

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

309A



FROM: TLMA - Transportation Dept.

SUBMITTAL DATE:
April 17, 2014

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Zone 188 (Valle Vista) District 3 [\$766]; L&LMD No. 89-1-C – 100%.

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

1. Resolution No. 2014-087 a Resolution of the County of Riverside initiating proceedings for the annexation of Zone 188 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated and ordering preparation of the Engineer's Report regarding the proposed annexation of Zone 188.
2. Resolution No. 2014-088, a Resolution of the County of Riverside declaring its intent to order the annexation of Zone 188 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 providing electricity to streetlights, irrigation controller communication subscription, and parkway landscaping; adopting the preliminary engineer's report; giving notice of and setting the time and place of the public hearing on the annexation of Zone 188, 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 DATE: 4/11/14

Departmental Concurrence

Patricia Romo

Juan C. Perez
Director of Transportation and
Assistant Director of Land Management

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0	\$ 766	\$ N/A	\$ 766	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

SOURCE OF FUNDS L&LMD No. 89-1-C – 100%

There are no General Funds used in this project.

Budget Adjustment: N/A
For Fiscal Year: 14/15

C.E.O. RECOMMENDATION:

APPROVE

BY:
Karen L. Johnson

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Tavaglione and duly carried by unanimous vote, IT WAS ORDERED that the above resolutions are adopted as recommended, and is set for public hearing on Tuesday, June 17, 2014, at 9:30 a.m.

Ayes: Jeffries, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: April 29, 2014
xc: Transp., COB

Kecia Harper-Ihem
Clerk of the Board
By:
Deputy

Prev. Agn. Ref.:

District: 3/3

Agenda Number:

3-25

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

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 188 (Valle Vista) District 3 [\$766]; L&LMD No. 89-1-C – 100%.
DATE: April 17, 2014
PAGE: 2 of 3

BACKGROUND:

Summary

Adoption of Resolution No. 2014-087 appoints the Director of the Transportation Department, or his designee, as the Engineer to prepare a Report regarding the proposed annexation of Zone 188 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated ("L&LMD No. 89-1-C").

Resolution No. 2014-088 declares the Board of Supervisors' intention of ordering the annexation of Zone 188 to L&LMD No. 89-1-C. The annexation of Zone 188 to L&LMD No. 89-1-C will fund the maintenance and servicing of streetlights, the remote monitoring of the irrigation activity on Caltrans right-of-way known as Service Level 1; ensuring the possible future maintenance and servicing of parkway landscaping within Caltrans right-of-way, known as Service Level 2, located on State Highway 74 (SH-74/Florida Avenue) and westerly of 4th Street in the Valle Vista area. This annexation includes one assessable commercial parcel.

Per Caltrans requirements, parkway landscape improvements located in Caltrans right-of-way shall be maintained in perpetuity. The maintenance and servicing of parkway landscaping on SH-74 will be the responsibility of the property owners within Zone 188, per their signed maintenance agreement with the County of Riverside Transportation Department (Agreement for Maintenance of Parkway, dated January 14, 2014). Should the property owners default on this agreement, the maintenance and servicing of the parkway landscaping will transfer to L&LMD No. 89-1-C, and the annual assessment known as Service Level 2 for such services will become active.

Irrigation controller subscriptions enable County staff to remotely monitor the irrigation activity of a proposed L&LMD No. 89-1-C zone. Along with monitoring irrigation activity, the subscription enables County staff to check for power issues, irrigation breaks, water off conditions, and many other reports and saves time by not requiring frequent field inspections.

Consistent with the Board of Supervisors' direction regarding compliance with Article XIID of the California Constitution and the Landscaping and Lighting Act of 1972, the attached resolutions have been prepared and a public hearing scheduled for 9:30 a.m. on June 17, 2014 to receive testimony for and against the proposed assessment. Each property owner within the proposed Zone 188 will receive a notice of the public hearing and mail-in ballot, an impartial analysis, a copy of Resolution No. 2014-088, and an information sheet.

Ballots must be returned prior to the conclusion of the public hearing. If, at the time designated for the tabulation of the ballots, the ballots submitted in favor of the annexation and levy of the assessment exceed the ballots submitted in opposition of said annexation and levy, Zone 188 will be annexed to L&LMD No. 89-1-C.

There is only one individual/entity which owns all of the property within the proposed boundaries of Zone 188 and said property owner has executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election and public hearing to be held on June 17, 2014.

Impact on Residents and Businesses

The new assessment is for the purpose of providing the maintenance and servicing of streetlights, the remote monitoring of the irrigation activity on Caltrans right-of-way (Service Level 1), and ensuring the possible future maintenance and servicing of parkway landscaping within Caltrans right-of-way (Service Level 2).

The property owners within the proposed boundaries of Zone 188, which are represented by Plot Plan 23535R1, as described in the attached Exhibit "A" (a two page exhibit containing a description and diagram) are impacted by the cost of this annexation. The property owners within the proposed boundaries of Zone 188 have petitioned the County of Riverside to annex their property to L&LMD No. 89-1-C and understand that this annexation will result in an assessment on their property to fund the maintenance and servicing of the aforementioned improvements (streetlights, irrigation controller subscription and monitoring, and parkway landscaping).

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 188
(Valle Vista) District 3 [\$766]; L&LMD No. 89-1-C – 100%.

DATE: April 17, 2014

PAGE: 3 of 3

SUPPLEMENTAL:

Additional Fiscal Information

The proposed budget for fiscal year 2014-15 for Zone 188 is \$766 (Service Level 1). This will result in an assessment for fiscal year 2014-15 within Zone 188 of \$766 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.

In addition to the standard annual adjustment, beginning in the fiscal year in which Service Level 2 becomes active, the annual assessments may be further increased. For the fiscal year in which the maintenance and servicing of the parkway improvements on SH-74 becomes active, the annual assessment may be increased by \$6,160 per parcel which, when added to the assessment for streetlights and the irrigation controller subscription, will result in an aggregate assessment of \$6,926 per parcel, adjusted for inflation. The standard annual adjustment will be applied to this increased assessment in all subsequent fiscal years following the year in which Service Level 2 becomes active. Under the proposed annexation, neither the assessment increases based on the standard annual adjustment nor the further increases associated with Level 2 services becoming active, will require any further approval of the property owners within Zone 188.

