

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



ITEM
3.50
(ID # 5781)

MEETING DATE:

Tuesday, December 12, 2017

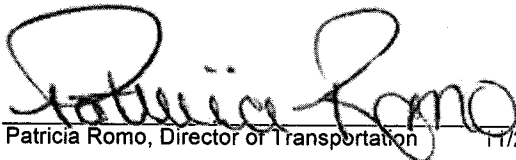
FROM : TLMA-TRANSPORTATION:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/ TRANSPORTATION:
Initiate proceedings for the Annexation of Zone 200 (Indio) to Landscaping and Lighting Maintenance District No. 89-1-Consolidated, District 4 [\$28,749]; L&LMD No. 89 1 C – 100% (Clerk to Advertise) (Set for Public Hearing February 27, 2018)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. 2017-184 a Resolution of the County of Riverside initiating proceedings for the annexation of Zone 200 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated and ordering preparation of the Engineer's Report regarding the proposed annexation of Zone 200; and
2. Adopt Resolution No. 2017-185, a Resolution of the County of Riverside declaring its intent to order the annexation of Zone 200 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated of the County of Riverside pursuant to the Landscaping and Lighting Act of 1972 for the maintenance and servicing of fossil filters and traffic signals; and
3. Set the time and place of the public hearing on the annexation of Zone 200, ordering a mailed ballot election; and directing notice of the public hearing and ballot be mailed pursuant to Article XIID of the California Constitution. (Clerk to Advertise)


ACTION: Policy, Clerk to Advertise, Set for Hearing


Patricia Romo, Director of Transportation 11/21/2017

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Tavaglione, seconded by Supervisor Jeffries and duly carried, IT WAS ORDERED that the above matter is approved as recommended, and is set for public hearing Tuesday, February 27, 2018 at 9:00 a.m. or as soon as possible thereafter.

Ayes: Jeffries, Tavaglione, Perez and Ashley
Nays: None
Absent: Washington
Date: December 12, 2017
xc: Transp., COB

Kecia Harper-Ihem
Clerk of the Board
By: 
Deputy

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 0	\$ 28,749	\$ N/A	\$ 28,749
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: L&LMD No. 89-1-C – 100% There are no General Funds used in this project.			Budget Adjustment:	N/A
			For Fiscal Year:	18/19

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

Landscaping and Lighting Maintenance Districts (L&LMD's) are formed for the purpose of creating a funding mechanism to pay for the installation and maintenance of landscaping, streetlights, traffic signals, drainage inlet water quality filters, decorative fencing, and other roadside features within the road right of way. Within an established L&LMD, zones are created for specific developments, a fee structure is developed specific to the features within that zone, and the zone is then assessed through a tax levy on annual basis for the installation and maintenance of the features within that particular zone.

L&LMD No. 89-1-C was formed in 1994, Resolution No. 94-389, and currently consists of 124 individual zones with different fee structures spread throughout Riverside County. The residential property owner of Tract Map No. 30966R1, as described in the attached Exhibit "A", has petitioned the County to annex their property into L&LMD No. 89-1-C, creating Zone 200. The boundaries of Zone 200 will encompass the entire Tract Map No. 30966R1 and will include the maintenance and servicing of landscaping and streetlights.

Adoption of Resolution No. 2017-184 appoints the Director of the Transportation Department, or his designee, as the Engineer to prepare a Report regarding the proposed annexation of Zone 200 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated ("L&LMD No. 89-1-C").

Resolution No. 2017-185 declares the Board of Supervisors' intention of ordering the annexation of Zone 200 to L&LMD No. 89-1-C. The annexation of Zone 200 to L&LMD No. 89-1-C will fund the maintenance and servicing of landscaping and streetlights within public right-of-way located northerly of 40th Avenue and westerly of Adams Street in the Rancho California area and includes 202 single-family residential lots.

Consistent with the Board of Supervisors' direction regarding compliance with Article XIID of the California Constitution and the Landscaping and Lighting Act of 1972, the attached resolutions have been prepared and a public hearing scheduled for 9:30 a.m. on February 27, 2018 to receive testimony for and against the proposed assessment. Each property owner

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

within the proposed Zone 200 will receive a notice of the public hearing and mail-in ballot, an impartial analysis, a copy of Resolution No. 2017-185, and an information sheet.

Ballots must be returned prior to the conclusion of the public hearing. If, at the time designated for the tabulation of the ballots, the ballots submitted in favor of the annexation and levy of the assessment exceed the ballots submitted in opposition of said annexation and levy, Zone 200 will be annexed to L&LMD No. 89-1-C.

There is only one individual/entity which owns all of the property within the proposed boundaries of Zone 200 and said property owner has executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election and public hearing to be held on February 27, 2018.

Reference

At the direction of the County of Riverside Board of Supervisors, L&LMD No. 89-1-C was formed in 1994 by Resolution No. 94-389 authorizing the annexation of new zones into L&LMD No. 89-1-C for the purpose of levying assessments to pay for the installation and maintenance of landscaping, streetlights and other right-of-way approved improvements.

The zone specific Engineer's Report for fiscal year 2018-19 was prepared in compliance with the requirement of Article 4, Chapter, 1, of the Landscaping and Lighting Act of 1972, which is Part 2, Division 15 of the California Streets and Highways Code. The County initiates annexation proceedings for the annual levy of assessments by passing a resolution, which proposes the new levy under the Landscaping and Lighting Act of 1972. This resolution also describes the improvements, describes the location of the zone within the District and finally orders an engineer, who is a registered professional engineer, certified by the State of California, to prepare and file a detailed report.

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, new procedures must be followed to levy annual assessments under the Landscaping and Lighting Act of 1972. A County may levy annual assessments for an assessment district after complying with the requirements of the Landscaping and Lighting Act of 1972, and the provisions of Proposition 218 Right to Vote on Taxes Act.

Impact on Residents and Businesses

The new assessment is for the purpose of providing the maintenance and servicing of landscaping and streetlights within public right-of-way.

Only the residential property owners within the proposed boundaries of Zone 200, which are represented by Tract Map No. 30966R1, as described in the attached Exhibit "A" (a two page

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

exhibit containing a description and diagram) are impacted by the cost of this annexation. By setting up an assessment 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 public funding sources.

SUPPLEMENTAL:

Additional Fiscal Information

The proposed budget for fiscal year 2018-19 for Zone 200 is \$29,088. This will result in an assessment for fiscal year 2018-19 within Zone 200 of \$144 per parcel. The annual assessment may be adjusted annually by the greater of 2% or the cumulative percentage increase in the Consumer Price Index for all Urban Consumers (CPI-U), if any, as it stands as of March of each year over the base index for March of 2017.

Contract History and Price Reasonableness


N/A

ATTACHMENTS:

- A. Location Map
- B. Exhibit A
- C. Resolution No. 2017-184
- D. Resolution No. 2017-185
- E. Engineer's Report


Melissa Noone, Associate Management Analyst

12/4/2017


Gregory V. Priamos, Director County Counsel

11/30/2017

2 RESOLUTION NO. 2017-184

3 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE INITIATING
4 PROCEEDINGS FOR THE ANNEXATION OF ZONE 200 TO LANDSCAPING AND LIGHTING
5 MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE
6 PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 AND ORDERING
7 PREPARATION OF ENGINEER'S REPORT REGARDING SAID ANNEXATION

8 WHEREAS, the Board of Supervisors (hereinafter the "Board of Supervisors") of the County of
9 Riverside (hereinafter the "County") has been advised by the Riverside County Transportation
10 Department (hereinafter "Department") that said Department has received an application from the owner
11 (the "Applicant") of all the property within the unincorporated area of the County (hereinafter "Zone 200"),
12 as shown and described in Exhibit "A", which is attached hereto and made a part hereof, to be annexed
13 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated (hereinafter "L&LMD No.
14 89-1-C") of the County of Riverside, State of California, and the Board of Supervisors has determined
15 that it is necessary and desirable to initiate proceedings for the annexation of Zone 200 to L&LMD No.
16 89-1-C pursuant to the Landscaping and Lighting Act of 1972, Part 2 (commencing with Section 22500)
17 of Division 15 of the Streets and Highways Code (hereinafter, respectively, the "Act" and the "Street and
18 Highways Code"); and

19 WHEREAS, such proceedings shall comply with the requirements of Article XIID of the California
20 Constitution and Section 4000 of the Elections Code requiring voter approval of the proposed assessment
21 to be levied by L&LMD No. 89-1-C for Zone 200; and

22 WHEREAS, the Applicant has executed a "Waiver and Consent Regarding Date of Assessment
23 Ballot Election" allowing for the election to be held on February 27, 2018; and

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

FORM APPROVED COUNTY COUNSEL
BY: Dale A. Gardner 11/30/17
DATE

1 serve as the engineer (hereinafter the "Engineer") for the County with regard to the annexation of
2 Zone 200 to L&LMD No. 89-1-C.

3 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the Board
4 of Supervisors of the County of Riverside assembled in regular session on December 12, 2017 as follows:

5 **Section 1. Recitals.** The Board of Supervisors hereby finds and determines that all
6 the above recitals are true and correct.

7 **Section 2. Annexation.** The Board of Supervisors proposes to annex Zone 200 to
8 L&LMD No. 89-1-C and to initiate and conduct proceedings therefore pursuant to the Act for the purpose
9 of levying an annual assessment on all parcels within Zone 200 to pay the costs of the following services:

- 10 (a) The maintenance and servicing of landscaping within the public right-of-way
11 including the trimming, fertilizing, weeding and replanting of trees, shrubs, grass,
12 and other ornamental vegetation; and
13 (b) Providing electricity to and the maintenance and servicing of streetlights within the
14 public right-of-way including incidental costs and expenses.

15 **Section 3. Boundaries and Designation.** The boundaries of Zone 200 that are
16 proposed to be annexed to L&LMD No. 89-1-C shall include all of the property as shown and described
17 in Exhibit "A".

