

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



ITEM
3.18
(ID # 7734)

MEETING DATE:

Tuesday, September 25, 2018

FROM : TLMA-TRANSPORTATION:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION:
Adopt Resolution No. 2018-153 and Resolution No. 2018-154 to Initiate Proceedings for the Annexation of Street Lighting Zone 121 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Mead Valley area, District 1. [\$1,252 - L&LMD No. 89-1-C 100%] (Set for Public Hearing on December 11, 2018) (Clerk to Advertise)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. 2018-153 a Resolution of the County of Riverside initiating proceedings for the annexation of Street Lighting Zone 121 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated and ordering preparation of the Engineer's Report regarding the proposed annexation of Street Lighting Zone 121; and,
2. Adopt Resolution No. 2018-154, a Resolution of the County of Riverside declaring its intent to order the annexation of Street Lighting Zone 121 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated of the County of Riverside pursuant to the Landscaping and Lighting Act of 1972 for the maintenance and servicing of streetlights, adopting the preliminary Engineer's Report, giving notice of and setting the time and place of the public hearing on the annexation of Street Lighting Zone 121, ordering an assessment ballot proceeding conducted by mail, and directing the mailing of the notice of public hearing and the assessment ballot; and,

Continued on page 2

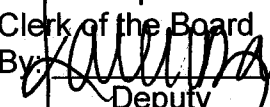
ACTION:


Patricia Romo, Director of Transportation 9/4/2018

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Perez and duly carried by unanimous vote, IT WAS ORDERED that the above resolutions are adopted as recommended, and that the matter is set for public hearing on Tuesday, December 11, 2018, at 9:00 a.m. or as soon as possible thereafter.

Ayes: Jeffries, Tavaglione, Washington, Perez and Ashley
Nays: None
Absent: None
Date: September 25, 2018
xc: Transp., COB(2)

Kecia Harper-Ihem
Clerk of the Board
By 
Deputy

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

RECOMMENDED MOTION: That the Board of Supervisors:

3. Set the public hearing on the annexation of Street Lighting Zone 121 for December 11, 2018, order a mailed assessment ballot proceeding, and direct notice of the public hearing and ballot be mailed pursuant to Article XIID of the California Constitution. (Clerk to Advertise)

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$0	\$1,252	\$1,252	\$1,252
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:	No
			For Fiscal Year:	19/20

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

Landscaping and Lighting Maintenance Districts (L&LMDs) are formed for the purpose of creating a funding mechanism to pay for the installation and maintenance of landscaping, streetlights, traffic signals, runoff catch basin 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 an 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 138 individual zones with different fee structures spread throughout Riverside County. The commercial property owner of Plot Plan No. 26220, as described in the attached Exhibit "A", has petitioned the County to annex their property into L&LMD No. 89-1-C, creating Street Lighting Zone 121. The boundaries of Street Lighting Zone 121 will encompass the entire Plot Plan No. 26220 and will include the maintenance and servicing of streetlights.

Adoption of Resolution No. 2018-153 appoints the Director of the Transportation Department, or her designee, as the Engineer to prepare a Report regarding the proposed annexation of Street Lighting Zone 121 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated ("L&LMD No. 89-1-C").

Resolution No. 2018-154 declares the Board of Supervisors' intention of ordering the annexation of Street Lighting Zone 121 to L&LMD No. 89-1-C. The annexation of Street Lighting Zone 121 to L&LMD No. 89-1-C will fund the maintenance and servicing of streetlights within a public right-of-

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

way located east of Harvill Avenue and north of Placentia Street in the Mead Valley area and includes 5 commercial parcels totalling 19.19 acres.

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 9:00 a.m. on December 11, 2018 to receive testimony for and against the proposed assessment. Each property owner within the proposed Street Lighting Zone 121 will receive a notice of the public hearing and mail-in ballot, an impartial analysis, a copy of Resolution No. 2018-154, and an information sheet.

Ballots must be returned prior to the conclusion of the public hearing. If, at the time designated for the tabulation of the ballots, the ballots submitted in favor of the annexation and levy of the assessment exceed the ballots submitted in opposition of said annexation and levy, Street Lighting Zone 121 will be annexed to L&LMD No. 89-1-C.

There is only one individual/entity which owns all of the property within the proposed boundaries of Street Lighting Zone 121, 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 December 11, 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 2019-20 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, creating new procedures that 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.

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
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Impact on Residents and Businesses

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

Only the commercial property owners within the proposed boundaries of Street Lighting Zone 121, which are represented by Plot Plan No. 26220, as described in the attached Exhibit "A" (a two-page 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 2019-20 for Street Lighting Zone 121 is \$1,252. This will result in an assessment for fiscal year 2019-20 within Street Lighting Zone 121 of \$66 per acre. The annual assessment may be adjusted annually by the greater of 2% or the cumulative percentage increase in the Consumer Price Index for all Urban Consumers for electricity (CPI-U-Electricity), if any, as it stands as of March of each year over the base index for March of 2019.

ATTACHMENTS:

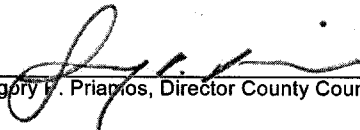
Location Map

Exhibit A

Resolution No. 2018-153

Resolution No. 2018-154

Engineer's Report



Gregory T. Priamos, Director County Counsel 9/17/2018

2 RESOLUTION NO. 2018-153

3 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE INITIATING
4 PROCEEDINGS FOR THE ANNEXATION OF STREET LIGHTING ZONE 121 TO LANDSCAPING
5 AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF
6 RIVERSIDE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 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 "Street
12 Lighting Zone 121"), as shown and described in Exhibit "A", which is attached hereto and made a part
13 hereof, to be annexed to Landscaping and Lighting Maintenance District No. 89-1-Consolidated
14 (hereinafter "L&LMD No. 89-1-C") of the County of Riverside, State of California, and the Board of
15 Supervisors has determined that it is necessary and desirable to initiate proceedings for the annexation
16 of Street Lighting Zone 121 to L&LMD No. 89-1-C pursuant to the Landscaping and Lighting Act of 1972,
17 Part 2 (commencing with Section 22500) of Division 15 of the Streets and Highways Code (hereinafter,
18 respectively, the "Act" and the "Street and 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 Street Lighting Zone 121; 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 December 11, 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
serve as the engineer (hereinafter the "Engineer") for the County with regard to the annexation of Street
Lighting Zone 121 to L&LMD No. 89-1-C.

