

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

521 A



**FROM:** TLMA - Transportation Dept.

**SUBMITTAL DATE:**  
March 6, 2014

**SUBJECT:** Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Zone 187 (French Valley) District 3/3 [\$6,651]; L&LMD No. 89-1-C – 100%.

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

1. Resolution No. 2014-055 a Resolution of the County of Riverside initiating proceedings for the annexation of Zone 187 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated and ordering preparation of the Engineer's Report regarding the proposed annexation of Zone 187.
2. Resolution No. 2014-056, a Resolution of the County of Riverside declaring its intent to order the annexation of Zone 187 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 fossil filters, traffic signals, and bridge lights; adopting the preliminary engineer's report; giving notice of and setting the time and place of the public hearing on the annexation of Zone 187, ordering a mailed ballot election; and directing notice of the public hearing and ballot be mailed pursuant to Article XIID of the California Constitution.

FORM APPROVED COUNTY COUNSEL  
BY: Dale A. Gardner 2/25/14 DATE  
Departmental Concurrence

**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)
<b>COST</b>	\$ 0	\$ 6,651	\$ N/A	\$ 6,651	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0	
<b>SOURCE OF FUNDS</b> L&LMD No. 89-1-C – 100%				<b>Budget Adjustment:</b>	N/A
There are no General Funds used in this project.				<b>For Fiscal Year:</b>	14/15

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

APPROVE

BY:   
Tina Grande

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Benoit, seconded by Supervisor Jeffries and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended and is set for public hearing on Tuesday, May 20, 2014, at 9:30 a.m..

**Ayes:** Jeffries, Tavaglione, Stone, Benoit and Ashley  
**Nays:** None  
**Absent:** None  
**Date:** March 11, 2014  
 xc: Transp., COB

Kecia Harper-Ihem  
Clerk of the Board  
By:   
Deputy

**Prev. Agn. Ref.:** District: 3/3 **Agenda Number:**

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

**3-35**

**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 Zone 187

(French Valley) District 3/3 [\$6,651]; L&LMD No. 89-1-C – 100%.

**DATE:** March 6, 2014

**PAGE:** 2 of 3

**BACKGROUND:**

**Summary**

Adoption of Resolution No. 2014-055 appoints the Director of the Transportation Department, or his designee, as the Engineer to prepare a Report regarding the proposed annexation of Zone 187 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated (“L&LMD No. 89-1-C”).

Resolution No. 2014-056 declares the Board of Supervisors’ intention of ordering the annexation of Zone 187 to L&LMD No. 89-1-C. The annexation of Zone 187 to L&LMD No. 89-1-C will fund the maintenance and servicing of fossil filters, traffic signals, and bridge lights within public right-of-way located northerly of Butterfield Stage Road and at the intersections of Auld Road and Pourroy Road and Butterfield Stage Road and Honey Pine Road/Buena Ventura Road in the French Valley area and includes 103 single-family residential lots.

Consistent with the direction of the Board of Supervisors regarding compliance with Article XIID of the California Constitution and the Landscaping and Lighting Act of 1972, the attached resolutions have been prepared and a public hearing scheduled for 9:30 a.m. on May 20, 2014, to receive testimony for and against the proposed assessment. The property owner within the proposed Zone 187 will receive a notice of the public hearing and mail-in ballot, an impartial analysis, a copy of Resolution No. 2014-056, and an information sheet.

The ballot 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, Zone 187 will be annexed to L&LMD No. 89-1-C.

Currently there is only one individual/developer/entity, which owns all of the property within the proposed boundaries of Zone 187, 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 May 20, 2014.

**Impact on Residents and Businesses**

The new assessment is for the purpose of providing the maintenance and servicing of fossil filters, traffic signals, and bridge lights within public right-of-way.

The property owner within the proposed boundaries of Zone 187, which are represented by Tract Map No. 36376, as described in the attached Exhibit “A” (a two-page exhibit containing a description and diagram) is impacted by the cost of this annexation. The property owner within the proposed boundaries of Zone 187 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 (fossil filters, traffic signals, and bridge lights).

**SUPPLEMENTAL:**

**Additional Fiscal Information**

The proposed budget for fiscal year 2014-15 for Zone 187 is \$6,651.00. This will result in an assessment for fiscal year 2014-15 within Zone 187 of \$64.56 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 (CPI-U), if any, as it stands as of March of each year over the base index for March of 2014.

**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 Zone 187**  
**(French Valley) District 3/3 [\$6,651]; L&LMD No. 89-1-C – 100%.**

**DATE:** March 6, 2014

**PAGE:** 3 of 3

**ATTACHMENTS:**

- A. Exhibit A
- B. Resolution No. 2014-055
- C. Resolution No. 2014-056
- D. Engineer's Report

**EXHIBIT "A"**

**DESCRIPTION OF BOUNDARIES**

The boundaries of Zone 187 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside, are coterminous with the boundaries of 103 parcel(s) as shown on Tract Map Nos. 36376 in the County of Riverside, State of California for fiscal year 2014-15.

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

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED

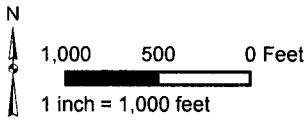
**ZONE 187**

PORTION OF SECTION 8, T.7S., R.2W.

TRACT MAP NO. 36376 - 103 PARCELS

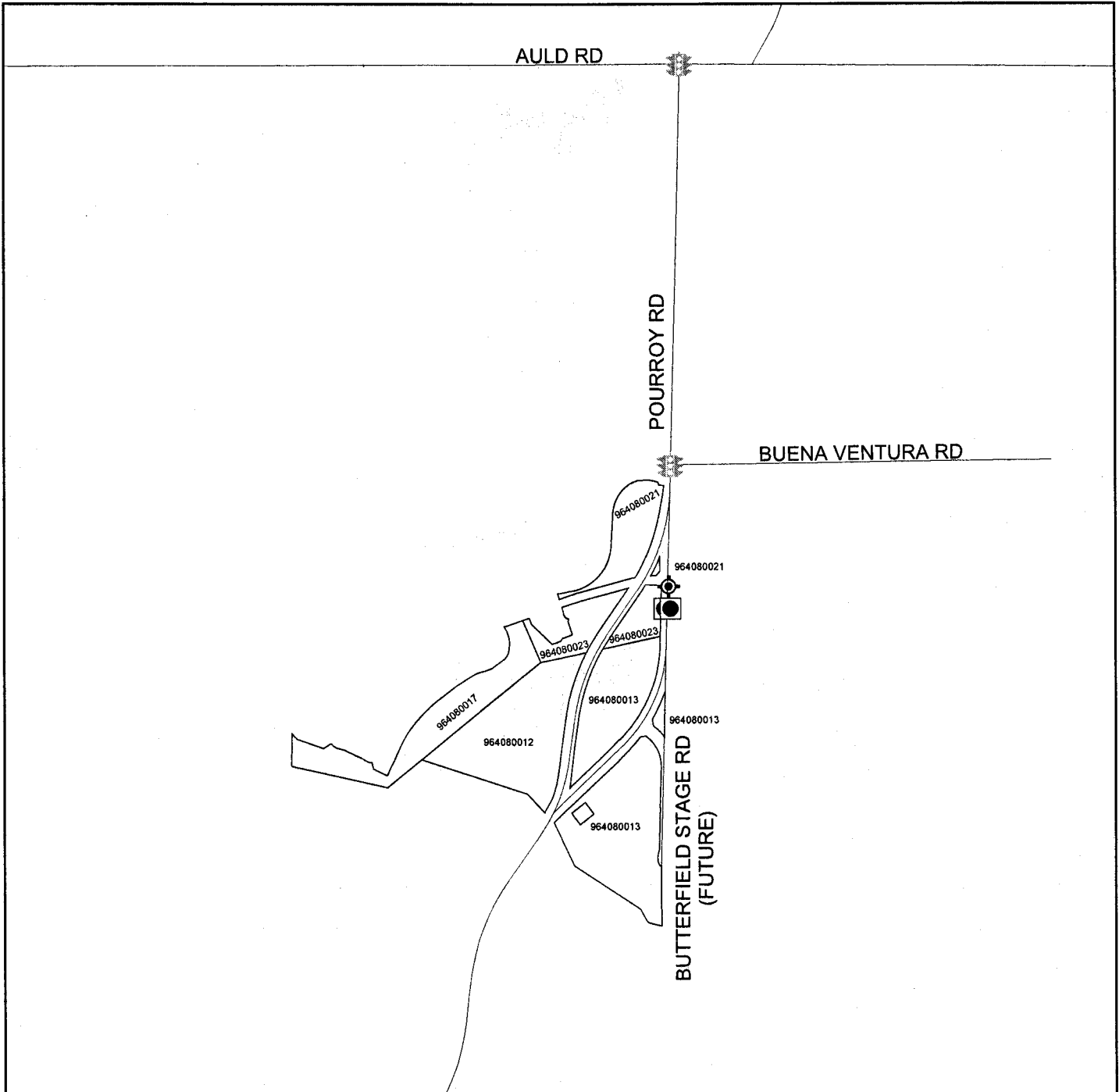


The County of Riverside assumes no warranty or legal responsibility for the information contained on this map. Data and information represented on this map is subject to updates, modifications and may not be complete or appropriate for all purposes. County GIS and other sources should be queried for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



**ASSESSMENT DIAGRAM**

Printed by bhahn on 2/3/2014



- DENOTES FUTURE MAINTAINED FOSSIL FILTER
- ⊗ DENOTES FUTURE MAINTAINED TRAFFIC SIGNAL
- ⊙ DENOTES MAINTAINED BRIDGE LIGHT

2 RESOLUTION NO. 2014-055

3 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE INITIATING  
4 PROCEEDINGS FOR THE ANNEXATION OF ZONE 187 TO LANDSCAPING AND LIGHTING  
5 MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE  
6 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 "Zone 187"), as shown and described in Exhibit "A", which is attached hereto and made a part hereof,  
13 to be annexed to Landscaping and Lighting Maintenance District No. 89-1-Consolidated (hereinafter  
14 "L&LMD No. 89-1-C") of the County of Riverside, State of California, and the Board of Supervisors has  
15 determined that it is necessary and desirable to initiate proceedings for the annexation of Zone 187 to  
16 L&LMD No. 89-1-C pursuant to the Landscaping and Lighting Act of 1972, Part 2 (commencing with  
17 Section 22500) of Division 15 of the Streets and Highways Code (hereinafter, respectively, the "Act"  
and the "Street and Highways Code"); and

18 WHEREAS, such proceedings shall comply with the requirements of Article XIID of the  
19 California Constitution and Section 4000 of the Elections Code requiring voter approval of the proposed  
20 assessment to be levied by L&LMD No. 89-1-C for Zone 187; and

21 WHEREAS, the Applicant has executed a "Waiver and Consent Regarding Date of Assessment  
22 Ballot Election" allowing for the election to be held on May 20, 2014; and

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

FORM APPROVED COUNTY COUNSEL  
BY: *Wally Gardner* 2/26/14  
DATE: DALE A. GARDNER

1 to serve as the engineer (hereinafter the "Engineer") for the County with regard to the annexation of  
2 Zone 187 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 March 11, 2014 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 Zone 187 to  
9 L&LMD No. 89-1-C and to initiate and conduct proceedings therefore pursuant to the Act for the  
10 purpose of levying an annual assessment on all parcels within Zone 187 to pay the costs of the  
11 following services:

- 12 (a) The maintenance and servicing of fossil filters within the public right-of-way  
13 including the removal of petroleum hydrocarbons and other pollutants from water  
14 runoff; and
- 15 (b) Providing electricity to and the maintenance and servicing of  
16 bridge lights and traffic signals within the public right-of-way including incidental  
17 costs and expenses.

18 **Section 3. Boundaries and Designation.** The boundaries of Zone 187 that are  
19 proposed to be annexed to L&LMD No. 89-1-C shall include all of the property as shown and described  
20 in Exhibit "A".

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

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

RESOLUTION NO. 2014 – 055

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE INITIATING PROCEEDINGS FOR THE ANNEXATION OF ZONE 187 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

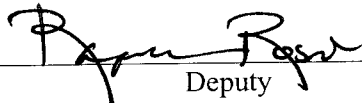
ADOPTED by Riverside County Board of Supervisors on March 11, 2014.

ROLL CALL:

Ayes: Jeffries, Tavaglione, Stone, Benoit and Ashley  
Nays: None  
Absent: None

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

KECIA HARPER-IHEM, Clerk of said Board

By:  Deputy



**EXHIBIT "A"**

**DESCRIPTION OF BOUNDARIES**

The boundaries of Zone 187 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside, are coterminous with the boundaries of 103 parcel(s) as shown on Tract Map Nos. 36376 in the County of Riverside, State of California for fiscal year 2014-15.

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

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED

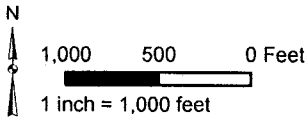
**ZONE 187**

PORTION OF SECTION 8, T.7S., R.2W.

TRACT MAP NO. 36376 - 103 PARCELS

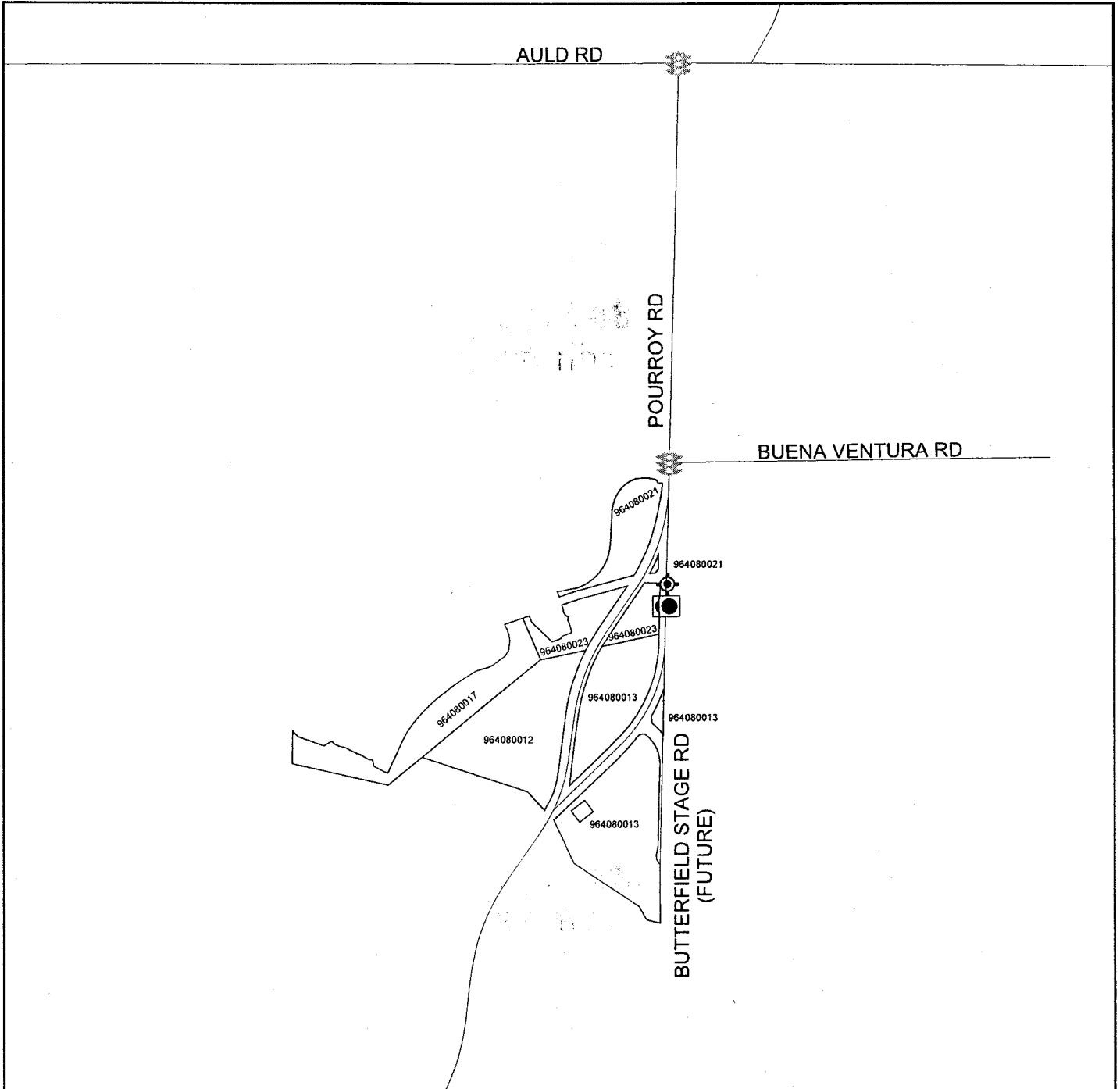





The County of Riverside assumes no warranty or legal responsibility for the information contained on this map. Data and information represented on this map is subject to updates, modifications and may not be complete or appropriate for all purposes. County GIS and other sources should be queried for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



**ASSESSMENT DIAGRAM**

Printed by bhahn on 2/3/2014



-  DENOTES FUTURE MAINTAINED FOSSIL FILTER
-  DENOTES FUTURE MAINTAINED TRAFFIC SIGNAL
-  DENOTES MAINTAINED BRIDGE LIGHT

2 RESOLUTION NO. 2014-056

3 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING  
4 ITS INTENT TO ORDER THE ANNEXATION OF ZONE 187 TO LANDSCAPING AND LIGHTING  
5 MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE  
6 PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 FOR THE MAINTENANCE  
7 AND SERVICING OF FOSSIL FILTERS, TRAFFIC SIGNALS, AND BRIDGE LIGHTS; ADOPTING  
8 THE PRELIMINARY ENGINEER'S REPORT; GIVING NOTICE OF AND SETTING THE TIME AND  
9 PLACE OF THE PUBLIC HEARING ON THE THE ANNEXATION OF ZONE 187 ; 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. 2014-055 on March 11, 2014 initiating  
16 proceedings for the annexation of Zone 187 (hereinafter "Zone 187"), as described and shown in  
17 Exhibit "A", which is attached hereto and incorporated herein, to Landscaping and Lighting  
18 Maintenance District No. 89-1-Consolidated of the County of Riverside, State of California, (hereinafter  
19 "L&LMD No. 89-1-C") pursuant to the Landscaping and Lighting Act of 1972 (hereinafter the "Act"),  
20 which is Part 2 (commencing with Section 22500) of Division 15 of the Streets and Highways Code  
21 (hereinafter the "Street and Highways Code"), and ordering the preparation of a report (hereinafter the  
22 "Report") regarding the proposed annexation of Zone 187 and the assessments to be levied within  
23 Zone 187 each fiscal year beginning fiscal year 2014-15 for the maintenance and servicing of fossil  
24 filters, traffic signals, and bridge lights 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 Zone 187;  
and

WHEREAS, the Board of Supervisors by Resolution No. 2014-055 directed the Director of the  
Transportation Department, or his designee (hereinafter the "Engineer"), to prepare and file the Report

FORM APPROVED COUNTY COUNSEL  
BY: Dale A. Gardner 3/20/14  
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 May 20, 2014; 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 Zone 187, and the assessments to be levied on parcels within Zone 187  
11 beginning in fiscal year 2014-15;

12 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the  
13 Board of Supervisors in regular session assembled on March 11, 2014 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 2014-15 on all parcels within Zone 187 will be  
20 \$64.56 per parcel.