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

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

24 ROLL CALL:

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

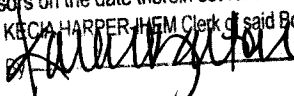
The foregoing is certified to be a true copy of a
resolution duly adopted by said Board of Super-
visors on the date therein set forth.
KECIA HARPER-JHEM Clerk of said Board
 Deputy

EXHIBIT "A"
DESCRIPTION OF BOUNDARIES

The boundaries of Zone 200 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside, are coterminous with the boundaries of APN 748-440-001 thru 090, 748-550-001 thru 058 and 748-460-001 thru 061 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2017-18.

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2017-18-18

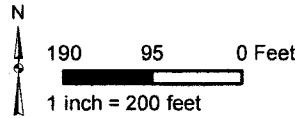
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED

ZONE 200

PORTION OF SECTION 6, T.5S., R.7E.

TRACT MAP NO. 30966 R1

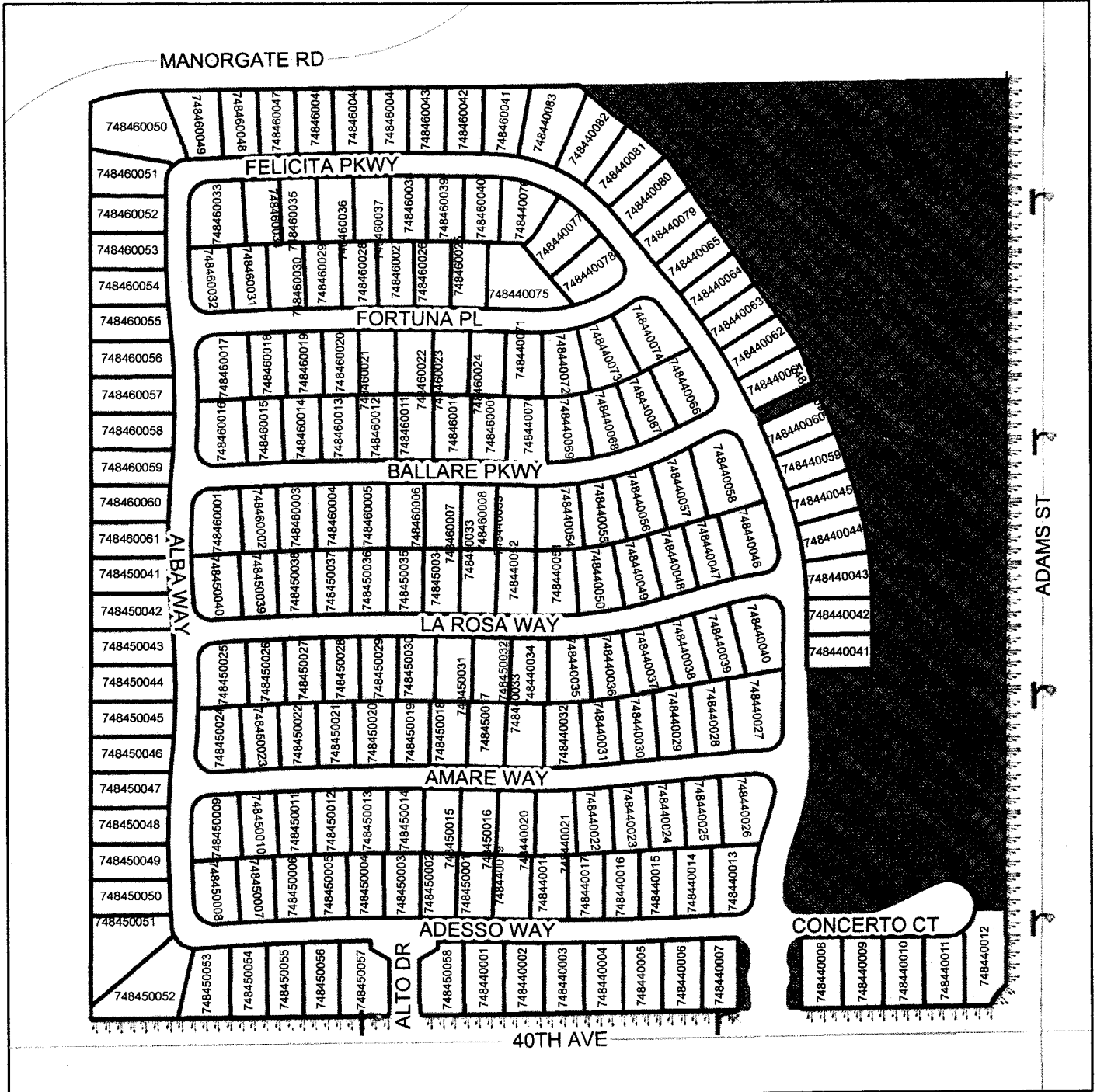
209 PARCELS



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ASSESSMENT DIAGRAM



ZONE 199 BOUNDARY

DENOTES LANDSCAPED AND MAINTAINED PARKWAY

DENOTES NON ASSESSED PARCEL

DENOTES MAINTAINED STREETLIGHT

2 RESOLUTION NO. 2017-185

3 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING
4 ITS INTENT TO ORDER THE ANNEXATION OF ZONE 200 TO LANDSCAPING AND LIGHTING
5 MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE
6 PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 FOR THE MAINTENANCE
7 AND SERVICING OF LANDSCAPING AND STREETLIGHTS; ADOPTING THE PRELIMINARY
8 ENGINEER'S REPORT; GIVING NOTICE OF AND SETTING THE TIME AND PLACE OF THE
9 PUBLIC HEARING ON THE THE ANNEXATION OF ZONE 200 ; ORDERING AN ASSESSMENT
10 PROCEEDING; ORDERING A MAILED BALLOT ELECTION; AND DIRECTING NOTICE OF THE
11 PUBLIC HEARING AND THE ASSESSMENT BALLOT TO BE MAILED PURSUANT TO SAID ACT
12 AND ARTICLE XIID OF THE CALIFORNIA CONSTITUTION AND SECTION 4000 OF THE
13 ELECTIONS CODE

14 WHEREAS, the Board of Supervisors (hereinafter the "Board of Supervisors") of the County of
15 Riverside (hereinafter the "County") has adopted Resolution No. 2017-184 on December 12, 2017
16 initiating proceedings for the annexation of Zone 200 (hereinafter "Zone 200"), as described and shown
17 in Exhibit "A", which is attached hereto and incorporated herein, to Landscaping and Lighting
18 Maintenance District No. 89-1-Consolidated of the County of Riverside, State of California, (hereinafter
19 "L&LMD No. 89-1-C") pursuant to the Landscaping and Lighting Act of 1972 (hereinafter the "Act"), which
20 is Part 2 (commencing with Section 22500) of Division 15 of the Streets and Highways Code (hereinafter
21 the "Street and Highways Code"), and ordering the preparation of a report (hereinafter the "Report")
22 regarding the proposed annexation of Zone 200 and the assessments to be levied within Zone 200 each
23 fiscal year beginning fiscal year 2018-19 for the maintenance and servicing of landscaping and
24 streetlights within the public right-of-way within said Zone; and

25 WHEREAS, such proceedings shall comply with the requirements of Article XIID of the California
26 Constitution (hereinafter "Article XIID:"); the Act, and Section 4000 of the Elections Code requiring voter
approval of the proposed assessment to be levied by L&LMD No. 89-1-C for Zone 200; and

WHEREAS, the Board of Supervisors by Resolution No. 2017-184 directed the Director of the
Transportation Department, or his designee (hereinafter the "Engineer"), to prepare and file the Report

FORM APPROVED COUNTY COUNSEL
BY: DALEA GARDNER
DATE: 11/30/17

1 with the Clerk of the Board of Supervisors in accordance with Sections 22608 and 22585 et. seq. of the
2 Street and Highways Code and Section 4 of Article XIID; and

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

5 **WHEREAS**, the Applicant has executed a "Waiver and Consent Regarding Date of Assessment
6 Ballot Election" allowing for the election to be held on February 27, 2018; and

7 **WHEREAS**, it is necessary that the Board of Supervisors adopt a resolution of intention pursuant
8 to Section 22624 of the Streets and Highways Code, which fixes and gives notice, pursuant to Section
9 22626 of the Streets and Highways Code, of the time and place of a public hearing on said Report, the
10 annexation of Zone 200, and the assessments to be levied on parcels within Zone 200 beginning in fiscal
11 year 2018-19;

12 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the Board
13 of Supervisors in regular session assembled on December 12, 2017 as follows:

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

- 15 (a) The foregoing recitals are true and correct;
- 16 (b) The Report contains all matters required by Sections 22565 through 22574 of the Streets
17 and Highways Code and Section 4 of Article XIID and may, therefore, be approved by the
18 Board of Supervisors;
- 19 (c) The annual assessment for fiscal year 2018-19 on all parcels within Zone 200 will be
20 \$144.00 per parcel.

21 **Section 2. Intent.** The Board of Supervisors hereby declares its intention to order the
22 annexation of Zone 200, as described and shown in Exhibit "A", to L&LMD No. 89-1-C, and to levy and
23 collect an annual assessment on all assessable lots and parcels of property within Zone 200 commencing
24 with the fiscal year 2018-19 as set forth in the Report. The Report expressly states that there are no
25 parcels or lots within Zone 200 that are owned by a federal, state or other local governmental agency
26 that will benefit from the services to be financed by the annual assessments. The annual assessments

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

4 **Section 3. Boundaries.** All the property within boundaries of Zone 200 is proposed to be
5 annexed to L&LMD No. 89-1-C and shall include that property in the unincorporated area of the County
6 as described and shown in Exhibit "A".

7 **Section 4. Description of Services to be Provided** . The services authorized for Zone 200
8 of L&LMD No. 89-1-C are:

- 9 (a) The maintenance and servicing of landscaping within the public right-of-way including the
10 trimming, fertilizing, weeding and replanting of trees, shrubs, grass, and other ornamental
11 vegetation; and
12 (b) Providing electricity to and the maintenance and servicing of streetlights within the public
13 right-of-way including incidental costs and expenses.