Contract History and Price Reasonableness

N/A

ATTACHMENTS:

- A. Exhibit A
- B. Resolution No. 2014-087
- C. Resolution No. 2014-088
- D. Engineer's Report

RESOLUTION NO. 2014-087

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE INITIATING PROCEEDINGS FOR THE ANNEXATION OF ZONE 188 TO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 AND ORDERING PREPARATION OF ENGINEER'S REPORT REGARDING SAID ANNEXATION

WHEREAS, the Board of Supervisors (hereinafter the "Board of Supervisors") of the County of Riverside (hereinafter the "County") has been advised by the Riverside County Transportation Department (hereinafter "Department") that said Department has received an application from the owner (the "Applicant") of all the property within the unincorporated area of the County (hereinafter "Zone 188"), as shown and described in Exhibit "A", which is attached hereto and made a part hereof, to be annexed to Landscaping and Lighting Maintenance District No. 89-1-Consolidated (hereinafter "L&LMD No. 89-1-C") of the County of Riverside, State of California, and the Board of Supervisors has determined that it is necessary and desirable to initiate proceedings for the annexation of Zone 188 to L&LMD No. 89-1-C pursuant to the Landscaping and Lighting Act of 1972, Part 2 (commencing with Section 22500) of Division 15 of the Streets and Highways Code (hereinafter, respectively, the "Act" and the "Street and Highways Code"); and

WHEREAS, such proceedings shall comply with the requirements of Article XIID of the California Constitution and Section 4000 of the Elections Code requiring voter approval of the proposed assessment to be levied by L&LMD No. 89-1-C for Zone 188; and

WHEREAS, the Applicant has executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election to be held on June 17, 2014; and

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

FORM APPROVED COUNTY COUNSEL
BY: *[Signature]*
DATE: 4/11/14
BY: A. GARDNER
DATE:

1 to serve as the engineer (hereinafter the "Engineer") for the County with regard to the annexation of
2 Zone 188 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 April 29, 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 188 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 188 to pay the costs of the
11 following services:

- 12 (a) The maintenance and servicing of landscaping within the public right-of-way
13 including the trimming, fertilizing, weeding and replanting of trees, shrubs, grass,
14 and other ornamental vegetation; and
- 15 (b) The maintenance and servicing of irrigation and electrical facilities associated
16 with the landscaping, including but not limited to electricity for operation of the
17 irrigation system and water for irrigation; and
- 18 (c) Providing electricity to and the maintenance and servicing of streetlights within
19 the public right-of-way including incidental costs and expenses.

20 **Section 3. Boundaries and Designation.** The boundaries of Zone 188 that are
21 proposed to be annexed to L&LMD No. 89-1-C shall include all of the property as shown and described
22 in Exhibit "A".

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

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

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

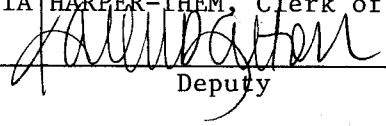
By  Deputy

EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

The boundaries of Zone 188 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside, are coterminous with the boundaries of APN 549-153-021 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2014-15.

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

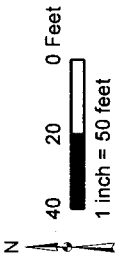
ZONE 188

PORTION OF SECTION 9, T.5S., R.1E.

PLOT PLAN 23535R1

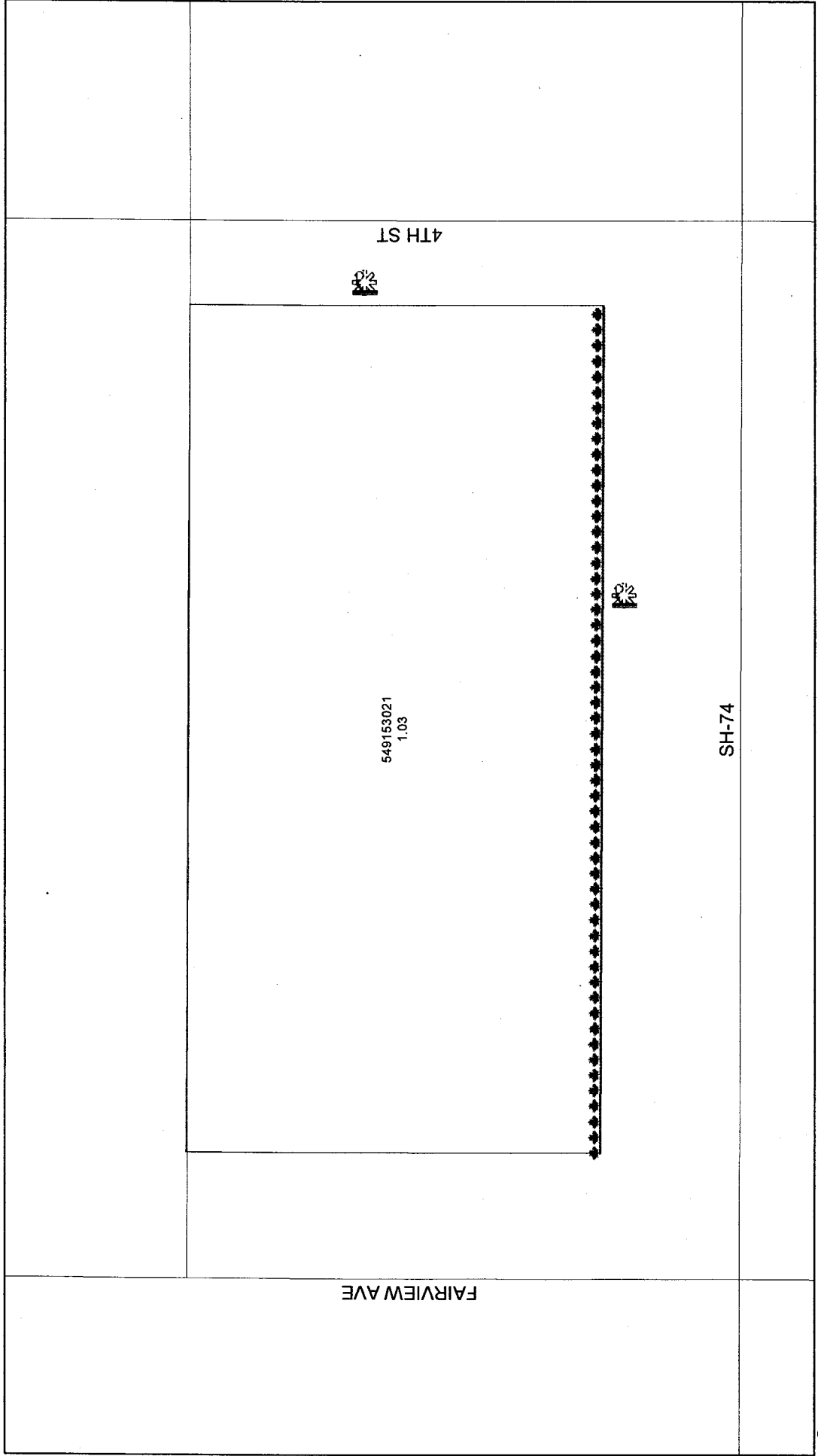
1 PARCEL

ASSESSMENT DIAGRAM



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DENOTES MAINTAINED STREETLIGHT