21 **Section 2. Intent.** The Board of Supervisors hereby declares its intention to order the  
22 annexation of Zone 187, as described and shown in Exhibit "A", to L&LMD No. 89-1-C, and to levy and  
23 collect an annual assessment on all assessable lots and parcels of property within Zone 187  
24 commencing with the fiscal year 2014-15 as set forth in the Report. The Report expressly states that  
25 there are no parcels or lots within Zone 187 that are owned by a federal, state or other local  
26 governmental agency that will benefit from the services to be financed by the annual assessments. The

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

4 **Section 3. Boundaries.** All the property within boundaries of Zone 187 is proposed to be  
5 annexed to L&LMD No. 89-1-C and shall include that property in the unincorporated area of the County  
6 as described and shown in Exhibit "A".

7 **Section 4. Description of Services to be Provided** . The services authorized for Zone 187  
8 of L&LMD No. 89-1-C are:

- 9 (a) The maintenance and servicing of fossil filters within the public right-of-way including the  
10 removal of petroleum hydrocarbons and other pollutants from water runoff; and
- 11 (b) Providing electricity to and the maintenance and servicing of  
12 bridge lights and traffic signals within the public right-of-way including incidental costs  
13 and expenses.

14 **Section 5. Amount to be Levied.** The assessment to be levied upon each parcel that  
15 benefits from the annexation of Zone 187 to L&LMD No. 89-1-C will be \$64.56 per parcel for fiscal year  
16 2014-15. As stated in the Report, the total budget for Zone 187 for the fiscal year 2014-15 is \$6,651.00;  
17 there are 103 parcels that are to be assessed. Each succeeding fiscal year the special assessment  
18 may be subject to an annual adjustment that is the greater of two percent (2%) or the cumulative  
19 percentage increase, if any, in the Consumer Price Index for all Urban Consumers ("CPI-U") for the Los  
20 Angeles-Riverside-Orange County California Standard Metropolitan Statistical area ("Index") published  
21 by the Bureau of Labor Statistics of the United States Department of Labor. The annual CPI-U  
22 adjustment will be based on the cumulative increase, if any, in the "Index" as it stands on March of each  
23 year over the base Index for March of 2014. Any increase larger than the greater of 2% or the CPI-U  
24 annual adjustment requires a majority approval of all the property owners in Zone 187. The Board of  
25 Supervisors will levy the assessment in each subsequent fiscal year until the Board of Supervisors  
26 undertakes proceedings for the dissolution of Zone 187 of L&LMD No. 89-1-C. The annual assessment

1 will fund the services described in Section 4 of this Resolution. For further particulars, reference is to be  
2 made to 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 Zone 187. The boundaries of Zone 187 are located within the unincorporated area of the  
5 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 Zone 187, and the  
9 annual assessment to be levied upon assessable lots and parcels within Zone 187 proposed to be  
10 annexed to L&LMD No. 89-1-C.

11 **Section 8. Public Hearing.** The question of whether Zone 187 shall be annexed to L&LMD  
12 No. 89-1-C and an annual assessment levied beginning with fiscal year 2014-15 shall be considered at  
13 a public hearing (hereinafter the "Public Hearing") to be held on May 20, 2014, at 9:30 a.m. at the  
14 meeting room of the Board of Supervisors of the County at 4080 Lemon Street, 1<sup>st</sup> Floor, Riverside,  
15 California.

16 **Section 9. Majority Protest.** Each owner of record of property within Zone 187 is to receive  
17 by mail an assessment ballot that shall conform to the requirements of Section 4 of Article XIID and  
18 Section 4000 of the California Elections Code. The assessment ballots are to be returned prior to the  
19 Public Hearing. The agency shall not impose an assessment if there is a majority protest. A majority  
20 protest exists if, upon the conclusion of the hearing, ballots submitted in opposition to the assessment  
21 exceed the ballots submitted in favor of the assessment. In tabulating the ballots, the ballots shall be  
22 weighted according to the proportional financial obligation of the affected property.

23 **Section 10. Information.** Any property owner desiring additional information regarding  
24 Zone 187 of L&LMD No. 89-1-C, the Report, or the proposed assessment is to contact Ms. Brigitte  
25 Hahn, Senior Engineering Technician, Transportation Department of the County of Riverside, 4080  
26



**EXHIBIT "A"**

**DESCRIPTION OF BOUNDARIES**

The boundaries of Zone 187 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside, are coterminous with the boundaries of 103 parcel(s) as shown on Tract Map Nos. 36376 in the County of Riverside, State of California for fiscal year 2014-15.

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



LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED

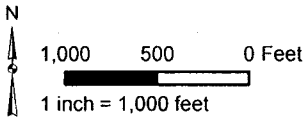
**ZONE 187**

PORTION OF SECTION 8, T.7S., R.2W.

TRACT MAP NO. 36376 - 103 PARCELS

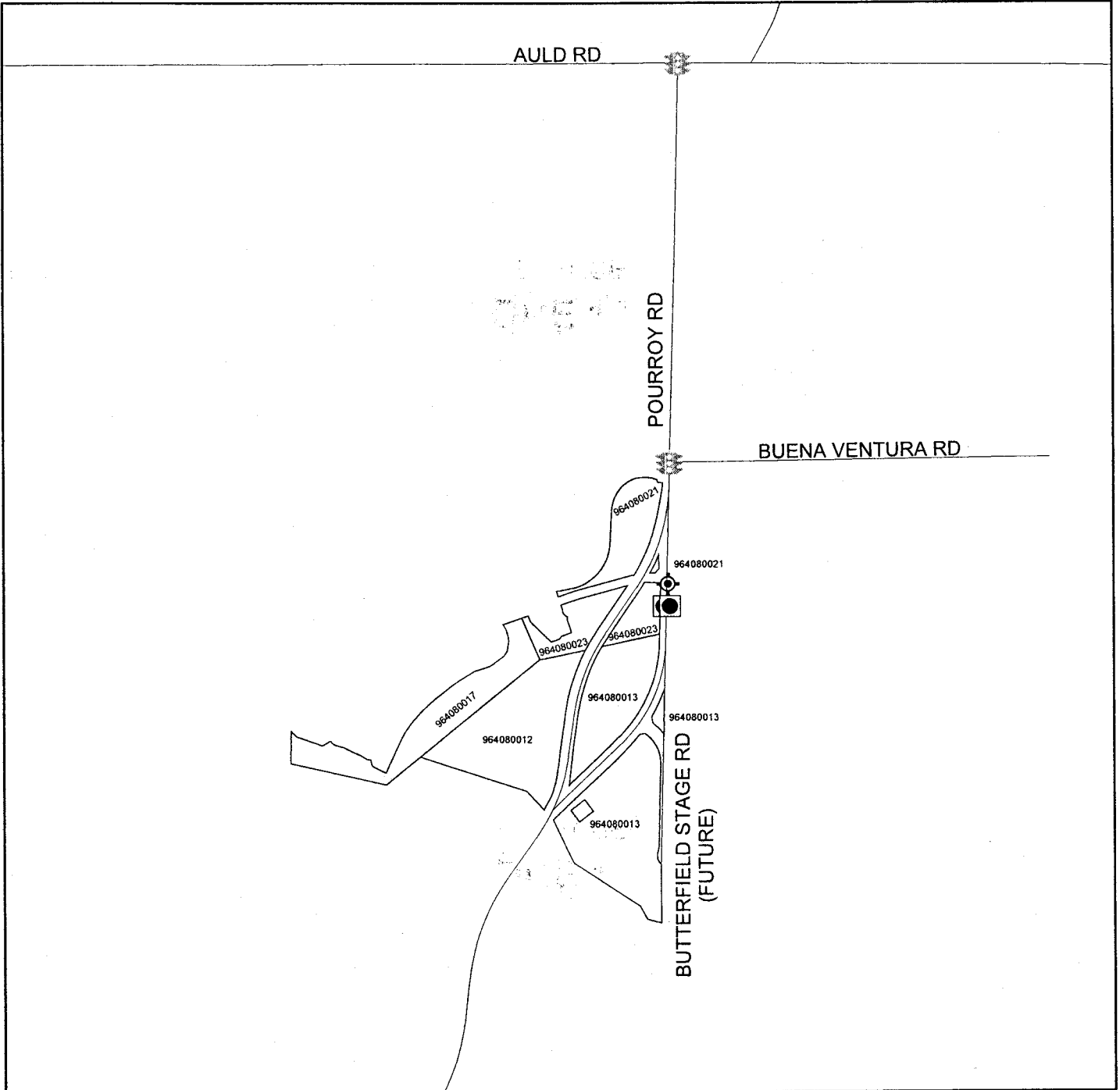





The County of Riverside assumes no warranty or legal responsibility for the information contained on this map. Data and information represented on this map is subject to updates, modifications and may not be complete or appropriate for all purposes. County GIS and other sources should be queried for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



**ASSESSMENT DIAGRAM**

Printed by bhahn on 2/3/2014



-  DENOTES FUTURE MAINTAINED FOSSIL FILTER
-  DENOTES FUTURE MAINTAINED TRAFFIC SIGNAL
-  DENOTES MAINTAINED BRIDGE LIGHT

# COUNTY OF RIVERSIDE

# TRANSPORTATION DEPARTMENT



## **ENGINEER'S REPORT FOR Landscaping & Lighting Maintenance District No. 89-1-Consolidated Zone 187**

---

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

**February 2014**

**AGENCY: COUNTY OF RIVERSIDE, CALIFORNIA - TRANSPORTATION DEPARTMENT**

**PROJECT: ANNEXATION OF TRACT 36376 ("TR 36376") TO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED ("L&LMD NO. 89-1-C") AS ZONE 187 ("ZONE")**

**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, said Act being Part 2 of Division 15 of the Streets and Highways Code of the State of California, Section 4 of Article XIID of the California Constitution, and direction from the Board of Supervisors of Riverside County, California, I submit herewith the following Report.

This Report provides for the annexation of TR 36376 to L&LMD No. 89-1-C as Zone 187 and establishes the Maximum Assessment to be levied in the Fiscal Year commencing July 1, 2014 to June 30, 2015 (2014-2015) and all subsequent Fiscal Years, for this area to be known and designated as:

#### **L&LMD NO. 89-1-C ZONE 187 TR 36376**

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 "Landscaping and Lighting Act of 1972", do hereby submit the following:

Pursuant to the provisions of law, the costs and expenses of the Zone have been assessed upon the parcels of land in the Zone 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 the Zone, as well as the boundaries and dimensions of the respective parcels and subdivisions of land within said Zone as they exist, each of which subdivisions of land or parcels or lots, respectively, have been assigned a lot 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.

As of the date of this Report, there are no parcels or lots within Zone 187 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 13 day of February, 2014



PSOMAS

A handwritten signature in cursive script that reads "Bruce W. Kirby".

BRUCE W. KIRBY  
PROFESSIONAL CIVIL ENGINEER 42393  
ENGINEER OF WORK  
COUNTY OF RIVERSIDE  
STATE OF CALIFORNIA

# TABLE OF CONTENTS

	Pg.
<b>EXECUTIVE SUMMARY .....</b>	<b>1</b>
<b>A. Introduction.....</b>	<b>1</b>
<b>B. Assessment Zone.....</b>	<b>2</b>
<b>PART I – PLANS AND SPECIFICATIONS .....</b>	<b>3</b>
<b>A. Description of the Assessment Zone .....</b>	<b>3</b>
<b>B. Description of Improvements and Services For L&amp;LMD No. 89-1-C .....</b>	<b>3</b>
<b>C. Improvements and Services for L&amp;LMD No. 89-1-C Zone 187 .....</b>	<b>3</b>
<b>PART II – METHOD OF APPORTIONMENT .....</b>	<b>4</b>
<b>A. Benefit Analysis.....</b>	<b>4</b>
<b>B. Maximum Assessment Methodology.....</b>	<b>7</b>
<b>C. Annual Assessment.....</b>	<b>8</b>
<b>PART III – COST ESTIMATE.....</b>	<b>9</b>
<b>PART IV - ASSESSMENT DIAGRAM / BOUNDARY MAP .....</b>	<b>10</b>
<b>PART V – ASSESSMENT ROLL .....</b>	<b>13</b>

# EXECUTIVE SUMMARY

## A. Introduction

Pursuant to the provisions of law, the costs and expenses of the Zone have been assessed upon the parcels of land in the Zone 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 13<sup>th</sup> day of March, 2014 the Riverside County Board of Supervisors, County of Riverside, State of California, ordering the preparation of the Engineer's Report ("Report") providing for the annexation of TR 36376 to L&LMD No. 89-1-C as Zone 187 did, pursuant to the provisions of the "Landscaping and Lighting Act of 1972", being Division 15 of the Streets and Highways Code of the State of California, adopt Resolution No. 2014-2055 for a special assessment district zone known and designated as:

### **ZONE 187 TR 36376**

The annexation of Zone 187 includes all parcels of land within the residential subdivision known as TR 36376, also identified by the Assessor Parcel Number(s) valid as of the date of this Report: 964080012-4, 964080013-5, 964080017-9, 964080021-2, and 964080023-4. As required by law, a Assessment Diagram/Boundary Map is filed herewith, showing the Zone, as well as the boundaries and dimensions of the respective parcels and subdivisions of land within said Zone as they exist, each of which subdivisions of land or parcels or lots, respectively, have been assigned a lot number within a specific tract and indicated on the Assessment Diagram/Boundary Map and in the Assessment Roll contained herein. Psomas submits this Report, for the annexation of said Zone 187 and the establishment of the Maximum Assessment to be levied and collected commencing Fiscal Year 2014-2015 and all subsequent fiscal years, consisting of five (5) parts.

### **PART I**

**Plans and Specifications:** This section contains a description of Zone 187's boundaries and the proposed improvements within said Zone. Zone 187 shall consist of a benefit zone encompassing all of the properties within the residential development known as TR 36376. The proposed improvements described in this Report are based on current development and improvement plans provided to Psomas as of the date of this Report. Improvement plans include Tract Map No. 36376, I.P. No. 120019 with a Plot Date of 12-18-2013 and Street Light Plans, I.P. No. 120047 with a Plot Date of 4-23-2013 ("Plans").

### **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 Zone 187 is based on current property development Plans and estimated annual costs and expenses associated with all improvements to be accepted and maintained by Zone 187 at build-out. The initial Maximum Assessment may be adjusted by the greater of two percent (2%) or the cumulative percentage increase in the Consumer Price Index for all Urban Consumers for ("CPI-U") for the Los Angeles-Riverside-Orange County 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 of 2014. The initial Maximum Assessment established within Zone 187 shall be \$6,651.00. Pursuant to the Plans and TR 36376, which is composed of 103 assessable parcel, and 13 non-assessable parcels, the initial Maximum Assessment shall be \$64.56 per parcel, subject to the inflationary factor.

### **PART III**

**The Cost Estimate:** An estimate of the cost of the fossil filters, traffic signals and bridge lights including incidental costs and expenses in connection therewith for fiscal year 2014-2015, 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 Zone 187. 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/unit to be applied on the tax roll for Fiscal Year 2014-2015 as provided in the Plans.

## **B. Assessment Zone**

The services to be provided by L&LMD No. 89-1-C Zone 187 generally includes fossil filters, traffic signals and bridge lights. The annexation of TR 36376 to L&LMD No. 89-1-C as Zone 187 will provide the financial mechanism (annual assessments) by which the ongoing operation and maintenance of these improvements and services will be funded. Zone 187's structure, proposed improvements, 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 proposed improvements.

# **PART I – PLANS AND SPECIFICATIONS**

## **A. Description of the Assessment Zone**

Zone 187 is located within the unincorporated area of the County of Riverside, State of California and is comprised of TR 36376. The area for TR 36376 is generally east of Highway 79, south of Auld Road, and northwest of Pourroy Road. At full development, TR 36376 is projected to include 103 assessable residential lots/units and 13 non-assessable lots/units. Zone 187 consists of all lots/units, parcels and subdivision of land located in the following development areas:

- TR 36376 – Assessor Parcel Number(s) as of the date of this Report: 964080012-4, 964080013-5, 964080017-9, 964080021-2, and 964080023-4

## **B. Description of Improvements and Services For L&LMD No. 89-1-C**

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

- L&LMD No. 89-1-C will annually levy an assessment on property within its boundaries to pay the cost of the following services and improvements:
  - The installation and planting of landscaping, including trees, shrubs, grass and other ornamental vegetation;
  - The installation or construction of statuary, fountains and other ornamental structures and facilities;
  - The installation or construction of public lighting facilities including but not limited to, traffic signals;
  - The installation or construction of any facilities which are appurtenant to any of the foregoing, or which are necessary or convenient for the maintenance or servicing thereof, including, but not limited to, grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks or paving, water irrigation, drainage or electrical facilities; and,
  - The maintenance and/or servicing of any of the foregoing.