14 **Section 5. Amount to be Levied.** The assessment to be levied upon each parcel that benefits
15 from the annexation of Zone 200 to L&LMD No. 89-1-C will be \$144.00 per parcel for fiscal year 2018-
16 19. As stated in the Report, the total budget for Zone 200 for the fiscal year 2018-19 is \$29,088; there
17 are parcels that are to be assessed. Each succeeding fiscal year the special assessment may be subject
18 to an annual adjustment that is the greater of two percent (2%) or the cumulative percentage increase, if
19 any, in the Consumer Price Index for all Urban Consumers ("CPI-U") for the Los Angeles-Riverside-
20 Orange County California Standard Metropolitan Statistical area ("Index") published by the Bureau of
21 Labor Statistics of the United States Department of Labor. The annual CPI-U adjustment will be based
22 on the cumulative increase, if any, in the "Index" as it stands on March of each year over the base Index
23 for March of 2017. Any increase larger than the greater of 2% or the CPI-U annual adjustment requires
24 a majority approval of all the property owners in Zone 200. The Board of Supervisors will levy the
25 assessment in each subsequent fiscal year until the Board of Supervisors undertakes proceedings for
26 the dissolution of Zone 200 of L&LMD No. 89-1-C. The annual assessment will fund the services

1 described in Section 4 of this Resolution. For further particulars, reference is to be made to the Report
2 on file in the Office of the Clerk of the Board of Supervisors.

3 **Section 6. The Property to be Annexed.** The property to be annexed to L&LMD No. 89-1-C
4 is Zone 200. The boundaries of Zone 200 are located within the unincorporated area of the County and
5 are described and shown in the Report and Exhibit "A".

6 **Section 7. Report.** The Report, which is on file with the Clerk of the Board of Supervisors and
7 which has been presented to the Board of Supervisors, is hereby approved. Reference is made to the
8 Report for a full and detailed description of the services, the boundaries of Zone 200, and the annual
9 assessment to be levied upon assessable lots and parcels within Zone 200 proposed to be annexed to
10 L&LMD No. 89-1-C.

11 **Section 8. Public Hearing.** The question of whether Zone 200 shall be annexed to L&LMD
12 No. 89-1-C and an annual assessment levied beginning with fiscal year 2018-19 shall be considered at
13 a public hearing (hereinafter the "Public Hearing") to be held on February 27, 2018, at 9:30 a.m. at the
14 meeting room of the Board of Supervisors of the County at 4080 Lemon Street, 1st Floor, Riverside,
15 California.

16 **Section 9. Majority Protest.** Each owner of record of property within Zone 200 is to receive
17 by mail an assessment ballot that shall conform to the requirements of Section 4 of Article XIID and
18 Section 4000 of the California Elections Code. The assessment ballots are to be returned prior to the
19 Public Hearing. The agency shall not impose an assessment if there is a majority protest. A majority
20 protest exists if, upon the conclusion of the hearing, ballots submitted in opposition to the assessment
21 exceed the ballots submitted in favor of the assessment. In tabulating the ballots, the ballots shall be
22 weighted according to the proportional financial obligation of the affected property.

23 **Section 10. Information.** Any property owner desiring additional information regarding
24 Zone 200 of L&LMD No. 89-1-C, the Report, or the proposed assessment is to contact Ms. Brigitte Hahn,
25 Senior Engineering Technician, Transportation Department of the County of Riverside, 4080 Lemon
26

1 Street, 8th Floor, Riverside, California, 92501, or by telephone at 951-955-6263, or by e-mail at
2 bhahn@rctlma.org.

3 **Section 11. Notice of the Public Hearing.** Notice of Public Hearing with regard to the
4 annexation of Zone 200 to L&LMD No. 89-1-C shall be given consistent with Section 22626 of the Streets
5 and Highways Code and Section 4 of Article XIID. The Clerk of the Board of Supervisors shall give notice
6 of the Public Hearing by causing a certified copy of this Resolution to be published once in an appropriate
7 newspaper at least ten (10) days prior to the date of the Public Hearing that is February 27, 2018.
8 Publication of this Resolution is to be effected by the Clerk of the Board of Supervisors. Notice shall also
9 be given by mailing first-class, postage prepaid, those notices, as prepared by County Counsel,
10 assessment ballot and information sheets as required by Section 4 of Article XIID and Section 4000 of
11 the California Elections Code to all owners of record of property within Zone 200 as shown on the last
12 equalized assessment roll of the County. Mailing is to be made by the Engineer and deposited with the
13 U. S. Post Office at least forty-five (45) days prior to the Public Hearing on February 27, 2018.

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

15
16 ROLL CALL:

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

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

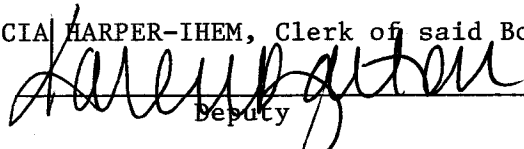
22 KECIA HARPER-IHEM, Clerk of said Board
23 By  Deputy
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EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

The boundaries of Zone 200 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside, are coterminous with the boundaries of APN 748-440-001 thru 090, 748-550-001 thru 058 and 748-460-001 thru 061 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2017-18.

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

ZONE 200

PORTION OF SECTION 6, T.5S., R.7E.

