

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



ITEM
3.42
(ID # 4938)

MEETING DATE:

Tuesday, August 29, 2017

FROM : ECONOMIC DEVELOPMENT AGENCY (EDA):

SUBJECT: ECONOMIC DEVELOPMENT AGENCY (EDA): Adoption of Resolution of Intention to establish proposed maintenance only Community Facilities District to be named Community Facilities District No. 17-4M (Promontory) of the County of Riverside to be administered by the Economic Development Agency Community and Cultural Services Division, Supervisorial District 3 [\$104,520 Ongoing Cost]; CFD 17-4M (Promontory) – 100% (Set for Public Hearing October 3, 2017 @ 9:00 a.m. or as soon as possible thereafter - Clerk to Advertise)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. 2017-157 Resolution of the Board of Supervisors of the County of Riverside of Intention to establish a Community Facilities District (CFD) and to authorize the Levy of Special Taxes and setting the date and time for a Public Hearing thereon; and
2. Set a public hearing concerning the establishment of CFD 17-4M (Promontory) for 9:00 a.m. on October 3, 2017 and direct the Clerk of the Board to publish notice of the public hearing in accordance with California Government Code Section 53322.

ACTION: Policy, Clerk to Advertise

Robert Field, Assistant County Executive Officer/EDA 8/8/2017

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Ashley, seconded by Supervisor Perez and duly carried, IT WAS ORDERED that the above matter is approved as recommended, and is set for public hearing on Tuesday, October 3, 2017, at 9:00 a.m. or as soon as possible thereafter.

Ayes: Jeffries, Washington, Perez and Ashley
Nays: None
Absent: Tavaglione
Date: August 29, 2017
xc: EDA, COB

Kecia Harper-Ihem
Clerk of the Board

By:
Deputy

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FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 0	\$ 104,520	\$ 0	\$ 104,520
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: CFD 17-4M (Promontory) (100%)			Budget Adjustment: No	
There are no General Funds used in this project			For Fiscal Year: 18/19	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The State legislature enacted the Mello-Roos Act of 1982 to assist public agencies in financing certain public services and maintenance requirements. On January 27, 2015, the Board of Supervisors revised Board Policy B-12 entitled "Land Secured Financing Districts" to include "Service and Maintenance CFDs" to fund the ongoing maintenance of landscape, storm water Best Management Practices (BMP), street lighting, or other similar improvements and set goals and policies concerning Community Facilities Districts (CFD). Presidio Cornerstone FV, LLC is the Developer of Tract 36546 and petitioned that the County of Riverside Economic Development Agency (EDA) to assist them in forming a district for the County of Riverside (County) to cover the costs associated with the maintenance of public improvements within the proposed district and has submitted an application and formation deposit. A special tax is proposed to be levied on each individual parcel located within the boundary of the proposed CFD to fund the costs associated with (i) Maintenance, administration and inspection of the stormwater facilities and BMPs including water quality basins, fossil filters, basin forebays, and any other NPDES/WQMP/BMP related devices as approved by the CFD. The maintenance may include, but is not limited to drainage systems, weed control and other abatements, repair/replacement and inspection. Inspection is inclusive of scheduling, travel time, visual inspection process and procedures, GPS location recording, reporting by device, annual reporting, visual inspection for functionality, vegetated as designed, irrigation is complete and in working order, noting any of the following: any deficiencies, erosion, trash, silt, sediment, structural deficiencies. Maintenance is inclusive of repair or replacing any of the items noted as deficient or needing to be corrected to not be deficient. Administration is inclusive of quality assurance and control of inspection and maintenance, general contract administration, including phone calls and procurement of goods and services (ii) Street lighting maintenance including energy charges, operation, maintenance, and administrative costs of street lighting located within the surrounding area of the CFD (iii) Landscaping improvements that may include, but not limited to all landscaping material and facilities within the CFD. These improvements include turf, ground cover, shrubs, trees, plants, irrigation and drainage systems, ornamental lighting masonry walls or other fencing within the CFD.

Approval of proposed Resolution 2017-157 by the Board of Supervisors is the initial step for forming the CFD and declares the intention of the Board of Supervisors, as required by the Mello-Roos Act

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of 1982, to levy a special tax to fund the service and maintenance functions requested by the Developer. The Resolution also requires the Board of Supervisors to hold a public hearing and submit the formation of the proposed CFD No. 17-4M (Promontory) to the landowners at a special election to be conducted by mailed ballot if a majority protest does not occur.

Each new CFD is created for a specific development or developments when similar facilities are requested to be maintained by the County. A special tax is levied according to a Rate and Method of Apportionment (RMA) developed to the specific features within that District, and a special tax is annually placed on the tax roll for each Assessor Parcel Number (APN) noted in the Proposed Boundary Map, both attached herein.

The property owner (Presidio Cornerstone FV, LLC) of Tract Map No. 36546 has petitioned the County to include their property into proposed Community Facilities District 17-4M (Promontory). The boundaries of CFD No. 17-4M (Promontory) will encompass the entire Tract Map No. 36546 which includes 268 single family dwelling units, none of which are currently occupied.

Reference

The CFD Rate and Method of Apportionment (RMA) are consistent with the Mello-Roos Act of 1982. In November 1996, California voters passed Proposition 218, Right to Vote on Taxes Act which added Articles XIII C and XIII D to the California Constitution. The County may levy special taxes within this proposed CFD after complying with the requirements of the Mello-Roos Act of 1982 and the provisions of Proposition 218 Right to Vote on Taxes Act. The formation of the proposed CFD adheres to Board Policy B-12 entitled "Land Secured Financing Districts" which was revised on January 27, 2015, to include "Service and Maintenance CFDs" to fund the ongoing maintenance of landscape, storm water, street lighting or other similar improvements and set goals and policies concerning CFDs.

Impact on Residents and Businesses

Only the parcels with Assessor Parcel Numbers within the proposed boundaries of the CFD which are represented by the proposed Boundary Map (inclusive of Tract 36546) are impacted by the proposed special tax. By setting up a special tax for the maintenance of certain infrastructure required by the development, the County requires that the development pay for its maintenance impact, rather than the obligation falling upon declining public funding sources. By specifically collecting and using the special tax revenue within the boundary of the proposed CFD, there is a financial mechanism in place to insure the infrastructure is maintained. This CFD does not propose to fund the repayment of any bonds or bond obligations and is solely for the purposes of funding Developer installed and County required infrastructure, particularly landscaping and streetlights. The Developer shall and is obligated to provide disclosure statements to potential buyers which outline the associated tax rate of a new home.

SUPPLEMENTAL:

Additional Fiscal Information


**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
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The proposed budget of \$104,520 for fiscal year 2018-19, as reflected in the Rate and Method of Apportionment, will result in a special tax of \$390 per taxable parcel. The annual special tax may be increased by the minimum of 2%, or a maximum of 6%, or by the cumulative percentage increase in the Consumer Price Index for all Urban Consumers (CPI-U), as it stands as of March of each year over the base index for March of 2019.

ATTACHMENTS:

- Proposed Boundary Map
- Petition
- Rate and Method of Apportionment (RMA)
- Resolution No. 2017-157

RF:JWW:SH:LZ MT4938


Rekini Dasika, Principal Management Analyst 8/21/2017


Gregory V. Priapos, Director County Counsel 8/8/2017

2
3 RESOLUTION NO. 2017-157

4
5 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE OF
6 INTENTION TO ESTABLISH A COMMUNITY FACILITIES DISTRICT AND TO AUTHORIZE THE LEVY
7 OF SPECIAL TAXES AND SETTING A DATE AND TIME FOR A PUBLIC HEARING THEREON
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9 **WHEREAS**, a community facilities district may be established under the Mello-Roos
10 Community Facilities Act of 1982 (the "Act") in order to finance certain public capital facilities and
11 services;

12 **WHEREAS**, proceedings for the establishment of a community facilities district under the
13 Act may be instituted following the receipt of a petition by the landowners of at least 10% of the area of
14 land proposed to be included within the territory of the community facilities district (a "Qualifying Petition")
15 and the furnishing a deposit by the petitioners pursuant to Section 53318(d) of the Act ("Deposit");

16 **WHEREAS**, the Board of Supervisors (the "Board of Supervisors") of the County of
17 Riverside (the "County") constitutes the legislative body of a local agency for purposes of the Act; and

18 **WHEREAS**, the Board of Supervisors has received both a Qualifying Petition and the
19 Deposit pursuant to the Act and therefore institutes proceedings to establish a community facilities
20 district (the "Community Facilities District") and to authorize the levy of special taxes therein in order to
21 finance certain (i) Maintenance, administration and inspection of the stormwater facilities and BMPs
22 including water quality basins, fossil filters, basin forebays, and any other NPDES/WQMP/BMP related
23 devices as approved by the CFD. The maintenance may include, but is not limited to drainage systems,
24 weed control and other abatements, repair/replacement and inspection. Inspection is inclusive of
25 scheduling, travel time, visual inspection process and procedures, GPS location recording, reporting by
26 device, annual reporting, visual inspection for functionality, vegetated as designed, irrigation is complete
27 and in working order, noting any of the following: any deficiencies, erosion, trash, silt, sediment,
28 structural deficiencies. Maintenance is inclusive of repair or replacing any of the items noted as deficient

FORM APPROVED COUNTY COUNSEL
BY *Dale A. Gardner* 8/18/17 DATE
DALE A. GARDNER

1 or needing to be corrected to not be deficient. Administration is inclusive of quality assurance and control
2 of inspection and maintenance, general contract administration, including phone calls and procurement
3 of goods and services (ii) Traffic signals maintenance including energy charges, operation, maintenance,
4 and administrative costs of traffic signals within the CFD (iii) Monument maintenance and administration
5 that may include but is not limited to landscaping materials, lighting, electricity, repair/replacement and
6 inspection, and removal of graffiti on monuments.