## **C. Improvements and Services for L&LMD No. 89-1-C Zone 187**

The services to be funded by L&LMD No. 89-1-C Zone 187 include the maintenance and servicing of fossil filters, traffic signals and bridge lights within the residential subdivision designated as TR 36376 on the public right-of-way known as:

- Butterfield Stage Road
- Pourroy 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.

Fossil filters, traffic signals and bridge lights are the responsibility of Zone 187.

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 the Zone 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 fossil filters, traffic signals, and bridge lights improvements within Zone 187 provide direct and special benefit to the lots or parcels within the Zone. 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 Zone, 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 fossil filters, traffic signals, and bridge lights and to guarantee the maintenance of the fossil filters, traffic signals,

and bridge lights and appurtenant facilities serving the lots or parcels. Therefore, each and every lot or parcel within the proposed Zone 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 the Zone because of the nature of the improvements.

Finally, the proper maintenance of fossil filters, traffic signals, and bridge lights specially benefit parcels within the Zone by improving water quality, improving the 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 thereby increasing traffic safety within the Zone. Traffic signals and bridge lights provide safety for pedestrians and motorists living and/or owning property in the Zone during both daytime and nighttime hours.

Because all benefiting properties consist of a uniform land use, it is determined that all residential parcels benefit equally from the improvements and the costs and expenses for the maintenance and servicing of fossil filters, traffic signals, and bridge lights are apportioned on a per parcel basis.

Based on the benefits described above, fossil filters, traffic signals, and bridge lights is an integral part of the quality of life of the Zone. This quality of life is a special benefit to those parcels with a residential land use within the Zone and do not include government owned easements, 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 fossil filters, traffic signals, and bridge lights and are not assessed.

#### **SPECIAL BENEFITS OF L&LMD NO. 89-1-C ZONE 187 AUTHORIZED IMPROVEMENTS AND SERVICES:**

The special benefits associated with fossil filters are specifically:

- Enhanced water quality control.
- Increased public safety.
- Improved neighborhood aesthetics.

The special benefits of traffic signals are the provision of traffic control and restriction, convenience, safety, security of property, improvements and goods, specifically:

- Increased daytime and nighttime safety on roads and streets.
- Improved ability of pedestrians and motorists to drive and walk safely.

- Improved ingress and egress to development.
- Improved traffic circulation and reduced nighttime accidents.

The special benefits of bridge lights are the convenience, safety, security of property, improvements and goods, specifically:

- Enhanced deterrence of crime and the aid to police protection.
- Increased nighttime safety on the bridge.
- Improved ability of pedestrians and motorists to see.
- Improved ingress and egress to the development.
- Reduced vandalism and other criminal acts and damage to improvements or property.
- Improved traffic circulation and reduced nighttime accidents and personal property loss.

### **General Benefit**

The total benefit from the works of improvement is a combination of the special benefits to the parcels within the Zone and the general benefits to the public at large and to adjacent property owners. A portion of the total maintenance costs for the traffic signals, if any, associated with general benefits will not be assessed to the parcels in the Zone, but will be paid from other Riverside County Transportation Department Funds. Because the fossil filters and bridge lights improvements are located immediately adjacent to properties within the Zone and are maintained solely for the benefit of the properties within the Zone, any benefit received by properties outside of the Zone is nominal. Therefore, the general benefit portion of the benefit received from the improvements for the Zone is zero.

As a result, no property is assessed in excess of the reasonable cost of the proportional special benefit conferred on that property.

Because the benefiting properties consist of a uniform land use (residential), it is determined that each of the residential parcels within the Zone benefit equally from the improvements. It has been determined that the costs and expenses for the traffic signal improvements for the Zone at the intersection of Pourroy Road and Auld Road do not exceed 30% of the County's total maintenance cost and at the intersection of Butterfield Stage Road and Buena Ventura Road do not exceed 40% of the County's total maintenance cost. The County's total maintenance cost is \$5,500 per traffic signal. The percentages were derived from the budget prepared by Riverside County Transportation Department. Therefore, the proportionate share of the costs and expenses for the provision of fossil filters, traffic signals, and bridge lights as well as costs and expenses for the maintenance of the traffic signals, and bridge lights are apportioned equally on a per parcel basis.

## **B. Maximum Assessment Methodology**

The following methodology was adopted by Riverside County Board of Supervisors in the annual Engineer's 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 the Zone 187 costs and assessments.

The Maximum Assessment formula shall be applied to all assessable parcels of land within the Zone. For Zone 187, the initial Maximum Assessments for Fiscal Year 2014-2015 are as follows:

- The initial Maximum Assessment established within Zone 187 (TR 36376) shall be \$6,651.00
- Pursuant to the Plans, each parcel's initial Maximum Assessment shall be \$64.56

The initial Maximum Assessment is subject to an annual inflator starting in Fiscal Year 2015-2016. The initial Maximum Assessment may be adjusted by the greater of two percent (2%) or the cumulative percentage increase in the CPI-U Index published by the Bureau of Labor Statistics of the United States Department of Labor.

The Maximum Assessment is adjusted annually and is calculated independent of the Zone 187'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 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 Zone 187 assessments may remain virtually unchanged. The Maximum Assessment adjustment is designed to establish a reasonable limit on Zone 187 assessments. The Maximum Assessment calculated each year does not require or facilitate an increase to the annual assessment and neither does it restrict assessments to the adjusted maximum amount. If the budget and assessments for the fiscal year require an increase and the increase is more than the adjusted Maximum Assessment, it is considered an increased assessment.

To impose an increased assessment, the County of Riverside must comply with the provisions of the Constitution Article XIID Section 4c, that requires a public hearing and certain protest procedures including mailed notice of the public hearing and property owner protest balloting. Property owners through the balloting process must approve the proposed assessment increase. If the proposed assessment is approved, then a new Maximum Assessment is established for Zone 187. If the proposed assessment is not approved, the County may not levy an assessment greater than the adjusted Maximum Assessment previously established for Zone 187.

**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 Zone 187 over and above general benefit conferred upon the assessable real property within Zone 187 or to the public at large. The Assessment for each assessable parcel within Zone 187 is calculated by dividing the total Annual Balance to Levy by the total number of assessable subdivided parcels within Zone 187 to determine the Annual Assessment per assessable parcel.

***Annual Balance to Levy/Total number of assessable parcels = Annual Assessment per assessable parcel. (Please refer to Part III – Cost Estimate.)***

# PART III – COST ESTIMATE

## L&LMD NO. 89-1-C ZONE 187 (TRACT 36376) FOR FISCAL YEAR 2014-2015

Cost Description <sup>1</sup>	Total Costs for Zone 100	Cost per Parcel/Lot <sup>2</sup> for Zone 187
Fossil Filters	\$1,575.00	\$15.29
Traffic Signal at the intersection of Pourroy at Auld Road 30% of \$5,500/TS	1,650.00	16.02
Traffic Signal at the intersection of Butterfield Stage Road at Buena Ventura Road 40% of \$5,500/TS	2,200.00	21.36
Bridge Lights	500.00	4.85
Field	210.00	2.04
Repair and Replacement	315.00	3.06
<b>Maintenance Total</b>	<b>\$6,450.00</b>	<b>\$62.62</b>
Administrative Costs	106.53	1.03
Contingency	94.47	0.92
<b>Administration Total</b>	<b>\$201.00</b>	<b>\$1.95</b>
<b>Annual Balance to Levy<sup>3</sup></b>	<b>\$6,651.00</b>	<b>\$64.56</b>

<sup>1</sup> Projected base rates of services for Fiscal Year 2014-2015 were provided by the County of Riverside Transportation Department.

<sup>2</sup> Based on projected 103 assessable parcels/lots.

<sup>3</sup> Per parcel/lot amount of \$64.56 was rounded to even pennies for equal division into 2 installment payments.

## **PART IV - ASSESSMENT DIAGRAM / BOUNDARY MAP**

### **FISCAL YEAR 2014-2015 L&LMD NO. 89-1-C ZONE 187**

The Assessment Diagram/Boundary Map for Zone 187 by this reference is incorporated and made a part of this Report. Only the parcels identified within the Zone 187 Assessment Diagram are within said boundary.

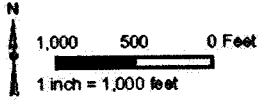
If any parcel submitted for collection is identified by the County Auditor Controller to be an invalid parcel number for the current fiscal year, a corrected parcel number and/or new parcel number will be identified and resubmitted to the County Auditor Controller. The assessment amount to be levied 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 Zone 187 Assessment Diagram/Boundary Map identifying the boundaries of parcels within TR 36376 in L&LMD No. 89-1-C Zone 187 is included in this Report for reference on the following page.

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED  
**ZONE 187**

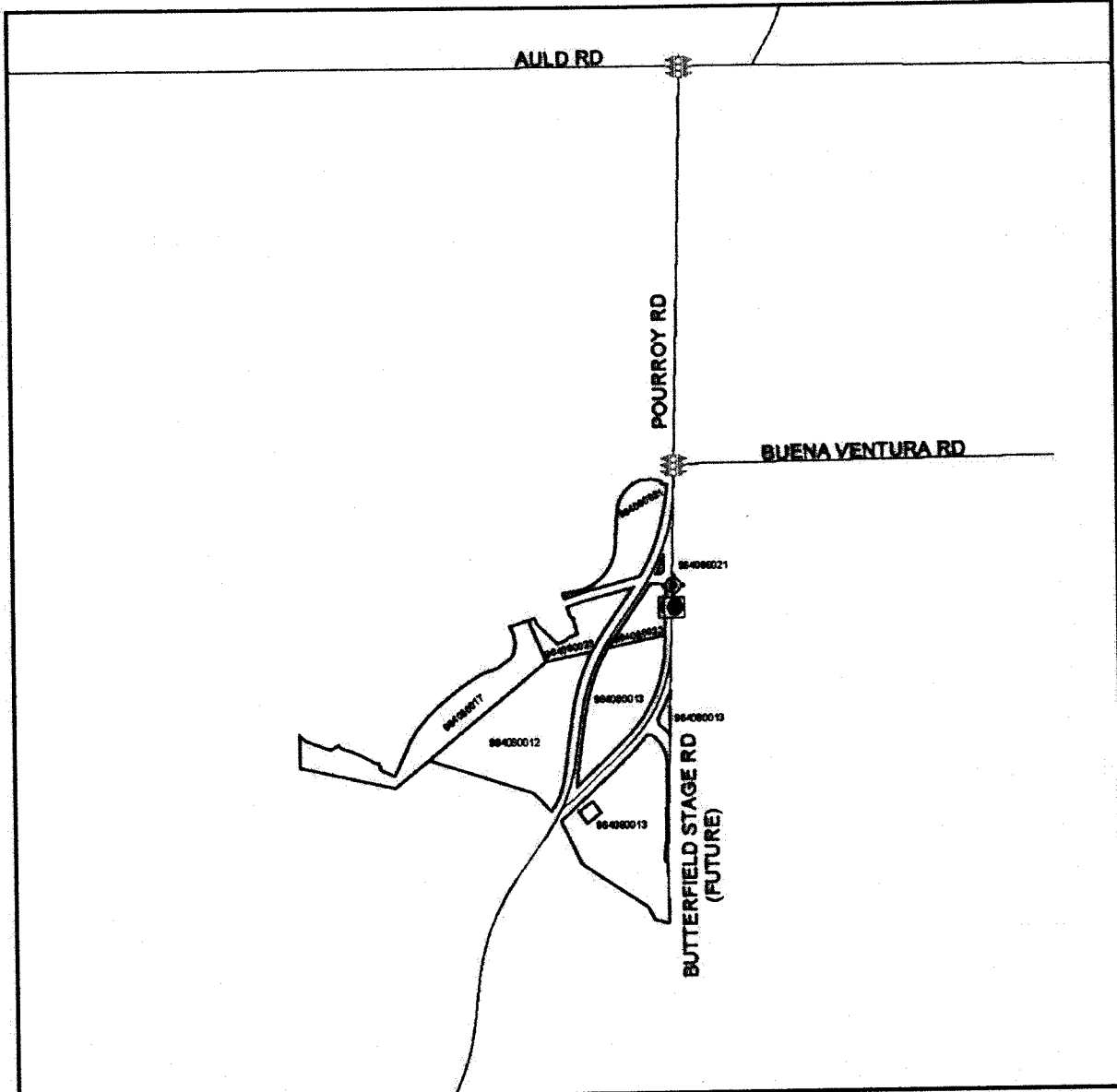
PORTION OF SECTION 8, T.7S., R.2W.  
 TRACT MAP NO. 36376 - 103 PARCELS






The County of Riverside assumes no liability or responsibility for the information contained on this map. The County shall not be held liable for any errors or omissions, and shall not be held liable for any damages or losses, including but not limited to, any and all economic losses, suffered by the user of this map.

**ASSESSMENT DIAGRAM**

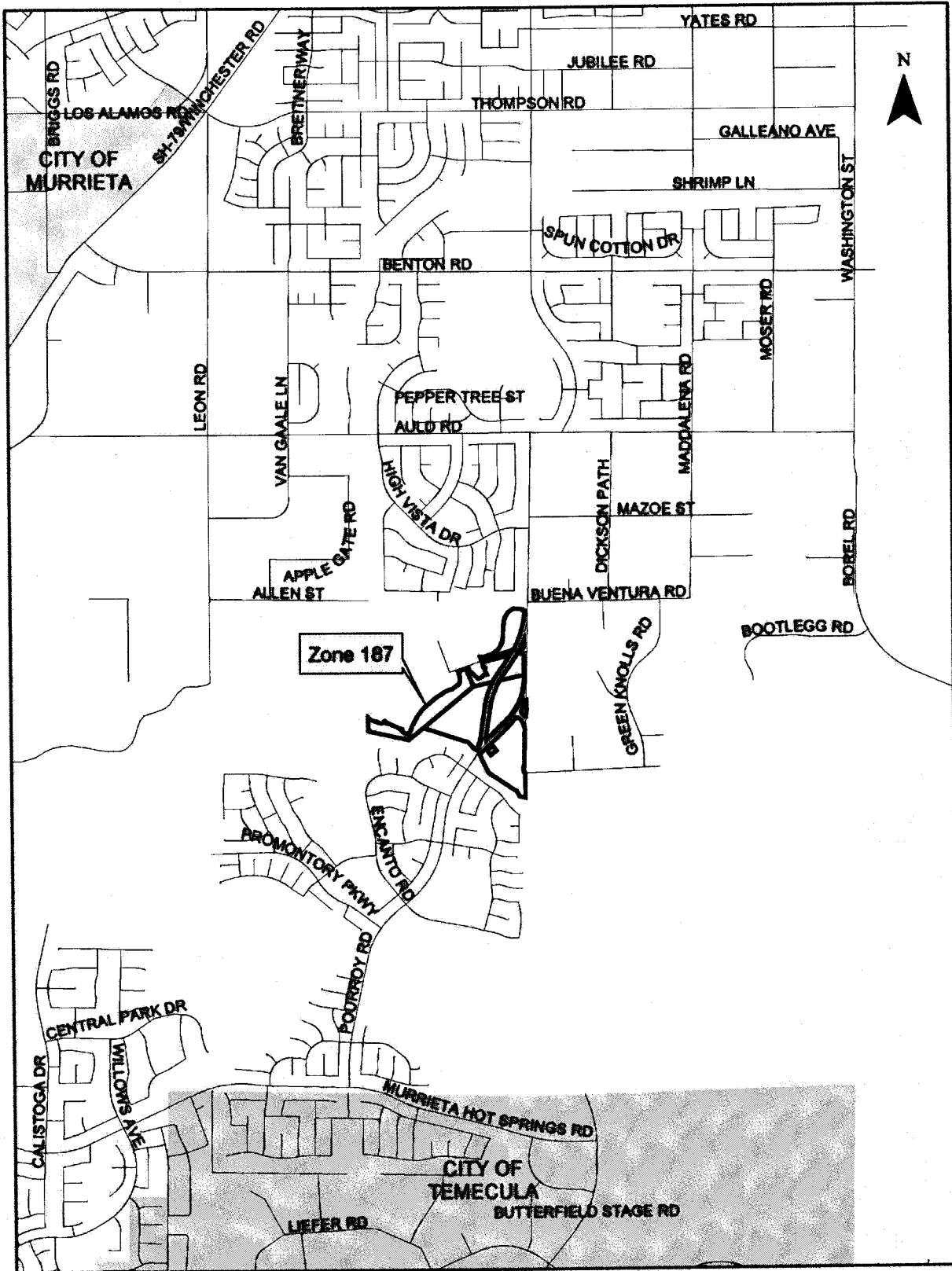
Printed by bhahn on 2/3/2014



-  DENOTES FUTURE MAINTAINED FOSSIL FILTER
-  DENOTES FUTURE MAINTAINED TRAFFIC SIGNAL
-  DENOTES MAINTAINED BRIDGE LIGHT



# VICINITY MAP



# PART V – ASSESSMENT ROLL

Parcel identification for each lot/unit or parcel within Zone 187 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. Zone 187 includes the following APN(s) as of the date of this Report:

964080012-4	964080017-9	964080023-4
964080013-5	964080021-2	

The initial Maximum Assessment shall be \$6,651.00. When subdivided, the initial Maximum Assessment for Zone 187 is as follows:

**L&LMD NO. 89-1-C ZONE 187  
(TRACT 36376)  
PROPOSED FISCAL YEAR 2014-2015 MAXIMUM ASSESSMENTS<sup>4</sup>**

Parcel/ Lot No.	Maximum Assessment	Parcel/ Lot No.	Maximum Assessment	Parcel/ Lot No.	Maximum Assessment
1	\$64.56	21	\$64.56	41	\$64.56
2	64.56	22	64.56	42	64.56
3	64.56	23	64.56	43	64.56
4	64.56	24	64.56	44	64.56
5	64.56	25	64.56	45	64.56
6	64.56	26	64.56	46	64.56
7	64.56	27	64.56	47	64.56
8	64.56	28	64.56	48	64.56
9	64.56	29	64.56	49	64.56
10	64.56	30	64.56	50	64.56
11	64.56	31	64.56	51	64.56
12	64.56	32	64.56	52	64.56
13	64.56	33	64.56	53	64.56
14	64.56	34	64.56	54	64.56
15	64.56	35	64.56	55	64.56
16	64.56	36	64.56	56	64.56
17	64.56	37	64.56	57	64.56
18	64.56	38	64.56	58	64.56
19	64.56	39	64.56	59	64.56
20	64.56	40	64.56	60	64.56

**L&LMD NO. 89-1-C ZONE 187  
(TRACT 36376)  
PROPOSED FISCAL YEAR 2014-2015 MAXIMUM ASSESSMENTS<sup>4</sup>  
(CONTINUED)**

<b>Parcel/ Lot No.</b>	<b>Maximum Assessment</b>	<b>Parcel/ Lot No.</b>	<b>Maximum Assessment</b>	<b>Parcel/ Lot No.</b>	<b>Maximum Assessment</b>
61	\$64.56	81	\$64.56	101	\$64.56
62	64.56	82	64.56	102	64.56
63	64.56	83	64.56	103	64.56
64	64.56	84	64.56	104	0.00
65	64.56	85	64.56	105	0.00
66	64.56	86	64.56	106	0.00
67	64.56	87	64.56	107	0.00
68	64.56	88	64.56	108	0.00
69	64.56	89	64.56	109	0.00
70	64.56	90	64.56	110	0.00
71	64.56	91	64.56	111	0.00
72	64.56	92	64.56	112	0.00
73	64.56	93	64.56	113	0.00
74	64.56	94	64.56	114	0.00
75	64.56	95	64.56	115	0.00
76	64.56	96	64.56	116	0.00
77	64.56	97	64.56		
78	64.56	98	64.56		
79	64.56	99	64.56		
80	64.56	100	64.56		

<sup>4</sup> The initial Maximum Assessment may be adjusted by the greater of two percent (2%) or the cumulative percentage increase in the CPI-U Index published by the Bureau of Labor Statistics of the United States Department of Labor.