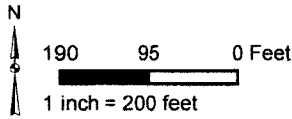
TRACT MAP NO. 30966 R1

209 PARCELS

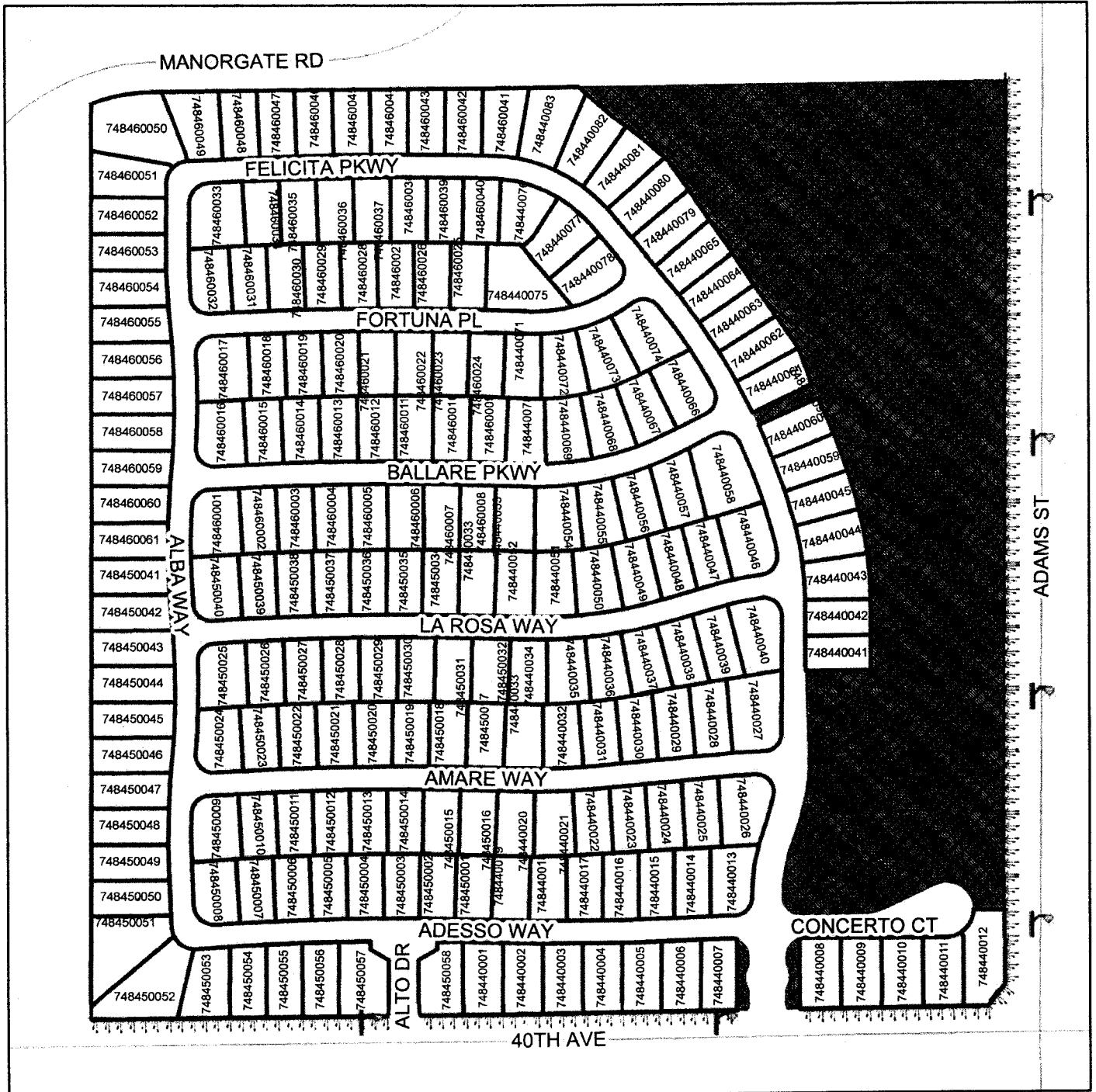


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ASSESSMENT DIAGRAM



ZONE 199 BOUNDARY



DENOTES LANDSCAPED AND MAINTAINED PARKWAY

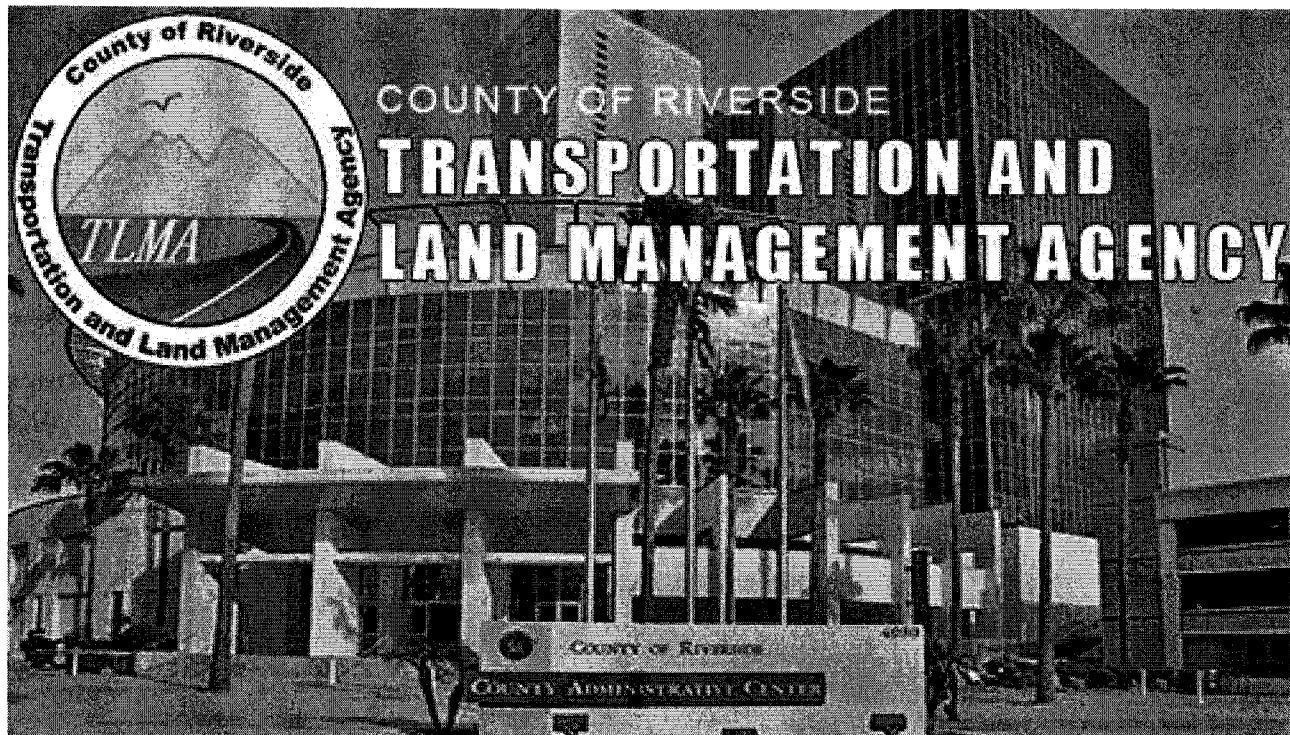
DENOTES NON ASSESSED PARCEL



DENOTES MAINTAINED STREETLIGHT

PSOMAS

COUNTY OF RIVERSIDE TRANSPORTATION
DEPARTMENT



ENGINEER'S REPORT
LANDSCAPING AND LIGHTING MAINTENANCE
DISTRICT NO. 89-1-CONSOLIDATED
ZONE 200
TRACT 30966

PREPARED BY
Psomas
1500 Iowa Avenue, Suite 210
Riverside, CA 92507
951.787.8421
www.psomas.com

November 2017

AGENCY: COUNTY OF RIVERSIDE, CALIFORNIA – TRANSPORTATION DEPARTMENT

**PROJECT: ANNEXATION OF TRACT 30966 TO LANDSCAPING AND LIGHTING
MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED (“L&LMD NO. 89-1-C”)
AS ZONE 200 (ZONE 200)**

**TO: BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA**

ENGINEER’S REPORT

Pursuant to the provisions of Section 22565 through 22574 of the Landscaping and Lighting Act of 1972 (“1972 Act”), said Act being Part 2 of Division 15 of the Streets and Highways Code of the State of California, Section 4 of Article XIII D of the California Constitution, and direction from the Board of Supervisors of Riverside County, California, I submit herewith the following Engineer’s Report (“Report”).

This Report provides for the annexation of Tract 30966 to L&LMD No. 89-1-C as Zone 200 and establishes the Maximum Assessment to be levied in the Fiscal Year commencing July 1, 2018 to June 30, 2019 (2018-2019) and continuing in all subsequent Fiscal Years, for this area to be known and designated as:

**L&LMD NO. 89-1-C ZONE 200
TRACT 30966**

I do hereby assess and apportion the total amount of the costs and expenses upon several parcels of land within said designated area liable therefor and benefited thereby, in proportion to the estimated benefits that each parcel receives, respectively, from said services.

NOW, THEREFORE, I, the appointed ENGINEER, acting on behalf of the County of Riverside Transportation Department, pursuant to the 1972 Act, do hereby submit the following:

Pursuant to the provisions of law, the costs and expenses of Zone 200 have been assessed upon the parcels of land in Zone 200 benefited thereby in direct proportion and relation to the estimated benefits to be received by each of said parcels. For particulars as to the identification of said parcels, reference is made to the Assessment Diagram/Boundary Map, a reduced copy of which is included herein.

As required by law, an Assessment Diagram/Boundary Map is filed herewith, showing Zone 200, as well as the boundaries and dimensions of the respective parcels and subdivisions of land within said Zone 200 as they exist, as of the date of this Report, each of which subdivisions of land or parcels or lots, respectively, have been assigned a parcel/lot number within a specific tract and indicated on said Assessment Diagram/Boundary Map and in the Assessment Roll contained herein.

The separate numbers given the subdivisions and parcels of land, as shown on said Assessment Diagram/Boundary Map and Assessment Roll, correspond with the numbers assigned to each parcel by the Riverside County Assessor. Reference is made to the County Assessor Parcel Map for a description of the lots or parcels.

As of the date of this Report, there are no parcels or lots within Zone 200 that are owned by a federal, state or other local governmental agency that will benefit from the services to be provided by the assessments to be collected.

DATED this 20th day of November, 2017

P S O M A S



A handwritten signature in black ink, appearing to read "S. Frieson", written over a horizontal line.

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

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EXECUTIVE SUMMARY

EXECUTIVE SUMMARY

A. INTRODUCTION

Pursuant to the provisions of law, the costs and expenses of Zone 200 have been assessed upon the parcels of land in Zone 200 benefited thereby in direct proportion and relation to the estimated benefits to be received by each of said parcels. For particulars as to the identification of said parcels, reference is made to the Assessment Diagram/Boundary Map, a reduced copy of which is included herein. On this 12th day of December, 2017 the Riverside County Board of Supervisors, County of Riverside, State of California, ordering the preparation of the Report providing for the annexation of Tract 30966 to L&LMD No. 89-1-C as Zone 200 did, pursuant to the provisions of the 1972 Act, being Division 15 of the Streets and Highways Code of the State of California, adopt Resolution No. 2017-184 for a special assessment district zone known and designated as:

L&LMD NO. 89-1-C ZONE 200 TRACT 30966

The annexation of Zone 200 includes a portion of the parcels of land within the residential subdivision known as Tract 30966, also identified by the Assessor Parcel Number(s) valid as of the date of this Report:

748440001-6	748440017-1	748440033-5	748440049-0	748440065-4	748440081-8
748440002-7	748440018-2	748440034-6	748440050-0	748440066-5	748440082-9
748440003-8	748440019-3	748440035-7	748440051-1	748440067-6	748440083-0
748440004-9	748440020-3	748440036-8	748440052-2	748440068-7	748440084-1
748440005-0	748440021-4	748440037-9	748440053-3	748440069-8	748440085-2
748440006-1	748440022-5	748440038-0	748440054-4	748440070-8	748440086-3
748440007-2	748440023-6	748440039-1	748440055-5	748440071-9	748440087-4
748440008-3	748440024-7	748440040-1	748440056-6	748440072-0	748440088-5
748440009-4	748440025-8	748440041-2	748440057-7	748440073-1	748440089-6
748440010-4	748440026-9	748440042-3	748440058-8	748440074-2	748440090-6
748440011-5	748440027-0	748440043-4	748440059-9	748440075-3	
748440012-6	748440028-1	748440044-5	748440060-9	748440076-4	
748440013-7	748440029-2	748440045-6	748440061-0	748440077-5	
748440014-8	748440030-2	748440046-7	748440062-1	748440078-6	
748440015-9	748440031-3	748440047-8	748440063-2	748440079-7	
748440016-0	748440032-4	748440048-9	748440064-3	748440080-7	

(Assessor Parcel Numbers continued on next page)

EXECUTIVE SUMMARY

748450001-7	748450011-6	748450021-5	748450031-4	748450041-3	748450051-2
748450002-8	748450012-7	748450022-6	748450032-5	748450042-4	748450052-3
748450003-9	748450013-8	748450023-7	748450033-6	748450043-5	748450053-4
748450004-0	748450014-9	748450024-8	748450034-7	748450044-6	748450054-5
748450005-1	748450015-0	748450025-9	748450035-8	748450045-7	748450055-6
748450006-2	748450016-1	748450026-0	748450036-9	748450046-8	748450056-7
748450007-3	748450017-2	748450027-1	748450037-0	748450047-9	748450057-8
748450008-4	748450018-3	748450028-2	748450038-1	748450048-0	748450058-9
748450009-5	748450019-4	748450029-3	748450039-2	748450049-1	
748450010-5	748450020-4	748450030-3	748450040-2	748450050-1	
748460001-8	748460012-8	748460023-8	748460034-8	748460045-8	748460056-8
748460002-9	748460013-9	748460024-9	748460035-9	748460046-9	748460057-9
748460003-0	748460014-0	748460025-0	748460036-0	748460047-0	748460058-0
748460004-1	748460015-1	748460026-1	748460037-1	748460048-1	748460059-1
748460005-2	748460016-2	748460027-2	748460038-2	748460049-2	748460060-1
748460006-3	748460017-3	748460028-3	748460039-3	748460050-2	748460061-2
748460007-4	748460018-4	748460029-4	748460040-3	748460051-3	
748460008-5	748460019-5	748460030-4	748460041-4	748460052-4	
748460009-6	748460020-5	748460031-5	748460042-5	748460053-5	
748460010-6	748460021-6	748460032-6	748460043-6	748460054-6	
748460011-7	748460022-7	748460033-7	748460044-7	748460055-7	

As required by law, an Assessment Diagram/Boundary Map is filed herewith, showing the Zone 200, as well as the boundaries and dimensions of the respective parcels and subdivisions of land within said Zone 200 as they exist, as of the date of this Report, each of which subdivisions of land or parcels or lots, respectively, have been assigned a parcel/lot number within a specific tract as indicated on the Assessment Diagram/Boundary Map and in the Assessment Roll contained herein. Psomas submits this Report, consisting of (5) parts, for the annexation of said Zone 200 and the establishment of the Maximum Assessment to be levied and collected commencing Fiscal Year 2018-2019 and all subsequent fiscal years.