FORM APPROVED COUNTY COUNSEL
BY *MC* MICHAEL C. THOMAS
DATE 9/17/2018

1 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the Board
2 of Supervisors of the County of Riverside assembled in regular session on September 25, 2018 as
3 follows:

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

6 **Section 2. Annexation.** The Board of Supervisors proposes to annex Street Lighting
7 Zone 121 to L&LMD No. 89-1-C and to initiate and conduct proceedings therefor pursuant to the Act for
8 the purpose of levying an annual assessment on all parcels within Street Lighting Zone 121 to pay the
9 costs of the following services:

- 10 (a) Providing electricity to and the maintenance and servicing of streetlights within the
11 public right-of-way including incidental costs and expenses.

12 **Section 3. Boundaries and Designation.** The boundaries of Street Lighting
13 Zone 121 that are proposed to be annexed to L&LMD No. 89-1-C shall include all of the property as
14 shown and described in Exhibit "A".

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

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

21 ROLL CALL:

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

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

KECIA HARPER-ALLEN, Clerk of said Board

By 

Deputy

EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

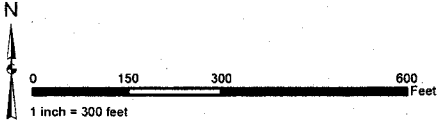
The boundaries of Street Lighting Zone 121 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside, are coterminous with the boundaries of APN 317-240-008 , 317-240-013, 317-240-015, 317-240-032 & 317-240-035 as shown on the Assessment Roll in the County of Riverside, State of California in Fiscal Year 2018-19.

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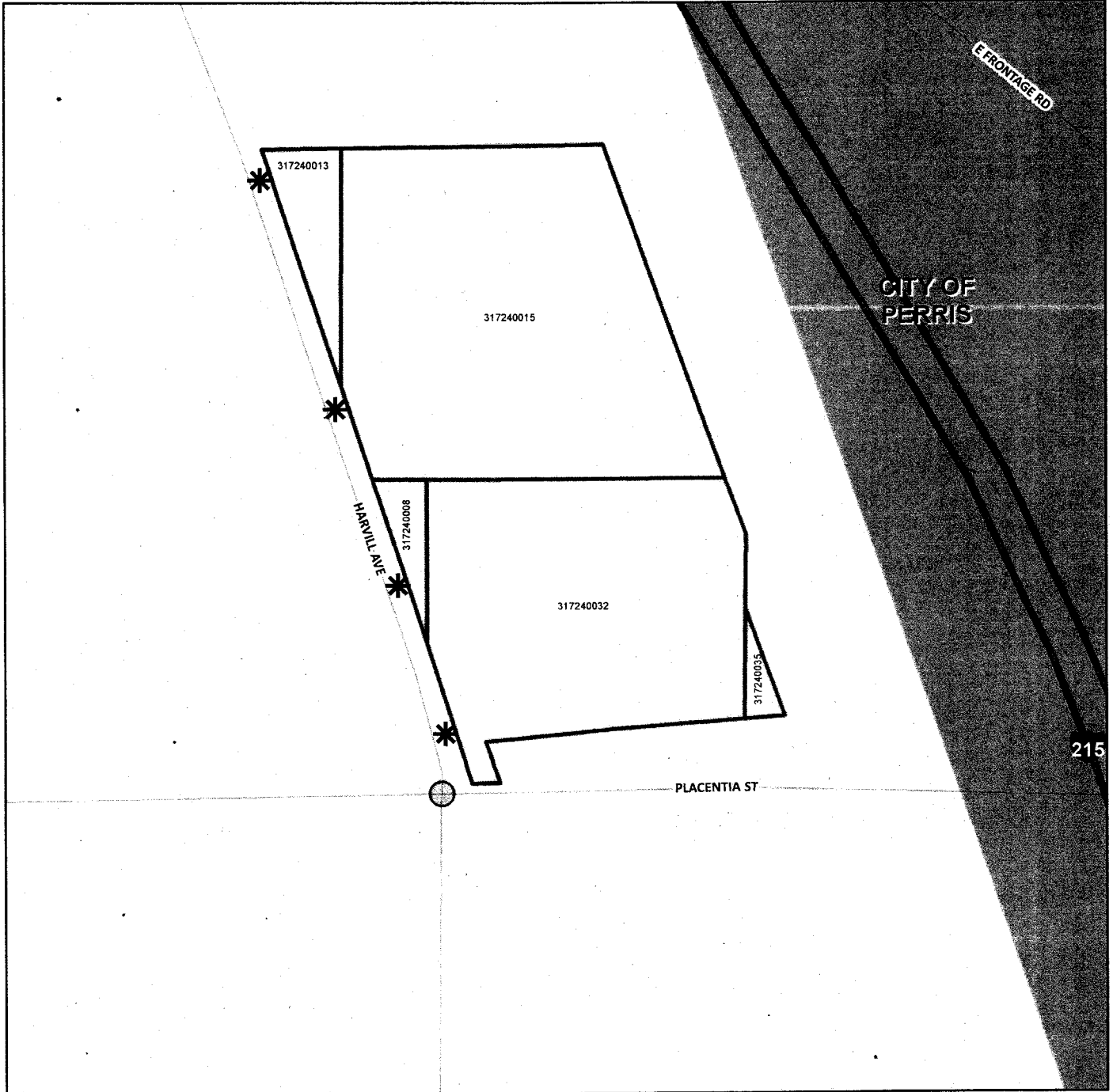
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1 CONSOLIDATED
STREET LIGHT ZONE 121
PORTION(S) OF SECTION 13 & 18, T.4S., R.4W & R.3W.
PLOT PLAN NO. 26220
5 PARCELS



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ASSESSMENT DIAGRAM



- DENOTES MAINTAINED ROW STREETLIGHT
- DENOTES ZONE BOUNDARY

2 RESOLUTION NO. 2018-154

3 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING
4 ITS INTENT TO ORDER THE ANNEXATION OF STREET LIGHTING ZONE 121 TO LANDSCAPING
5 AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF
6 RIVERSIDE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 FOR THE
7 MAINTENANCE AND SERVICING OF STREETLIGHTS; ADOPTING THE PRELIMINARY
8 ENGINEER'S REPORT; GIVING NOTICE OF AND SETTING THE TIME AND PLACE OF THE
9 PUBLIC HEARING ON THE THE ANNEXATION OF STREET LIGHTING ZONE 121 ; ORDERING AN
10 ASSESSMENT PROCEEDING; ORDERING A MAILED BALLOT ELECTION; AND DIRECTING
11 NOTICE OF THE PUBLIC HEARING AND THE ASSESSMENT BALLOT TO BE MAILED
12 PURSUANT TO SAID ACT AND ARTICLE XIID OF THE CALIFORNIA CONSTITUTION AND
13 SECTION 4000 OF THE ELECTIONS CODE