## **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 Zone 187 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 May 13<sup>th</sup>, 2014; 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 Lennar Homes of California, Inc. (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 2014-15 (the "Property"): APN(s) 964-080-012, 013, 017, 021 and 023.

The Owner has made application that the Property be annexed as Zone 187 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated of the County ("L&LMD No. 89-1-C") and certifies the following:

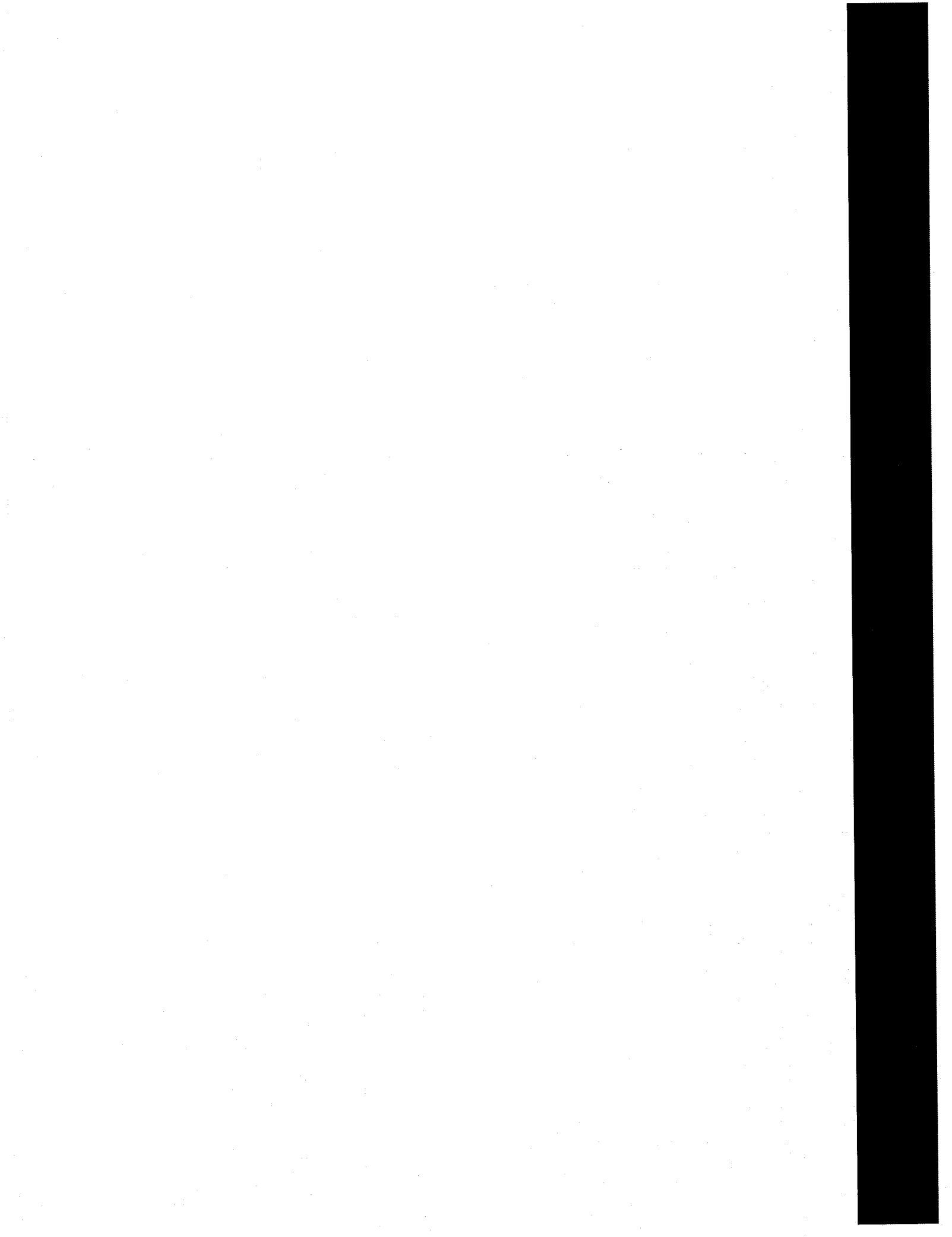
1. The Owner waives the requirements of Section 4000 of the Elections Code of the State of California (the "Elections Code") that the mailed ballot election required for annexation and the levy of an annual assessment must be held on an established mailed ballot election date pursuant to Section 1500 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 May 13, 2014

OWNER: Lennar Homes of California, Inc.  
(Name of Company  
as Stated in Initial Paragraph)

By:   
Signature

Name: JEFFREY T. CLEMENS  
Print

Title: VICE PRESIDENT



# COUNTY OF RIVERSIDE

# TRANSPORTATION DEPARTMENT



## **ENGINEER'S REPORT FOR Landscaping & Lighting Maintenance District No. 89-1-Consolidated Zone 187**

---

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

**February 2014**

MAR 11 2014

3-35

**AGENCY: COUNTY OF RIVERSIDE, CALIFORNIA - TRANSPORTATION DEPARTMENT**

**PROJECT: ANNEXATION OF TRACT 36376 ("TR 36376") TO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED ("L&LMD NO. 89-1-C") AS ZONE 187 ("ZONE")**

**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, said Act being Part 2 of Division 15 of the Streets and Highways Code of the State of California, Section 4 of Article XIID of the California Constitution, and direction from the Board of Supervisors of Riverside County, California, I submit herewith the following Report.

This Report provides for the annexation of TR 36376 to L&LMD No. 89-1-C as Zone 187 and establishes the Maximum Assessment to be levied in the Fiscal Year commencing July 1, 2014 to June 30, 2015 (2014-2015) and all subsequent Fiscal Years, for this area to be known and designated as:

**L&LMD NO. 89-1-C ZONE 187  
TR 36376**

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 "Landscaping and Lighting Act of 1972", do hereby submit the following:

Pursuant to the provisions of law, the costs and expenses of the Zone have been assessed upon the parcels of land in the Zone 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 the Zone, as well as the boundaries and dimensions of the respective parcels and subdivisions of land within said Zone as they exist, each of which subdivisions of land or parcels or lots, respectively, have been assigned a lot 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.

As of the date of this Report, there are no parcels or lots within Zone 187 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 13 day of February, 2014



PSOMAS

A handwritten signature in black ink, appearing to read "B. W. Kirby", written over a horizontal line.

BRUCE W. KIRBY  
PROFESSIONAL CIVIL ENGINEER 42393  
ENGINEER OF WORK  
COUNTY OF RIVERSIDE  
STATE OF CALIFORNIA

# TABLE OF CONTENTS

	Pg.
EXECUTIVE SUMMARY.....	1
A. Introduction.....	1
B. Assessment Zone.....	2
PART I – PLANS AND SPECIFICATIONS.....	3
A. Description of the Assessment Zone .....	3
B. Description of Improvements and Services For L&LMD No. 89-1-C.....	3
C. Improvements and Services for L&LMD No. 89-1-C Zone 187 .....	3
PART II – METHOD OF APPORTIONMENT .....	4
A. Benefit Analysis.....	4
B. Maximum Assessment Methodology.....	7
C. Annual Assessment.....	8
PART III – COST ESTIMATE.....	9
PART IV - ASSESSMENT DIAGRAM / BOUNDARY MAP .....	10
PART V – ASSESSMENT ROLL.....	13

# EXECUTIVE SUMMARY

## A. Introduction

Pursuant to the provisions of law, the costs and expenses of the Zone have been assessed upon the parcels of land in the Zone 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 13<sup>th</sup> day of March, 2014 the Riverside County Board of Supervisors, County of Riverside, State of California, ordering the preparation of the Engineer's Report ("Report") providing for the annexation of TR 36376 to L&LMD No. 89-1-C as Zone 187 did, pursuant to the provisions of the "Landscaping and Lighting Act of 1972", being Division 15 of the Streets and Highways Code of the State of California, adopt Resolution No. 2014-2055 for a special assessment district zone known and designated as:

### **ZONE 187 TR 36376**

The annexation of Zone 187 includes all parcels of land within the residential subdivision known as TR 36376, also identified by the Assessor Parcel Number(s) valid as of the date of this Report: 964080012-4, 964080013-5, 964080017-9, 964080021-2, and 964080023-4. As required by law, a Assessment Diagram/Boundary Map is filed herewith, showing the Zone, as well as the boundaries and dimensions of the respective parcels and subdivisions of land within said Zone as they exist, each of which subdivisions of land or parcels or lots, respectively, have been assigned a lot number within a specific tract and indicated on the Assessment Diagram/Boundary Map and in the Assessment Roll contained herein. Psomas submits this Report, for the annexation of said Zone 187 and the establishment of the Maximum Assessment to be levied and collected commencing Fiscal Year 2014-2015 and all subsequent fiscal years, consisting of five (5) parts.

### **PART I**

**Plans and Specifications:** This section contains a description of Zone 187's boundaries and the proposed improvements within said Zone. Zone 187 shall consist of a benefit zone encompassing all of the properties within the residential development known as TR 36376. The proposed improvements described in this Report are based on current development and improvement plans provided to Psomas as of the date of this Report. Improvement plans include Tract Map No. 36376, I.P. No. 120019 with a Plot Date of 12-18-2013 and Street Light Plans, I.P. No. 120047 with a Plot Date of 4-23-2013 ("Plans").

### **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 Zone 187 is based on current property development Plans and estimated annual costs and expenses associated with all improvements to be accepted and maintained by Zone 187 at build-out. The initial Maximum Assessment may be adjusted by the greater of two percent (2%) or the cumulative percentage increase in the Consumer Price Index for all Urban Consumers for ("CPI-U") for the Los Angeles-Riverside-Orange County 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 of 2014. The initial Maximum Assessment established within Zone 187 shall be \$6,651.00. Pursuant to the Plans and TR 36376, which is composed of 103 assessable parcel, and 13 non-assessable parcels, the initial Maximum Assessment shall be \$64.56 per parcel, subject to the inflationary factor.

### PART III

**The Cost Estimate:** An estimate of the cost of the fossil filters, traffic signals and bridge lights including incidental costs and expenses in connection therewith for fiscal year 2014-2015, 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 Zone 187. 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/unit to be applied on the tax roll for Fiscal Year 2014-2015 as provided in the Plans.

## B. Assessment Zone

The services to be provided by L&LMD No. 89-1-C Zone 187 generally includes fossil filters, traffic signals and bridge lights. The annexation of TR 36376 to L&LMD No. 89-1-C as Zone 187 will provide the financial mechanism (annual assessments) by which the ongoing operation and maintenance of these improvements and services will be funded. Zone 187's structure, proposed improvements, 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 proposed improvements.

# **PART I – PLANS AND SPECIFICATIONS**

## **A. Description of the Assessment Zone**

Zone 187 is located within the unincorporated area of the County of Riverside, State of California and is comprised of TR 36376. The area for TR 36376 is generally east of Highway 79, south of Auld Road, and northwest of Pourroy Road. At full development, TR 36376 is projected to include 103 assessable residential lots/units and 13 non-assessable lots/units. Zone 187 consists of all lots/units, parcels and subdivision of land located in the following development areas:

- TR 36376 – Assessor Parcel Number(s) as of the date of this Report: 964080012-4, 964080013-5, 964080017-9, 964080021-2, and 964080023-4

## **B. Description of Improvements and Services For L&LMD No. 89-1-C**

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

- L&LMD No. 89-1-C will annually levy an assessment on property within its boundaries to pay the cost of the following services and improvements:
  - The installation and planting of landscaping, including trees, shrubs, grass and other ornamental vegetation;
  - The installation or construction of statuary, fountains and other ornamental structures and facilities;
  - The installation or construction of public lighting facilities including but not limited to, traffic signals;
  - The installation or construction of any facilities which are appurtenant to any of the foregoing, or which are necessary or convenient for the maintenance or servicing thereof, including, but not limited to, grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks or paving, water irrigation, drainage or electrical facilities; and,
  - The maintenance and/or servicing of any of the foregoing.

## **C. Improvements and Services for L&LMD No. 89-1-C Zone 187**

The services to be funded by L&LMD No. 89-1-C Zone 187 include the maintenance and servicing of fossil filters, traffic signals and bridge lights within the residential subdivision designated as TR 36376 on the public right-of-way known as:

- Butterfield Stage Road
- Pourroy 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.

Fossil filters, traffic signals and bridge lights are the responsibility of Zone 187.

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 the Zone 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 fossil filters, traffic signals, and bridge lights improvements within Zone 187 provide direct and special benefit to the lots or parcels within the Zone. 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 Zone, 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 fossil filters, traffic signals, and bridge lights and to guarantee the maintenance of the fossil filters, traffic signals,

and bridge lights and appurtenant facilities serving the lots or parcels. Therefore, each and every lot or parcel within the proposed Zone 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 the Zone because of the nature of the improvements.

Finally, the proper maintenance of fossil filters, traffic signals, and bridge lights specially benefit parcels within the Zone by improving water quality, improving the 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 thereby increasing traffic safety within the Zone. Traffic signals and bridge lights provide safety for pedestrians and motorists living and/or owning property in the Zone during both daytime and nighttime hours.

Because all benefiting properties consist of a uniform land use, it is determined that all residential parcels benefit equally from the improvements and the costs and expenses for the maintenance and servicing of fossil filters, traffic signals, and bridge lights are apportioned on a per parcel basis.

Based on the benefits described above, fossil filters, traffic signals, and bridge lights is an integral part of the quality of life of the Zone. This quality of life is a special benefit to those parcels with a residential land use within the Zone and do not include government owned easements, 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 fossil filters, traffic signals, and bridge lights and are not assessed.

#### **SPECIAL BENEFITS OF L&LMD NO. 89-1-C ZONE 187 AUTHORIZED IMPROVEMENTS AND SERVICES:**

The special benefits associated with fossil filters are specifically:

- Enhanced water quality control.
- Increased public safety.
- Improved neighborhood aesthetics.

The special benefits of traffic signals are the provision of traffic control and restriction, convenience, safety, security of property, improvements and goods, specifically:

- Increased daytime and nighttime safety on roads and streets.
- Improved ability of pedestrians and motorists to drive and walk safely.

- Improved ingress and egress to development.
- Improved traffic circulation and reduced nighttime accidents.

The special benefits of bridge lights are the convenience, safety, security of property, improvements and goods, specifically:

- Enhanced deterrence of crime and the aid to police protection.
- Increased nighttime safety on the bridge.
- Improved ability of pedestrians and motorists to see.
- Improved ingress and egress to the development.
- Reduced vandalism and other criminal acts and damage to improvements or property.
- Improved traffic circulation and reduced nighttime accidents and personal property loss.

### **General Benefit**

The total benefit from the works of improvement is a combination of the special benefits to the parcels within the Zone and the general benefits to the public at large and to adjacent property owners. A portion of the total maintenance costs for the traffic signals, if any, associated with general benefits will not be assessed to the parcels in the Zone, but will be paid from other Riverside County Transportation Department Funds. Because the fossil filters and bridge lights improvements are located immediately adjacent to properties within the Zone and are maintained solely for the benefit of the properties within the Zone, any benefit received by properties outside of the Zone is nominal. Therefore, the general benefit portion of the benefit received from the improvements for the Zone is zero.

As a result, no property is assessed in excess of the reasonable cost of the proportional special benefit conferred on that property.

Because the benefiting properties consist of a uniform land use (residential), it is determined that each of the residential parcels within the Zone benefit equally from the improvements. It has been determined that the costs and expenses for the traffic signal improvements for the Zone at the intersection of Pourroy Road and Auld Road do not exceed 30% of the County's total maintenance cost and at the intersection of Butterfield Stage Road and Buena Ventura Road do not exceed 40% of the County's total maintenance cost. The County's total maintenance cost is \$5,500 per traffic signal. The percentages were derived from the budget prepared by Riverside County Transportation Department. Therefore, the proportionate share of the costs and expenses for the provision of fossil filters, traffic signals, and bridge lights as well as costs and expenses for the maintenance of the traffic signals, and bridge lights are apportioned equally on a per parcel basis.



## **B. Maximum Assessment Methodology**

The following methodology was adopted by Riverside County Board of Supervisors in the annual Engineer's 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 the Zone 187 costs and assessments.

The Maximum Assessment formula shall be applied to all assessable parcels of land within the Zone. For Zone 187, the initial Maximum Assessments for Fiscal Year 2014-2015 are as follows:

- The initial Maximum Assessment established within Zone 187 (TR 36376) shall be \$6,651.00
- Pursuant to the Plans, each parcel's initial Maximum Assessment shall be \$64.56

The initial Maximum Assessment is subject to an annual inflator starting in Fiscal Year 2015-2016. The initial Maximum Assessment may be adjusted by the greater of two percent (2%) or the cumulative percentage increase in the CPI-U Index published by the Bureau of Labor Statistics of the United States Department of Labor.