7 **NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF**
8 **RIVERSIDE**, in regular session assembled on August 29, 2017 does hereby resolve, find, determine and
9 order as follows:

10 **Section 1.** The Board of Supervisors proposes to establish a community facilities district
11 under the terms of the Act. The boundaries of the territory proposed for inclusion in the Community
12 Facilities District are described in the map showing the proposed Community Facilities District (the
13 "Boundary Map") on file with the Clerk of the Board of Supervisors (the "Clerk"), which boundaries are
14 hereby preliminarily approved and to which map reference is hereby made for further particulars. The
15 Clerk is hereby directed to sign the original Boundary Map and record, or cause to be recorded, the
16 Boundary Map with all proper endorsements thereon in the office of the Riverside County Recorder
17 within 15 days of the date of adoption of this Resolution, all as required by Section 3111 of the California
18 Streets and Highways Code.

19 **Section 2.** The name proposed for the Community Facilities District is "Community
20 Facilities District 17-4M (Promontory) of the County of Riverside."

21 **Section 3.** The services (the "Services") proposed to be financed by the Community
22 Facilities District pursuant to the Act are described as (i) Maintenance, administration and inspection of
23 the stormwater facilities and BMPs including water quality basins, fossil filters, basin forebays, and any
24 other NPDES/WQMP/BMP related devices as approved by the CFD. The maintenance may include, but
25 is not limited to drainage systems, weed control and other abatements, repair/replacement and
26 inspection. Inspection is inclusive of scheduling, travel time, visual inspection process and procedures,
27 GPS location recording, reporting by device, annual reporting, visual inspection for functionality,
28 vegetated as designed, irrigation is complete and in working order, noting any of the following: any

1 deficiencies, erosion, trash, silt, sediment, structural deficiencies. Maintenance is inclusive of repair or
2 replacing any of the items noted as deficient or needing to be corrected to not be deficient.
3 Administration is inclusive of quality assurance and control of inspection and maintenance, general
4 contract administration, including phone calls and procurement of goods and services (ii) Traffic signals
5 maintenance including energy charges, operation, maintenance, and administrative costs of traffic
6 signals within the CFD (iii) Monument maintenance and administration that may include but is not limited
7 to landscaping materials, lighting, electricity, repair/replacement and inspection, and removal of graffiti on
8 monuments as reflected in Exhibit A.

9 **Section 4.** Except where funds are otherwise available, a special tax sufficient to pay for
10 all Services, secured by recordation of a continuing lien against all nonexempt real property in the
11 Community Facilities District, will be annually levied within the Community Facilities District. The rate
12 and method of apportionment of the special tax (the "Rate and Method"), in sufficient detail to allow each
13 landowner within the proposed Community Facilities District to estimate the maximum amount that he or
14 she will have to pay, is described in Exhibit B attached hereto, which is by this reference incorporated
15 herein. The special tax will be collected in the same manner as ordinary *ad valorem* property taxes or in
16 such other manner as the Board of Supervisors shall determine, including direct billing of the affected
17 property owners.

18 The special tax shall be levied annually until terminated by the Board of Supervisors as
19 specified in the Rate and Method.

20 **Section 5.** The Board of Supervisors hereby fixes October 3, 2017, at 9:00 am, or as
21 soon thereafter as the Board of Supervisors may reach the matter, at the Board of Supervisors
22 Chambers, 4080 Lemon Street, 1st Floor, Riverside California, as the time and place when and where the
23 Board of Supervisors will conduct a public hearing on the establishment of the Community Facilities
24 District and the levy of the special tax therein.

25 **Section 6.** The Clerk is hereby directed to publish, or cause to be published, a notice of
26 said public hearing, as prepared, and approved by County Counsel, one time in *The Press Enterprise*, a
27 newspaper of general circulation published in the area of the Community Facilities District. The
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1 publication of said notice shall be completed at least seven days prior to the date herein fixed for said
2 hearing. Said notice shall contain the information prescribed by Section 53322 of the Government Code.

3 The Clerk is hereby further directed to give notice of said public hearing, as prepared and
4 approved by County Counsel, by first-class mail to each registered voter and to each landowner with the
5 Community Facilities District. Said notice shall be mailed at least 15 days prior to the date of said
6 hearing and shall contain the same information as is required to be contained in the notice published
7 pursuant to Section 53322 of the Government Code.

8 **Section 7.** The levy of said proposed special tax shall be subject to the approval of the
9 qualified electors of the Community Facilities District at a special election. The proposed voting
10 procedure shall be by mailed or hand-delivered ballot among the landowners in the Community Facilities
11 District, with each owner having one vote for each acre or portion of an acre such owner owns in the
12 Community Facilities District.

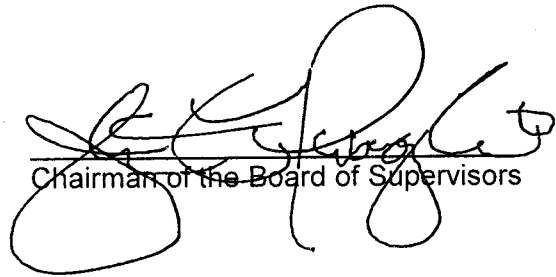
13 **Section 8.** Each officer of the County who is or will be responsible for providing one or
14 more of the proposed types of Services is hereby directed to study, or cause to be studied, the proposed
15 Community Facilities District and, at or before said public hearing, file a report with the Board of
16 Supervisors containing a brief description of the Services by type which will in his or her opinion be
17 required to adequately meet the needs of the Community Facilities District, and his or her estimate of the
18 cost of providing the Services. Such officers are hereby also directed to estimate the fair and reasonable
19 cost of the incidental expenses proposed to be paid. Such report shall be made a part of the record of
20 said public hearing.

21 **Section 9.** In the opinion of the Board of Supervisors, the public interest will not be
22 served by allowing the property owners within the proposed Community Facilities District to enter into a
23 contract in accordance with subdivision (a) of Section 53329.5 of the Government Code and,
24 accordingly, the Board of Supervisors hereby provides that such property owners may not enter into a
25 contract in accordance with said subdivision.

26 **Section 10.** The officers of the County are, and each of them is, hereby authorized and
27 directed to do any and all things, and to execute and deliver any and all documents which said officers
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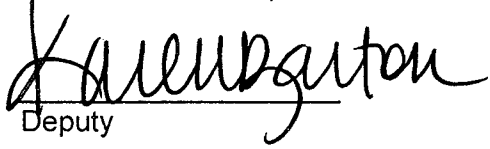
1 may deem necessary or advisable in order to accomplish the purposes of this Resolution and not
2 inconsistent with the provisions hereof.

3 **ADOPTED, SIGNED AND APPROVED** this 29th day of August, 2017, by the Board
4 of Supervisors of the County of Riverside.

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8 Chairman of the Board of Supervisors

9 ATTEST:

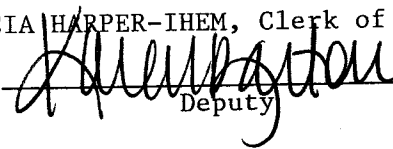
10 Kecia Harper-Ihem
11 Clerk of the Board of Supervisors

12 By: 
13 Deputy

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15 ROLL CALL:

16 Ayes: Jeffries, Washington, Perez and Ashley
17 Nays: None
18 Absent: Tavaglione

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

21 KECIA HARPER-IHEM, Clerk of said Board
22 By: 
23 Deputy

1 EXHIBIT A

2 SERVICES AND INCIDENTAL EXPENSES

3 **Services**

4 The types of services to be financed by the Community Facilities District are (i)
5 Maintenance, administration and inspection of the stormwater facilities and BMPs including water quality
6 basins, fossil filters, basin forebays, and any other NPDES/WQMP/BMP related devices as approved by
7 the CFD. The maintenance may include, but is not limited to drainage systems, weed control and other
8 abatements, repair/replacement and inspection. Inspection is inclusive of scheduling, travel time, visual
9 inspection process and procedures, GPS location recording, reporting by device, annual reporting, visual
10 inspection for functionality, vegetated as designed, irrigation is complete and in working order, noting any
11 of the following: any deficiencies, erosion, trash, silt, sediment, structural deficiencies. Maintenance is
12 inclusive of repair or replacing any of the items noted as deficient or needing to be corrected to not be
13 deficient. Administration is inclusive of quality assurance and control of inspection and maintenance,
14 general contract administration, including phone calls and procurement of goods and services (ii) Street
15 lighting maintenance including energy charges, operation, maintenance, and administrative costs of
16 street lighting located within the surrounding area of the CFD (iii) Landscaping improvements that may
17 include, but not limited to all landscaping material and facilities within the CFD. These improvements
18 include turf, ground cover, shrubs, trees, plants, irrigation and drainage systems, ornamental lighting
19 masonry walls or other fencing within the Community Facilities District.

20 **Incidental Expenses**

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22 The incidental expenses proposed to be incurred include the following:

- 23 (a) The cost associated with the creation of the Community Facilities District,
24 determination of the amount of taxes, collection of taxes, including litigation expenses,
25 if any, costs for processing payment of taxes, or other administrative costs otherwise
26 incurred in order to carry out the authorized purposes of the Community Facilities
27 District; and
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(b) Any other expenses incidental to the performance and inspection of the authorized Services.

EXHIBIT B

PROPOSED RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

(See Attached)

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**RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX FOR
COMMUNITY FACILITIES DISTRICT 17-4M (PROMONTORY)
OF THE COUNTY OF RIVERSIDE
STATE OF CALIFORNIA**

A Special Tax (all capitalized terms are defined in Section A. Definitions, below) shall be applicable to each Parcel of Taxable Property located within the boundaries of Community Facilities District (CFD) 17-4M (Promontory). The amount of Special Tax to be levied on a Parcel in each Fiscal Year, commencing in Fiscal Year 2018-2019, shall be determined by the Riverside County Board of Supervisors, acting in its capacity as the legislative body of the CFD by applying the appropriate Special Tax as set forth in Sections B., C., and D., below. All of the real property within the CFD, unless exempted by law or by the provisions of Section E. below, shall be taxed for the purposes, to the extent, and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

“Acre” or “Acreage” means the land area of a Parcel as indicated on the most recent Assessor’s Parcel Map, or if the land area is not shown on the Assessor’s Parcel Map, the land area shown on the applicable Final Map, condominium plan, or other recorded County map or the land area calculated to the reasonable satisfaction of the Administrator using the boundaries set forth on such map or plan. The square footage of a Parcel is equal to the Acreage of such Parcel multiplied by 43,560.