PART I

Plans and Specifications: This section contains a description of Zone 200's boundaries and the proposed improvements within said Zone 200. Zone 200 shall consist of a benefit zone encompassing all of the properties within the commercial development known as Tract 30966. The proposed improvements described in this Report are based on current development and improvement plans provided to Psomas as of the date of this Report. Improvement plans include (1) Signed Tract Map No. 30966 dated September 2015, IP No. 140060, by MSA Consulting, Inc., recorded May 30, 2017, recording number 2017-0214076 ("Plans").

PART II

The Method of Apportionment: A narrative of the property benefits from the improvements and the method of calculating each property's proportional special benefit and annual assessment. The proposed initial Maximum Assessment and assessment range formula established for Zone 200 is based on current property development Plans and estimated annual costs and expenses associated with all improvements to be accepted

EXECUTIVE SUMMARY

and maintained by Zone 200 at build-out. The initial Maximum Assessment shall be adjusted by the greater of two percent (2%) or the cumulative percentage increase in the Consumer Price Index for all Urban Consumers ("CPI-U") for the Los Angeles-Riverside-Orange County California Standard Metropolitan Statistical Area ("Index") published by the Bureau of Labor Statistics of the United States Department of Labor. The annual CPI-U adjustment will be based on the cumulative increase, if any, in the Index as it stands in March of each year over the base Index of 2018. The initial Maximum Assessment established within Zone 200 shall be \$29,088. Pursuant to the Plans of Zone 200, which is composed of 202 assessable parcels, and 7 non-assessable parcels, the initial Maximum Assessment shall be \$144 per parcel, subject to the inflationary factor.

PART III

The Cost Estimate: An estimate of the cost of landscaping and streetlight maintenance, including incidental costs and expenses in connection therewith for fiscal year 2018-2019, is as set forth on the lists thereof, attached hereto.

PART IV

Assessment Diagram/Boundary Map: The Assessment Diagram/Boundary Map shows the parcels of land included within the boundaries of Zone 200. For details concerning the lines and dimensions of the applicable Assessor's Parcel Numbers, refer to the Riverside County Assessor's Maps as of the date of this Report.

PART V

Assessment Roll: Separate numbers given the subdivisions and parcels of land/lots and the initial Maximum Assessment per parcel or lot to be applied on the tax roll for Fiscal Year 2018-2019.

B. DESCRIPTION OF ASSESSMENT ZONE

The services to be provided by L&LMD No. 89-1-C Zone 200 includes landscape and streetlight maintenance. The annexation of Tract 30966 to L&LMD No. 89-1-C as Zone 200 will provide the financial mechanism (annual assessments) by which the ongoing operation and maintenance of these improvements and services will be funded. Zone 200's structure, proposed improvements, method of apportionment and assessments described in this Report are based on the Plans provided to Psomas as of the date of this Report, including all estimated direct expenditures, incidental expenses, and reserves associated with the energizing, maintenance and servicing of the proposed improvements.

PART I – PLANS AND SPECIFICATIONS

PART I - PLANS AND SPECIFICATIONS

A. LOCATION OF THE ASSESSMENT ZONE

Zone 200 is located within the in the unincorporated area of the County of Riverside, State of California and is comprised of Tract 30966. The area for Zone 200 is generally located north of 40th Avenue, south of Brandywine Avenue, east of Somerset Avenue and west of Adams Street. At full development, Zone 200 is projected to include 202 assessable residential lots/units and 7 non-assessable lots/units. Zone 200 consists of the lots/units, parcels and subdivision of land located in the following development area:

- Tract 30966 – Assessor Parcel Number(s) as of the date of this Report:

748440001-6	748440017-1	748440033-5	748440049-0	748440065-4	748440081-8
748440002-7	748440018-2	748440034-6	748440050-0	748440066-5	748440082-9
748440003-8	748440019-3	748440035-7	748440051-1	748440067-6	748440083-0
748440004-9	748440020-3	748440036-8	748440052-2	748440068-7	748440084-1
748440005-0	748440021-4	748440037-9	748440053-3	748440069-8	748440085-2
748440006-1	748440022-5	748440038-0	748440054-4	748440070-8	748440086-3
748440007-2	748440023-6	748440039-1	748440055-5	748440071-9	748440087-4
748440008-3	748440024-7	748440040-1	748440056-6	748440072-0	748440088-5
748440009-4	748440025-8	748440041-2	748440057-7	748440073-1	748440089-6
748440010-4	748440026-9	748440042-3	748440058-8	748440074-2	748440090-6
748440011-5	748440027-0	748440043-4	748440059-9	748440075-3	
748440012-6	748440028-1	748440044-5	748440060-9	748440076-4	
748440013-7	748440029-2	748440045-6	748440061-0	748440077-5	
748440014-8	748440030-2	748440046-7	748440062-1	748440078-6	
748440015-9	748440031-3	748440047-8	748440063-2	748440079-7	
748440016-0	748440032-4	748440048-9	748440064-3	748440080-7	
748450001-7	748450011-6	748450021-5	748450031-4	748450041-3	748450051-2
748450002-8	748450012-7	748450022-6	748450032-5	748450042-4	748450052-3
748450003-9	748450013-8	748450023-7	748450033-6	748450043-5	748450053-4
748450004-0	748450014-9	748450024-8	748450034-7	748450044-6	748450054-5
748450005-1	748450015-0	748450025-9	748450035-8	748450045-7	748450055-6
748450006-2	748450016-1	748450026-0	748450036-9	748450046-8	748450056-7
748450007-3	748450017-2	748450027-1	748450037-0	748450047-9	748450057-8
748450008-4	748450018-3	748450028-2	748450038-1	748450048-0	748450058-9
748450009-5	748450019-4	748450029-3	748450039-2	748450049-1	
748450010-5	748450020-4	748450030-3	748450040-2	748450050-1	

(Assessor Parcel Numbers continued on next page)

PART I – PLANS AND SPECIFICATIONS

748460001-8	748460012-8	748460023-8	748460034-8	748460045-8	748460056-8
748460002-9	748460013-9	748460024-9	748460035-9	748460046-9	748460057-9
748460003-0	748460014-0	748460025-0	748460036-0	748460047-0	748460058-0
748460004-1	748460015-1	748460026-1	748460037-1	748460048-1	748460059-1
748460005-2	748460016-2	748460027-2	748460038-2	748460049-2	748460060-1
748460006-3	748460017-3	748460028-3	748460039-3	748460050-2	748460061-2
748460007-4	748460018-4	748460029-4	748460040-3	748460051-3	
748460008-5	748460019-5	748460030-4	748460041-4	748460052-4	
748460009-6	748460020-5	748460031-5	748460042-5	748460053-5	
748460010-6	748460021-6	748460032-6	748460043-6	748460054-6	
748460011-7	748460022-7	748460033-7	748460044-7	748460055-7	

B. DESCRIPTION OF IMPROVEMENTS AND SERVICES FOR L&LMD NO. 89-1-C

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

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

C. IMPROVEMENTS AND SERVICES FOR L&LMD NO. 89-1-C ZONE 200

The services to be funded by L&LMD No. 89-1-C Zone 200 includes maintenance and servicing of landscaping and street lighting in the residential subdivision designated as Tract 30966.

PART II – METHOD OF APPORTIONMENT

Part II – Method of Apportionment

A. BENEFIT ANALYSIS

The proposed improvements, the associated costs, and assessments have been carefully reviewed, identified, and allocated based on special benefit.

Landscaping and streetlight maintenance are the responsibility of Zone 200.

The 1972 Act permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements, which include the construction, maintenance, and servicing of public lights (including traffic signals), landscaping, dedicated easements for landscape use, and appurtenant facilities. The 1972 Act further provides that assessments may be apportioned upon all assessable lot(s) or parcel(s) of land within an assessment district in proportion to the estimated benefits to be received by each lot or parcel from the improvements rather than by assessed value.

Section 22573 of the 1972 Act gives the following instructions for apportioning assessments to the parcels within the district: "The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."

The formula used for calculating assessments reflects the composition of the parcels and the improvements and services provided by the Zone 200 to fairly apportion the costs based on the estimated benefit to each parcel.

In addition, Article XIII D of the California Constitution ("Article") requires that a parcel's assessment may not exceed the reasonable cost of the proportional special benefit conferred on that parcel. The Article provides that only special benefits are assessable, and the County must separate the general benefits from the special benefits conferred on a parcel. A special benefit is a particular and distinct benefit over and above general benefits conferred on the public at large, including real property within the district. The general enhancement of property value does not constitute a special benefit.

SPECIAL BENEFIT

The landscaping and streetlight improvements within Zone 200 provide direct and special benefit to the lots or parcels within Zone 200. Therefore, the maintenance of these improvements also provides direct and special benefit by maintaining the functionality of the improvements and allowing the improvements to operate in a proper manner.

Each and every lot or parcel within Zone 200, receives a particular and distinct benefit from the improvements over and above general benefits conferred by the improvements. First, the improvements were conditions of approval for the creation or development of the parcels. In order to create or develop the parcels, the County required the original developer to install landscaping and streetlights and to guarantee the maintenance of

PART II – METHOD OF APPORTIONMENT

the landscaping and streetlights and appurtenant facilities serving the lots or parcels. Therefore, each and every lot or parcel within the proposed Zone 200 could not have been developed in the absence of the installation and expected maintenance of these facilities.

In addition, the improvements continue to confer a particular and distinct special benefit upon parcels within Zone 200 because of the nature of the improvements. The proper maintenance of landscaping and streetlights, and appurtenant facilities specially benefit parcels within Zone 200 by providing oxygenation, attenuating noise from adjacent streets and controlling dust for those properties in close proximity to the landscaping. Improved erosion and water quality control, dust abatement, increased public safety (e.g., control sight distance restrictions and fire hazards), improved property protection and aesthetics, increasing public safety for both pedestrians and the motoring public, and increasing traffic safety by improving visibility. The spraying and treating of landscaping for disease reduces the likelihood of insect infestation and other diseases spreading to landscaping located throughout the properties within Zone 200. Streetlights also provide safety for pedestrians and motorists living and owning property in Zone 200 during the nighttime hours, and to assign rights-of-way for the safety of pedestrians and motorists by defining a specific path during all hours of the day.

