

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



ITEM
3.10
(ID # 9363)

MEETING DATE:

Tuesday, April 30, 2019

FROM : ECONOMIC DEVELOPMENT AGENCY (EDA):

SUBJECT: ECONOMIC DEVELOPMENT AGENCY (EDA): Community Facilities District No. 18-2M (Golden Sunset) of the County of Riverside; ADOPTION OF ORDINANCE NO. 948, an Ordinance of the County of Riverside Authorizing the Levy of a Special Tax Within Community Facilities District No. 18-2M (Golden Sunset); Exempt from CEQA, District 3 [\$50,856 On-going Cost] CFD No. 18-2M (Golden Sunset)- 100% (Clerk to file Notice of Exemption; Clerk to Publish and Post)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find that the adoption of Ordinance No. 948 is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15378, Section 15301 (Existing Facilities), and Section 15061(b)(3) (the Common Sense Exemption);
2. Waive further reading of and adopt Ordinance No. 948 authorizing the levy of a special tax within Community Facilities District No. 18-2M (Golden Sunset) of the County of Riverside;
3. Direct the Clerk of the Board to file a Notice of Exemption with the County Clerk for posting upon approval; and
4. Direct the Clerk of the Board to publish a summary and post a copy of Ordinance No. 948 pursuant to Government Code Section 25124.

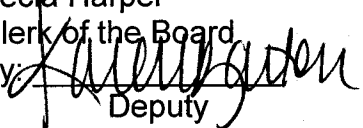
ACTION:Policy


Heidi Marshall, Managing Director 3/26/2019

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Perez and duly carried, IT WAS ORDERED that the above matter is approved as recommended and that Ordinance 948 is adopted with waiver of the reading.

Ayes: Jeffries, Spiegel, Washington and Perez
Nays: None
Absent: Hewitt
Date: April 30, 2019
xc: EDA, MC, COB, Recorder

Kecia Harper
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	\$ 50,856	\$ 0	\$50,856
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: CFD 18-2M (Golden Sunset) 100%			Budget Adjustment: No	
			For Fiscal Year: 2019-20	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The State Legislature enacted the Mello-Roos Act of 1982 to assist public agencies in financing certain capital improvements, public services, and maintenance activities. On January 27, 2015, the Board of Supervisors revised Board Policy B-12 entitled "Land Secured Financing Districts" to include "Service and Maintenance CFDs" to fund the ongoing maintenance of landscape, storm water Best Management Practices (BMP), street lighting, or other similar improvements and set goals and policies concerning Community Facilities Districts (CFDs).

WFP Partners 2, LLC is the Developer of Tract Map No. 31632-1 (Developer) and requested that the County form a CFD to cover the costs associated with the maintenance of public improvements within the district. The boundaries of CFD No. 18-2M (Golden Sunset) will encompass the entire Tract Map No. 31632-1, which is projected to include 78 assessable single family dwelling units.

As approved by voters, a special tax is to be levied on each individual parcel located within the boundary of the CFD to fund the costs associated with services for street lights maintenance (including energy charges, operation, maintenance, and administrative costs of streetlights) and landscape maintenance, including streetscape and basin (which may include, but is not limited to, all landscaping materials such as, ground cover, shrub, trees and plants) as well as irrigation, trash removal, weed control, water costs, and other abatements, electricity, repair/replacement and inspection.

The special tax is levied according to a Rate and Method of Apportionment (RMA) which is developed with respect to the specific features of the particular residential development within the District and which is approved by the eligible voters and later adopted by ordinance. The special tax levy is annually placed on the tax roll for each Assessor Parcel Number noted in the CFD Boundary Map.

On November 6, 2018, the County of Riverside Board of Supervisors approved agenda item 3.12 Resolution No. 2018-197, a resolution of intention as the initial step for forming the CFD and declared the intention of the Board of Supervisors as required by the Mello-Roos Act of 1982 to levy a special tax to fund the service and maintenance functions requested by the Developer.

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

On December 11, 2018, per agenda item 9.1, the County of Riverside Board of Supervisors held a public hearing to receive public comments and conduct a majority protest hearing concerning the establishment of the CFD and the levy of the special tax. At the conclusion of the public hearing, the Board of Supervisors adopted Resolution No. 2018-205, the Resolution of Formation of the CFD, which also authorized the levy of a special tax within the CFD subject to voter approval during a duly called election held that same day.

On February 26, 2019, per agenda item 3.8, the Board of Supervisors adopted Resolution No. 2019-039 declaring the results of the election regarding the proposed special tax and finding that 100% of the votes cast were in favor of the levy of the special tax. In addition, the Board introduced Riverside County Ordinance No. 948 authorizing the levy of the special tax pursuant to the Rate and Method of Apportionment approved by the voters. By today's action, the Board will formally adopt the special tax ordinance and levy the special tax.

Pursuant to CEQA, the ordinance was reviewed and determined to be exempt from CEQA pursuant to State CEQA Guidelines Section 15378, Section 15301, Class 1 – Existing facilities and Section 15061(b)(3) – Common Sense Exemption. The adoption of the ordinance is limited to the creation of a special tax ordinance to provide an alternative mechanism for financing maintenance activities involving the operation, maintenance, repair and minor alteration of existing public or private structures, facilities, mechanical equipment or topographical features, involving no expansion of use. The adoption of the ordinance would not result in direct impacts to the physical environment or reasonably foreseeable indirect effects, as it would not include any changes to the existing land use or a physical degradation of the property,

County Counsel has approved the ordinance as to form.