“Act” means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5 of Part 1 of Division 2 of Title 5 of the Government Code of the State of California.

“Administrative Expenses” means all actual or reasonably estimated costs and expenses of the CFD that are chargeable or allocable to carry out the duties of the Administrator of the CFD as allowed by the Act, which shall include without limitation, all costs and expenses arising out of or resulting from the annual levy and collection of the Special Tax (whether by the County or designee thereof, or both), any litigation or appeal involving the CFD, and other administrative expenses of the County or designee thereof, or both, directly related to the CFD. Administrative Expenses shall also include amounts estimated or advanced by the County or CFD for attorney’s fees and other costs related to commencing and pursuing to completion any foreclosure as a result of delinquent Special Taxes.

“Administrator” means an official of the County, or designee thereof, responsible for determining the annual amount of the levy and collection of the Special Taxes.

“Approved Property” means all Parcels of Taxable Property: (i) that are included in a Final Map that was recorded prior to the January 1st preceding the Fiscal Year in which

the Special Tax is being levied, and (ii) that have not been issued a Building Permit prior to the April 1st preceding the Fiscal Year in which the Special Tax is being levied.

“Assessor” means the Assessor of the County.

“Assessor’s Parcel Map” means an official map of the Assessor of the County designating Parcels by Assessor’s Parcel Number.

“Assessor’s Parcel Number” means the number assigned to a lot or Parcel for purposes of identification as determined from an Assessor Parcel Map or the applicable assessment roll.

“Base Year” means the Fiscal Year ending June 30, 2019.

“Board” means Riverside County Board of Supervisors, acting in its capacity as the legislative body of the CFD.

“Boundary Map” means a recorded map of the CFD which indicates by a boundary line the extent of the territory identified to be subject to the levy of Special Taxes.

“Building Permit” means the first legal document issued by a local agency giving official permission for new construction. For purposes of this definition, Building Permit shall not include any subsequent Building Permits issued or changed after the first issuance.

“CFD” means Community Facilities District 17-4M (Promontory) of the County of Riverside.

“Consumer Price Index” means the cumulative percentage increase in the Consumer Price Index published by the U.S. Bureau of Labor Statistics for All Urban Consumers in the Los Angeles-Riverside-Orange County Area, as it stands in March of each year over the base index of 2018. In the event this index ceases to be published, the Consumer Price Index shall be another index as determined by the Administrator that is reasonably comparable to the Consumer Price Index for the Los Angeles-Riverside-Orange County Area.

“County” means the County of Riverside, California.

“Developed Property” means all Parcels of Taxable Property: (i) that are included in a Final Map that was recorded prior to January 1st preceding the Fiscal Year in which the Special Tax is being levied, and (ii) for which a Building Permit for new construction has been issued prior to April 1st preceding the Fiscal Year in which the Special Tax is being levied.

“Dwelling Unit” or “(D/U)” means a residential unit that is used or intended to be used as a domicile by one or more persons, as determined by the Administrator.

“Exempt Property” means any Parcel which is exempt from Special Taxes pursuant to Section E., below.

“Final Map” means a subdivision of property by recordation of a tract map, parcel map or lot line adjustment, pursuant to the Subdivision Map Act (California Government Code Section 66410 *et seq.*) or recordation of a condominium plan pursuant to California Civil Code 1352 that creates individual lots for which Building Permits may be issued without further subdivision.

“Fiscal Year” means the 12 month period starting on July 1 of any calendar year and ending the following June 30.

“Land Use Class” means any of the classes listed in Table 1 of Section C. below.

“Maximum Special Tax” means for each Parcel in each Fiscal Year, the greatest amount of Special Tax, determined in accordance with Section C., below, which may be levied on such Parcel in each Fiscal Year.

“Multi-family Residential Property” means all Parcels of Residential Property that consist of a building or buildings comprised of attached Dwelling Units available for rental by the general public, not for sale to an end user, and under common management.

“Non-Residential Property” means all Parcels of Developed Property for which a Building Permit was issued, permitting the construction of one or more non-residential structures.

“Parcel” means a lot or parcel within the CFD shown on an Assessor’s Parcel Map with an assigned Assessor’s Parcel Number valid as of July 1st for the Fiscal Year for which the Special Tax is being levied.

“Property Owners Association Property” means all Parcels which have been conveyed, dedicated to, or irrevocably offered for dedication to a property owner association, including any master or sub-association, prior to April 1st preceding the Fiscal Year in which the Special Tax is being levied.

“Proportionately” means for Parcels of Taxable Property that are (i) Developed Property, that the ratio of the actual Special Tax levy to Maximum Special Tax is the same for all Parcels of Developed Property, (ii) Approved Property, that the ratio of the actual Special Tax levy to the Maximum Special Tax is the same for all Parcels of Approved Property, and (iii) Undeveloped Property, Public Property or Property Owners Association Property, that the ratios of the actual Special Tax levy per Acre to the Maximum Special Tax per Acre is the same for all Parcels of Undeveloped Property, Public Property and Property Owners Association Property.

“Public Property” means all Parcels which, as of April 1st preceding the Fiscal Year in which the Special Tax is being levied, are (i) used for rights-of-way or any other purpose and is owned by, dedicated to, or irrevocably offered for dedication to the federal

government, the State, the County, City or any other public agency, provided, however, that any property leased by a public agency to a private entity and subject to taxation under Section 53340.1 of the Act shall be taxed and classified according to its use; or (ii) encumbered by an unmanned utility easement making impractical its utilization for other than the purpose set forth in the easement.

“Residential Property” means all Parcels of Developed Property for which a Building Permit has been issued permitting the construction of one or more residential Dwelling Units.

“Single Family Property” means all Parcels of Residential Property, other than Multi-family Residential Property.

“Special Tax” means the special tax to be levied in each Fiscal Year on each Parcel of Taxable Property in accordance with Section D. to fund the Special Tax Requirement.

“Special Tax Requirement” means for each Fiscal Year, that amount required to: (i) pay the estimated cost of Special Tax Services for such Fiscal Year as determined by the County; (ii) fund the Special Tax Reserve Fund in an amount equal to the lesser of (a) an amount equal to 20% of the Special Tax Reserve Fund Requirement or (b) the amount needed to fund the Special Tax Reserve Fund up to the Special Tax Reserve Fund Requirement, (iii) pay Administrative Expenses; (iv) pay for anticipated Special Tax delinquencies based on actual delinquencies from the prior Fiscal Year outstanding at the time the annual Special Tax levy is determined; and (v) less a credit for funds available to reduce the annual Special Tax levy as determined by the Administrator.

“Special Tax Reserve Fund” means a fund to be used for capital replacement and maintenance costs related to the Special Tax Services.

“Special Tax Reserve Fund Requirement” means an amount up to 150% of the anticipated annual cost of Special Tax Services of \$137,724 for the Base Year. The Special Tax Reserve Fund Requirement shall be increased annually, commencing July 1, 2019, based on the percentage increase in the Consumer Price Index with a maximum annual increase of six percent (6%) and a minimum annual increase of two percent (2%) of the amount in effect in the previous Fiscal Year.

“Special Tax Services” means: certain (i) Maintenance, administration and inspection of the stormwater facilities and BMPs including water quality basins, fossil filters, basin forebays, and any other NPDES/WQMP/BMP related devices as approved by the CFD. The maintenance may include, but is not limited to drainage systems, weed control and other abatements, repair/replacement and inspection. Inspection is inclusive of scheduling, travel time, visual inspection process and procedures, GPS location recording, reporting by device, annual reporting, visual inspection for functionality, vegetated as designed, irrigation is complete and in working order, noting any of the following: any deficiencies, erosion, trash, silt, sediment, structural deficiencies. Maintenance is inclusive of repair or replacing any of the items noted as deficient or needing to be corrected to not be deficient. Administration is inclusive of quality assurance and control of inspection and maintenance, general contract administration,

including phone calls and procurement of goods and services (ii) Street lighting maintenance including energy charges, operation, maintenance, and administrative costs of street lighting located within the surrounding area of the CFD (iii) Landscaping improvements that may include, but not limited to all landscaping material and facilities within the CFD. These improvements include turf, ground cover, shrubs, trees, plants, irrigation and drainage systems, ornamental lighting masonry walls or other fencing within the CFD was conditioned to maintain.

“State” means the State of California.

“Taxable Property” means all Parcels within the boundary of the CFD pursuant to the Boundary Map which are not exempt from the Special Tax pursuant to Section E., below.

“Taxable Unit” means either a Dwelling Unit or an Acre, as shown in Table 1.

“Undeveloped Property” means all Parcels of Taxable Property not classified as Developed Property, Approved Property, Public Property or Property Owners Association Property.

B. ASSIGNMENT TO LAND USE CLASS

Each Fiscal Year, commencing with Fiscal Year 2018-2019, all Parcels of Taxable Property shall be classified as either Developed Property, Approved Property, Undeveloped Property, Public Property or Property Owners Association Property, and subject to the levy of Special Taxes in accordance with this Rate and Method of Apportionment as determined pursuant to Sections C. and D.

Parcels of Developed Property shall further be classified as Residential Property or Non-Residential Property. Parcels of Residential Property shall further be classified as Single Family Property or Multi-family Residential Property.

C. MAXIMUM SPECIAL TAX RATES

1. Developed Property

The Maximum Special Tax that may be levied and escalated, as explained further in Section C.1. (a) below, in each Fiscal Year for each Parcel classified as Developed Property shall be determined by reference to Table 1, below.