DENOTES FUTURE LANDSCAPED AND MAINTAINED PARKWAY

RESOLUTION NO. 2014-088

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING ITS INTENT TO ORDER THE ANNEXATION OF ZONE 188 TO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 FOR THE MAINTENANCE AND SERVICING OF STREETLIGHTS, IRRIGATION CONTROLLER SUBSCRIPTION AND MONITORING, KNOWN AS SERVICE LEVEL 1, AND PARKWAY LANDSCAPING, KNOWN AS SERVICE LEVEL 2; ADOPTING THE PRELIMINARY ENGINEER'S REPORT; GIVING NOTICE OF AND SETTING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE THE ANNEXATION OF ZONE 188 ; ORDERING AN ASSESSMENT PROCEEDING; ORDERING A MAILED BALLOT ELECTION; AND DIRECTING NOTICE OF THE PUBLIC HEARING AND THE ASSESSMENT BALLOT TO BE MAILED PURSUANT TO SAID ACT AND ARTICLE XIID OF THE CALIFORNIA CONSTITUTION AND SECTION 4000 OF THE ELECTIONS CODE

WHEREAS, the Board of Supervisors (hereinafter the "Board of Supervisors") of the County of Riverside (hereinafter the "County") has adopted Resolution No. 2014-087 on April 29, 2014 initiating proceedings for the annexation of Zone 188 (hereinafter "Zone 188"), as described and shown in Exhibit "A", which is attached hereto and incorporated herein, to Landscaping and Lighting Maintenance District No. 89-1-Consolidated of the County of Riverside, State of California, (hereinafter "L&LMD No. 89-1-C") pursuant to the Landscaping and Lighting Act of 1972 (hereinafter the "Act"), which is Part 2 (commencing with Section 22500) of Division 15 of the Streets and Highways Code (hereinafter the "Street and Highways Code"), and ordering the preparation of a report (hereinafter the "Report") regarding the proposed annexation of Zone 188 and the assessments to be levied within Zone 188 each fiscal year beginning fiscal year 2014-15 for the maintenance and servicing of streetlights, the subscription and monitoring of a Calsense controller, and ensuring the maintenance and servicing of dormant parkway landscaping within the public right-of-way within said Zone; and

WHEREAS, such proceedings shall comply with the requirements of Article XIID of the California Constitution (hereinafter "Article XIID:"), the Act, and Section 4000 of the Elections Code requiring voter approval of the proposed assessment to be levied by L&LMD No. 89-1-C for Zone 188; and

FORM APPROVED BY... 4/11/14
DATE
BY DALE A. GARDNER

1 **WHEREAS**, the Board of Supervisors by Resolution No. 2014-087 directed the Director of the
2 Transportation Department, or his designee (hereinafter the "Engineer"), to prepare and file the Report
3 with the Clerk of the Board of Supervisors in accordance with Sections 22608 and 22585 et. seq. of the
4 Street and Highways Code and Section 4 of Article XIID; and

5 **WHEREAS**, said Engineer has filed the Report with the Clerk of the Board of Supervisors and
6 the Report has been presented to and considered by the Board of Supervisors; and

7 **WHEREAS**, the Applicant has executed a "Waiver and Consent Regarding Date of Assessment
8 Ballot Election" allowing for the election to be held on June 17, 2014; and

9 **WHEREAS**, it is necessary that the Board of Supervisors adopt a resolution of intention
10 pursuant to Section 22624 of the Streets and Highways Code, which fixes and gives notice, pursuant to
11 Section 22626 of the Streets and Highways Code, of the time and place of a public hearing on said
12 Report, the annexation of Zone 188, and the assessments to be levied on parcels within Zone 188
13 beginning in fiscal year 2014-15;

14 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the
15 Board of Supervisors in regular session assembled on April 29, 2014 as follows:

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

- 17 (a) The foregoing recitals are true and correct;
- 18 (b) The Report contains all matters required by Sections 22565 through 22574 of the
19 Streets and Highways Code and Section 4 of Article XIID and may, therefore, be
20 approved by the Board of Supervisors;
- 21 (c) The annual assessment for Service Level 1 for fiscal year 2014-15 on all parcels within
22 Zone 188 will be \$766 per parcel.
- 23 (d) Beginning in the fiscal year in which the services for Service Level 2 become active, the
24 annual assessment and all subsequent annual assessments may be increased
25 accordingly, as detailed in Section 5 of this Resolution.
- 26

1 **Section 2. Intent.** The Board of Supervisors hereby declares its intention to order the
2 annexation of Zone 188, as described and shown in Exhibit "A", to L&LMD No. 89-1-C, and to levy and
3 collect an annual assessment on all assessable lots and parcels of property within Zone 188
4 commencing with the fiscal year 2014-15 as set forth in the Report. The Report expressly states that
5 there are no parcels or lots within Zone 188 that are owned by a federal, state or other local
6 governmental agency that will benefit from the services to be financed by the annual assessments. The
7 annual assessments will be collected at the same time and in the same manner as property taxes are
8 collected, and all laws providing for the collection and enforcement of property taxes shall apply to the
9 collection and enforcement of said assessments.

10 **Section 3. Boundaries.** All the property within boundaries of Zone 188 is proposed to be
11 annexed to L&LMD No. 89-1-C and shall include that property in the unincorporated area of the County
12 as described and shown in Exhibit "A".

13 **Section 4. Description of Services to be Provided.** The services authorized for Zone 188
14 of L&LMD No. 89-1-C are:

- 15 (a) The maintenance and servicing of landscaping within the public right-of-way including
16 the trimming, fertilizing, weeding and replanting of trees, shrubs, grass, and other
17 ornamental vegetation; and
- 18 (b) The maintenance and servicing of irrigation and electrical facilities associated with the
19 landscaping, including but not limited to electricity for operation of the irrigation system
20 and water for irrigation; and
- 21 (c) Providing electricity to and the maintenance and servicing of streetlights within the public
22 right-of-way including incidental costs and expenses.