14 WHEREAS, the Board of Supervisors (hereinafter the "Board of Supervisors") of the County of
15 Riverside (hereinafter the "County") has adopted Resolution No. 2018-153 on September 25, 2018
16 initiating proceedings for the annexation of Street Lighting Zone 121 (hereinafter "Street Lighting Zone
17 121"), as described and shown in Exhibit "A", which is attached hereto and incorporated herein, to
18 Landscaping and Lighting Maintenance District No. 89-1-Consolidated of the County of Riverside, State
19 of California, (hereinafter "L&LMD No. 89-1-C") pursuant to the Landscaping and Lighting Act of 1972
20 (hereinafter the "Act"), which is Part 2 (commencing with Section 22500) of Division 15 of the Streets and
21 Highways Code (hereinafter the "Street and Highways Code"), and ordering the preparation of a report
22 (hereinafter the "Report") regarding the proposed annexation of Street Lighting Zone 121 and the
23 assessments to be levied within Street Lighting Zone 121 each fiscal year beginning fiscal year 2019-20
24 for the maintenance and servicing of streetlights within the public right-of-way within said zone; and

25 WHEREAS, such proceedings shall comply with the requirements of Article XIID of the 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 Street Lighting Zone 121;
and

WHEREAS, the Board of Supervisors by Resolution No. 2018-153 directed the Director of the
Transportation Department, or his designee (hereinafter the "Engineer"), to prepare and file the Report

FORM APPROVED COUNTY COUNSEL
BY: MC T 9/17/2018
MICHAEL C. THOMAS DATE

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 December 11, 2018; and

7 **WHEREAS**, it is necessary that the Board of Supervisors adopt a resolution of intention pursuant
8 to Section 22587 of the Streets and Highways Code, which fixes and gives notice, pursuant to Section
9 22588 of the Streets and Highways Code, of the time and place of a public hearing on said Report, the
10 annexation of Street Lighting Zone 121, and the assessments to be levied on parcels within Street
11 Lighting Zone 121 beginning in fiscal year 2019-20;

12 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the Board
13 of Supervisors in regular session assembled on September 25, 2018 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 2019-20 on all parcels within Street Lighting
20 Zone 121 will be \$66.00 per acre.

21 **Section 2. Intent.** The Board of Supervisors hereby declares its intention to order the
22 annexation of Street Lighting Zone 121, as described and shown in Exhibit "A", to L&LMD No. 89-1-C,
23 and to levy and collect an annual assessment on all assessable lots and parcels of property within Street
24 Lighting Zone 121 commencing with the fiscal year 2019-20 as set forth in the Report. The Report
25 expressly states that there are no parcels or lots within Street Lighting Zone 121 that are owned by a
26 federal, state or other local governmental agency that will benefit from the services to be financed by the

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

4 **Section 3. Boundaries.** All the property within the boundaries of Street Lighting Zone 121 is
5 proposed to be annexed to L&LMD No. 89-1-C and shall include that property in the unincorporated area
6 of the County as described and shown in Exhibit "A".

7 **Section 4. Description of Services to be Provided.** The services authorized for Street
8 Lighting Zone 121 of L&LMD No. 89-1-C are:

- 9 (a) Providing electricity to and the maintenance and servicing of streetlights within the public
10 right-of-way including incidental costs and expenses.

11 **Section 5. Amount to be Levied.** The assessment to be levied upon each parcel that benefits
12 from the annexation of Street Lighting Zone 121 to L&LMD No. 89-1-C will be \$66.00 per acre for fiscal
13 year 2019-20. As stated in the Report, the total budget for Street Lighting Zone 121 for the fiscal year
14 2019-20 is \$1,252.00; there are 5 parcels that are to be assessed that aggregate to 19.19 acres. Each
15 succeeding fiscal year the special assessment may be subject to an annual adjustment that is the greater
16 of two percent (2%) or the cumulative percentage increase, if any, in the Consumer Price Index for all
17 Urban Consumers for electricity ("CPI-U-Electricity") for the Riverside-San Bernardino-Ontario California
18 Standard Metropolitan Statistical area ("Index") published by the Bureau of Labor Statistics of the United
19 States Department of Labor. The annual CPI-U-Electricity adjustment will be based on the cumulative
20 increase, if any, in the Index as it stands on March of each year over the base Index for March of 2019.
21 Any increase larger than the greater of 2% or the CPI-U-Electricity annual adjustment requires a majority
22 approval of all the property owners in Street Lighting Zone 121. The Board of Supervisors will levy the
23 assessment in each subsequent fiscal year until the Board of Supervisors undertakes proceedings for
24 the dissolution of Street Lighting Zone 121 of L&LMD No. 89-1-C. The annual assessment will fund the
25 services described in Section 4 of this Resolution. For further particulars, reference is to be made to the
26 Report on file in the Office of the Clerk of the Board of Supervisors.

1 **Section 6. The Property to be Annexed.** The property to be annexed to L&LMD No. 89-1-C
2 is Street Lighting Zone 121. The boundaries of Street Lighting Zone 121 are located within the
3 unincorporated area of the County and are described and shown in the Report and Exhibit "A".

4 **Section 7. Report.** The Report, which is on file with the Clerk of the Board of Supervisors and
5 which has been presented to the Board of Supervisors, is hereby approved. Reference is made to the
6 Report for a full and detailed description of the services, the boundaries of Street Lighting Zone 121, and
7 the annual assessment to be levied upon assessable lots and parcels within Street Lighting Zone 121
8 proposed to be annexed to L&LMD No. 89-1-C.

9 **Section 8. Public Hearing.** The question of whether Street Lighting Zone 121 shall be
10 annexed to L&LMD No. 89-1-C and an annual assessment levied beginning with fiscal year 2019-20 shall
11 be considered at a public hearing (hereinafter the "Public Hearing") to be held on December 11, 2018, at
12 9:00 a.m. at the meeting room of the Board of Supervisors of the County at 4080 Lemon Street, 1st Floor,
13 Riverside, California.