The Maximum Assessment is adjusted annually and is calculated independent of the Zone 187'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 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 Zone 187 assessments may remain virtually unchanged. The Maximum Assessment adjustment is designed to establish a reasonable limit on Zone 187 assessments. The Maximum Assessment calculated each year does not require or facilitate an increase to the annual assessment and neither does it restrict assessments to the adjusted maximum amount. If the budget and assessments for the fiscal year require an increase and the increase is more than the adjusted Maximum Assessment, it is considered an increased assessment.

To impose an increased assessment, the County of Riverside must comply with the provisions of the Constitution Article XIID Section 4c, that requires a public hearing and certain protest procedures including mailed notice of the public hearing and property owner protest balloting. Property owners through the balloting process must approve the proposed assessment increase. If the proposed assessment is approved, then a new Maximum Assessment is established for Zone 187. If the proposed assessment is not approved, the County may not levy an assessment greater than the adjusted Maximum Assessment previously established for Zone 187.

**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 Zone 187 over and above general benefit conferred upon the assessable real property within Zone 187 or to the public at large. The Assessment for each assessable parcel within Zone 187 is calculated by dividing the total Annual Balance to Levy by the total number of assessable subdivided parcels within Zone 187 to determine the Annual Assessment per assessable parcel.

***Annual Balance to Levy/Total number of assessable parcels = Annual Assessment per assessable parcel. (Please refer to Part III – Cost Estimate.)***

# PART III – COST ESTIMATE

## L&LMD NO. 89-1-C ZONE 187 (TRACT 36376) FOR FISCAL YEAR 2014-2015

Cost Description <sup>1</sup>	Total Costs for Zone 100	Cost per Parcel/Lot <sup>2</sup> for Zone 187
Fossil Filters	\$1,575.00	\$15.29
Traffic Signal at the intersection of Pourroy at Auld Road 30% of \$5,500/TS	1,650.00	16.02
Traffic Signal at the intersection of Butterfield Stage Road at Buena Ventura Road 40% of \$5,500/TS	2,200.00	21.36
Bridge Lights	500.00	4.85
Field	210.00	2.04
Repair and Replacement	315.00	3.06
<b>Maintenance Total</b>	<b>\$6,450.00</b>	<b>\$62.62</b>
Administrative Costs	106.53	1.03
Contingency	94.47	0.92
<b>Administration Total</b>	<b>\$201.00</b>	<b>\$1.95</b>
<b>Annual Balance to Levy<sup>3</sup></b>	<b>\$6,651.00</b>	<b>\$64.56</b>

<sup>1</sup> Projected base rates of services for Fiscal Year 2014-2015 were provided by the County of Riverside Transportation Department.

<sup>2</sup> Based on projected 103 assessable parcels/lots.

<sup>3</sup> Per parcel/lot amount of \$64.56 was rounded to even pennies for equal division into 2 installment payments.

# **PART IV - ASSESSMENT DIAGRAM / BOUNDARY MAP**

## **FISCAL YEAR 2014-2015 L&LMD NO. 89-1-C ZONE 187**

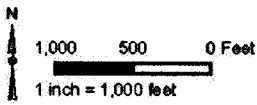
The Assessment Diagram/Boundary Map for Zone 187 by this reference is incorporated and made a part of this Report. Only the parcels identified within the Zone 187 Assessment Diagram are within said boundary.

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 Zone 187 Assessment Diagram/Boundary Map identifying the boundaries of parcels within TR 36376 in L&LMD No. 89-1-C Zone 187 is included in this Report for reference on the following page.

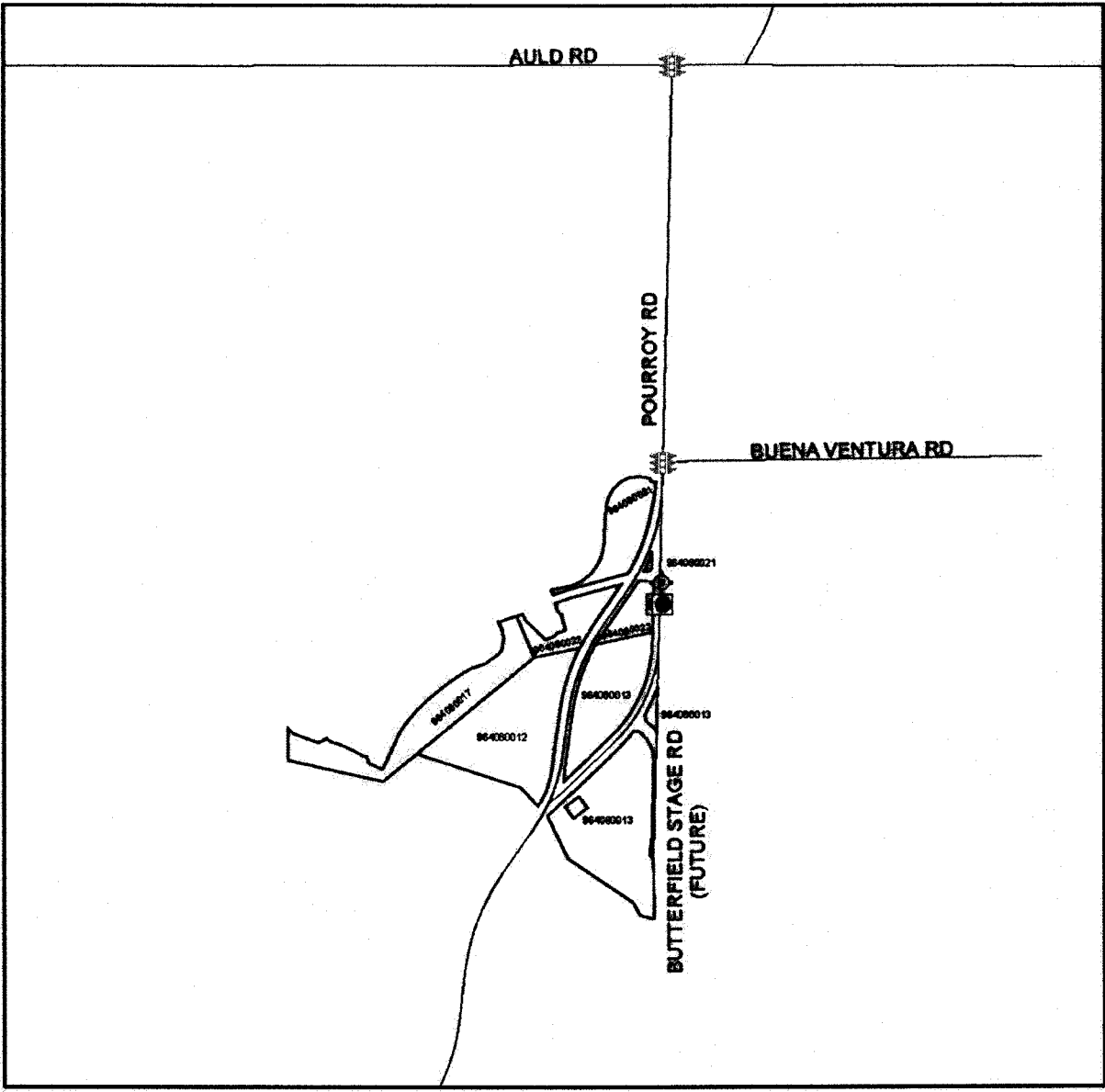
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED  
**ZONE 187**  
 PORTION OF SECTION 8, T.7S., R.2W.  
 TRACT MAP NO. 36376 - 103 PARCELS






The County of Stanislaus does not warrant the accuracy or completeness of the information contained in this map. The user assumes all responsibility for the use of this information. The user agrees to hold the County of Stanislaus harmless for any and all claims, damages, losses, or expenses, including reasonable attorney's fees, that may be incurred by the user as a result of the use of this information.

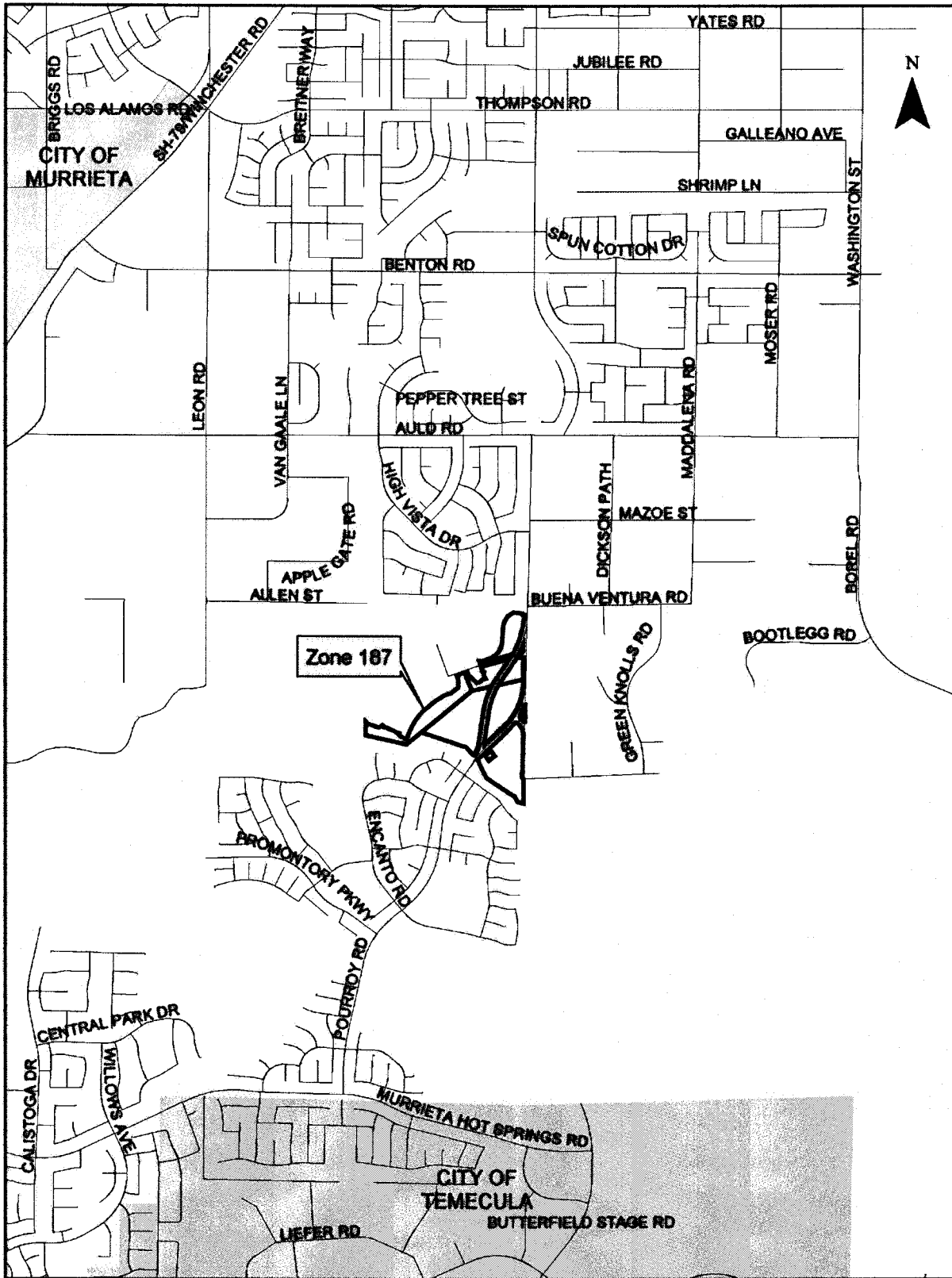
**ASSESSMENT DIAGRAM**

Printed by bhahn on 2/3/2014



-  DENOTES FUTURE MAINTAINED FOSSIL FILTER
-  DENOTES FUTURE MAINTAINED TRAFFIC SIGNAL
-  DENOTES MAINTAINED BRIDGE LIGHT

# VICINITY MAP



# PART V – ASSESSMENT ROLL

Parcel identification for each lot/unit or parcel within Zone 187 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. Zone 187 includes the following APN(s) as of the date of this Report:

964080012-4	964080017-9	964080023-4
964080013-5	964080021-2	

The initial Maximum Assessment shall be \$6,651.00. When subdivided, the initial Maximum Assessment for Zone 187 is as follows:

**L&LMD NO. 89-1-C ZONE 187  
(TRACT 36376)  
PROPOSED FISCAL YEAR 2014-2015 MAXIMUM ASSESSMENTS<sup>4</sup>**

Parcel/ Lot No.	Maximum Assessment	Parcel/ Lot No.	Maximum Assessment	Parcel/ Lot No.	Maximum Assessment
1	\$64.56	21	\$64.56	41	\$64.56
2	64.56	22	64.56	42	64.56
3	64.56	23	64.56	43	64.56
4	64.56	24	64.56	44	64.56
5	64.56	25	64.56	45	64.56
6	64.56	26	64.56	46	64.56
7	64.56	27	64.56	47	64.56
8	64.56	28	64.56	48	64.56
9	64.56	29	64.56	49	64.56
10	64.56	30	64.56	50	64.56
11	64.56	31	64.56	51	64.56
12	64.56	32	64.56	52	64.56
13	64.56	33	64.56	53	64.56
14	64.56	34	64.56	54	64.56
15	64.56	35	64.56	55	64.56
16	64.56	36	64.56	56	64.56
17	64.56	37	64.56	57	64.56
18	64.56	38	64.56	58	64.56
19	64.56	39	64.56	59	64.56
20	64.56	40	64.56	60	64.56

**L&LMD NO. 89-1-C ZONE 187  
(TRACT 36376)  
PROPOSED FISCAL YEAR 2014-2015 MAXIMUM ASSESSMENTS<sup>4</sup>  
(CONTINUED)**

<b>Parcel/ Lot No.</b>	<b>Maximum Assessment</b>	<b>Parcel/ Lot No.</b>	<b>Maximum Assessment</b>	<b>Parcel/ Lot No.</b>	<b>Maximum Assessment</b>
61	\$64.56	81	\$64.56	101	\$64.56
62	64.56	82	64.56	102	64.56
63	64.56	83	64.56	103	64.56
64	64.56	84	64.56	104	0.00
65	64.56	85	64.56	105	0.00
66	64.56	86	64.56	106	0.00
67	64.56	87	64.56	107	0.00
68	64.56	88	64.56	108	0.00
69	64.56	89	64.56	109	0.00
70	64.56	90	64.56	110	0.00
71	64.56	91	64.56	111	0.00
72	64.56	92	64.56	112	0.00
73	64.56	93	64.56	113	0.00
74	64.56	94	64.56	114	0.00
75	64.56	95	64.56	115	0.00
76	64.56	96	64.56	116	0.00
77	64.56	97	64.56		
78	64.56	98	64.56		
79	64.56	99	64.56		
80	64.56	100	64.56		

<sup>4</sup> The initial Maximum Assessment may be adjusted by the greater of two percent (2%) or the cumulative percentage increase in the CPI-U Index published by the Bureau of Labor Statistics of the United States Department of Labor.



## **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 Zone 187 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 May 13<sup>th</sup>, 2014; 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

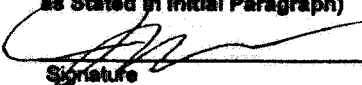
WAIVER AND CONSENT REGARDING DATE OF  
ASSESSMENT BALLOT ELECTION

The undersigned, an authorized representative of Lennar Homes of California, Inc. (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 2014-15 (the "Property"): APN(s) 964-080-012, 013, 017, 021 and 023.

The Owner has made application that the Property be annexed as Zone 187 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 May 13, 2014

OWNER: Lennar Homes of California, Inc.  
(Name of Company  
as Stated in Initial Paragraph)

By:   
Signature

Name: JEFFREY T. CLEMENS  
Print

Title: VICE PRESIDENT



# COUNTY OF RIVERSIDE

# TRANSPORTATION DEPARTMENT



## ENGINEER'S REPORT FOR Landscaping & Lighting Maintenance District No. 89-1-Consolidated Zone 187

---

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

**February 2014**

MAR 11 2014 3-35

**AGENCY: COUNTY OF RIVERSIDE, CALIFORNIA - TRANSPORTATION DEPARTMENT**

**PROJECT: ANNEXATION OF TRACT 36376 ("TR 36376") TO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED ("L&LMD NO. 89-1-C") AS ZONE 187 ("ZONE")**

**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, said Act being Part 2 of Division 15 of the Streets and Highways Code of the State of California, Section 4 of Article XIID of the California Constitution, and direction from the Board of Supervisors of Riverside County, California, I submit herewith the following Report.

This Report provides for the annexation of TR 36376 to L&LMD No. 89-1-C as Zone 187 and establishes the Maximum Assessment to be levied in the Fiscal Year commencing July 1, 2014 to June 30, 2015 (2014-2015) and all subsequent Fiscal Years, for this area to be known and designated as:

**L&LMD NO. 89-1-C ZONE 187  
TR 36376**

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 "Landscaping and Lighting Act of 1972", do hereby submit the following:

Pursuant to the provisions of law, the costs and expenses of the Zone have been assessed upon the parcels of land in the Zone 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 the Zone, as well as the boundaries and dimensions of the respective parcels and subdivisions of land within said Zone as they exist, each of which subdivisions of land or parcels or lots, respectively, have been assigned a lot 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.

As of the date of this Report, there are no parcels or lots within Zone 187 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 13 day of February, 2014



PSOMAS

A handwritten signature in black ink, appearing to read "B.W. Kirby", written over a horizontal line.