23 **Section 5. Amount to be Levied.** The assessment to be levied upon each parcel that benefits from
24 the annexation of Zone 188 to L&LMD No. 89-1-C will be \$766 per parcel for Service Level 1 for fiscal
25 year 2014-15. As stated in the Report, the total budget for Zone 188 for the fiscal year 2014-15 is \$766;
26 there is 1 parcel that is to be assessed.

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2 Each succeeding fiscal year the special assessment may be subject to an annual adjustment that is the
3 greater of two percent (2%) or the cumulative percentage increase, if any, in the Consumer Price Index
4 for all Urban Consumers ("CPI-U") for the Los Angeles-Riverside-Orange County California Standard
5 Metropolitan Statistical area ("Index") published by the Bureau of Labor Statistics of the United States
6 Department of Labor. The annual "CPI-U" adjustment will be based on the cumulative increase, if any,
7 in the "Index" as it stands on March of each year over the base Index for March of 2014. Any increase
8 larger than the greater of 2% or the "CPI-U" annual adjustment requires a majority approval of all the
9 property owners in Zone 188. The annual assessment increase derived from the application of the
10 foregoing formula is referred to as the "Standard Annual Adjustment."

11 In addition to the Standard Annual Adjustment, beginning in the fiscal year in which the services for
12 Service Level 2 become active, the annual assessments may be further increased. For the fiscal year in
13 which the maintenance and servicing of the parkway landscaping on SH-74 becomes active, the annual
14 assessment may be increased by \$6160 per parcel which when added to the assessment for Service
15 Level 1 will result in an aggregate assessment of \$6926 per parcel, adjusted for inflation, as detailed in
16 the Report. The Standard Annual Adjustment will be applied to this increased assessment in all
17 subsequent fiscal years following the year in which the services for Service Level 2 became active
18 without regard to the \$6926 per parcel, inflation adjusted, assessment ceiling.

19 Except for assessment increases associated with the services for Service Level 2 becoming active, and
20 assessment increases resulting from the application of the Standard Annual Adjustment, any other
21 increase in the annual assessment requires a majority approval of all the property owners within
22 Zone 188. The Board of Supervisors will levy the assessment in each subsequent fiscal year until the
23 Board of Supervisors undertakes proceedings for the dissolution of Zone 188 of L&LMD No. 89-1-C.
24 The annual assessment will fund the services described in Section 4 of this Resolution. For further
25 particulars, reference is to be made to the Report on file in the Office of the Clerk of the Board of
26 Supervisors.

1 **Section 6. The Property to be Annexed.** The property to be annexed to L&LMD No.
2 89-1-C is Zone 188. The boundaries of Zone 188 are located within the unincorporated area of the
3 County and are described and shown in the Report and Exhibit "A".

4 **Section 7. Report.** The Report, which is on file with the Clerk of the Board of Supervisors
5 and which has been presented to the Board of Supervisors, is hereby approved. Reference is made to
6 the Report for a full and detailed description of the services, the boundaries of Zone 188, and the
7 annual assessment to be levied upon assessable lots and parcels within Zone 188 proposed to be
8 annexed to L&LMD No. 89-1-C.

9 **Section 8. Public Hearing.** The question of whether Zone 188 shall be annexed to L&LMD
10 No. 89-1-C and an annual assessment levied beginning with fiscal year 2014-15 shall be considered at
11 a public hearing (hereinafter the "Public Hearing") to be held on June 17, 2014, at 9:30 a.m. at the
12 meeting room of the Board of Supervisors of the County at 4080 Lemon Street, 1st Floor, Riverside,
13 California.

14 **Section 9. Majority Protest.** Each owner of record of property within Zone 188 is to receive
15 by mail an assessment ballot that shall conform to the requirements of Section 4 of Article XIID and
16 Section 4000 of the California Elections Code. The assessment ballots are to be returned prior to the
17 Public Hearing. The agency shall not impose an assessment if there is a majority protest. A majority
18 protest exists if, upon the conclusion of the hearing, ballots submitted in opposition to the assessment
19 exceed the ballots submitted in favor of the assessment. In tabulating the ballots, the ballots shall be
20 weighted according to the proportional financial obligation of the affected property.

21 **Section 10. Information.** Any property owner desiring additional information regarding
22 Zone 188 of L&LMD No. 89-1-C, the Report, or the proposed assessment is to contact Ms. Brigitte
23 Hahn, Senior Engineering Technician, Transportation Department of the County of Riverside, 4080
24 Lemon Street, 8th Floor, Riverside, California, 92501, or by telephone at 951-955-6263, or by e-mail at
25 bhahn@rctlma.org.

EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

The boundaries of Zone 188 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside, are coterminous with the boundaries of APN 549-153-021 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2014-15.

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

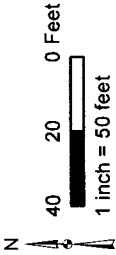
ZONE 188

PORTION OF SECTION 9, T.5S., R.1E.