14 **Section 9. Majority Protest.** Each owner of record of property within Street Lighting Zone 121
15 is to receive by mail an assessment ballot that shall conform to the requirements of Section 4 of Article
16 XIID and Section 4000 of the California Elections Code. The assessment ballots are to be returned prior
17 to the Public Hearing. The agency shall not impose an assessment if there is a majority protest. A majority
18 protest exists if, upon the conclusion of the hearing, ballots submitted in opposition to the assessment
19 exceed the ballots submitted in favor of the assessment. In tabulating the ballots, the ballots shall be
20 weighted according to the proportional financial obligation of the affected property.

21 **Section 10. Information.** Any property owner desiring additional information regarding Street
22 Lighting Zone 121 of L&LMD No. 89-1-C, the Report, or the proposed assessment is to contact
23 Ms. Brigitte Hahn, Senior Engineering Technician, Transportation Department of the County of Riverside,
24 4080 Lemon Street, 8th Floor, Riverside, California, 92501, or by telephone at 951-955-6263, or by e-mail
25 at bhahn@rctlma.org.

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EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

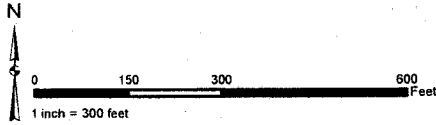
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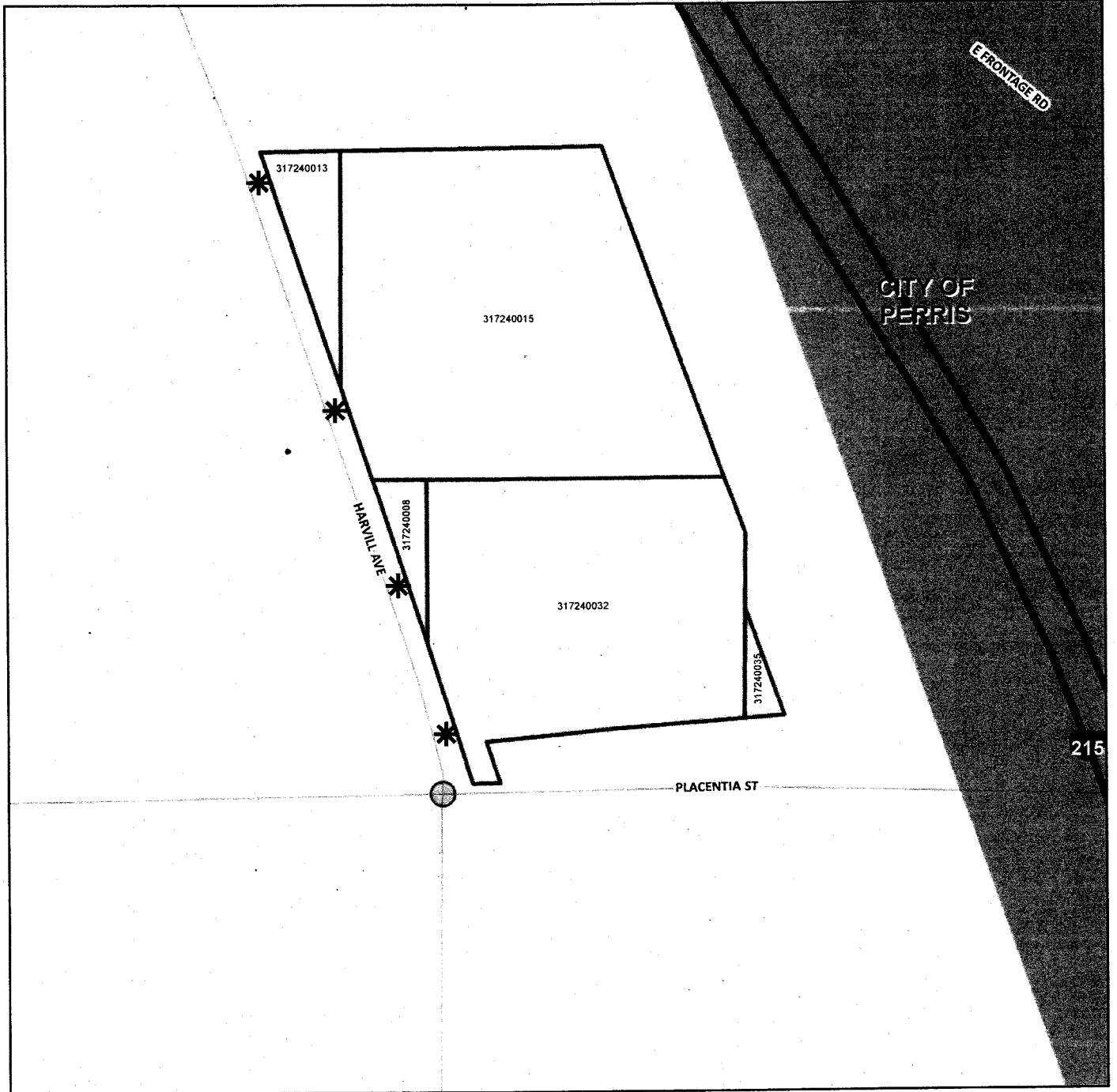
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1 CONSOLIDATED
STREET LIGHT ZONE 121
PORTION(S) OF SECTION 13 & 18, T.4S., R.4W & R.3W.
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ASSESSMENT DIAGRAM