TABLE 1
Maximum Special Tax Rates for Developed
Property for Fiscal Year 2018-2019

Land Use Class	Description	Taxable Unit	Maximum Special Tax Per Taxable Unit
1	Single Family Property	D/U	\$390
2	Multi-family Residential Property	Acre	\$4,410
3	Non-Residential Property	Acre	\$4,410

(a) Increase in the Maximum Special Tax

On each July 1, following the Base Year, the Maximum Special Tax, identified in Table 1, above, shall be increased annually, commencing July 1, 2019, based on the percentage increase in the Consumer Price Index with a maximum annual increase of six percent (6%) and a minimum annual increase of two percent (2%) of the Maximum Special Tax in effect in the previous Fiscal Year.

(b) Multiple Land Use Classes

In some instances a Parcel of Developed Property may contain more than one Land Use Class. The Maximum Special Tax that may be levied on such Parcel shall be the sum of the Maximum Special Tax that can be levied for each Land Use Class located on that Parcel. For a Parcel that contains more than one Land Use Class, the Acreage of such Parcel shall be allocated to each type of property based on the amount of Acreage designated for each land use as determined by reference to the site plan approved for such Parcel. The Administrator's allocation to each Land Use Class shall be final.

2. Approved Property

The Maximum Special Tax for each Parcel of Approved Property shall be equal to the product of the applicable Undeveloped Property Maximum Special Tax per Acre times the Acreage of such Parcel; provided, however, for a Parcel of Approved Property that is expected to become Single Family Property as reasonably determined by the Administrator based on the Final Map for such Parcel, the Maximum Special Tax for such Parcel of Approved Property shall be calculated pursuant to Section C.1. as if such Parcel were already designated as Developed Property and classified as Single Family Property.

The Maximum Special Tax for Approved Property shall be increased annually, commencing July 1, 2019, based on the percentage increase in the Consumer Price Index with a maximum annual increase of six percent (6%) and a minimum

annual increase of two percent (2%) of the corresponding Maximum Special Tax in effect in the previous Fiscal Year.

3. Undeveloped Property

The Maximum Special Tax that may be levied and escalated for each Parcel classified as Undeveloped Property shall be \$4,410 per Acre.

The Maximum Special Tax for Undeveloped Property shall be increased annually, commencing July 1, 2019, based on the percentage increase in the Consumer Price Index with a maximum annual increase of six percent (6%) and a minimum annual increase of two percent (2%) of the corresponding Maximum Special Tax in effect in the previous Fiscal Year.

4. Public Property and/or Property Owners Association Property

The Maximum Special Tax that may be levied and escalated for each Parcel classified as Public Property and/or Property Owners Association Property shall be \$0.00 per Acre. **There shall be no levy on Public Property and/or Property Owners Association Property.**

D. METHOD OF APPORTIONMENT OF THE SPECIAL TAX

Commencing with Fiscal Year 2018-2019 and for each following Fiscal Year, the Administrator shall levy the Special Tax on all Taxable Property until the amount of Special Tax equals the Special Tax Requirement in accordance with the following steps:

First: The Special Tax shall be levied Proportionately on each Parcel of Developed Property at up to 100% of the applicable Maximum Special Tax as needed to satisfy the Special Tax Requirement;

Second: If additional moneys are needed to satisfy the Special Tax Requirement after the first step has been completed, the Special Tax shall be levied Proportionately on each Parcel of Approved Property at up to 100% of the Maximum Special Tax for Approved Property.

Third: If additional moneys are needed to satisfy the Special Tax Requirement after the first two steps have been completed, the Special Tax shall be levied Proportionately on each Parcel of Undeveloped Property at up to 100% of the applicable Maximum Special Tax for Undeveloped Property.

Notwithstanding the above, under no circumstances will the Special Taxes levied in any Fiscal Year against any Parcel of Residential Property for which a Certificate of Occupancy has been issued be increased by more than ten percent (10%) as a result of a delinquency in the payment of the Special Tax applicable to any other Parcel above the amount that would have been levied in that Fiscal Year had there never been any such delinquency or default.

E. EXEMPTIONS

The CFD shall not levy Special Taxes on Public Property or Property Owners Association Property within the CFD.

F. MANNER OF COLLECTION

The Special Tax shall be collected in the same manner and at the same time as ordinary *ad valorem* property taxes and shall be subject to the same penalties, the same procedure, sale and lien priority in the case of delinquency; provided, however, that the Administrator may directly bill the Special Tax, may collect Special Taxes at a different time or in a different manner if necessary to meet the financial obligations of the CFD, and provided further that the CFD may covenant to foreclose and may actually foreclose on Parcels having delinquent Special Taxes as permitted by the Act.

G. APPEALS

Any taxpayer may file a written appeal of the Special Tax on his/her Parcel(s) with the Administrator, provided that the appellant is current in his/her payments of Special Taxes. During pendency of an appeal, all Special Taxes must be paid on or before the payment due date established when the levy was made. The appeal must specify the reasons why the appellant claims the Special Tax is in error. The Administrator shall review the appeal, meet with the appellant if the Administrator deems necessary, and advise the appellant of its determination. If the Administrator agrees with the appellant, the Administrator shall grant a credit to eliminate or reduce future Special Taxes on the appellant's Parcel(s). No refunds of previously paid Special Taxes shall be made.

The Administrator shall interpret this Rate and Method of Apportionment and make determinations relative to the annual levy and administration of the Special Tax and any taxpayer who appeals, as herein specified.

H. TERM OF THE SPECIAL TAX

The Special Tax shall be levied annually in perpetuity unless terminated earlier by the County.

PETITION, WAIVER AND CONSENT

July 27, 2017

Board of Supervisors of the
County of Riverside
4080 Lemon Street
Riverside, California 92506

Members of the Board:

This Petition, Waiver and Consent ("**Petition**") is (i) a petition submitted pursuant to the Mello-Roos Community Facilities Act of 1982 (Section 53311 and following of the California Government Code) (the "**Act**") to create a community facilities district to fund certain maintenance and services, and (ii) a waiver and consent of certain election formalities and procedures.

1. Petitioners. This Petition is submitted pursuant to the Act to the County of Riverside (the "**County**") by the undersigned owner (the "**Property Owner**") of 100% of the fee simple interest in the following parcels of land identified by Assessor Parcel Numbers (the "**Property**"):

957-320-005-7	957-320-006-8
---------------	---------------

The Property is further shown on the map attached hereto as Exhibit B. The Property Owner warrants to the County with respect to the Property that the signatories are authorized to execute this Petition.

2. Request to Institute Proceedings. The Board of Supervisors is hereby requested to do all of the following:

- a. Undertake proceedings under the Act to create a community facilities district to be designated "Community Facilities District No. 17-4M (Promontory) of the County of Riverside" (the "**CFD**"), which CFD shall include only the Property; and
- b. Conduct a landowner-voter election in accordance with the Act to obtain authorization to levy a special tax within the CFD.

3. Boundaries of CFD. The Property Owner hereby asks that the territory within the boundaries of the CFD be as shown on the map attached hereto as Exhibit B.

4. Purpose of CFD. The CFD shall be created for the purpose to fund the costs associated with (i) Maintenance, administration and inspection of the stormwater facilities and BMPs including water quality basins, fossil filters, basin forebays, and any other NPDES/WQMP/BMP related devices as approved by the CFD. The maintenance may include, but is not limited to drainage systems, weed control and other abatements, repair/replacement and inspection. Inspection is inclusive of scheduling, travel time, visual inspection process and procedures, GPS location recording, reporting by device, annual reporting, visual inspection for functionality, vegetated as designed, irrigation is complete and in working order, noting any of the following: any deficiencies, erosion, trash, silt, sediment, structural deficiencies. Maintenance is inclusive of repair or replacing any of the items noted as deficient or needing to be corrected to not be deficient. Administration is inclusive of quality assurance and control of inspection and maintenance, general contract administration, including phone calls and procurement of goods and services, (ii) Street lighting maintenance including energy charges, operation, maintenance, and administrative costs of street lighting located within the surrounding area of the CFD (iii) Landscaping improvements that may include, but not limited to all landscaping material and facilities within the CFD. These improvements include turf, ground cover, shrubs,

trees, plants, irrigation and drainage systems, ornamental lighting masonry walls or other fencing as shown in Exhibit A attached hereto.

5. Elections. The Property Owner hereby asks that the special election to be held under the Act to authorize the special taxes and to establish an appropriations limit for the CFD be consolidated into a single election and that the election be conducted by the County and its officials, using mailed or hand-delivered ballots, and that such ballots be opened and canvassed and the results certified at the same meeting of the Board of Supervisors as the public hearings on the CFD under the Act or as soon thereafter as possible.

6. Waivers. To expedite the completion of the proceedings for the CFD and to hold the elections on the date described in paragraph 5 above, the Property Owner makes all of the following waivers:

- The Property Owner hereby waives any and all minimum time periods relative to the election pursuant to Government Code Section 53326(a).
- The Property Owner hereby waives the preparation and distribution of an impartial analysis of the ballot measure, as well as arguments in favor and against, under the authority of Government Code Section 53327(b).
- The Property Owner hereby waives the requirement to publish notice of the election under Government Code Section 53352.
- The Property Owner hereby waives the requirements regarding the time to mail ballots to the qualified electors under Elections Code Section 4101 and agrees that either mailed service or personal service of the ballot will be sufficient.
- The Property Owner hereby waives any requirement as to the specific form of the ballot to be used for the election, whether under the Act, the California Elections Code or otherwise.
- The Property Owner hereby waives the requirements regarding identification envelopes for the return of mailed ballots contained in Government Code Section 53327.5.

7. Deposits. Compliance with the provisions of subsection (d) of Section 53318 of the Act has been accomplished by a previous deposit of funds by the Property Owner with the County.

By executing this Petition, the Property Owner agrees to all of the above.