PLOT PLAN 23535R1

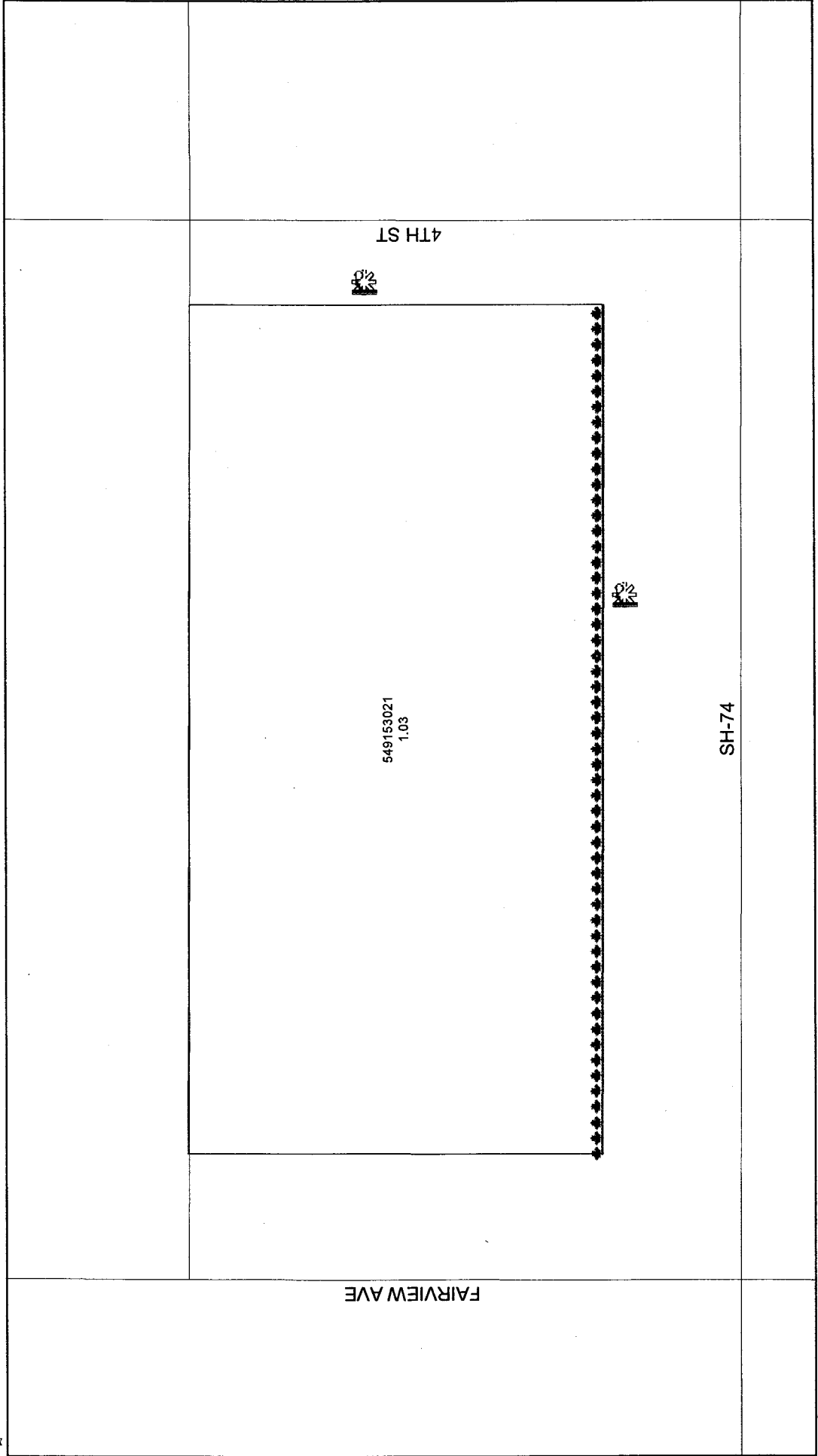
1 PARCEL

ASSESSMENT DIAGRAM



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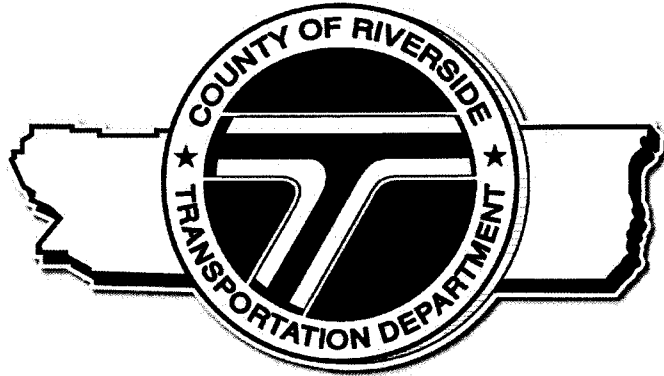


DENOTES MAINTAINED STREETLIGHT

DENOTES FUTURE LANDSCAPED AND MAINTAINED PARKWAY

COUNTY OF RIVERSIDE

TRANSPORTATION DEPARTMENT



ENGINEER'S REPORT FOR Landscaping & Lighting Maintenance District No. 89-1-Consolidated Zone 188

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

April 2014

AGENCY: COUNTY OF RIVERSIDE, CALIFORNIA - TRANSPORTATION DEPARTMENT

PROJECT: ANNEXATION OF PLOT PLAN 23535 ("PP 23535") TO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED ("L&LMD NO. 89-1-C") AS ZONE 188 ("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 PP 23535 to L&LMD No. 89-1-C as Zone 188 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 188 PP 23535

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.

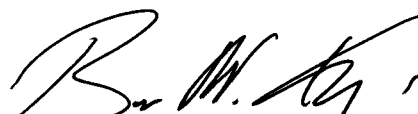
Assessor Parcel Numbers, as shown on said Assessment Diagram/Boundary Map as of the date of this Report, correspond with the numbers assigned to each parcel by the Riverside County Assessor. Reference is made to the Assessor Parcel Map for a description of the lots or parcels.

As of the date of this Report, there are no parcels or lots within Zone 188 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 1st day of April, 2014



PSOMAS



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

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EXECUTIVE SUMMARY

A. Introduction

Pursuant to the provisions of law, the costs and expenses of 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 29th day of April, 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 PP 23535 to L&LMD No. 89-1-C as Zone 188 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. 2014-087 for a special assessment district zone known and designated as:

ZONE 188 PP 23535

The annexation of Zone 188 includes all parcels of land within the commercial subdivision known as PP 23535, also identified by the Assessor Parcel Number(s) valid as of the date of this Report: 549153021-2. 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 plot plan and indicated on the Assessment Diagram/Boundary Map and in the Assessment Roll contained herein. Psomas submits this Report, for the annexation of said Zone 188 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 188's boundaries and the proposed improvements within said Zone. Zone 188 shall consist of a benefit zone encompassing all of the properties within the commercial development known as PP 23535. 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 the Agreement for Maintenance of Parkways signed by Dynamic Development Real Estate Investment I, LLC ("Property Owner") dated January 14, 2014, Street Light Plans, I.P. No. 130016 with a Plot Date of 03-13-2014, and Landscape Construction Documents Tentative Approved PP#23535, I.P. No. 130016 with a Date of 01-14-2014 ("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 188 is based on current property development Plans and estimated annual costs and expenses associated with all improvements to be accepted and maintained by Zone 188 at build-out. At build-out, there will be both streetlights and parkway landscaping to maintain and service.

The County of Riverside Transportation Department ("Transportation") will be maintaining and servicing the streetlights which this Report will define as Service Level 1. The Property Owner will be maintaining and servicing the parkway landscaping for the Zone; however, in the event the Property Owner is unable to maintain and service the parkway landscaping, the Property Owner will transfer the responsibility to Transportation. Costs of maintenance and servicing of the parkway landscaping will be defined as Service Level 2. Until such time the Property Owner transfers parkway landscaping responsibilities to Transportation, Service Level 2 costs will not be levied and not assessed upon parcel(s)/lot(s) within the Zone. For the purposes of establishing the initial Maximum Assessment, Service Level 1 and 2 costs have been combined.