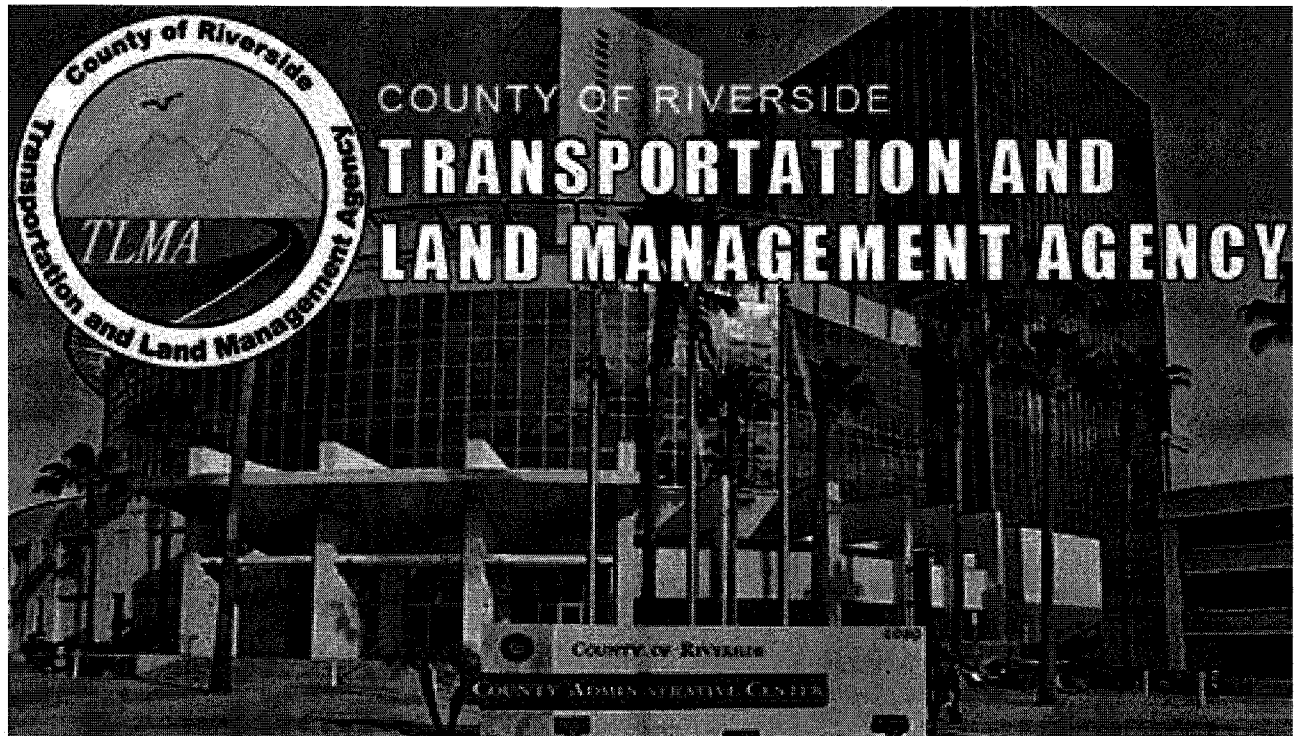


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- * DENOTES MAINTAINED ROW STREETLIGHT
- DENOTES ZONE BOUNDARY

PSOMAS

**COUNTY OF RIVERSIDE TRANSPORTATION
DEPARTMENT**



**ENGINEER'S REPORT
LANDSCAPING AND LIGHTING MAINTENANCE
DISTRICT NO. 89-1-CONSOLIDATED
STREET LIGHTING ZONE 121
PP 26220**

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

September 2018

AGENCY: COUNTY OF RIVERSIDE, CALIFORNIA – TRANSPORTATION DEPARTMENT

**PROJECT: ANNEXATION OF PLOT PLAN 26220 TO
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO.
89-1-CONSOLIDATED (“L&LMD NO. 89-1-C”) AS STREET LIGHTING ZONE 121**

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

ENGINEER’S REPORT

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

This Report provides for the annexation of Plot Plan 26220 (PP 26220) to L&LMD No. 89-1-C as Street Lighting Zone 121 (STL Zone 121) and establishes the Maximum Assessment to be levied in the Fiscal Year commencing on July 1, 2019 and ending on June 30, 2020 (2019-2020) and continuing in all subsequent Fiscal Years, for this area to be known and designated as:

**L&LMD NO. 89-1-C STL ZONE 121
PP 26220**

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 STL Zone 121 have been assessed upon the parcels of land in STL Zone 121 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 STL Zone 121, as well as the boundaries and dimensions of the respective parcels and

subdivisions of land within said STL Zone 121 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 STL Zone 121 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 23rd day of August, 2018

P S O M A S



A handwritten signature in black ink, appearing to read "Michael D. Swan".

MICHAEL D. SWAN
PROFESSIONAL CIVIL ENGINEER 25737
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 STL Zone 121 have been assessed upon the parcels of land in STL Zone 121 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 26th day of September, 2018 the Riverside County Board of Supervisors, County of Riverside, State of California, ordering the preparation of the Report providing for the annexation of PP 26220 to L&LMD No. 89-1-C as STL Zone 121 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. 2018-153 for a special assessment district zone known and designated as:

STL ZONE 121 PP 26220

The annexation of STL Zone 121 includes the parcels of land within the commercial subdivision known as PP 26220, also identified by the Assessor Parcel Number(s) valid as of the date of this Report:

317240008-5
317240013-9
317240015-1
317240032-6
317240035-9

As required by law, an Assessment Diagram/Boundary Map is filed herewith, showing STL Zone 121, as well as the boundaries and dimensions of the respective parcels and subdivisions of land within said STL Zone 121 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 the Assessment Diagram/Boundary Map and in the Assessment Roll contained herein. Psomas submits this Report, consisting of five (5) parts, for the annexation of said STL Zone 121 and the establishment of the Maximum Assessment to be levied and collected commencing Fiscal Year 2019-2020 and all subsequent fiscal years.

PART I

Plans and Specifications: This section contains a description of STL Zone 121's boundaries and the proposed improvements within said STL Zone 121. STL Zone 121 shall consist of a benefit zone encompassing all of the properties within the commercial development known as PP 26220. The proposed improvements described in this Report are based on current development and improvement plans provided to Psomas as of the date of this Report. Improvement plans include the unsigned County of Riverside Harvill Ave Street Light Plan - PP 26220 by CWE Corp. ("Plans").

EXECUTIVE SUMMARY

PART II

The Method of Apportionment: A narrative of the property benefits from the improvements and the method of calculating each property's proportional special benefit and annual assessment. The proposed initial Maximum Assessment and assessment range formula established for STL Zone 121 is based on current property development Plans and estimated annual costs and expenses associated with all improvements to be accepted and maintained by STL Zone 121 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 for Electricity ("CPI-U-E") for Riverside-San Bernardino-Ontario California Standard Metropolitan Statistical Area ("Index") published by the Bureau of Labor Statistics of the United States Department of Labor (BLS). The annual CPI-U-E 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 2019. The initial Maximum Assessment established within STL Zone 121 shall be \$1,252. Pursuant to the Plans of STL Zone 121, which is composed of 5 assessable parcels, and zero non-assessable parcels, the initial Maximum Assessment shall be \$66 per acre, subject to the inflationary factor.

PART III

The Cost Estimate: An estimate of the cost of streetlight maintenance, including incidental costs and expenses in connection therewith for Fiscal Year 2019-2020, is as set forth on the lists thereof, attached hereto.

PART IV

Assessment Diagram/Boundary Map: The Assessment Diagram/Boundary Map shows the parcels of land included within the boundaries of STL Zone 121. 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 2019-2020.