The name of the owner of record of such property and the petitioner and its mailing address is:

Presidio Cornerstone FV, LLC
A California Limited Liability Corporation

By: _____

Name: Ure R. Kretowicz

Title: Manager

Mailing Address:

4865 Executive Dr., Ste. 600
San Diego, CA 92121
Attn: Ure Kretowicz

EXHIBIT A

DESCRIPTION OF SERVICES TO BE FINANCED BY THE CFD

Community Facilities District No. 17-4M (Promontory) of the County of Riverside

Services

The types of services to be financed by the Community Facilities District are (i) Maintenance, administration and inspection of the stormwater facilities and BMPs including water quality basins, fossil filters, basin forebays, and any other NPDES/WQMP/BMP related devices as approved by the CFD. The maintenance may include, but is not limited to drainage systems, weed control and other abatements, repair/replacement and inspection. Inspection is inclusive of scheduling, travel time, visual inspection process and procedures, GPS location recording, reporting by device, annual reporting, visual inspection for functionality, vegetated as designed, irrigation is complete and in working order, noting any of the following: any deficiencies, erosion, trash, silt, sediment, structural deficiencies. Maintenance is inclusive of repair or replacing any of the items noted as deficient or needing to be corrected to not be deficient. Administration is inclusive of quality assurance and control of inspection and maintenance, general contract administration, including phone calls and procurement of goods and services (ii) Street lighting maintenance including energy charges, operation, maintenance, and administrative costs of street lighting located within the surrounding area of the CFD (iii) landscaping improvements that may include, but not limited to all landscaping material and facilities within the CFD. These improvements include turf, ground cover, shrubs, trees, plants, irrigation and drainage systems, ornamental lighting masonry walls or other fencing.

Incidental Expenses

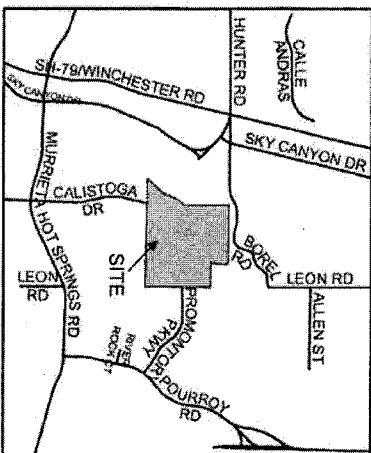
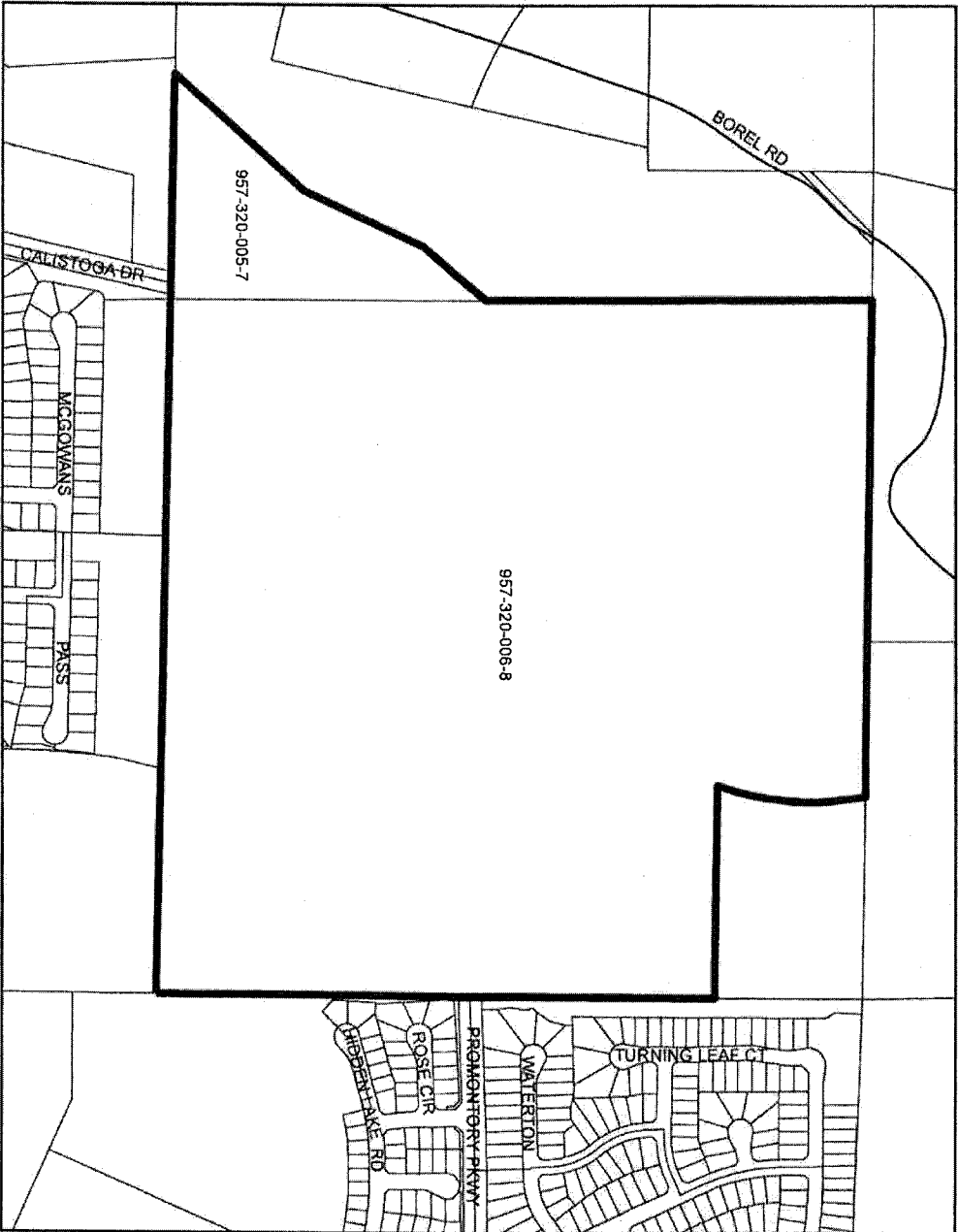
- The incidental expenses proposed to be incurred include the following:
- (a) The cost associated with the creation of the Community Facilities District, determination of the amount of taxes, collection of taxes, including litigation expenses, if any, costs for processing payment of taxes, or other administrative costs otherwise incurred in order to carry out the authorized purposes of the Community Facilities District; and
 - (b) Any other expenses incidental to the performance and inspection of the authorized Services.

EXHIBIT B

PROPOSED BOUNDARY MAP

**Community Facilities District No. 17-4M (Promontory)
of the County of Riverside**

**PROPOSED BOUNDARY
COMMUNITY FACILITIES DISTRICT 17-4M (PROMONTORY)
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



VICINITY MAP

Legend
 PROPOSED BOUNDARY

ASSESSOR PARCEL NUMBERS LOCATED WITHIN THE PROPOSED BOUNDARIES OF CFD 17-4M (PROMONTORY) AS OF FISCAL YEAR 2016-2017:

957-320-005-7
 957-320-006-8

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT 17-4M (PROMONTORY) OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, WAS APPROVED BY THE BOARD OF SUPERVISORS AT A REGULAR MEETING THEREOF HELD ON THE _____ DAY OF _____ 2017, BY ITS RESOLUTION NO. _____

CLERK OF THE BOARD OF SUPERVISORS
 COUNTY OF RIVERSIDE

FILED IN THE OFFICE OF THE CLERK OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA THIS _____ DAY OF _____ 2017.

CLERK OF THE BOARD OF SUPERVISORS
 COUNTY OF RIVERSIDE

RECORDED THIS _____ DAY OF _____ 2017,
 AT THE HOUR OF _____ O'CLOCK _____ M IN BOOK _____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE _____ IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.
 FEE _____ DOCUMENT NO. _____
 PETER ALDANA, RIVERSIDE COUNTY ASSESSOR-CLERK-RECORDER

BY _____ DEPUTY

REFERENCE IS HEREBY MADE TO THE ASSESSOR MAPS OF THE COUNTY OF RIVERSIDE FOR FISCAL YEAR 2015-2017 FOR AN EXACT DESCRIPTION OF THE LINES AND DIMENSIONS OF EACH LOT/PARCEL.



NTS

PSOMAS

1500 Inyo Avenue Suite 210 Riverside, CA 92507
 (951) 787-7441 Fax (951) 820-0378

CERTIFICATE OF MAILING

I, the undersigned, say that I am a citizen of the United States and am employed in the County of Riverside, am over the age of 18 years; and that I am readily familiar with this offices' practice of collection and processing correspondence for mailing. My business address is EDA CFD Administrator, 3403 10th St., Ste. 400, Riverside, CA 92501. Under this office's practice, mail would be deposited with the U.S. Postal Service on the same day with postage thereon fully prepaid at Riverside, California, in the ordinary course of business.


On Sept. 26, 2017, I mailed a copy of the following documents:

Notice of Public Hearing to Landowner; Resolution No. 2017-157 and exhibits thereto by delivering a true copy thereof in a sealed, stamped, envelope(s) addressed as follows:

Presidio Cornerstone FV, LLC,
Attn: Promontory Project Manager
4865 Executive Dr., Ste. 600
San Diego, CA 92121

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on Sept 26, 2017, at Riverside California.



Leni Zarate

3.42 of 08/29/17

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Third block of faint, illegible text.

Fourth block of faint, illegible text.

Fifth block of faint, illegible text.

2017 SEP 28 AM 10:09
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CLERK AND DEPUTY CLERKS

Faint text at the bottom left corner, possibly a signature or reference number.