Streets are constructed for the safe and convenient travel of vehicles and pedestrians. They also provide an area for underground and overhead utilities. These elements are a distinct and special benefit to all developed parcels in Zone 200. Streetlights are installed on and are for street purposes and are maintained and serviced to allow the street to perform to the standards it was designed.

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

The system of streets within Zone 200 is established to provide access to each parcel in Zone 200. Streetlights provide a safer street environment for owners of the parcels served. If the parcels were not subdivided to provide individual parcels to owners within Zone 200, there would be no need for a system of streets with streetlights. Therefore, the installation of streetlights is for the express, special benefit of the parcels within Zone 200.

The proper maintenance of the landscaping, ornamental structures, and appurtenant facilities reduces property-related crimes (especially vandalism) against properties in Zone 200 through the screening of properties within Zone 200 from arterial streets.

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

PART II – METHOD OF APPORTIONMENT

Based on the benefits described above, public landscaping and streetlights are an integral part of the quality of life within the Zone 200. This quality of life is a special benefit to owners of those parcels with a residential land use within the Zone 200 and do not include government-owned easements, utility easements, and flood channel parcels. Government-owned easements, utility easements and flood channel parcels do not benefit from the improvements due to their use and lack of habitation on such parcels. Parcels of this nature are usually vacant, narrow strips of land or flood control channels and therefore do not generate or experience pedestrian or vehicular traffic. Nor do these types of parcels support dwelling units or other structures that would promote frequent use of the parcels by the traveling public. As a result of this lack of activity on such parcels they do not receive any benefit from street lights and are not assessed.

Special Benefits of Landscaping and Lighting Maintenance District No. 89-1-C Zone 200 Authorized Improvements and Services:

The special benefits associated with landscaping improvements are:

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

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

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

GENERAL BENEFIT

The total benefit from the works of improvement is a combination of the special benefits to the parcels within the Zone 200 and the general benefits to the public at large and to adjacent property owners. A portion of the

PART II – METHOD OF APPORTIONMENT

total maintenance costs for the landscaping and street lights, if any, associated with general benefits will not be assessed to the parcels in the Zone 200, but will be paid from other Riverside County Transportation Department funds. Because the landscaping and street light improvements are located within Zone 200 and are maintained solely for the benefit of the properties within the Zone 200, any benefit received by properties outside of Zone 200 is nominal. Therefore, the general benefit portion of the benefit received from the improvements for Zone 200 is zero.

SUMMARY

In summary, no property is assessed in excess of the reasonable cost of the proportional special benefit conferred on that property. Additionally, because the benefiting properties consist of a uniform land use (residential), it is determined that each of the residential parcels within Zone 200 benefit equally from the improvements. Therefore, the proportionate share of the costs and expenses for the provision of landscaping and street lights, as well as costs and expenses for the maintenance of landscaping and street lights are apportioned equally on a per parcel basis.

B. MAXIMUM ASSESSMENT METHODOLOGY

The following methodology was adopted by Riverside County Board of Supervisors in the annual Report approved on November 29, 1994. Such methodology has been maintained in preparation of this Report. The purpose of establishing a Maximum Assessment formula is to provide for reasonable increases and inflationary adjustments to annual assessments without requiring costly noticing and mailing procedures, which would add to the Zone 200 costs and assessments.

The Maximum Assessment formula shall be applied to all assessable parcels of land within Zone 200. For Zone 200, the initial Maximum Assessments for Fiscal Year 2018-2019 are as follows:

- The initial Maximum Assessment established within Zone 200 (Tract 30966) shall be \$29,088.
- Pursuant to the Plans, each parcel's initial Maximum Assessment shall be \$144.

The initial Maximum Assessment is subject to an annual inflator starting in Fiscal Year 2019-2020. The initial Maximum Assessment shall be adjusted by the greater of two percent (2%) or the cumulative percentage increase in the CPI-U Index published by the Bureau of Labor Statistics of the United States Department of Labor.

The Maximum Assessment is adjusted annually and is calculated independent of the Zone 200's annual budget and proposed annual assessment. The proposed annual assessment (rate per assessable parcel) applied in any fiscal year is not considered to be an increased assessment if less than or equal to the Maximum Assessment amount. In no case shall the annual assessment exceed the Maximum Assessment.

Although the Maximum Assessment will increase each year, the actual Zone 200 assessments may remain virtually unchanged. The Maximum Assessment adjustment is designed to establish a reasonable limit on

PART II – METHOD OF APPORTIONMENT

Zone 200 assessments. The Maximum Assessment calculated each year does not require or facilitate an increase to the annual assessment and neither does it restrict assessments to the adjusted maximum amount. If the budget and assessments for the fiscal year require an increase and the increase is more than the adjusted Maximum Assessment, it is considered an increased assessment.

To impose an increased assessment, the County of Riverside must comply with the provisions of the California Constitution Article XIII D Section 4c, that requires a public hearing and certain protest procedures including mailed notice of the public hearing and property owner protest balloting. Property owners through the balloting process must approve the proposed assessment increase. If the proposed assessment is approved, then a new Maximum Assessment is established for Zone 200. If the proposed assessment is not approved, the County may not levy an assessment greater than the adjusted Maximum Assessment previously established for Zone 200.

C. ANNUAL ASSESSMENT

The Method of Apportionment of the Assessment is based upon the relative special benefit derived from the improvements and conferred upon the assessable real property within Zone 200 over and above general benefit conferred upon the assessable real property within Zone 200 or to the public at large. The Assessment for each assessable parcel within Zone 200 is calculated by dividing the total Annual Balance to Levy by the total number of assessable subdivided parcels within Zone 200 to determine the Annual Assessment per assessable parcel.

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

The Annual Balance to Levy is the Total Costs of Subzone which is equal to the Total Landscaping Costs added to the Total Streetlight Costs as seen in Part III – Cost Estimate.

PART III – COST ESTIMATE

Part III – COST ESTIMATE

L&LMD NO. 89-1-C ZONE 200 (TRACT 30966) FOR FISCAL YEAR 2018-2019

Cost Description ¹	Total Costs for Zone 200	Cost per Parcel/Lot ² for Zone 200
Landscaping:		
Landscaping	\$10,496	\$52
Water	\$610	\$3
Calsense Subscription and Monitoring	\$175	\$1
Backflow Certification	\$50	\$1
Mulch	\$1,184	\$6
Tree Trimming	\$1,160	\$6
Landscape Lighting	\$3,000	\$15
Electricity	\$300	\$1
Field Inspection	\$1,609	\$8
Repair and Maintenance	\$5,571	\$27
Landscaping Maintenance Subtotal	\$24,155	\$120
Street Lighting:		
Annual Energy Charge - \$350 per Street Light - 6 Street Lights	\$2,100	\$10
Subtotal - Annual Maintenance	\$26,255	\$130
Administrative Costs	\$1,610	\$8
Contingency	\$1,223	\$6
Total Annual Landscaping and Street Lighting Costs	\$29,088	\$144
Initial Maximum Assessment per Assessable Lot/Unit or Parcel³		\$144

¹ Base rates of services for Fiscal Year 2018-2019 were provided by the County of Riverside Transportation Department.

² Based on projected 202 assessable parcels/lots.

³ The initial Maximum Assessment shall be adjusted annually by the greater of two percent or the cumulative percentage increase in the CPI-U for All Items Index published by the BLS.

PART IV – ASSESSMENT DIAGRAM/BOUNDARY MAP

Part IV – Assessment Diagram/Boundary Map

FISCAL YEAR 2018-2019 L&LMD NO. 89-1-C ZONE 200

The Assessment Diagram/Boundary Map for Zone 200 by this reference is incorporated and made a part of this Report. Only the parcels identified within the Zone 200 Assessment Diagram are within said boundary.

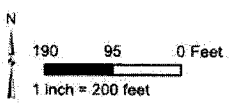
If any parcel submitted for collection is identified by the County Auditor Controller to be an invalid parcel number for the current fiscal year, a corrected parcel number and/or new parcel number will be identified and resubmitted to the County Auditor Controller. The assessment amount to be levied and collected for the resubmitted parcel or parcels shall be based on the method of apportionment and assessment rate approved in this Report. Therefore, if a single parcel has changed to multiple parcels, the assessment amount applied to each of the new parcels shall be according to the approved method of apportionment and assessment rate rather than a proportionate share of the original assessment.

Information identified on this Assessment Diagram/Boundary Map was received from Riverside County Transportation Department.


The Zone 200 Assessment Diagram/Boundary Map identifying the boundaries of parcels within Tract 30966 in L&LMD No. 89-1-C Zone 200 is included in this Report for reference on the following page. For details concerning the lines and dimensions of the applicable Assessor's Parcel Numbers, refer to the County Assessor's Maps as of the date of this Report.