B. DESCRIPTION OF STREET LIGHTING ASSESSMENT ZONE

The services to be provided by L&LMD No. 89-1-C STL Zone 121 include public street lighting. The annexation of PP 26220 to L&LMD No. 89-1-C as STL Zone 121 will provide the financial mechanism (annual assessments) by which the ongoing operation and maintenance of these improvements and services will be funded. STL Zone 121'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 STREET LIGHTING ASSESSMENT ZONE

STL Zone 121 is located within the unincorporated area of the County of Riverside, State of California and is comprised of PP 26220. The area for STL Zone 121 is generally located north of Placentia Avenue, south of Rider Street, west of Interstate 215 and east of Harvill Avenue. At full development, STL Zone 121 is projected to include 5 assessable commercial lots/units and zero non-assessable lots/units. STL Zone 121 consists of the lots/units, parcels and subdivisions of land located in the following development area:

- PP 26220- Assessor Parcel Number(s) as of the date of this Report:

317240008-5
317240013-9
317240015-1
317240032-6
317240035-9

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.
- The street lighting Improvements to be funded by L&LMD No. 89-1-C STL Zone 121 generally includes the maintenance and servicing of:
 - Streetlights within the public right-of-way;
 - All public street lighting within the commercial subdivision;

PART I – PLANS AND SPECIFICATIONS

- Public street lighting and other public lighting facilities on the streets surrounding or adjacent to the development and other public areas associated or necessary for development of properties within a Streetlighting Assessment Zone.

C. IMPROVEMENTS AND SERVICES FOR L&LMD NO. 89-1-C STL ZONE 121

The services to be funded by L&LMD No. 89-1-C STL Zone 121 include the maintenance and servicing of public streetlights within the public right-of-way known as:

- Harvill Avenue

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.

Public street lighting is the responsibility of STL Zone 121.

The 1972 Act permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements, which include the construction, maintenance, and servicing of public lights, landscaping, dedicated easements for landscape use, and appurtenant facilities. The 1972 Act further provides that assessments may be apportioned upon all assessable lots or parcels 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 STL Zone 121 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 street lighting improvements within STL Zone 121 provide direct and special benefit to the lots or parcels within STL Zone 121. 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 STL Zone 121 receives a particular and distinct benefit from the improvements over and above general benefits conferred by the improvements. First, the improvements were

PART II – METHOD OF APPORTIONMENT

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 street lights and to guarantee the maintenance of the streetlights and appurtenant facilities serving the lots or parcels. Therefore, each and every lot or parcel within the proposed STL Zone 121 could not have been developed in the absence of the installation and expected maintenance of these improvements.

Public streetlights confer particular and distinct special benefits upon parcels within the District because of the nature of the improvements. The servicing of streetlights, and appurtenant facilities, specially benefit parcels within the District by increased public safety, improved neighborhood property protection, reduced property-related crimes (especially vandalism), increased public safety for both pedestrians and the motoring public, and increased traffic safety by improving visibility. Streetlights also 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 STL Zone 121. Public 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.

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

The system of streets within STL Zone 121 is established to provide access to each parcel in STL Zone 121. Public streetlights provide a safer street environment for owners of the parcels served. If the parcels were not subdivided to provide individual parcels to owners within STL Zone 121, there would be no need for a system of streets with streetlights. Therefore, the installation of streetlights is for the express, special benefit of the parcels within STL Zone 121.

Finally, the proper maintenance of public streetlights, and appurtenant structures, provides an enhanced quality of life and sense of well-being for owners of properties within STL Zone 121.

Based on the benefits described above, public streetlights are an integral part of the quality of life within STL Zone 121. This quality of life is a special benefit to owners of those parcels with a commercial land use within the STL Zone 121 and do not include government-owned parcels or easements, utility easements, and flood channel parcels. Government-owned parcels or 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 streetlights and are not assessed.

PART II – METHOD OF APPORTIONMENT

Special Benefits of Landscaping and Lighting Maintenance District No. 89-1-C STL Zone 121 Authorized Improvements and Services:

The special benefits of street lighting are the provision of energy, convenience, safety, security of property, improvements and goods, specifically:

- 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 to and egress from 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 STL Zone 121 and the general benefits to the public at large and to adjacent property owners. A portion of the total maintenance costs for the public street lighting, if any, associated with general benefits will not be assessed to the parcels in the STL Zone 121, but will be paid from other Riverside County Transportation Department funds. Because the public streetlight improvements are located immediately adjacent to properties within the STL Zone 121 and are maintained solely for the benefit of the properties within the STL Zone 121, any benefit received by properties outside of the STL Zone 121 is nominal. Therefore, the general benefit portion of the benefit received from the improvements for the STL Zone 121 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, benefits received by each parcel within STL Zone 121 are proportional to the lot size. Therefore, the proportionate share of the costs and expenses for the maintenance and servicing of the streetlights are apportioned on a per acre basis for all benefiting parcels within STL Zone 121.

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 STL Zone 121 costs and assessments.

PART II – METHOD OF APPORTIONMENT

The Maximum Assessment formula shall be applied to all assessable parcels of land within STL Zone 121. For STL Zone 121, the initial Maximum Assessment for Fiscal Year 2019-2020 is as follows:

- The initial Maximum Assessment established within STL Zone 121 (PP 26220) shall be \$1,252.

The initial Maximum Assessment is subject to an annual inflator starting in Fiscal Year 2020-2021. The initial Maximum Assessment shall be adjusted by the greater of two percent (2%) per year or the cumulative percentage increase in the CPI-U-E Index published by the BLS.

The Maximum Assessment is adjusted annually and is calculated independent of the STL Zone 121's annual budget and proposed annual assessment. The proposed annual assessment (rate per acre) 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 STL Zone 121 assessments may remain virtually unchanged. The Maximum Assessment adjustment is designed to establish a reasonable limit on STL Zone 121 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 STL Zone 121. If the proposed assessment is not approved, the County may not levy an assessment greater than the adjusted Maximum Assessment previously established for STL Zone 121.

C. ANNUAL ASSESSMENT

The Method of Apportionment of the Assessment is based upon the relative special benefit derived from the improvements and conferred upon the assessable real property within STL Zone 121 over and above general benefit conferred upon the assessable real property within STL Zone 121 or to the public at large. The benefits received by each parcel within STL Zone 121 would be in proportion to the lot size. Therefore, the proportionate share of the costs and expenses for the maintenance and servicing of the streetlights are apportioned on a per acre basis for all benefiting parcels within STL Zone 121. Any Exempt Property within STL Zone 121 is specifically excluded from the apportionment calculation and is exempt from assessment.