BRUCE W. KIRBY  
PROFESSIONAL CIVIL ENGINEER 42393  
ENGINEER OF WORK  
COUNTY OF RIVERSIDE  
STATE OF CALIFORNIA

# TABLE OF CONTENTS

	Pg.
<b>EXECUTIVE SUMMARY .....</b>	<b>1</b>
<b>A. Introduction.....</b>	<b>1</b>
<b>B. Assessment Zone.....</b>	<b>2</b>
<b>PART I – PLANS AND SPECIFICATIONS .....</b>	<b>3</b>
<b>A. Description of the Assessment Zone .....</b>	<b>3</b>
<b>B. Description of Improvements and Services For L&amp;LMD No. 89-1-C .....</b>	<b>3</b>
<b>C. Improvements and Services for L&amp;LMD No. 89-1-C Zone 187 .....</b>	<b>3</b>
<b>PART II – METHOD OF APPORTIONMENT .....</b>	<b>4</b>
<b>A. Benefit Analysis.....</b>	<b>4</b>
<b>B. Maximum Assessment Methodology.....</b>	<b>7</b>
<b>C. Annual Assessment .....</b>	<b>8</b>
<b>PART III – COST ESTIMATE.....</b>	<b>9</b>
<b>PART IV - ASSESSMENT DIAGRAM / BOUNDARY MAP.....</b>	<b>10</b>
<b>PART V – ASSESSMENT ROLL.....</b>	<b>13</b>

# EXECUTIVE SUMMARY

## A. Introduction

Pursuant to the provisions of law, the costs and expenses of the Zone have been assessed upon the parcels of land in the Zone 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 13<sup>th</sup> day of March, 2014 the Riverside County Board of Supervisors, County of Riverside, State of California, ordering the preparation of the Engineer's Report ("Report") providing for the annexation of TR 36376 to L&LMD No. 89-1-C as Zone 187 did, pursuant to the provisions of the "Landscaping and Lighting Act of 1972", being Division 15 of the Streets and Highways Code of the State of California, adopt Resolution No. 2014-2055 for a special assessment district zone known and designated as:

### **ZONE 187 TR 36376**

The annexation of Zone 187 includes all parcels of land within the residential subdivision known as TR 36376, also identified by the Assessor Parcel Number(s) valid as of the date of this Report: 964080012-4, 964080013-5, 964080017-9, 964080021-2, and 964080023-4. As required by law, a Assessment Diagram/Boundary Map is filed herewith, showing the Zone, as well as the boundaries and dimensions of the respective parcels and subdivisions of land within said Zone as they exist, each of which subdivisions of land or parcels or lots, respectively, have been assigned a lot number within a specific tract and indicated on the Assessment Diagram/Boundary Map and in the Assessment Roll contained herein. Psomas submits this Report, for the annexation of said Zone 187 and the establishment of the Maximum Assessment to be levied and collected commencing Fiscal Year 2014-2015 and all subsequent fiscal years, consisting of five (5) parts.

### **PART I**

**Plans and Specifications:** This section contains a description of Zone 187's boundaries and the proposed improvements within said Zone. Zone 187 shall consist of a benefit zone encompassing all of the properties within the residential development known as TR 36376. The proposed improvements described in this Report are based on current development and improvement plans provided to Psomas as of the date of this Report. Improvement plans include Tract Map No. 36376, I.P. No. 120019 with a Plot Date of 12-18-2013 and Street Light Plans, I.P. No. 120047 with a Plot Date of 4-23-2013 ("Plans").

### **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 Zone 187 is based on current property development Plans and estimated annual costs and expenses associated with all improvements to be accepted and maintained by Zone 187 at build-out. The initial Maximum Assessment may be adjusted by the greater of two percent (2%) or the cumulative percentage increase in the Consumer Price Index for all Urban Consumers for ("CPI-U") for the Los Angeles-Riverside-Orange County 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 of 2014. The initial Maximum Assessment established within Zone 187 shall be \$6,651.00. Pursuant to the Plans and TR 36376, which is composed of 103 assessable parcel, and 13 non-assessable parcels, the initial Maximum Assessment shall be \$64.56 per parcel, subject to the inflationary factor.

### **PART III**

**The Cost Estimate:** An estimate of the cost of the fossil filters, traffic signals and bridge lights including incidental costs and expenses in connection therewith for fiscal year 2014-2015, 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 Zone 187. 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/unit to be applied on the tax roll for Fiscal Year 2014-2015 as provided in the Plans.

## **B. Assessment Zone**

The services to be provided by L&LMD No. 89-1-C Zone 187 generally includes fossil filters, traffic signals and bridge lights. The annexation of TR 36376 to L&LMD No. 89-1-C as Zone 187 will provide the financial mechanism (annual assessments) by which the ongoing operation and maintenance of these improvements and services will be funded. Zone 187's structure, proposed improvements, 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 proposed improvements.

# **PART I – PLANS AND SPECIFICATIONS**

## **A. Description of the Assessment Zone**

Zone 187 is located within the unincorporated area of the County of Riverside, State of California and is comprised of TR 36376. The area for TR 36376 is generally east of Highway 79, south of Auld Road, and northwest of Pourroy Road. At full development, TR 36376 is projected to include 103 assessable residential lots/units and 13 non-assessable lots/units. Zone 187 consists of all lots/units, parcels and subdivision of land located in the following development areas:

- TR 36376 – Assessor Parcel Number(s) as of the date of this Report: 964080012-4, 964080013-5, 964080017-9, 964080021-2, and 964080023-4

## **B. Description of Improvements and Services For L&LMD No. 89-1-C**

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

- L&LMD No. 89-1-C will annually levy an assessment on property within its boundaries to pay the cost of the following services and improvements:
  - The installation and planting of landscaping, including trees, shrubs, grass and other ornamental vegetation;
  - The installation or construction of statuary, fountains and other ornamental structures and facilities;
  - The installation or construction of public lighting facilities including but not limited to, traffic signals;
  - The installation or construction of any facilities which are appurtenant to any of the foregoing, or which are necessary or convenient for the maintenance or servicing thereof, including, but not limited to, grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks or paving, water irrigation, drainage or electrical facilities; and,
  - The maintenance and/or servicing of any of the foregoing.

## **C. Improvements and Services for L&LMD No. 89-1-C Zone 187**

The services to be funded by L&LMD No. 89-1-C Zone 187 include the maintenance and servicing of fossil filters, traffic signals and bridge lights within the residential subdivision designated as TR 36376 on the public right-of-way known as:

- Butterfield Stage Road
- Pourroy 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.

Fossil filters, traffic signals and bridge lights are the responsibility of Zone 187.

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 the Zone 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 fossil filters, traffic signals, and bridge lights improvements within Zone 187 provide direct and special benefit to the lots or parcels within the Zone. 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 Zone, 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 fossil filters, traffic signals, and bridge lights and to guarantee the maintenance of the fossil filters, traffic signals,

and bridge lights and appurtenant facilities serving the lots or parcels. Therefore, each and every lot or parcel within the proposed Zone 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 the Zone because of the nature of the improvements.

Finally, the proper maintenance of fossil filters, traffic signals, and bridge lights specially benefit parcels within the Zone by improving water quality, improving the 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 thereby increasing traffic safety within the Zone. Traffic signals and bridge lights provide safety for pedestrians and motorists living and/or owning property in the Zone during both daytime and nighttime hours.

Because all benefiting properties consist of a uniform land use, it is determined that all residential parcels benefit equally from the improvements and the costs and expenses for the maintenance and servicing of fossil filters, traffic signals, and bridge lights are apportioned on a per parcel basis.

Based on the benefits described above, fossil filters, traffic signals, and bridge lights is an integral part of the quality of life of the Zone. This quality of life is a special benefit to those parcels with a residential land use within the Zone and do not include government owned easements, 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 fossil filters, traffic signals, and bridge lights and are not assessed.

#### **SPECIAL BENEFITS OF L&LMD NO. 89-1-C ZONE 187 AUTHORIZED IMPROVEMENTS AND SERVICES:**

The special benefits associated with fossil filters are specifically:

- Enhanced water quality control.
- Increased public safety.
- Improved neighborhood aesthetics.

The special benefits of traffic signals are the provision of traffic control and restriction, convenience, safety, security of property, improvements and goods, specifically:

- Increased daytime and nighttime safety on roads and streets.
- Improved ability of pedestrians and motorists to drive and walk safely.

- Improved ingress and egress to development.
- Improved traffic circulation and reduced nighttime accidents.

The special benefits of bridge lights are the convenience, safety, security of property, improvements and goods, specifically:

- Enhanced deterrence of crime and the aid to police protection.
- Increased nighttime safety on the bridge.
- Improved ability of pedestrians and motorists to see.
- Improved ingress and egress to the development.
- Reduced vandalism and other criminal acts and damage to improvements or property.
- Improved traffic circulation and reduced nighttime accidents and personal property loss.

### **General Benefit**

The total benefit from the works of improvement is a combination of the special benefits to the parcels within the Zone and the general benefits to the public at large and to adjacent property owners. A portion of the total maintenance costs for the traffic signals, if any, associated with general benefits will not be assessed to the parcels in the Zone, but will be paid from other Riverside County Transportation Department Funds. Because the fossil filters and bridge lights improvements are located immediately adjacent to properties within the Zone and are maintained solely for the benefit of the properties within the Zone, any benefit received by properties outside of the Zone is nominal. Therefore, the general benefit portion of the benefit received from the improvements for the Zone is zero.

As a result, no property is assessed in excess of the reasonable cost of the proportional special benefit conferred on that property.

Because the benefiting properties consist of a uniform land use (residential), it is determined that each of the residential parcels within the Zone benefit equally from the improvements. It has been determined that the costs and expenses for the traffic signal improvements for the Zone at the intersection of Pourroy Road and Auld Road do not exceed 30% of the County's total maintenance cost and at the intersection of Butterfield Stage Road and Buena Ventura Road do not exceed 40% of the County's total maintenance cost. The County's total maintenance cost is \$5,500 per traffic signal. The percentages were derived from the budget prepared by Riverside County Transportation Department. Therefore, the proportionate share of the costs and expenses for the provision of fossil filters, traffic signals, and bridge lights as well as costs and expenses for the maintenance of the traffic signals, and bridge lights are apportioned equally on a per parcel basis.

## **B. Maximum Assessment Methodology**

The following methodology was adopted by Riverside County Board of Supervisors in the annual Engineer's 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 the Zone 187 costs and assessments.

The Maximum Assessment formula shall be applied to all assessable parcels of land within the Zone. For Zone 187, the initial Maximum Assessments for Fiscal Year 2014-2015 are as follows:

- The initial Maximum Assessment established within Zone 187 (TR 36376) shall be \$6,651.00
- Pursuant to the Plans, each parcel's initial Maximum Assessment shall be \$64.56

The initial Maximum Assessment is subject to an annual inflator starting in Fiscal Year 2015-2016. The initial Maximum Assessment may be adjusted by the greater of two percent (2%) or the cumulative percentage increase in the CPI-U Index published by the Bureau of Labor Statistics of the United States Department of Labor.

The Maximum Assessment is adjusted annually and is calculated independent of the Zone 187'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 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 Zone 187 assessments may remain virtually unchanged. The Maximum Assessment adjustment is designed to establish a reasonable limit on Zone 187 assessments. The Maximum Assessment calculated each year does not require or facilitate an increase to the annual assessment and neither does it restrict assessments to the adjusted maximum amount. If the budget and assessments for the fiscal year require an increase and the increase is more than the adjusted Maximum Assessment, it is considered an increased assessment.

To impose an increased assessment, the County of Riverside must comply with the provisions of the Constitution Article XIID Section 4c, that requires a public hearing and certain protest procedures including mailed notice of the public hearing and property owner protest balloting. Property owners through the balloting process must approve the proposed assessment increase. If the proposed assessment is approved, then a new Maximum Assessment is established for Zone 187. If the proposed assessment is not approved, the County may not levy an assessment greater than the adjusted Maximum Assessment previously established for Zone 187.

**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 Zone 187 over and above general benefit conferred upon the assessable real property within Zone 187 or to the public at large. The Assessment for each assessable parcel within Zone 187 is calculated by dividing the total Annual Balance to Levy by the total number of assessable subdivided parcels within Zone 187 to determine the Annual Assessment per assessable parcel.

***Annual Balance to Levy/Total number of assessable parcels = Annual Assessment per assessable parcel. (Please refer to Part III – Cost Estimate.)***

## PART III – COST ESTIMATE

### L&LMD NO. 89-1-C ZONE 187 (TRACT 36376) FOR FISCAL YEAR 2014-2015

Cost Description <sup>1</sup>	Total Costs for Zone 100	Cost per Parcel/Lot <sup>2</sup> for Zone 187
Fossil Filters	\$1,575.00	\$15.29
Traffic Signal at the intersection of Pourroy at Auld Road 30% of \$5,500/TS	1,650.00	16.02
Traffic Signal at the intersection of Butterfield Stage Road at Buena Ventura Road 40% of \$5,500/TS	2,200.00	21.36
Bridge Lights	500.00	4.85
Field	210.00	2.04
Repair and Replacement	315.00	3.06
<b>Maintenance Total</b>	<b>\$6,450.00</b>	<b>\$62.62</b>
Administrative Costs	106.53	1.03
Contingency	94.47	0.92
<b>Administration Total</b>	<b>\$201.00</b>	<b>\$1.95</b>
<b>Annual Balance to Levy<sup>3</sup></b>	<b>\$6,651.00</b>	<b>\$64.56</b>

<sup>1</sup> Projected base rates of services for Fiscal Year 2014-2015 were provided by the County of Riverside Transportation Department.

<sup>2</sup> Based on projected 103 assessable parcels/lots.

<sup>3</sup> Per parcel/lot amount of \$64.56 was rounded to even pennies for equal division into 2 installment payments.



## **PART IV - ASSESSMENT DIAGRAM / BOUNDARY MAP**

### **FISCAL YEAR 2014-2015 L&LMD NO. 89-1-C ZONE 187**

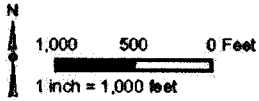
The Assessment Diagram/Boundary Map for Zone 187 by this reference is incorporated and made a part of this Report. Only the parcels identified within the Zone 187 Assessment Diagram are within said boundary.

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 Zone 187 Assessment Diagram/Boundary Map identifying the boundaries of parcels within TR 36376 in L&LMD No. 89-1-C Zone 187 is included in this Report for reference on the following page.

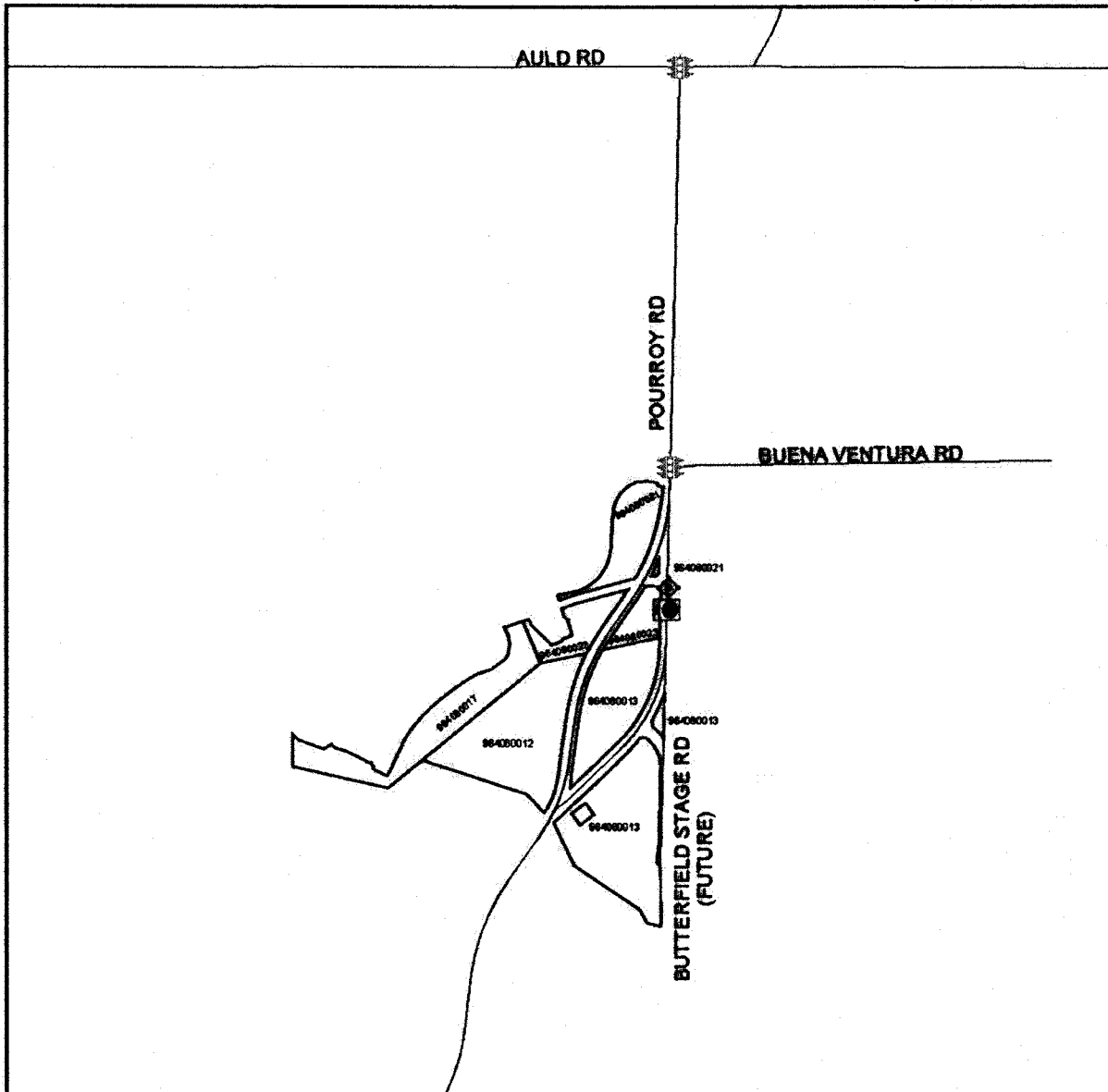
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED  
**ZONE 187**  
 PORTION OF SECTION 8, T.7S., R.2W.  
 TRACT MAP NO. 36376 - 103 PARCELS



The City of Houston is not a warranty or responsibility for the information contained in this map. The City of Houston is not responsible for any errors or omissions. The City of Houston is not responsible for any errors or omissions. The City of Houston is not responsible for any errors or omissions.