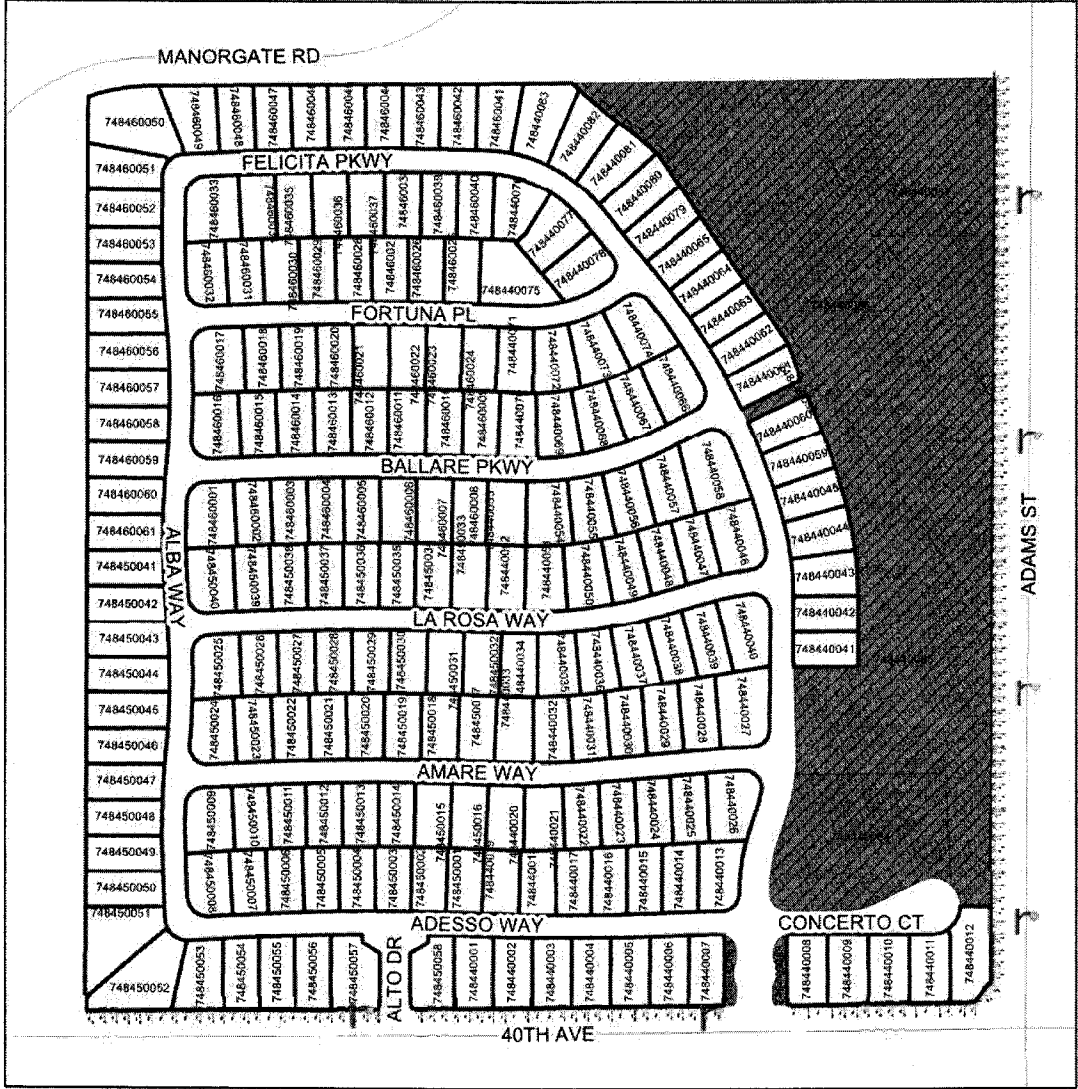
PART IV – ASSESSMENT DIAGRAM/BOUNDARY MAP

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED
ZONE 200
 PORTION OF SECTION 6, T.5S., R.7E.
 TRACT MAP NO. 30966 R1
 209 PARCELS



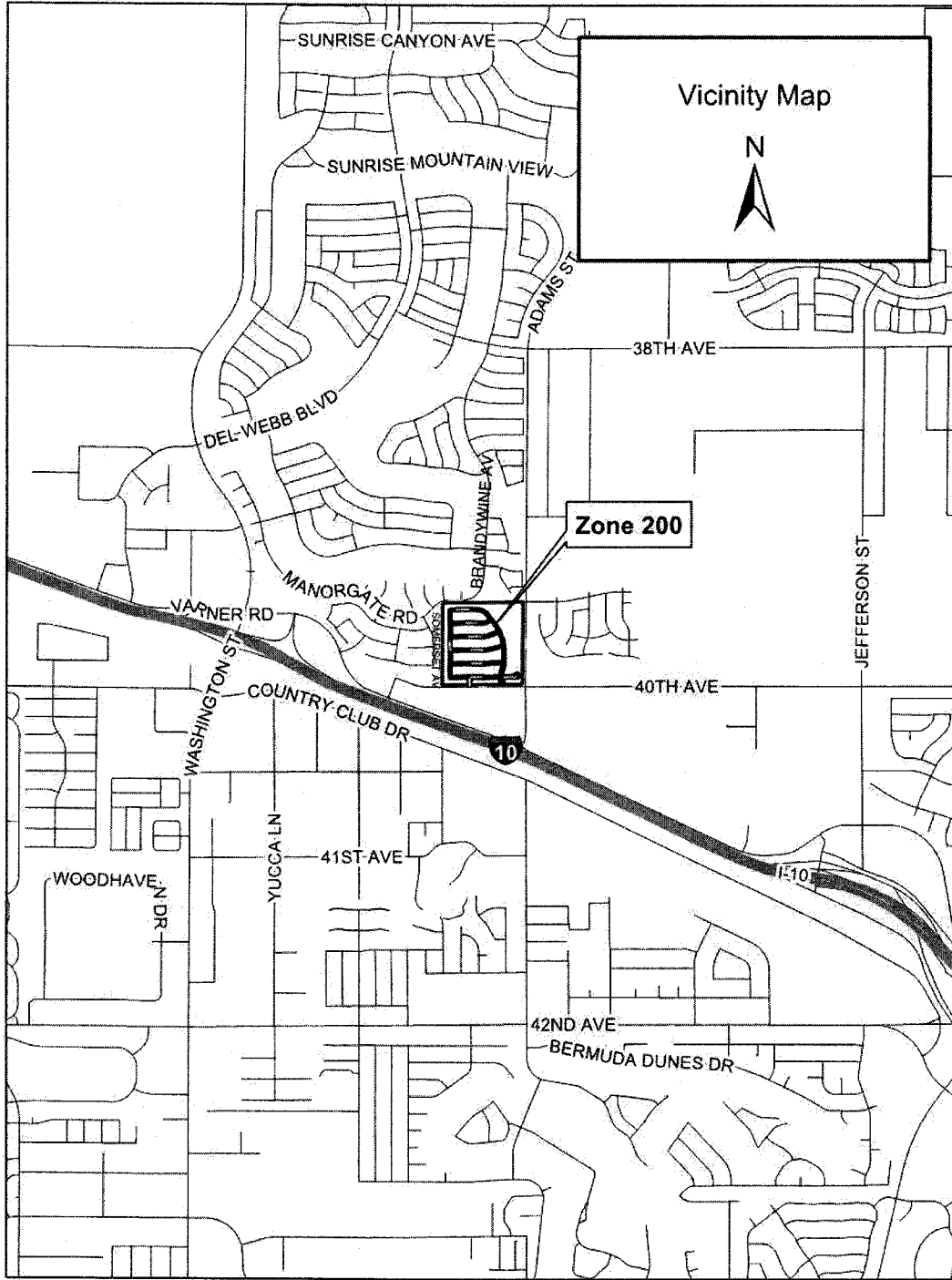
ASSESSMENT DIAGRAM


The City of Riverside assumes no warranty, or legal responsibility for the information contained on this map. Data and information represented on this map is based on available records and may not be complete or appropriate for all purposes. County GIS and other resources should be reviewed for the most current information. Do not copy or reuse this map.
 Printed by bahn on 11/6/2017



- ZONE 200 BOUNDARY
- DENOTES NON ASSESSED PARCEL
- DENOTES LANDSCAPED AND MAINTAINED PARKWAY
- DENOTES MAINTAINED STREETLIGHT

PART IV – ASSESSMENT DIAGRAM/BOUNDARY MAP



PART V - ASSESSMENT ROLL

Part V – Assessment Roll

Parcel identification for each lot/unit or parcel within Zone 200 shall be the parcel as shown on the Riverside County Secured Roll for the year in which this Report is prepared and reflective of the Assessor's Parcel Maps. Zone 200 includes the following Assessor Parcel Number(s) as of the date of this Report:

748440001-6	748440017-1	748440033-5	748440049-0	748440065-4	748440081-8
748440002-7	748440018-2	748440034-6	748440050-0	748440066-5	748440082-9
748440003-8	748440019-3	748440035-7	748440051-1	748440067-6	748440083-0
748440004-9	748440020-3	748440036-8	748440052-2	748440068-7	748440084-1
748440005-0	748440021-4	748440037-9	748440053-3	748440069-8	748440085-2
748440006-1	748440022-5	748440038-0	748440054-4	748440070-8	748440086-3
748440007-2	748440023-6	748440039-1	748440055-5	748440071-9	748440087-4
748440008-3	748440024-7	748440040-1	748440056-6	748440072-0	748440088-5
748440009-4	748440025-8	748440041-2	748440057-7	748440073-1	748440089-6
748440010-4	748440026-9	748440042-3	748440058-8	748440074-2	748440090-6
748440011-5	748440027-0	748440043-4	748440059-9	748440075-3	
748440012-6	748440028-1	748440044-5	748440060-9	748440076-4	
748440013-7	748440029-2	748440045-6	748440061-0	748440077-5	
748440014-8	748440030-2	748440046-7	748440062-1	748440078-6	
748440015-9	748440031-3	748440047-8	748440063-2	748440079-7	
748440016-0	748440032-4	748440048-9	748440064-3	748440080-7	
748450001-7	748450011-6	748450021-5	748450031-4	748450041-3	748450051-2
748450002-8	748450012-7	748450022-6	748450032-5	748450042-4	748450052-3
748450003-9	748450013-8	748450023-7	748450033-6	748450043-5	748450053-4
748450004-0	748450014-9	748450024-8	748450034-7	748450044-6	748450054-5
748450005-1	748450015-0	748450025-9	748450035-8	748450045-7	748450055-6
748450006-2	748450016-1	748450026-0	748450036-9	748450046-8	748450056-7
748450007-3	748450017-2	748450027-1	748450037-0	748450047-9	748450057-8
748450008-4	748450018-3	748450028-2	748450038-1	748450048-0	748450058-9
748450009-5	748450019-4	748450029-3	748450039-2	748450049-1	
748450010-5	748450020-4	748450030-3	748450040-2	748450050-1	
748460001-8	748460012-8	748460023-8	748460034-8	748460045-8	748460056-8
748460002-9	748460013-9	748460024-9	748460035-9	748460046-9	748460057-9
748460003-0	748460014-0	748460025-0	748460036-0	748460047-0	748460058-0
748460004-1	748460015-1	748460026-1	748460037-1	748460048-1	748460059-1
748460005-2	748460016-2	748460027-2	748460038-2	748460049-2	748460060-1
748460006-3	748460017-3	748460028-3	748460039-3	748460050-2	748460061-2
748460007-4	748460018-4	748460029-4	748460040-3	748460051-3	
748460008-5	748460019-5	748460030-4	748460041-4	748460052-4	
748460009-6	748460020-5	748460031-5	748460042-5	748460053-5	
748460010-6	748460021-6	748460032-6	748460043-6	748460054-6	
748460011-7	748460022-7	748460033-7	748460044-7	748460055-7	