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 1st of each year over the base Index of 2014. The initial Maximum Assessment established within Zone 188 shall be \$6,926. Pursuant to the Plans and PP 23535, which is composed of 1 assessable parcel, and 0 non-assessable parcels, the initial Maximum Assessment shall be \$6,926 per parcel, subject to the inflationary factor. However, since Service Level 2 is not being levied, the initial Fiscal Year 2014-2015 assessment amount to be levied is \$766 for Service Level 1 for the Zone.

PART III

The Cost Estimate: An estimate of the cost of the streetlights (Service Level 1) and parkway landscaping (Service Level 2) maintenance 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 188. 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 annexation of PP 23535 to L&LMD No. 89-1-C as Zone 188 will provide the financial mechanism (annual assessments) by which the ongoing operation and maintenance of these improvements and services will be funded. Zone 188'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 188 is located within the unincorporated area of the County of Riverside, State of California and is comprised of PP 23535. The area for PP 23535 is generally east of Fairview Avenue, west of 4th Street, north of Florida Avenue, and south of C Street. At full development, PP 23535 is projected to include 1 assessable commercial lot(s)/unit(s) and 0 non-assessable lot(s)/unit(s). Zone 188 consists of all lots/units, parcels and subdivision of land located in the following development area(s):

- PP 23535 – Assessor Parcel Number(s) as of the date of this Report:
549153021-2

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 188

The services to be funded by L&LMD No. 89-1-C Zone 188 include the maintenance and servicing of streetlights (Service Level 1) on the public right-of-way known as Florida Avenue and 4th Street and maintenance and servicing of parkway landscaping (Service Level 2) on the public right-of-way known as Florida Avenue within the commercial subdivision designated as PP 23535.

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.

Streetlights are the responsibility of Zone 188. Parkway landscaping will become the responsibility of Zone 188 should Property Owner transfer that responsibility to Riverside County Transportation Department.

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 improvements within Zone 188 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 streetlights and parkway

landscaping and to guarantee the maintenance of the streetlights and parkway landscaping 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. The proper maintenance of streetlights, parkway landscaping, and appurtenant facilities specially benefit parcels within the Zone by moderating temperatures, providing oxygenation, attenuating noise from adjacent streets and controlling dust for those properties in close proximity to the landscaping. Improved erosion and water quality control, dust abatement, increased public safety (e.g., control sight distance restrictions and fire hazards), improved property protection and aesthetics, increasing public safety for both pedestrians and the motoring public, and increasing traffic safety by improving visibility. The spraying and treating of landscaping for disease reduces the likelihood of insect infestation and other diseases spreading to landscaping located throughout the properties within the Zone. Streetlights also provide safety for pedestrians and motorists living and owning property in the Zone during the nighttime hours, and to assign rights-of-way for the safety of pedestrians and motorists by defining a specific path during all hours of the day.

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

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

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

The proper maintenance of the landscaping, ornamental structures, and appurtenant facilities reduces property-related crimes (especially vandalism) against properties in the Zone through the screening of properties within the Zone from arterial streets.

Finally, the proper maintenance of streetlights, parkway landscaping, and appurtenant structures improves the attractiveness of the properties within the

Zone. This provides a positive visual experience each and every time a trip is made to or from the property and provides an enhanced quality of life and sense of well-being for property within the Zone.

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

Based on the benefits described above, streetlights and parkway landscaping 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 commercial 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 streetlights and landscaping and are not assessed.

SPECIAL BENEFITS OF L&LMD NO. 89-1-C ZONE 188 AUTHORIZED IMPROVEMENTS AND SERVICES:

At build-out, there will be both streetlights and parkway landscaping to maintain and service. The County of Riverside Transportation Department ("Transportation") will be maintaining and servicing the streetlights which this Report will define as Service Level 1. The Property Owner will be maintaining and servicing the parkway landscaping for the Zone. In the event the Property Owner is unable to maintain and service the parkway landscaping, the Property Owner will transfer the responsibility to Transportation. Costs of maintenance and servicing of the parkway landscaping will be defined as Service Level 2. *Until such time the Property Owner transfers parkway landscaping responsibilities to Transportation, Service Level 2 costs will not be levied and not assessed upon parcel(s)/lot(s) within the Zone. For the purposes of establishing the initial Maximum Assessment, Service Level 1 and 2 costs have been combined.*

Service Level 1

The special benefits of streetlights 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 roads and streets.
- Improved ability of pedestrians and motorists to see.
- Improved ingress and egress to the property.
- Reduced vandalism and other criminal acts and damage to improvements or property.

- Improved traffic circulation and reduced nighttime accidents and personal property loss.
- Irrigation monitoring (Calsense)

Service Level 2

The special benefits associated with parkway landscaping improvements are:

- Enhanced desirability of properties through association with the improvements.
- Improved aesthetic appeal of properties providing a positive representation of the area and properties.
- Enhanced adaptation of the urban environment within the natural environment from adequate green space and landscaping.
- Environmental enhancement through improved erosion resistance, dust and debris control, and fire protection.
- Increased sense of pride in ownership of property within the Zone resulting from well-maintained improvements associated with the properties.
- Enhanced quality of life through well-maintained green belts and landscaped areas.
- Reduced criminal activity and property-related crimes (especially vandalism) against properties through well-maintained surrounding and amenities.
- Enhanced environmental quality of the parcels by moderating temperatures, providing oxygenation and attenuating noise.

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 streetlights and landscaping, 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 streetlights and parkway landscaping 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 (commercial), it is determined that each of the commercial parcels within the Zone benefit equally from the improvements. Therefore, the proportionate share of the costs and expenses for the maintenance and servicing of the streetlights and parkway landscaping 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 188 costs and assessments.

The Maximum Assessment formula shall be applied to all assessable parcels of land within the Zone. For Zone 188, the initial Maximum Assessments for Fiscal Year 2014-2015 are as follows:

- The initial Maximum Assessment established within Zone 188 (PP 23535) shall be \$6,926 (*which includes Service Level 1 and Service Level 2 costs*)
- Pursuant to the Plans, each parcel's initial Maximum Assessment shall be \$6,926 (*which includes Service Level 1 and Service Level 2 costs*)

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 188'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 188 assessments may remain virtually unchanged. The Maximum Assessment adjustment is designed to establish a reasonable limit on Zone 188 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 188. If the proposed assessment is not approved, the County may not levy an assessment greater than the adjusted Maximum Assessment previously established for Zone 188.