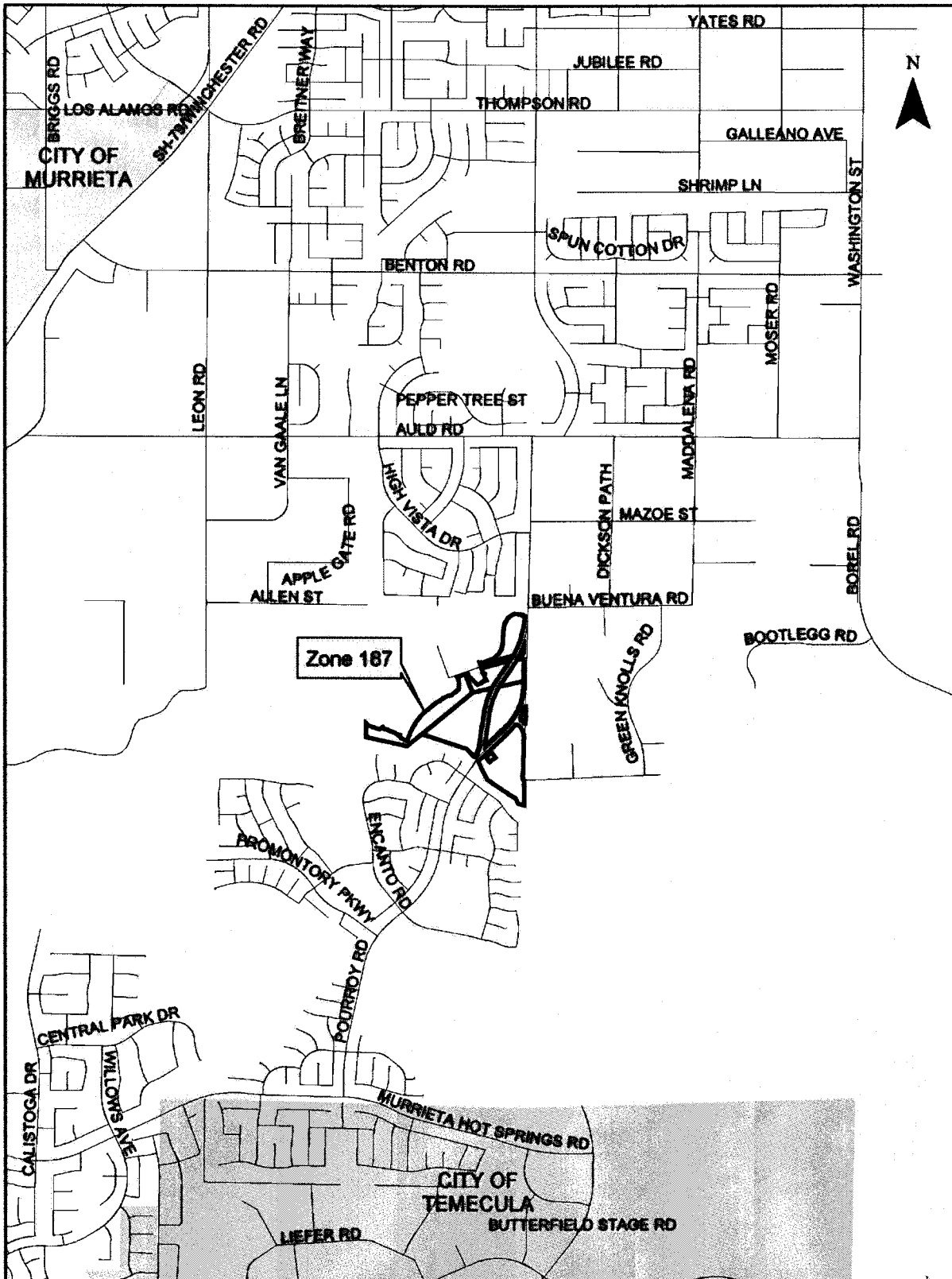
**ASSESSMENT DIAGRAM**

Printed by bhahn on 2/3/2014



- DENOTES FUTURE MAINTAINED FOSSIL FILTER
- ⦿ DENOTES FUTURE MAINTAINED TRAFFIC SIGNAL
- ◆ DENOTES MAINTAINED BRIDGE LIGHT

# VICINITY MAP



## PART V – ASSESSMENT ROLL

Parcel identification for each lot/unit or parcel within Zone 187 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. Zone 187 includes the following APN(s) as of the date of this Report:

964080012-4	964080017-9	964080023-4
964080013-5	964080021-2	

The initial Maximum Assessment shall be \$6,651.00. When subdivided, the initial Maximum Assessment for Zone 187 is as follows:

**L&LMD NO. 89-1-C ZONE 187  
(TRACT 36376)  
PROPOSED FISCAL YEAR 2014-2015 MAXIMUM ASSESSMENTS<sup>4</sup>**

Parcel/ Lot No.	Maximum Assessment	Parcel/ Lot No.	Maximum Assessment	Parcel/ Lot No.	Maximum Assessment
1	\$64.56	21	\$64.56	41	\$64.56
2	64.56	22	64.56	42	64.56
3	64.56	23	64.56	43	64.56
4	64.56	24	64.56	44	64.56
5	64.56	25	64.56	45	64.56
6	64.56	26	64.56	46	64.56
7	64.56	27	64.56	47	64.56
8	64.56	28	64.56	48	64.56
9	64.56	29	64.56	49	64.56
10	64.56	30	64.56	50	64.56
11	64.56	31	64.56	51	64.56
12	64.56	32	64.56	52	64.56
13	64.56	33	64.56	53	64.56
14	64.56	34	64.56	54	64.56
15	64.56	35	64.56	55	64.56
16	64.56	36	64.56	56	64.56
17	64.56	37	64.56	57	64.56
18	64.56	38	64.56	58	64.56
19	64.56	39	64.56	59	64.56
20	64.56	40	64.56	60	64.56

**L&LMD NO. 89-1-C ZONE 187  
(TRACT 36376)  
PROPOSED FISCAL YEAR 2014-2015 MAXIMUM ASSESSMENTS<sup>4</sup>  
(CONTINUED)**

<b>Parcel/ Lot No.</b>	<b>Maximum Assessment</b>	<b>Parcel/ Lot No.</b>	<b>Maximum Assessment</b>	<b>Parcel/ Lot No.</b>	<b>Maximum Assessment</b>
61	\$64.56	81	\$64.56	101	\$64.56
62	64.56	82	64.56	102	64.56
63	64.56	83	64.56	103	64.56
64	64.56	84	64.56	104	0.00
65	64.56	85	64.56	105	0.00
66	64.56	86	64.56	106	0.00
67	64.56	87	64.56	107	0.00
68	64.56	88	64.56	108	0.00
69	64.56	89	64.56	109	0.00
70	64.56	90	64.56	110	0.00
71	64.56	91	64.56	111	0.00
72	64.56	92	64.56	112	0.00
73	64.56	93	64.56	113	0.00
74	64.56	94	64.56	114	0.00
75	64.56	95	64.56	115	0.00
76	64.56	96	64.56	116	0.00
77	64.56	97	64.56		
78	64.56	98	64.56		
79	64.56	99	64.56		
80	64.56	100	64.56		

<sup>4</sup> The initial Maximum Assessment may be adjusted by the greater of two percent (2%) or the cumulative percentage increase in the CPI-U Index published by the Bureau of Labor Statistics of the United States Department of Labor.

## **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 Zone 187 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 May 13<sup>th</sup>, 2014; 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

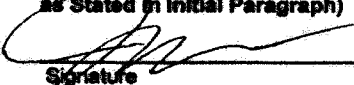
WAIVER AND CONSENT REGARDING DATE OF  
ASSESSMENT BALLOT ELECTION

The undersigned, an authorized representative of Lennar Homes of California, Inc. (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 2014-15 (the "Property"): APN(s) 964-080-012, 013, 017, 021 and 023.

The Owner has made application that the Property be annexed as Zone 187 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 May 13, 2014

OWNER: Lennar Homes of California, Inc.  
(Name of Company  
as Stated in Initial Paragraph)

By:   
Signature

Name: JEFFREY T. CLEMENS  
Print

Title: VICE PRESIDENT

# COUNTY OF RIVERSIDE TRANSPORTATION DEPARTMENT



## ENGINEER'S REPORT FOR Landscaping & Lighting Maintenance District No. 89-1-Consolidated Zone 187

---

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

**February 2014**

MAR 11 2014

3-35



**AGENCY: COUNTY OF RIVERSIDE, CALIFORNIA - TRANSPORTATION DEPARTMENT**

**PROJECT: ANNEXATION OF TRACT 36376 ("TR 36376") TO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED ("L&LMD NO. 89-1-C") AS ZONE 187 ("ZONE")**

**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, said Act being Part 2 of Division 15 of the Streets and Highways Code of the State of California, Section 4 of Article XIID of the California Constitution, and direction from the Board of Supervisors of Riverside County, California, I submit herewith the following Report.

This Report provides for the annexation of TR 36376 to L&LMD No. 89-1-C as Zone 187 and establishes the Maximum Assessment to be levied in the Fiscal Year commencing July 1, 2014 to June 30, 2015 (2014-2015) and all subsequent Fiscal Years, for this area to be known and designated as:

**L&LMD NO. 89-1-C ZONE 187  
TR 36376**

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 "Landscaping and Lighting Act of 1972", do hereby submit the following:

Pursuant to the provisions of law, the costs and expenses of the Zone have been assessed upon the parcels of land in the Zone 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 the Zone, as well as the boundaries and dimensions of the respective parcels and subdivisions of land within said Zone as they exist, each of which subdivisions of land or parcels or lots, respectively, have been assigned a lot 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.

As of the date of this Report, there are no parcels or lots within Zone 187 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 13 day of February, 2014



PSOMAS

A handwritten signature in black ink, appearing to read "B. W. Kirby", written over a horizontal line.

BRUCE W. KIRBY  
PROFESSIONAL CIVIL ENGINEER 42393  
ENGINEER OF WORK  
COUNTY OF RIVERSIDE  
STATE OF CALIFORNIA

# TABLE OF CONTENTS

	Pg.
<b>EXECUTIVE SUMMARY</b> .....	<b>1</b>
<b>A. Introduction</b> .....	<b>1</b>
<b>B. Assessment Zone</b> .....	<b>2</b>
<b>PART I – PLANS AND SPECIFICATIONS</b> .....	<b>3</b>
<b>A. Description of the Assessment Zone</b> .....	<b>3</b>
<b>B. Description of Improvements and Services For L&amp;LMD No. 89-1-C</b> .....	<b>3</b>
<b>C. Improvements and Services for L&amp;LMD No. 89-1-C Zone 187</b> .....	<b>3</b>
<b>PART II – METHOD OF APPORTIONMENT</b> .....	<b>4</b>
<b>A. Benefit Analysis</b> .....	<b>4</b>
<b>B. Maximum Assessment Methodology</b> .....	<b>7</b>
<b>C. Annual Assessment</b> .....	<b>8</b>
<b>PART III – COST ESTIMATE</b> .....	<b>9</b>
<b>PART IV - ASSESSMENT DIAGRAM / BOUNDARY MAP</b> .....	<b>10</b>
<b>PART V – ASSESSMENT ROLL</b> .....	<b>13</b>

# EXECUTIVE SUMMARY

## A. Introduction

Pursuant to the provisions of law, the costs and expenses of the Zone have been assessed upon the parcels of land in the Zone 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 13<sup>th</sup> day of March, 2014 the Riverside County Board of Supervisors, County of Riverside, State of California, ordering the preparation of the Engineer's Report ("Report") providing for the annexation of TR 36376 to L&LMD No. 89-1-C as Zone 187 did, pursuant to the provisions of the "Landscaping and Lighting Act of 1972", being Division 15 of the Streets and Highways Code of the State of California, adopt Resolution No. 2014-2055 for a special assessment district zone known and designated as:

### **ZONE 187 TR 36376**

The annexation of Zone 187 includes all parcels of land within the residential subdivision known as TR 36376, also identified by the Assessor Parcel Number(s) valid as of the date of this Report: 964080012-4, 964080013-5, 964080017-9, 964080021-2, and 964080023-4. As required by law, a Assessment Diagram/Boundary Map is filed herewith, showing the Zone, as well as the boundaries and dimensions of the respective parcels and subdivisions of land within said Zone as they exist, each of which subdivisions of land or parcels or lots, respectively, have been assigned a lot number within a specific tract and indicated on the Assessment Diagram/Boundary Map and in the Assessment Roll contained herein. Psomas submits this Report, for the annexation of said Zone 187 and the establishment of the Maximum Assessment to be levied and collected commencing Fiscal Year 2014-2015 and all subsequent fiscal years, consisting of five (5) parts.

### **PART I**

**Plans and Specifications:** This section contains a description of Zone 187's boundaries and the proposed improvements within said Zone. Zone 187 shall consist of a benefit zone encompassing all of the properties within the residential development known as TR 36376. The proposed improvements described in this Report are based on current development and improvement plans provided to Psomas as of the date of this Report. Improvement plans include Tract Map No. 36376, I.P. No. 120019 with a Plot Date of 12-18-2013 and Street Light Plans, I.P. No. 120047 with a Plot Date of 4-23-2013 ("Plans").

### **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 Zone 187 is based on current property development Plans and estimated annual costs and expenses associated with all improvements to be accepted and maintained by Zone 187 at build-out. The initial Maximum Assessment may be adjusted by the greater of two percent (2%) or the cumulative percentage increase in the Consumer Price Index for all Urban Consumers for ("CPI-U") for the Los Angeles-Riverside-Orange County 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 of 2014. The initial Maximum Assessment established within Zone 187 shall be \$6,651.00. Pursuant to the Plans and TR 36376, which is composed of 103 assessable parcel, and 13 non-assessable parcels, the initial Maximum Assessment shall be \$64.56 per parcel, subject to the inflationary factor.

### **PART III**

**The Cost Estimate:** An estimate of the cost of the fossil filters, traffic signals and bridge lights including incidental costs and expenses in connection therewith for fiscal year 2014-2015, 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 Zone 187. 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/unit to be applied on the tax roll for Fiscal Year 2014-2015 as provided in the Plans.

## **B. Assessment Zone**

The services to be provided by L&LMD No. 89-1-C Zone 187 generally includes fossil filters, traffic signals and bridge lights. The annexation of TR 36376 to L&LMD No. 89-1-C as Zone 187 will provide the financial mechanism (annual assessments) by which the ongoing operation and maintenance of these improvements and services will be funded. Zone 187's structure, proposed improvements, 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 proposed improvements.

# **PART I – PLANS AND SPECIFICATIONS**

## **A. Description of the Assessment Zone**

Zone 187 is located within the unincorporated area of the County of Riverside, State of California and is comprised of TR 36376. The area for TR 36376 is generally east of Highway 79, south of Auld Road, and northwest of Pourroy Road. At full development, TR 36376 is projected to include 103 assessable residential lots/units and 13 non-assessable lots/units. Zone 187 consists of all lots/units, parcels and subdivision of land located in the following development areas:

- TR 36376 – Assessor Parcel Number(s) as of the date of this Report: 964080012-4, 964080013-5, 964080017-9, 964080021-2, and 964080023-4

## **B. Description of Improvements and Services For L&LMD No. 89-1-C**

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

- L&LMD No. 89-1-C will annually levy an assessment on property within its boundaries to pay the cost of the following services and improvements:
  - The installation and planting of landscaping, including trees, shrubs, grass and other ornamental vegetation;
  - The installation or construction of statuary, fountains and other ornamental structures and facilities;
  - The installation or construction of public lighting facilities including but not limited to, traffic signals;
  - The installation or construction of any facilities which are appurtenant to any of the foregoing, or which are necessary or convenient for the maintenance or servicing thereof, including, but not limited to, grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks or paving, water irrigation, drainage or electrical facilities; and,
  - The maintenance and/or servicing of any of the foregoing.

## **C. Improvements and Services for L&LMD No. 89-1-C Zone 187**

The services to be funded by L&LMD No. 89-1-C Zone 187 include the maintenance and servicing of fossil filters, traffic signals and bridge lights within the residential subdivision designated as TR 36376 on the public right-of-way known as:

- Butterfield Stage Road
- Pourroy 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.

Fossil filters, traffic signals and bridge lights are the responsibility of Zone 187.

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 the Zone 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 fossil filters, traffic signals, and bridge lights improvements within Zone 187 provide direct and special benefit to the lots or parcels within the Zone. 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 Zone, 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 fossil filters, traffic signals, and bridge lights and to guarantee the maintenance of the fossil filters, traffic signals,

and bridge lights and appurtenant facilities serving the lots or parcels. Therefore, each and every lot or parcel within the proposed Zone 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 the Zone because of the nature of the improvements.

Finally, the proper maintenance of fossil filters, traffic signals, and bridge lights specially benefit parcels within the Zone by improving water quality, improving the 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 thereby increasing traffic safety within the Zone. Traffic signals and bridge lights provide safety for pedestrians and motorists living and/or owning property in the Zone during both daytime and nighttime hours.

Because all benefiting properties consist of a uniform land use, it is determined that all residential parcels benefit equally from the improvements and the costs and expenses for the maintenance and servicing of fossil filters, traffic signals, and bridge lights are apportioned on a per parcel basis.

Based on the benefits described above, fossil filters, traffic signals, and bridge lights is an integral part of the quality of life of the Zone. This quality of life is a special benefit to those parcels with a residential land use within the Zone and do not include government owned easements, 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 fossil filters, traffic signals, and bridge lights and are not assessed.

#### **SPECIAL BENEFITS OF L&LMD NO. 89-1-C ZONE 187 AUTHORIZED IMPROVEMENTS AND SERVICES:**

The special benefits associated with fossil filters are specifically:

- Enhanced water quality control.
- Increased public safety.
- Improved neighborhood aesthetics.

The special benefits of traffic signals are the provision of traffic control and restriction, convenience, safety, security of property, improvements and goods, specifically:

- Increased daytime and nighttime safety on roads and streets.
- Improved ability of pedestrians and motorists to drive and walk safely.



- Improved ingress and egress to development.
- Improved traffic circulation and reduced nighttime accidents.