The Assessment Rate per Acre within STL Zone 121 is calculated by dividing the total Annual Balance to Levy by the total Net Assessable Acres. The Assessment Rate per Acre is multiplied times the Net Assessable Acres of each parcel that is not Exempt. Total STL Zone 121 acres less Exempt Property acres, if any, equals total Net

PART II – METHOD OF APPORTIONMENT

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

The Assessment Rate per Acre is calculated as follows:

Total Zone 121 Acres	19.19
Less: Exempt Property Acres	0
Net Assessable Acres	19.19

Annual Balance to Levy	\$1,252	=	\$66	Assessment Rate per Acre
Total Net Assessable Acres	19.19			

The Assessment for each Assessable Parcel for FY 2019-2020 is calculated as follows:

Assessment Rate per Acre × Acreage of each parcel that is not Exempt = Annual Assessment for each Assessable Parcel.

PART III – COST ESTIMATE

Part III – COST ESTIMATE

L&LMD NO. 89-1-C STL ZONE 121 (PP 26220) FOR FISCAL YEAR 2019-2020

Cost Description	Total Costs for STL Zone 121 ^{2,4}	Cost per Acre for STL Zone 121 ^{1,2}
Annual Energy Charge of \$219.00 per Streetlight For 4 Streetlights - 22,000 lumen 200 Watt HPSV ³	\$876	\$46
Maintenance Total	\$876	\$46
Administrative Costs	\$200	\$11
Contingency	\$62	\$3
Subtotal: Annual Street Lighting Costs	\$1,138	\$60
10% Contingency ⁶	\$114	\$6
Total Annual Street Lighting Costs	\$1,252	\$66
Initial Maximum Assessment for STL Zone 121⁵	\$1,252	

¹ Based on 19.19 Net Assessable Acres which is subject to change based on future parcel configuration.

² Subtotal and Total costs rounded up to whole dollars.

³ HPSV mean High Pressure Sodium Vapor.

⁴ Projected base rates of services for Fiscal Year 2019-2020 were provided by the County of Riverside Transportation Department.

⁵ The initial Maximum Assessment shall be adjusted annually by the greater of two percent or the cumulative percentage increase in the CPI-U-E Index published by the BLS.

⁶ 10% contingency for potential loss of assessable acreage to ultimate streets & other improvements.

PART IV – ASSESSMENT DIAGRAM/BOUNDARY MAP

Part IV – Assessment Diagram/Boundary Map

FISCAL YEAR 2019-2020 L&LMD NO. 89-1-C STL ZONE 121

The Assessment Diagram/Boundary Map for STL Zone 121 by this reference is incorporated and made a part of this Report. Only the parcels identified within STL Zone 121 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.

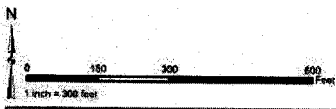
The STL Zone 121 Assessment Diagram/Boundary Map identifying the boundaries of parcels within PP 26220 in L&LMD No. 89-1-C STL Zone 121 is included in this Report for reference on the following page. For details concerning the lines and dimensions of the applicable Assessor's Parcel Numbers, refer to the County Assessor's Maps as of the date of this Report.

PART IV – ASSESSMENT DIAGRAM/BOUNDARY MAP

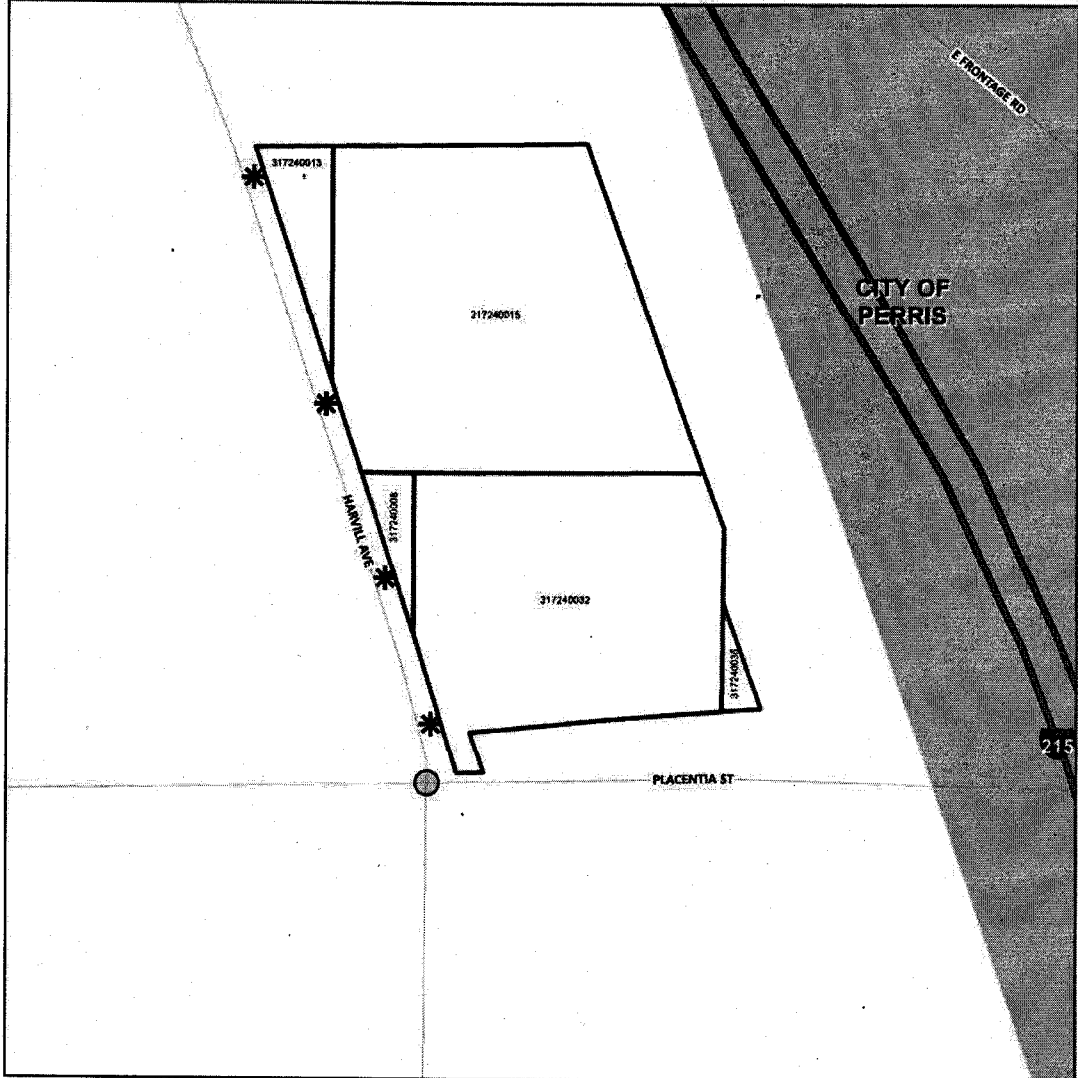
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1 CONSOLIDATED
STREET LIGHT ZONE 121
PORTION(S) OF SECTION 13 & 18, T.4S., R.4W & R.3W.
PLOT PLAN NO. 26220
5 PARCELS