PART V - ASSESSMENT ROLL

The initial Maximum Assessment shall be \$29,088. When subdivided, the initial Maximum Assessment per parcel/lot for Zone 200 is as follows

L&LMD NO. 89-1-C ZONE 200

(TRACT 30966)

PROPOSED FISCAL YEAR 2018-2019 MAXIMUM ASSESSMENT⁴

Parcel/ Lot No.	Proposed Maximum Assessment
1 - 202	\$144
203 - 209	\$0

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

WAIVER AND CONSENT

WAIVER AND CONSENT REGARDING DATE OF ASSESSMENT BALLOT ELECTION

There is only one individual/entity which owns all of the property within the proposed boundaries of Zone 200 and said property owner has executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election and public hearing to be held on February 27th, 2018; a copy of said waiver is filed herewith and made a part hereof as seen on the following page.

WAIVER AND CONSENT

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

WAIVER AND CONSENT REGARDING DATE OF ASSESSMENT BALLOT ELECTION

The undersigned, an authorized representative of Encore Homes, LLC (the "Owner") owns property within the unincorporated area of the County of Riverside (the "County") represented by the following Assessor's Parcel Numbers for fiscal year 2018-19 (the "Property"): APN(s) 748-440-001 thru 091, 748-550-001 thru 059 and 748-460-001 thru 062.

The Owner has made application that the Property be annexed as Zone 200 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated of the County ("L&LMD No. 89-1-C") and certifies the following:

1. The Owner waives the requirements of Section 4000 of the Elections Code of the State of California (the "Elections Code") that the mailed ballot election required for annexation and the levy of an annual assessment must be held on an established mailed ballot election date pursuant to Section 1500 of the Election Code; and
2. The Owner consents to the mailed assessment ballot election with respect to the levy of an annual assessment on the Property being held on February 27, 2018

OWNER: Encore Homes, LLC
(Name of Company
as Stated in Initial Paragraph)

By: 
Signature

Name: November 8, 2017
Print

Title: Manager



PROOF OF PUBLICATION

STATE OF CALIFORNIA SS.
COUNTY OF RIVERSIDE

RIVERSIDE COUNTY-BOARD OF SUP.
4080 LEMON-ST

RIVERSIDE CA 92501

I am over the age of 18 years old, a citizen of the United States and not a party to, or have interest in this matter. I hereby certify that the attached advertisement appeared in said newspaper (set in type not smaller than non pariel) in each and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

02/14/18

I acknowledge that I am a principal clerk of the printer of The Desert Sun, printed and published weekly in the City of Palm Springs, County of Riverside, State of California. The Desert Sun was adjudicated a Newspaper of general circulation on March 24, 1988 by the Superior Court of the County of Riverside, State of California Case No. 191236.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 14th of February 2018 in Palm Springs, California.

Abie P. Arcis
DECLARANT

Ad#:0002721471
P O :
of Affidavits :1

RECEIVED RIVERSIDE COUNTY
CLERK/BOARD OF SUPERVISORS
2018 FEB 27 AM 10:28

3.50 of 12/12/17

Public Hearing

Public Hearing

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor, County Administrative Center, Board of Supervisors Chambers, 4080 Lemon Street, Riverside, on Tuesday, February 27, 2018 at 9:00 a.m. to consider the following:

RESOLUTION NO. 2017-185

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING ITS INTENT TO ORDER THE ANNEXATION OF ZONE 200 TO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 FOR THE MAINTENANCE AND SERVICING OF LANDSCAPING AND STREETLIGHTS; ADOPTING THE PRELIMINARY ENGINEER'S REPORT; GIVING NOTICE OF AND SETTING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE THE ANNEXATION OF ZONE 200; ORDERING AN ASSESSMENT PROCEEDING; ORDERING A MAILED BALLOT ELECTION; AND DIRECTING NOTICE OF THE PUBLIC HEARING AND THE ASSESSMENT BALLOT TO BE MAILED PURSUANT TO SAID ACT AND ARTICLE XIII.D OF THE CALIFORNIA CONSTITUTION AND SECTION 4000 OF THE ELECTIONS CODE

WHEREAS, the Board of Supervisors (hereinafter the "Board of Supervisors") of the County of Riverside (hereinafter the "County") has adopted Resolution No. 2017-184 on December 12, 2017 initiating proceedings for the annexation of Zone 200 (hereinafter "Zone 200"), as described and shown in Exhibit "A", which is attached hereto and incorporated herein, to Landscaping and Lighting Maintenance District No. 89-1-C pursuant to the Landscaping and Lighting Act of 1972 (hereinafter the "Act"), which is Part 2 (commencing with Section 22500) of Division 15 of the Streets and Highways Code (hereinafter the "Street and Highways Code"), and ordering the preparation of a report (hereinafter the "Report") regarding the proposed annexation of Zone 200 and the assessments to be levied within Zone 200 each fiscal year beginning fiscal year 2018-19 for the maintenance and servicing of landscaping and streetlights within the public right-of-way within said Zone; and WHEREAS, such proceedings shall comply with the requirements of Article XIII.D of the California Constitution (hereinafter "Article XIII.D."); the Act, and Section 4000 of the Elections Code requiring voter approval of the proposed assessment to be levied by L&LMD No. 89-1-C for Zone 200; and WHEREAS, the Board of Supervisors by Resolution No. 2017-184 directed the Director of the Transportation Department, or his designee (hereinafter the "Engineer"), to prepare and file the Report with the Clerk of the Board of Supervisors in accordance with Sections 22608 and 22585 et. seq. of the Street and Highways Code and Section 4 of Article XIII.D; and WHEREAS, said Engineer has filed the Report with the Clerk of the Board of Supervisors and the Report has been presented to and considered by the Board of Supervisors; and WHEREAS, the Applicant has executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election to be held on February 27, 2018; and WHEREAS, it is necessary that the Board of Supervisors adopt a resolution of intention pursuant to Section 22624 of the Streets and Highways Code, which fixes and gives notice, pursuant to Section 22626 of the Streets and Highways Code, of the time and place of a public hearing on said Report, the annexation of Zone 200, and the assessments to be levied on parcels within Zone 200 beginning in fiscal year 2018-19;

NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the Board of Supervisors in regular session assembled on December 12, 2017 as follows:

- Section 1. Findings. The Board of Supervisors, after reviewing the Report, finds that:
(a) The foregoing recitals are true and correct;
(b) The Report contains all matters required by Sections 22565 through 22574 of the Streets and Highways Code and Section 4 of Article XIII.D and may, therefore, be approved by the Board of Supervisors;
(c) The annual assessment for fiscal year 2018-19 on all parcels within Zone 200 will be \$142.32 per parcel.
Section 2. Intent. The Board of Supervisors hereby declares its intention to order the annexation of Zone 200, as described and shown in Exhibit "A", to L&LMD No. 89-1-C, and to levy and collect an annual assessment on all assessable lots and parcels of property within Zone 200 commencing with the fiscal year 2018-19 as set forth in the Report. The Report expressly states that there are no parcels or lots within Zone 200 that are owned by a federal, state or other local governmental agency that will benefit from the services to be financed by the annual assessments. The annual assessments will be collected at the same time and in the same manner as property taxes are collected, and all laws providing for the collection and enforcement of property taxes shall apply to the collection and enforcement of said assessments.
Section 3. Boundaries. All the property within boundaries of Zone 200 is proposed to be annexed to L&LMD No. 89-1-C and shall include that property in the unincorporated area of the County as described and shown in Exhibit "A".
Section 4. Description of Services to be Provided. The services authorized for Zone 200 of L&LMD No. 89-1-C are:
(a) The maintenance and servicing of landscaping within the public right-of-way including the trimming, fertilizing, weeding and replanting of trees, shrubs, grass, and other ornamental vegetation; and
(b) Providing electricity to and the maintenance and servicing of streetlights within the public right-of-way including incidental costs and expenses.
Section 5. Amount to be Levied. The assessment to be levied upon each parcel that benefits from the annexation of Zone 200 to L&LMD No. 89-1-C will be \$142.32 per parcel for fiscal year 2018-19. As stated in the Report, the total budget for Zone 200 for the fiscal year 2018-19 is \$28,749.46; there are parcels that are to be assessed. Each succeeding fiscal year the special assessment may be subject to an annual adjustment that is the greater of two percent (2%) or the cumulative percentage increase, if any, in the Consumer Price Index for all Urban Consumers ("CPI U") for the Los Angeles-Riverside-Orange County California Standard Metropolitan Statistical area ("Index") published by the Bureau of Labor Statistics of the United States Department of Labor. The annual CPI U adjustment will be based on the cumulative increase, if any, in the "Index" as it stands on March of each year over the base index for March of 2017. Any increase larger than the greater of 2% or the CPI U annual adjustment requires a majority approval of all the property owners in Zone 200. The Board of Supervisors will levy the assessment in each subsequent fiscal year until the Board of Supervisors undertakes proceedings for the dissolution of Zone 200 of L&LMD No. 89-1-C. The annual assessment will fund the services described in Section 4 of this Resolution. For further particulars, reference is to be made to the Report on file in the Office of the Clerk of the Board of Supervisors.
Section 6. The Property to be Annexed. The property to be annexed to L&LMD No. 89-1-C is Zone 200. The boundaries of Zone 200 are located within the of the County and are described and shown in the Report