CALL (951) 368-9222
EMAIL: legals@pe.com

THE PRESS-ENTERPRISE

DATE	ORDER NUMBER	PONumber	PRODUCT	SIZE	Amount
9/24/17	0011012961		PE Riverside	3 x 802 Li	3,127.80

Invoice text: Res. 2017-157 CFD 17-4M Promontory

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EDA
3.42 of 08/29/17

Placed by: Cecilia Gil

Legal Advertising Memo Invoice

BALANCE DUE

3,127.80

SALES/CONTACT INFORMATION		ADVERTISER INFORMATION		
Nick Eller 951-368-9229	BILLING DATE 09/24/2017	BILLED ACCOUNT NUMBER 5209148	ADVERTISER/CLIENT NUMBER 5209148	ADVERTISER/CLIENT NAME BOARD OF SUPERVISORS

PLEASE DETACH AND RETURN THIS PORTION WITH YOUR REMITTANCE

ADVERTISER/CLIENT NAME		
BOARD OF SUPERVISORS		
BILLING DATE 09/24/2017	BILLED ACCOUNT NUMBER 5209148	ADVERTISER/CLIENT NUMBER 5209148
BALANCE DUE 3,127.80	ORDER NUMBER 0011012961	TERMS OF PAYMENT DUE UPON RECEIPT



THE PRESS-ENTERPRISE

Legal Advertising Memo Invoice

BILLING ACCOUNT NAME AND ADDRESS

REMITTANCE ADDRESS

BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE
'PO BOX 1147'
RIVERSIDE, CA 92502

CALIFORNIA NEWSPAPERS PARTNERSHIP
Riverside Press-Enterprise
PO BOX 54880
LOS ANGELES CA 90054-0880

THE PRESS-ENTERPRISE

Ad Copy:

1825 Chicago Ave, Suite 100
Riverside, CA 92507
951-684-1200
951-368-9018 FAX

PROOF OF PUBLICATION (2010, 2015.5 C.C.P)

Publication(s): The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: Res, 2017-157 CFD 17-4M Promontory /

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

09/24/2017

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

Date: September 24, 2017
At: Riverside, California



Legal Advertising Representative, The Press-Enterprise

BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE
PO BOX 1147
RIVERSIDE, CA 92502

Ad Number: 0011012961-01

P.O. Number:

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NOTICE OF PUBLIC HEARING ON INTENTION TO ESTABLISH COMMUNITY FACILITIES DISTRICT NO. 17-4M (PROMONTORY) OF THE COUNTY OF RIVERSIDE AND TO LEVY SPECIAL TAXES WITHIN THE DISTRICT

NOTICE IS HERBY GIVEN that the Board of Supervisors of the County of Riverside (the "Board of Supervisors") has adopted its Resolution No. 2017-157 on August 29, 2017, declaring its intention to form Community Facilities District No. 17-4M (Promontory) of the County of Riverside (the "District") pursuant to the Mello-Roos Community Facilities Act of 1982, as amended and to levy special taxes within the District. The District is proposed to have the boundaries depicted on the map on file with the Clerk of the Board of Supervisors and recorded with the County Recorder on September 7, 2017 as Instrument No. 2017-0372565 in the Book 81 of Maps of Assessment and Community Facilities Districts at Page 30).

The Board of Supervisors has fixed **October 3, 2017, at 9:00 a.m., or as soon thereafter** as the Board of Supervisors may reach the matter, at the Board of Supervisors Chambers, 4080 Lemon Street, 1st Floor, Riverside, California, as the time and place when and where the Board of Supervisors will conduct a public hearing on the establishment of the Community Facilities District and the levy of the special tax therein.

At the hearing the testimony of all interested persons or taxpayers for or against the establishment of the district, the extent of the district, or the furnishing of specified types of public facilities or services will be heard. If 50 percent or more of the registered voters, or six registered voters, whichever is more, residing within the territory proposed to be included in the district, or the owners of one-half or more of the area of the land in the territory proposed to be included in the district and not exempt from the special tax, file written protests against the establishment of the district, and protests are not withdrawn so as to reduce the value of the protests to less than a majority, no further proceedings to create the specified community facilities district or to authorize the specified special tax shall be taken for a period of one year from the date of the decision of the legislative body.

If the majority protests of the registered voters or of the landowners are only against the furnishing of a specified type or types of facilities or services within the district, or against levying a specified special tax, those types of facilities or services or the specified special tax shall be eliminated from the resolution of formation.

Subject to two-thirds voter approval, the District proposes to levy a special tax on all non-exempt parcels of real property at a maximum tax rate of \$390 per taxable unit per year for residential property (other than multi-family residential property) and \$4,410 per acre for multi-family residential property and non-residential property. This amount will be increased based upon the percentage change in the Consumer Price Index, with a maximum annual increase of six percent (6%) and a minimum annual increase of two percent of the maximum special tax in effect in the previous year. Reference may be made to the Rate and Method of Apportionment on file with Clerk of the Board for further details.

Resolution No. 2017-157 is set forth below:

RESOLUTION NO. 2017-157

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE OF INTENTION TO ESTABLISH A COMMUNITY FACILITIES DISTRICT AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES AND SETTING A DATE AND TIME FOR A PUBLIC HEARING THEREON

WHEREAS, a community facilities district may be established under the Mello-Roos Community Facilities Act of 1982 (the "Act") in order to finance certain public capital facilities and services;

WHEREAS, proceedings for the establishment of a community facilities district under the Act may be instituted following the receipt of a petition by the landowners of at least 10% of the area of land proposed to be included within the territory of the community facilities district (a "Qualifying Petition") and the furnishing a deposit by the petitioners pursuant to Section 53318(d) of the Act ("Deposit");

WHEREAS, the Board of Supervisors (the "Board of Supervisors") of the County of Riverside (the "County") constitutes the legislative body of a local agency for purposes of the Act; and

WHEREAS, the Board of Supervisors has received both a Qualifying Petition and the Deposit pursuant to the Act and therefore institutes proceedings to establish a community facilities district (the "Community Facilities District") and to authorize the levy of special taxes therein in order to finance certain (i) Maintenance, administration and inspection of the stormwater facilities and BMPs including water quality basins, fossil filters, basin forebays, and any other NPDES/WQMP/BMP related devices as approved by the CFD. The maintenance may include, but is not limited to drainage systems, weed control and other abatements, repair/replacement and inspection. Inspection is inclusive of scheduling, travel time, visual inspection process and procedures, GPS location recording, reporting by device, annual reporting, visual inspection for functionality, vegetated as designed, irrigation is complete and in working order, noting any of the following: any deficiencies, erosion, trash, silt, sediment, structural deficiencies. Maintenance is inclusive of repair or replacing any of the items noted as deficient or needing to be corrected to not be deficient. Administration is inclusive of quality assurance and control of inspection and maintenance, general contract administration, including phone calls and procurement of goods and

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services (ii) Traffic signals maintenance including energy charges, operation, maintenance, and administrative costs of traffic signals within the CFD (iii) Monument maintenance and administration that may include but is not limited to landscaping materials, lighting, electricity, repair/replacement and inspection, and removal of graffiti on monuments.

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, in regular session assembled on August 29, 2017 does hereby resolve, find, determine and order as follows:

Section 1. The Board of Supervisors proposes to establish a community facilities district under the terms of the Act. The boundaries of the territory proposed for inclusion in the Community Facilities District are described in the map showing the proposed Community Facilities District (the "Boundary Map") on file with the Clerk of the Board of Supervisors (the "Clerk"), which boundaries are hereby preliminarily approved and to which map reference is hereby made for further particulars. The Clerk is hereby directed to sign the original Boundary Map and record, or cause to be recorded, the Boundary Map with all proper endorsements thereon in the office of the Riverside County Recorder within 15 days of the date of adoption of this Resolution, all as required by Section 3111 of the California Streets and Highways Code.

Section 2. The name proposed for the Community Facilities District is "Community Facilities District 17-4M (Promontory) of the County of Riverside."

Section 3. The services (the "Services") proposed to be financed by the Community Facilities District pursuant to the Act are described as (i) Maintenance, administration and inspection of the stormwater facilities and BMPs including water quality basins, fossil filters, basin forebays, and any other NPDES/WQMP/BMP related devices as approved by the CFD. The maintenance may include, but is not limited to drainage systems, weed control and other abate-ments, repair/replacement and inspection. Inspection is inclusive of scheduling, travel time, visual inspection process and procedures, GPS location recording, reporting by device, annual reporting, visual inspection for functionality, vegetated as designed, irrigation is complete and in working order, noting any of the following: any deficiencies, erosion, trash, silt, sediment, structural deficiencies. Maintenance is inclusive of repair or replacing any of the items noted as deficient or needing to be corrected to not be deficient. Administration is inclusive of quality assurance and control of inspection and maintenance, general contract administration, including phone calls and procurement of goods and services (ii) Traffic signals maintenance including energy charges, operation, maintenance, and administrative costs of traffic signals within the CFD (iii) Monument maintenance and administration that may include but is not limited to landscaping materials, lighting, electricity, repair/replacement and inspection, and removal of graffiti on monuments as reflected in Exhibit A.

Section 4. Except where funds are otherwise available, a special tax sufficient to pay for all Services, secured by recordation of a continuing lien against all nonexempt real property in the Community Facilities District, will be annually levied within the Community Facilities District. The rate and method of apportionment of the special tax (the "Rate and Method"), in sufficient detail to allow each landowner within the proposed Community Facilities District to estimate the maximum amount that he or she will have to pay, is described in Exhibit B attached hereto, which is by this reference incorporated herein. The special tax will be collected in the same manner as ordinary ad valorem property taxes or in such other manner as the Board of Supervisors shall determine, including direct billing of the affected property owners.

The special tax shall be levied annually until terminated by the Board of Supervisors as specified in the Rate and Method.

Section 5. The Board of Supervisors hereby fixes **October 3, 2017, at 9:00 am, or as soon thereafter** as the Board of Supervisors may reach the matter, at the Board of Supervisors Chambers, 4080 Lemon Street, 1st Floor, Riverside California, as the time and place when and where the Board of Supervisors will conduct a public hearing on the establishment of the Community Facilities District and the levy of the special tax therein.

Section 6. The Clerk is hereby directed to publish, or cause to be published, a notice of said public hearing, as prepared, and approved by County Counsel, one time in The Press Enterprise, a newspaper of general circulation published in the area of the Community Facilities District. The publication of said notice shall be completed at least seven days prior to the date herein fixed for said hearing. Said notice shall contain the information prescribed by Section 53322 of the Government Code.

The Clerk is hereby further directed to give notice of said public hearing, as prepared and approved by County Counsel, by first-class mail to each registered voter and to each landowner with the Community Facilities District. Said notice shall be mailed at least 15 days prior to the date of said hearing and shall contain the same information as is required to be contained in the notice published pursuant to Section 53322 of the Government Code.

