Rio Business Park, LLC
(Name of Company
as Stated in Initial Paragraph)

By:


Signature

Name:

Darrell Clendenen
Print

Title:

MANAGING MEMBER