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 188 over and above general benefit conferred upon the assessable real property within Zone 188 or to the public at large. The Assessment for each assessable parcel within Zone 188 is calculated by dividing the total Annual Balance to Levy by the total number of assessable subdivided parcels within Zone 188 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.)

For Fiscal Year 2014-2015, the annual assessment per assessable parcel is the Annual Balance to Levy related to Service Level 1 in the amount of \$766. Service Level 2 is not being levied; however, Riverside County Transportation can activate Service Level 2 in subsequent fiscal years upon transfer of responsibility to maintain and service for parkway landscaping.

PART III – COST ESTIMATE

L&LMD NO. 89-1-C ZONE 188 (PLOT PLAN 23535) FOR FISCAL YEAR 2014-2015

Cost Description ¹	Costs (Service Level 1)	Costs (Service Level 2)	Total Costs (Service Level 1 & 2)	Total Cost per Parcel/Lot ² (Service Level 1 & 2)
<i>Costs Related to Service Level 1</i>				
Streetlights (22500 Lumens)	\$514	\$0	\$514	\$514
Calsense Single	175	0	175	175
<i>Costs Related to Service Level 2</i>				
Landscaping	0	3,066	3,066	3,066
Water	0	390	390	390
Backflow Certification	0	50	50	50
Mulch	0	98	98	98
Tree Trimming	0	50	50	50
Electricity	0	300	300	300
Field	0	452	452	452
Repair and Replacement	0	1,508	1,508	1,508
Maintenance Total	\$689	\$5,914	\$6,603	\$6,603
Administrative Costs	\$41	\$130	\$171	\$171
Contingency	36	116	152	152
Administration Total	\$77	\$246	\$323	\$323
Annual Balance to Levy³	\$766	\$6,160	\$6,926	\$6,926

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

² Based on projected 1 assessable parcels/lots.

³ Per parcel/lot amount of \$6,926 was rounded to whole dollars for equal division into 2 installment payments. The costs of maintaining and servicing the parkway landscaping are not assessed during Fiscal Year 2014-2015 because the County of Riverside is not maintaining and servicing the parkway landscaping this fiscal year. The parkway landscaping maintenance and servicing will not be levied until the responsibility of maintaining and servicing the parkway landscaping is transferred to the County.

PART IV – ASSESSMENT DIAGRAM / BOUNDARY MAP

FISCAL YEAR 2014-2015 L&LMD NO. 89-1-C ZONE 188

The Assessment Diagram/Boundary Map for Zone 188 by this reference is incorporated and made a part of this Report. Only the parcels identified within the Zone 188 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 188 Assessment Diagram/Boundary Map identifying the boundaries of parcels within PP 23535 in L&LMD No. 89-1-C Zone 188 is included in this Report for reference on the following page.

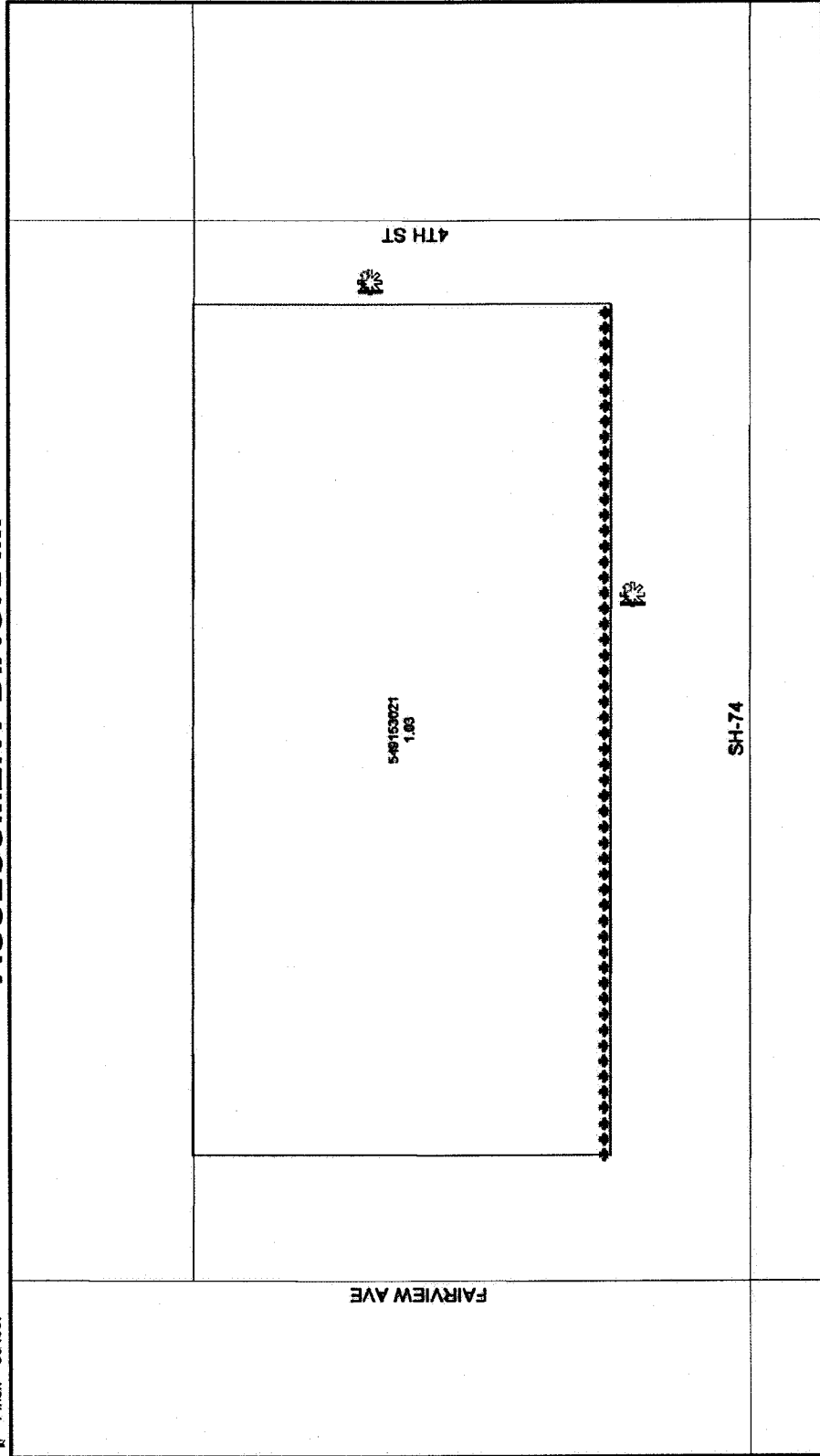
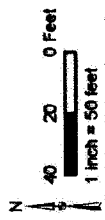
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED
ZONE 188