Section 7. The levy of said proposed special tax shall be subject to the approval of the qualified electors of the Community Facilities District at a special election. The proposed voting procedure shall be by mailed or hand-delivered ballot among the landowners in the Community Facilities District, with each owner having one vote for each acre or portion of an acre such owner owns in the Community Facilities District.

Section 8. Each officer of the County who is or will be responsible for providing one or more of the proposed types of Services is hereby directed to study, or cause to be studied, the proposed Community Facilities District and, at or before said public hearing, file a report with the Board of Supervisors containing a brief description of

the Services by type which will in his or her opinion be required to adequately meet the needs of the Community Facilities District, and his or her estimate of the cost of providing the Services. Such officers are hereby also directed to estimate the fair and reasonable cost of the incidental expenses proposed to be paid. Such report shall be made a part of the record of said public hearing.

Section 9. In the opinion of the Board of Supervisors, the public interest will not be served by allowing the property owners within the proposed Community Facilities District to enter into a contract in accordance with subdivision (a) of Section 53329.5 of the Government Code and, accordingly, the Board of Supervisors hereby provides that such property owners may not enter into a contract in accordance with said subdivision.

Section 10. The officers of the County are, and each of them is, hereby authorized and directed to do any and all things, and to execute and deliver any and all documents which said officers may deem necessary or advisable in order to accomplish the purposes of this Resolution and not inconsistent with the provisions hereof.

EXHIBIT A SERVICES AND INCIDENTAL EXPENSES

Services

The types of services to be financed by the Community Facilities District are (i) Maintenance, administration and inspection of the stormwater facilities and BMPs including water quality basins, fossil filters, basin forebays, and any other NPDES/WQMP/BMP related devices as approved by the CFD. The maintenance may include, but is not limited to drainage systems, weed control and other abatements, repair/replacement and inspection. Inspection is inclusive of scheduling, travel time, visual inspection process and procedures, GPS location recording, reporting by device, annual reporting, visual inspection for functionality, vegetated as designed, irrigation is complete and in working order, noting any of the following: any deficiencies, erosion, trash, silt, sediment, structural deficiencies. Maintenance is inclusive of repair or replacing any of the items noted as deficient or needing to be corrected to not be deficient. Administration is inclusive of quality assurance and control of inspection and maintenance, general contract administration, including phone calls and procurement of goods and services (ii) Street lighting maintenance including energy charges, operation, maintenance, and administrative costs of street lighting located within the surrounding area of the CFD (iii) Landscaping improvements that may include, but not limited to all landscaping material and facilities within the CFD. These improvements include turf, ground cover, shrubs, trees, plants, irrigation and drainage systems, ornamental lighting masonry walls or other fencing within the Community Facilities District.

Incidental Expenses

The incidental expenses proposed to be incurred include the following:

- (a) The cost associated with the creation of the Community Facilities District, determination of the amount of taxes, collection of taxes, including litigation expenses, if any, costs for processing payment of taxes, or other administrative costs otherwise incurred in order to carry out the authorized purposes of the Community Facilities District; and
- (b) Any other expenses incidental to the performance and inspection of the authorized Services.

EXHIBIT B PROPOSED RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX COMMUNITY FACILITIES DISTRICT 17-4M (PROMONTORY) OF THE COUNTY OF RIVERSIDE STATE OF CALIFORNIA

A Special Tax (all capitalized terms are defined in Section A, Definitions, below) shall be applicable to each Parcel of Taxable Property located within the boundaries of Community Facilities District (CFD) 17-4M (Promontory). The amount of Special Tax to be levied on a Parcel in each Fiscal Year, commencing in Fiscal Year 2018-2019, shall be determined by the Riverside County Board of Supervisors, acting in its capacity as the legislative body of the CFD by applying the appropriate Special Tax as set forth in Sections B., C., and D., below. All of the real property within the CFD, unless exempted by law or by the provisions of Section E. below, shall be taxed for the purposes, to the extent, and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Acre" or "Acreage" means the land area of a Parcel as indicated on the most recent Assessor's Parcel Map, or if the land area is not shown on the Assessor's Parcel Map, the land area shown on the applicable Final Map, condominium plan, or other recorded County map or the land area calculated to the reasonable satisfaction of the Administrator using the boundaries set forth on such map or plan. The square footage of a Parcel is equal to the Acreage of such Parcel multiplied by 43,560.

"Act" means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5 of Part 1 of Division 2 of Title 5 of the Government Code of the State of California.

"Administrative Expenses" means all actual or reasonably estimated costs and expenses of the CFD that are chargeable or alloca-

ble to carry out the duties of the Administrator of the CFD as allowed by the Act, which shall include without limitation, all costs and expenses arising out of or resulting from the annual levy and collection of the Special Tax (whether by the County or designee thereof, or both), any litigation or appeal involving the CFD, and other administrative expenses of the County or designee thereof, or both, directly related to the CFD. Administrative Expenses shall also include amounts estimated or advanced by the County or CFD for attorney's fees and other costs related to commencing and pursuing to completion any foreclosure as a result of delinquent Special Taxes.

"Administrator" means an official of the County, or designee thereof, responsible for determining the annual amount of the levy and collection of the Special Taxes.

"Approved Property" means all Parcels of Taxable Property: (i) that are included in a Final Map that was recorded prior to the January 1st preceding the Fiscal Year in which the Special Tax is being levied, and (ii) that have not been issued a Building Permit prior to the April 1st preceding the Fiscal Year in which the Special Tax is being levied.

"Assessor" means the Assessor of the County.

"Assessor's Parcel Map" means an official map of the Assessor of the County designating Parcels by Assessor's Parcel Number.

"Assessor's Parcel Number" means the number assigned to a lot or Parcel for purposes of identification as determined from an Assessor Parcel Map or the applicable assessment roll.

"Base Year" means the Fiscal Year ending June 30, 2019.

"Board" means Riverside County Board of Supervisors, acting in its capacity as the legislative body of the CFD.

"Boundary Map" means a recorded map of the CFD which indicates by a boundary line the extent of the territory identified to be subject to the levy of Special Taxes.

"Building Permit" means the first legal document issued by a local agency giving official permission for new construction. For purposes of this definition, Building Permit shall not include any subsequent Building Permits issued or changed after the first issuance.

"CFD" means Community Facilities District 17-4M (Promontory) of the County of Riverside.

"Consumer Price Index" means the cumulative percentage increase in the Consumer Price Index published by the U.S. Bureau of Labor Statistics for All Urban Consumers in the Los Angeles-Riverside-Orange County Area, as it stands in March of each year over the base index of 2018. In the event this index ceases to be published, the Consumer Price Index shall be another index as determined by the Administrator that is reasonably comparable to the Consumer Price Index for the Los Angeles-Riverside-Orange County Area.

"County" means the County of Riverside, California.

"Developed Property" means all Parcels of Taxable Property: (i) that are included in a Final Map that was recorded prior to January 1st preceding the Fiscal Year in which the Special Tax is being levied, and (ii) for which a Building Permit for new construction has been issued prior to April 1st preceding the Fiscal Year in which the Special Tax is being levied.

"Dwelling Unit" or "(D/U)" means a residential unit that is used or intended to be used as a domicile by one or more persons, as determined by the Administrator.

"Exempt Property" means any Parcel which is exempt from Special Taxes pursuant to Section E., below.

"Final Map" means a subdivision of property by recordation of a tract map, parcel map or lot line adjustment, pursuant to the Subdivision Map Act (California Government Code Section 66410 et seq.) or recordation of a condominium plan pursuant to California Civil Code 1352 that creates individual lots for which Building Permits may be issued without further subdivision.

"Fiscal Year" means the 12 month period starting on July 1 of any calendar year and ending the following June 30.

"Land Use Class" means any of the classes listed in Table 1 of Section C. below.

"Maximum Special Tax" means for each Parcel in each Fiscal Year, the greatest amount of Special Tax, determined in accordance with Section C., below, which may be levied on such Parcel in each Fiscal Year.

"Multi-family Residential Property" means all Parcels of Residential Property that consist of a building or buildings comprised of attached Dwelling Units available for rental by the general public, not for sale to an end user, and under common management.

"Non-Residential Property" means all Parcels of Developed Property for which a Building Permit was issued, permitting the con-

struction of one or more non-residential structures.

"Parcel" means a lot or parcel within the CFD shown on an Assessor's Parcel Map with an assigned Assessor's Parcel Number valid as of July 1st for the Fiscal Year for which the Special Tax is being levied.

"Property Owners Association Property" means all Parcels which have been conveyed, dedicated to, or irrevocably offered for dedication to a property owner association, including any master or sub-association, prior to April 1st preceding the Fiscal Year in which the Special Tax is being levied.

"Proportionately" means for Parcels of Taxable Property that are (i) Developed Property, that the ratio of the actual Special Tax levy to Maximum Special Tax is the same for all Parcels of Developed Property, (ii) Approved Property, that the ratio of the actual Special Tax levy to the Maximum Special Tax is the same for all Parcels of Approved Property, and (iii) Undeveloped Property, Public Property or Property Owners Association Property, that the ratios of the actual Special Tax levy per Acre to the Maximum Special Tax per Acre is the same for all Parcels of Undeveloped Property, Public Property and Property Owners Association Property.

"Public Property" means all Parcels which, as of April 1st preceding the Fiscal Year in which the Special Tax is being levied, are (i) used for rights-of-way or any other purpose and is owned by, dedicated to, or irrevocably offered for dedication to the federal government, the State, the County, City or any other public agency, provided, however, that any property leased by a public agency to a private entity and subject to taxation under Section 53340.1 of the Act shall be taxed and classified according to its use; or (ii) encumbered by an unmaned utility easement making impractical its utilization for other than the purpose set forth in the easement.

"Residential Property" means all Parcels of Developed Property for which a Building Permit has been issued permitting the construction of one or more residential Dwelling Units.

"Single Family Property" means all Parcels of Residential Property, other than Multi-family Residential Property.