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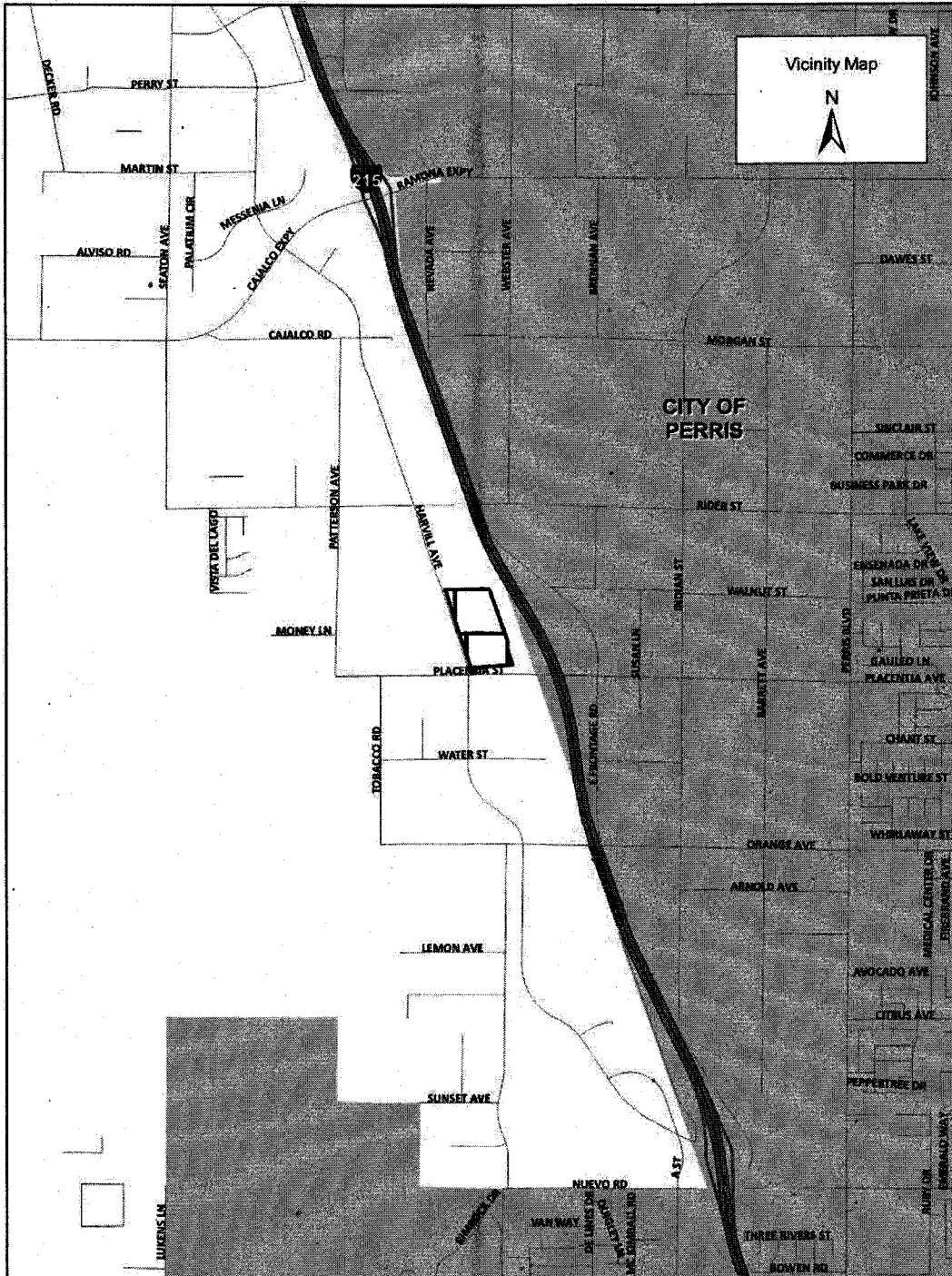


ASSESSMENT DIAGRAM



- * DENOTES MAINTAINED ROW STREETLIGHT
- DENOTES ZONE BOUNDARY

PART IV – ASSESSMENT DIAGRAM/BOUNDARY MAP



PART V – ASSESSMENT ROLL

Part V – Assessment Roll

Parcel identification for each lot/unit or parcel within STL Zone 121 shall be the parcel as shown on the Riverside County Secured Roll for the year in which this Report is prepared and reflective of the Assessor's Parcel Maps. STL Zone 121 includes the following APN(s) as of the date of this Report:

317240008-5
 317240013-9
 317240015-1
 317240032-6
 317240035-9

The initial Maximum Assessment for STL Zone 121 is as follows:

**L&LMD NO. 89-1-C STL ZONE 121
 (PP 26220)
 PROPOSED FISCAL YEAR 2019-2020 MAXIMUM ASSESSMENT¹**

PP	Assessor Parcel Number/ Lot No.	Acres	Maximum Assessment
PP 26220	317240008-5	.44	\$28
PP 26220	317240013-9	.94	\$62
PP 26220	317240015-1	9.87	\$644
PP 26220	317240032-6	7.54	\$492
PP 26220	317240035-9	.4	\$26
Total		19.19	\$1,252

¹ The initial Maximum Assessment shall be adjusted annually by the greater of two percent or the cumulative percentage increase in the CPI-U-E 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 STL Zone 121. 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 December 11th, 2018; 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 Southwest Premier Properties, 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 2019-20 (the "Property"): APN(s) 317-240-008, 013, 015, 032 & 035.

The Owner has made application that the Property be annexed as Street Lighting Zone 121 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 December 11, 2018

OWNER: Southwest Premier Properties, LLC
(Name of Company
as Stated in Initial Paragraph)

By: 
Signature

Name: Jerry Moyes
Print

Title: Manager