PORTION OF SECTION 9, T.5S., R.1E.
 PLOT PLAN 23535R1

1 PARCEL

ASSESSMENT DIAGRAM

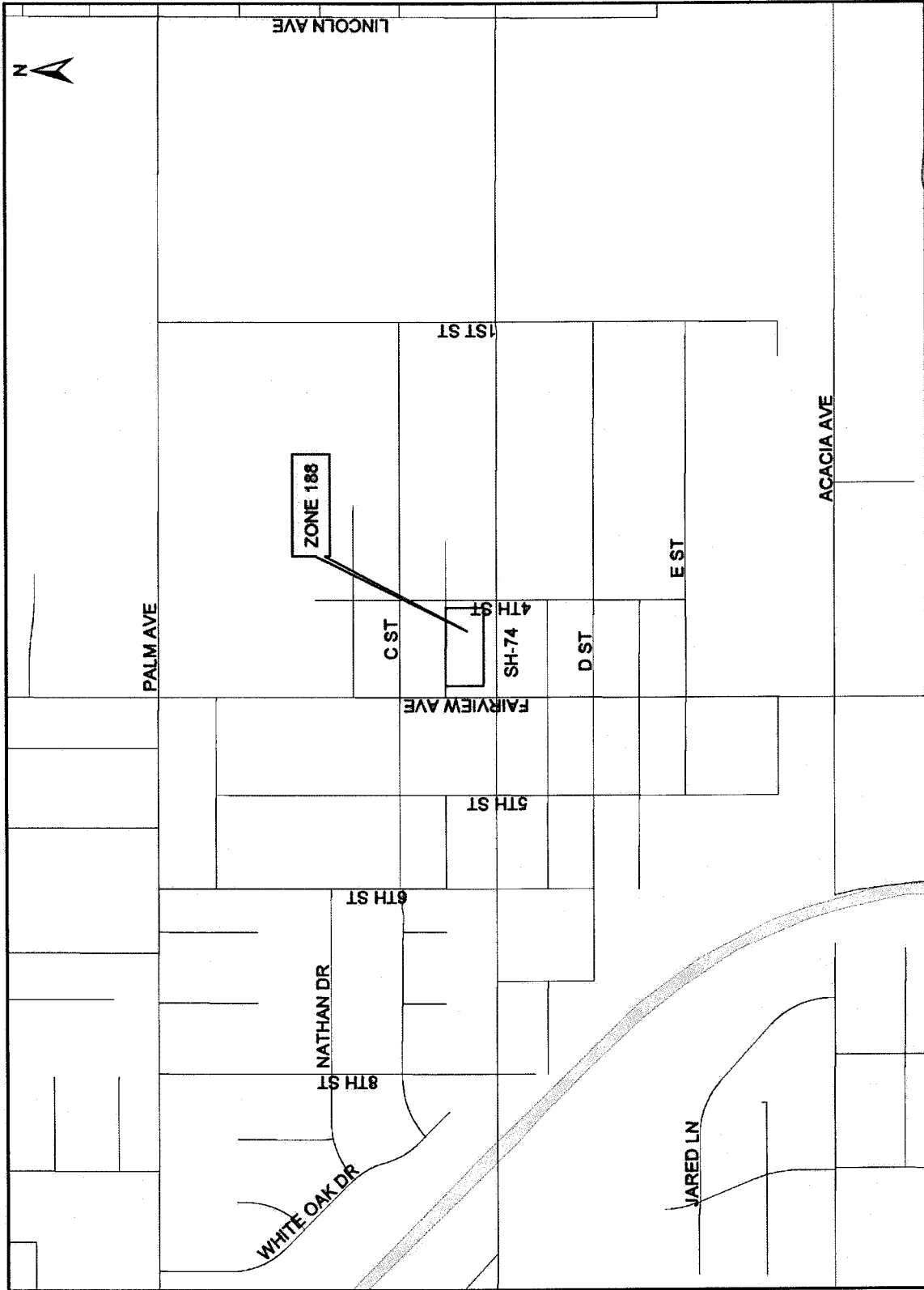
The City of Nevada assumes no warranty or liability for the information contained in this map. Data and information are provided for informational purposes only. All planning, zoning and other regulations apply to the use of the land shown on this map. Printed by bhahn on 4/1/2014



DENOTES MAINTAINED STREETLIGHT

DENOTES FUTURE LANDSCAPED AND MAINTAINED PARKWAY

VICINITY MAP



PART V – ASSESSMENT ROLL

Parcel identification for each lot/unit or parcel within Zone 188 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 188 includes the following APN(s) as of the date of this Report:

549153021-2

The initial Maximum Assessment shall be \$6,926. The initial Maximum Assessment for Zone 188 is as follows:

**L&LMD NO. 89-1-C ZONE 188
(PLOT PLAN 23535)
PROPOSED FISCAL YEAR 2014-2015 MAXIMUM ASSESSMENTS⁴**

Plot Plan	Assessor's Parcel Number/ Lot No.	Maximum Assessment
23535	549153021-2	\$6,926

⁴ 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 188 and said property owner has executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election and public hearing to be held on June 17th, 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 Dynamic Real Estate Investments I, LLC (the "Owner") owns property within the unincorporated area of the County of Riverside (the "County") represented by the following Assessor's Parcel Numbers for fiscal year 2015-16 (the "Property"): APN(s) 549-153-021.

The Owner has made application that the Property be annexed as Zone 188 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated of the County ("L&LMD No. 89-1-C") and certifies the following:

1. The Owner waives the requirements of Section 4000 of the Elections Code of the State of California (the "Elections Code") that the mailed ballot election required for annexation and the levy of an annual assessment must be held on an established mailed ballot election date pursuant to Section 1500 of the Election Code; and
2. The Owner consents to the mailed assessment ballot election with respect to the levy of an annual assessment on the Property being held on June 17, 2014

OWNER: Dynamic Real Estate Investments I, LLC
(Name of Company
as Stated In Initial Paragraph)

By: _____

Signature

Name: _____

Print

Title: _____