"Special Tax" means the special tax to be levied in each Fiscal Year on each Parcel of Taxable Property in accordance with Section D. to fund the Special Tax Requirement.

"Special Tax Requirement" means for each Fiscal Year, that amount required to: (i) pay the estimated cost of Special Tax Services for such Fiscal Year as determined by the County; (ii) fund the Special Tax Reserve Fund in an amount equal to the lesser of (a) an amount equal to 20% of the Special Tax Reserve Fund Requirement or (b) the amount needed to fund the Special Tax Reserve Fund up to the Special Tax Reserve Fund Requirement, (iii) pay Administrative Expenses; (iv) pay for anticipated Special Tax delinquencies based on actual delinquencies from the prior Fiscal Year outstanding at the time the annual Special Tax levy is determined; and (v) less a credit for funds available to reduce the annual Special Tax levy as determined by the Administrator.

"Special Tax Reserve Fund" means a fund to be used for capital replacement and maintenance costs related to the Special Tax Services.

"Special Tax Reserve Fund Requirement" means an amount up to 150% of the anticipated annual cost of Special Tax Services of \$137,724 for the Base Year. The Special Tax Reserve Fund Requirement shall be increased annually, commencing July 1, 2019, based on the percentage increase in the Consumer Price Index with a maximum annual increase of six percent (6%) and a minimum annual increase of two percent (2%) of the amount in effect in the previous Fiscal Year.

"Special Tax Services" means: certain (i) Maintenance, administration and inspection of the stormwater facilities and BMPs including water quality basins, fossil filters, basin forebays, and any other NPDES/WQMP/BMP related devices as approved by the CFD. The maintenance may include, but is not limited to drainage systems, weed control and other abatements, repair/replacement and inspection. Inspection is inclusive of scheduling, travel time, visual inspection process and procedures, GPS location recording, reporting by device, annual reporting, visual inspection for functionality, vegetated as designed, irrigation is complete and in working order, noting any of the following: any deficiencies, erosion, trash, silt, sediment, structural deficiencies. Maintenance is inclusive of repair or replacing any of the items noted as deficient or needing to be corrected to not be deficient. Administration is inclusive of quality assurance and control of inspection and maintenance, general contract administration, including phone calls and procurement of goods and services (ii) Street lighting maintenance including energy charges, operation, maintenance, and administrative costs of street lighting located within the surrounding area of the CFD (iii) Landscaping improvements that may include, but not limited to all landscaping material and facilities within the CFD. These improvements include turf, ground cover, shrubs, trees, plants, irrigation and drainage systems, ornamental lighting masonry walls or other fencing within the CFD was conditioned to maintain.

"State" means the State of California.

"Taxable Property" means all Parcels within the boundary of the CFD pursuant to the Boundary Map which are not exempt from the Special Tax pursuant to Section E., below.

"Taxable Unit" means either a Dwelling Unit or an Acre, as shown in Table 1.

"Undeveloped Property" means all Parcels of Taxable Property not classified as Developed Property, Approved Property, Public Property or Property Owners Association Property.

B. ASSIGNMENT TO LAND USE CLASS

Each Fiscal Year, commencing with Fiscal Year 2018-2019, all Parcels of Taxable Property shall be classified as either Developed Property, Approved Property, Undeveloped Property, Public Property or Property Owners Association Property, and subject to the levy of Special Taxes in accordance with this Rate and Method of Apportionment as determined pursuant to Sections C. and D.

Parcels of Developed Property shall further be classified as Residential Property or Non-Residential Property. Parcels of Residential Property shall further be classified as Single Family Property or Multi-family Residential Property.

C. MAXIMUM SPECIAL TAX RATES

1. Developed Property

The Maximum Special Tax that may be levied and escalated, as explained further in Section C.1. (a) below, in each Fiscal Year for each Parcel classified as Developed Property shall be determined by reference to Table 1, below.

**TABLE 1
Maximum Special Tax Rates for Developed
Property for Fiscal Year 2018-2019**

Land Use Class	Description	Taxable Unit	Maximum Special Tax Per Taxable Unit
1	Single Family Property	D/U	\$390
2	Multi-family Residential Property	Acre	\$4,410
3	Non-Residential Property	Acre	\$4,410

On each July 1, following the Base Year, the Maximum Special Tax, identified in Table 1, above, shall be increased annually, commencing July 1, 2019, based on the percentage increase in the Consumer Price Index with a maximum annual increase of six percent (6%) and a minimum annual increase of two percent (2%) of the Maximum Special Tax in effect in the previous Fiscal Year.

(b) Multiple Land Use Classes

In some instances a Parcel of Developed Property may contain more than one Land Use Class. The Maximum Special Tax that may be levied on such Parcel shall be the sum of the Maximum Special Tax that can be levied for each Land Use Class located on that Parcel. For a Parcel that contains more than one Land Use Class, the Acreage of such Parcel shall be allocated to each type of property based on the amount of Acreage designated for each land use as determined by reference to the site plan approved for such Parcel. The Administrator's allocation to each Land Use Class shall be final.

2. Approved Property

The Maximum Special Tax for each Parcel of Approved Property shall be equal to the product of the applicable Undeveloped Property Maximum Special Tax per Acre times the Acreage of such Parcel; provided, however, for a Parcel of Approved Property that is expected to become Single Family Property as reasonably determined by the Administrator based on the Final Map for such Parcel, the Maximum Special Tax for such Parcel of Approved Property shall be calculated pursuant to Section C.1. as if such Parcel were already designated as Developed Property and classified as Single Family Property.

The Maximum Special Tax for Approved Property shall be increased annually, commencing July 1, 2019, based on the percentage increase in the Consumer Price Index with a maximum annual increase of six percent (6%) and a minimum annual increase of two percent (2%) of the corresponding Maximum Special Tax in effect in the previous Fiscal Year.

3. Undeveloped Property

The Maximum Special Tax that may be levied and escalated for each Parcel classified as Undeveloped Property shall be \$4,410 per Acre.

The Maximum Special Tax for Undeveloped Property shall be increased annually, commencing July 1, 2019, based on the percentage increase in the Consumer Price Index with a maximum annual increase of six percent (6%) and a minimum annual increase of two percent (2%) of the corresponding Maximum Special Tax in effect in the previous Fiscal Year.

4. Public Property and/or Property Owners Association Property

The Maximum Special Tax that may be levied and escalated for each Parcel classified as Public Property and/or Property Owners Association Property shall be \$0.00 per Acre. **There shall be no levy on Public Property and/or Property Owners Association Property.**

D. METHOD OF APPORTIONMENT OF THE SPECIAL TAX

Commencing with Fiscal Year 2018-2019 and for each following Fiscal Year, the Administrator shall levy the Special Tax on all Taxable Property until the amount of Special Tax equals the Special Tax Requirement in accordance with the following steps:

First: The Special Tax shall be levied Proportionately on each Parcel of Developed Property at up to 100% of the applicable Maximum Special Tax as needed to satisfy the Special Tax Requirement;

Second: If additional moneys are needed to satisfy the Special Tax Requirement after the first step has been completed, the Special Tax shall be levied Proportionately on each Parcel of Approved Property at up to 100% of the Maximum Special Tax for Approved Property.

Third: If additional moneys are needed to satisfy the Special Tax Requirement after the first two steps have been completed, the Special Tax shall be levied Proportionately on each Parcel of Undeveloped Property at up to 100% of the applicable Maximum Special Tax for Undeveloped Property.

Notwithstanding the above, under no circumstances will the Special Taxes levied in any Fiscal Year against any Parcel of Residential Property for which a Certificate of Occupancy has been issued be increased by more than ten percent (10%) as a result of a delinquency in the payment of the Special Tax applicable to any other Parcel above the amount that would have been levied in that Fiscal Year had there never been any such delinquency or default.

E. EXEMPTIONS

The CFD shall not levy Special Taxes on Public Property or Property Owners Association Property within the CFD.

F. MANNER OF COLLECTION

The Special Tax shall be collected in the same manner and at the same time as ordinary ad valorem property taxes and shall be subject to the same penalties, the same procedure, sale and lien priority in the case of delinquency; provided, however, that the Administrator may directly bill the Special Tax, may collect Special Taxes at a different time or in a different manner if necessary to meet the financial obligations of the CFD, and provided further that the CFD may covenant to foreclose and may actually foreclose on Parcels having delinquent Special Taxes as permitted by the Act.

G. APPEALS

Any taxpayer may file a written appeal of the Special Tax on his/her Parcel(s) with the Administrator, provided that the appellant is current in his/her payments of Special Taxes. During pendency of an appeal, all Special Taxes must be paid on or before the payment due date established when the levy was made. The appeal must specify the reasons why the appellant claims the Special Tax is in error. The Administrator shall review the appeal, meet with the appellant if the Administrator deems necessary, and advise the appellant of its determination. If the Administrator agrees with the appellant, the Administrator shall grant a credit to eliminate or reduce future Special Taxes on the appellant's Parcel(s). No refunds of previously paid Special Taxes shall be made.

The Administrator shall interpret this Rate and Method of Apportionment and make determinations relative to the annual levy and administration of the Special Tax and any taxpayer who appeals, as herein specified.

H. TERM OF THE SPECIAL TAX

The Special Tax shall be levied annually in perpetuity unless terminated earlier by the County.

ROLL CALL:

Ayes: Jeffries, Washington, Perez and Ashley
Nays: None
Absent: Tavaglione

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on August 29, 2017.

KECIA HARPER-IHEM, Clerk of said Board
By: Cecilia Gil, Board Assistant

Any person affected by the above matter(s) may submit written com-

ments to the Clerk of the Board before the public hearing or may appear and be heard in support of or opposition to the project at the time of the hearing. If you challenge the above item(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence, to the Board of Supervisors at, or prior to, the public hearing.

Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Lisa Wagner at (951) 955-1063, at least 72 hours prior to the hearing.

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

Dated: September 20, 2017 Kecia Harper-Ihem, Clerk of the Board
By: Cecilia Gil, Board Assistant 9/24