The special benefits of bridge lights are the convenience, safety, security of property, improvements and goods, specifically:

- Enhanced deterrence of crime and the aid to police protection.
- Increased nighttime safety on the bridge.
- Improved ability of pedestrians and motorists to see.
- Improved ingress and egress to the development.
- Reduced vandalism and other criminal acts and damage to improvements or property.
- Improved traffic circulation and reduced nighttime accidents and personal property loss.

### **General Benefit**

The total benefit from the works of improvement is a combination of the special benefits to the parcels within the Zone and the general benefits to the public at large and to adjacent property owners. A portion of the total maintenance costs for the traffic signals, if any, associated with general benefits will not be assessed to the parcels in the Zone, but will be paid from other Riverside County Transportation Department Funds. Because the fossil filters and bridge lights improvements are located immediately adjacent to properties within the Zone and are maintained solely for the benefit of the properties within the Zone, any benefit received by properties outside of the Zone is nominal. Therefore, the general benefit portion of the benefit received from the improvements for the Zone is zero.

As a result, no property is assessed in excess of the reasonable cost of the proportional special benefit conferred on that property.

Because the benefiting properties consist of a uniform land use (residential), it is determined that each of the residential parcels within the Zone benefit equally from the improvements. It has been determined that the costs and expenses for the traffic signal improvements for the Zone at the intersection of Pourroy Road and Auld Road do not exceed 30% of the County's total maintenance cost and at the intersection of Butterfield Stage Road and Buena Ventura Road do not exceed 40% of the County's total maintenance cost. The County's total maintenance cost is \$5,500 per traffic signal. The percentages were derived from the budget prepared by Riverside County Transportation Department. Therefore, the proportionate share of the costs and expenses for the provision of fossil filters, traffic signals, and bridge lights as well as costs and expenses for the maintenance of the traffic signals, and bridge lights are apportioned equally on a per parcel basis.

## **B. Maximum Assessment Methodology**

The following methodology was adopted by Riverside County Board of Supervisors in the annual Engineer's 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 the Zone 187 costs and assessments.

The Maximum Assessment formula shall be applied to all assessable parcels of land within the Zone. For Zone 187, the initial Maximum Assessments for Fiscal Year 2014-2015 are as follows:

- The initial Maximum Assessment established within Zone 187 (TR 36376) shall be \$6,651.00
- Pursuant to the Plans, each parcel's initial Maximum Assessment shall be \$64.56

The initial Maximum Assessment is subject to an annual inflator starting in Fiscal Year 2015-2016. The initial Maximum Assessment may be adjusted by the greater of two percent (2%) or the cumulative percentage increase in the CPI-U Index published by the Bureau of Labor Statistics of the United States Department of Labor.

The Maximum Assessment is adjusted annually and is calculated independent of the Zone 187'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 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 Zone 187 assessments may remain virtually unchanged. The Maximum Assessment adjustment is designed to establish a reasonable limit on Zone 187 assessments. The Maximum Assessment calculated each year does not require or facilitate an increase to the annual assessment and neither does it restrict assessments to the adjusted maximum amount. If the budget and assessments for the fiscal year require an increase and the increase is more than the adjusted Maximum Assessment, it is considered an increased assessment.

To impose an increased assessment, the County of Riverside must comply with the provisions of the Constitution Article XIID Section 4c, that requires a public hearing and certain protest procedures including mailed notice of the public hearing and property owner protest balloting. Property owners through the balloting process must approve the proposed assessment increase. If the proposed assessment is approved, then a new Maximum Assessment is established for Zone 187. If the proposed assessment is not approved, the County may not levy an assessment greater than the adjusted Maximum Assessment previously established for Zone 187.

**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 Zone 187 over and above general benefit conferred upon the assessable real property within Zone 187 or to the public at large. The Assessment for each assessable parcel within Zone 187 is calculated by dividing the total Annual Balance to Levy by the total number of assessable subdivided parcels within Zone 187 to determine the Annual Assessment per assessable parcel.

***Annual Balance to Levy/Total number of assessable parcels = Annual Assessment per assessable parcel. (Please refer to Part III – Cost Estimate.)***

# PART III – COST ESTIMATE

## L&LMD NO. 89-1-C ZONE 187 (TRACT 36376) FOR FISCAL YEAR 2014-2015

Cost Description <sup>1</sup>	Total Costs for Zone 100	Cost per Parcel/Lot <sup>2</sup> for Zone 187
Fossil Filters	\$1,575.00	\$15.29
Traffic Signal at the intersection of Pourroy at Auld Road 30% of \$5,500/TS	1,650.00	16.02
Traffic Signal at the intersection of Butterfield Stage Road at Buena Ventura Road 40% of \$5,500/TS	2,200.00	21.36
Bridge Lights	500.00	4.85
Field	210.00	2.04
Repair and Replacement	315.00	3.06
<b>Maintenance Total</b>	<b>\$6,450.00</b>	<b>\$62.62</b>
Administrative Costs	106.53	1.03
Contingency	94.47	0.92
<b>Administration Total</b>	<b>\$201.00</b>	<b>\$1.95</b>
<b>Annual Balance to Levy<sup>3</sup></b>	<b>\$6,651.00</b>	<b>\$64.56</b>

<sup>1</sup> Projected base rates of services for Fiscal Year 2014-2015 were provided by the County of Riverside Transportation Department.

<sup>2</sup> Based on projected 103 assessable parcels/lots.

<sup>3</sup> Per parcel/lot amount of \$64.56 was rounded to even pennies for equal division into 2 installment payments.

## **PART IV - ASSESSMENT DIAGRAM / BOUNDARY MAP**

### **FISCAL YEAR 2014-2015 L&LMD NO. 89-1-C ZONE 187**

The Assessment Diagram/Boundary Map for Zone 187 by this reference is incorporated and made a part of this Report. Only the parcels identified within the Zone 187 Assessment Diagram are within said boundary.

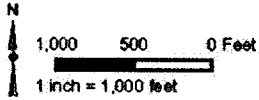
If any parcel submitted for collection is identified by the County Auditor Controller to be an invalid parcel number for the current fiscal year, a corrected parcel number and/or new parcel number will be identified and resubmitted to the County Auditor Controller. The assessment amount to be levied 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 Zone 187 Assessment Diagram/Boundary Map identifying the boundaries of parcels within TR 36376 in L&LMD No. 89-1-C Zone 187 is included in this Report for reference on the following page.

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED  
**ZONE 187**

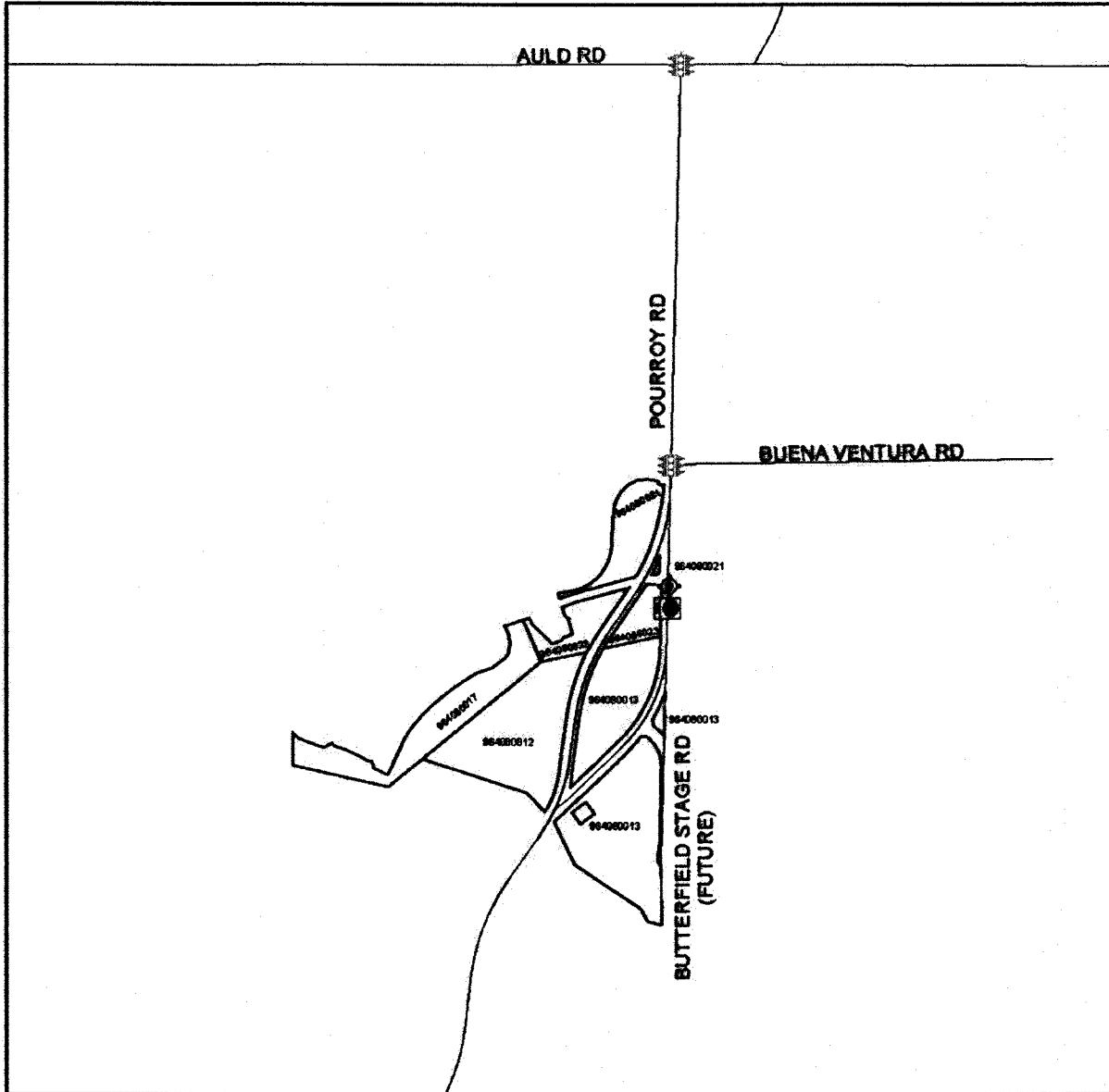
PORTION OF SECTION 8, T.7S., R.2W.  
 TRACT MAP NO. 36376 - 103 PARCELS






The County of Santa Clara makes no warranty or representation for the herein contained information. It is the user's responsibility to verify the accuracy of the information. County GIS and GIS services are provided for the user's information. No warranty or representation is made.

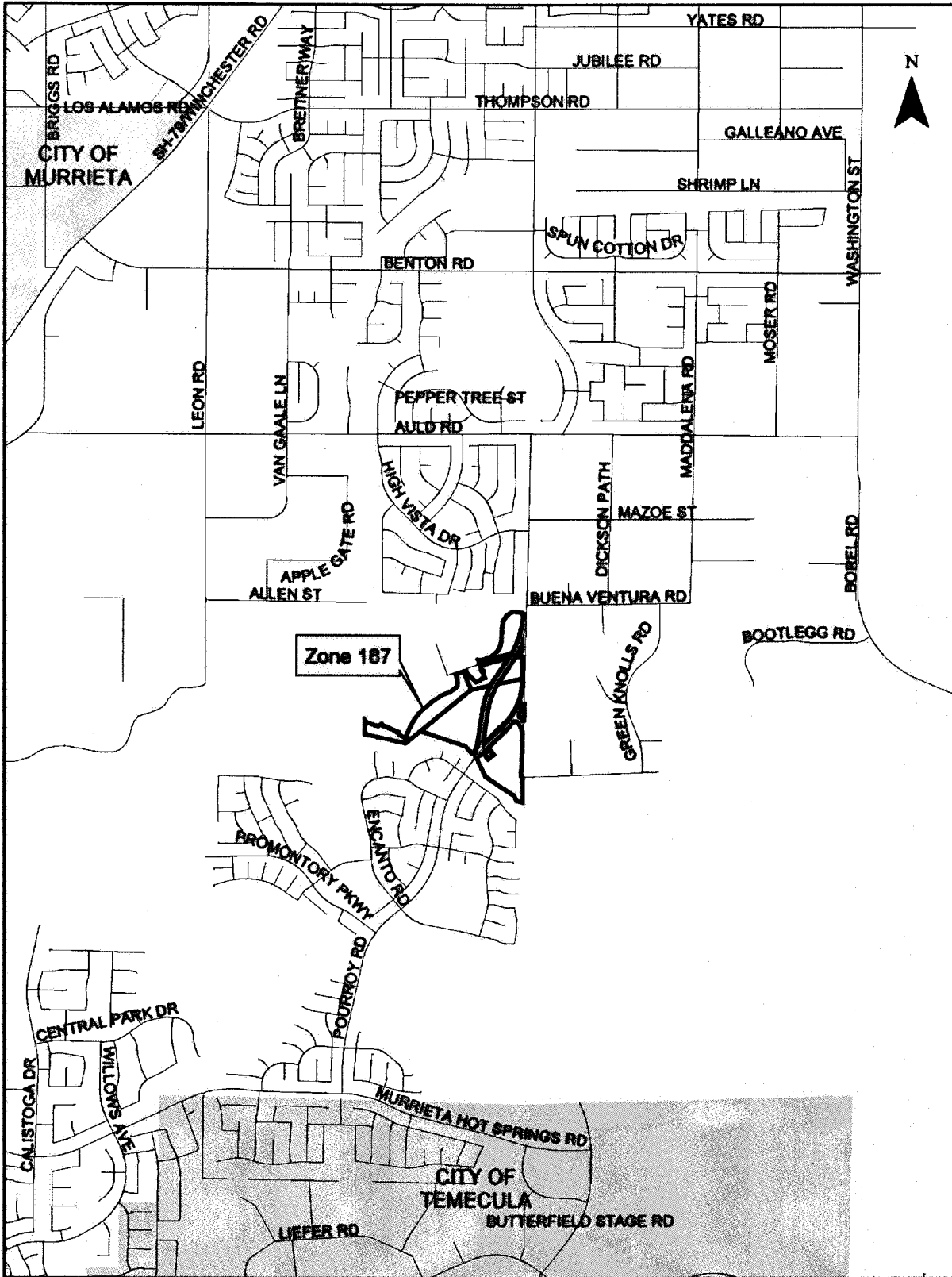
**ASSESSMENT DIAGRAM**

Printed by bhahn on 2/3/2014



-  DENOTES FUTURE MAINTAINED FOSSIL FILTER
-  DENOTES FUTURE MAINTAINED TRAFFIC SIGNAL
-  DENOTES MAINTAINED BRIDGE LIGHT

# VICINITY MAP



# PART V – ASSESSMENT ROLL

Parcel identification for each lot/unit or parcel within Zone 187 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. Zone 187 includes the following APN(s) as of the date of this Report:

964080012-4	964080017-9	964080023-4
964080013-5	964080021-2	

The initial Maximum Assessment shall be \$6,651.00. When subdivided, the initial Maximum Assessment for Zone 187 is as follows:

**L&LMD NO. 89-1-C ZONE 187  
(TRACT 36376)  
PROPOSED FISCAL YEAR 2014-2015 MAXIMUM ASSESSMENTS<sup>4</sup>**

Parcel/ Lot No.	Maximum Assessment	Parcel/ Lot No.	Maximum Assessment	Parcel/ Lot No.	Maximum Assessment
1	\$64.56	21	\$64.56	41	\$64.56
2	64.56	22	64.56	42	64.56
3	64.56	23	64.56	43	64.56
4	64.56	24	64.56	44	64.56
5	64.56	25	64.56	45	64.56
6	64.56	26	64.56	46	64.56
7	64.56	27	64.56	47	64.56
8	64.56	28	64.56	48	64.56
9	64.56	29	64.56	49	64.56
10	64.56	30	64.56	50	64.56
11	64.56	31	64.56	51	64.56
12	64.56	32	64.56	52	64.56
13	64.56	33	64.56	53	64.56
14	64.56	34	64.56	54	64.56
15	64.56	35	64.56	55	64.56
16	64.56	36	64.56	56	64.56
17	64.56	37	64.56	57	64.56
18	64.56	38	64.56	58	64.56
19	64.56	39	64.56	59	64.56
20	64.56	40	64.56	60	64.56



**L&LMD NO. 89-1-C ZONE 187  
(TRACT 36376)  
PROPOSED FISCAL YEAR 2014-2015 MAXIMUM ASSESSMENTS<sup>4</sup>  
(CONTINUED)**

<b>Parcel/ Lot No.</b>	<b>Maximum Assessment</b>	<b>Parcel/ Lot No.</b>	<b>Maximum Assessment</b>	<b>Parcel/ Lot No.</b>	<b>Maximum Assessment</b>
61	\$64.56	81	\$64.56	101	\$64.56
62	64.56	82	64.56	102	64.56
63	64.56	83	64.56	103	64.56
64	64.56	84	64.56	104	0.00
65	64.56	85	64.56	105	0.00
66	64.56	86	64.56	106	0.00
67	64.56	87	64.56	107	0.00
68	64.56	88	64.56	108	0.00
69	64.56	89	64.56	109	0.00
70	64.56	90	64.56	110	0.00
71	64.56	91	64.56	111	0.00
72	64.56	92	64.56	112	0.00
73	64.56	93	64.56	113	0.00
74	64.56	94	64.56	114	0.00
75	64.56	95	64.56	115	0.00
76	64.56	96	64.56	116	0.00
77	64.56	97	64.56		
78	64.56	98	64.56		
79	64.56	99	64.56		
80	64.56	100	64.56		

<sup>4</sup> The initial Maximum Assessment may be adjusted by the greater of two percent (2%) or the cumulative percentage increase in the CPI-U Index published by the Bureau of Labor Statistics of the United States Department of Labor.

## **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 Zone 187 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 May 13<sup>th</sup>, 2014; 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 Lennar Homes of California, Inc. (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 2014-15 (the "Property"): APN(s) 964-080-012, 013, 017, 021 and 023.

The Owner has made application that the Property be annexed as Zone 187 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 May 13, 2014

OWNER: Lennar Homes of California, Inc.  
(Name of Company  
as Stated in Initial Paragraph)

By:   
Signature

Name: JEFFREY T. CLEMENS  
Print

Title: VICE PRESIDENT