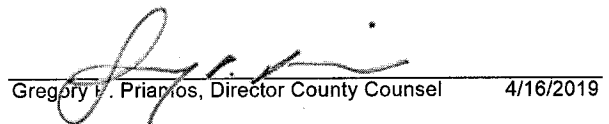
Impact on Residents and Businesses

The voters within the CFD have voted to authorize the special tax levied by Riverside County Ordinance No. 948 on real property within the CFD to provide funds for authorized maintenance and service activities. The property owners within the CFD will be favorably impacted by the levy of the special tax and the associated maintenance and service activities it funds.

ATTACHMENTS:

- Riverside County Ordinance No. 948
- Notice of Exemption
- Clerk of the Board Posting


Nehini Masika, Principal Management Analyst 4/18/2019


Gregory V. Priantos, Director County Counsel 4/16/2019

1 ORDINANCE NO. 948

2
3 AN ORDINANCE OF THE COUNTY OF RIVERSIDE
4 AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN
5 COMMUNITY FACILITIES DISTRICT NO. 18-2M (GOLDEN SUNSET)
6 OF THE COUNTY OF RIVERSIDE
7

8 The Board of Supervisors of the County of Riverside ordains as follows:

9 Section 1. FINDINGS. The Board of Supervisors finds that:

10 a. Pursuant to the Mello-Roos Community Facilities Act of 1982, as amended,
11 (the "Act"), commencing with Section 53311 of the California Government Code (the "Government
12 Code"), on November 6, 2018, the Board of Supervisors (the "Board of Supervisors") of the County of
13 Riverside (the "County") adopted Resolution No. 2018-197 (the "Resolution of Intention"), stating its
14 intention to establish a community facilities district proposed to be named Community Facilities District
15 No. 18-2M (Golden Sunset) of the County of Riverside (the "District"), and to authorize the levy of
16 special taxes to fund, pay for, and finance authorized lighting and maintenance services for streets, roads,
17 parks, parkways and open space (as specified and reflected in the Resolution of Intention, the Resolution
18 of Formation, and the Rate and Method of Apportionment of Special Tax) (the "Services") and to pay
19 expenses incidental thereto and incidental to the levy and collection of the special taxes, so long as the
20 special taxes are needed to fund the Services, and setting December 11, 2018 as the date for a public
21 hearing to be held on the establishment of the District.
22

23 b. On December 11, 2018, the Board of Supervisors opened, conducted and
24 closed said public hearing. At said public hearing, all persons desiring to be heard on all matters
25 pertaining to the proposed establishment of the District, the furnishing of the Services, and the proposed
26 levy of an annual special tax were heard. Written protests, if any, were received, and a full and fair
27 hearing was held.
28

APR 30 2019 3:10

1 c. Subsequent to said public hearing, the Board of Supervisors adopted
2 Resolution No. 2018-205 (the "Resolution of Formation"), establishing the District, authorizing the levy
3 of a special tax within the District to fund the Services, subject to voter approval, establishing an annual
4 appropriations limit of \$4,000,000 for the District, subject to voter approval, and calling a special election
5 for the District for December 11, 2018 on the propositions to levy a special tax within the District and to
6 establish an appropriations limit for the District.

7 d. Pursuant to the terms of the Resolution of Formation and the provisions of
8 the Act, said special election was held on December, 2018. Each of the propositions was approved by
9 more than two-thirds of the votes cast at said special election.

10 e. Pursuant to the Act, the Board of Supervisors is the *ex officio* legislative
11 body (the "Legislative Body") of the District.

12 Section 2. PURPOSE. The purpose of this ordinance is to provide for the levy of a
13 special tax within the District.

14 Section 3. AUTHORITY. This ordinance is adopted pursuant to Sections 53328 and
15 53340 of the California Government Code, which authorizes counties to adopt ordinances to levy special
16 taxes at the rate and in accordance with the method of apportionment specified in the resolution of
17 formation of the community facilities district.

18 Section 4. LEVY OF SPECIAL TAXES.

19 a. By the passage of this Ordinance, the Board of Supervisors hereby
20 authorizes and levies special taxes within the District pursuant to Sections 53328 and 53340 of the
21 Government Code, at the rate and in accordance with the method of apportionment (the "Rate and
22 Method") set forth in the Resolution of Formation and attached as Exhibit A hereto and made a part
23 hereof. The special taxes are hereby levied commencing in the fiscal year 2019-2020 and in each fiscal
24 year thereafter for the period necessary to satisfy the Special Tax Requirement (as defined in the Rate and
25 Method) and until action is taken by the Board of Supervisors, acting as the Legislative Body of the
26 District, to dissolve the District.

27 b. The Board of Supervisors, acting as the Legislative Body of the District, is
28 hereby authorized and directed each fiscal year to determine, or cause to be determined, the specific

1 special tax rate and amount to be levied for the next ensuing fiscal year for each parcel of real property
2 within the District, in the manner and as provided in the Rate and Method.

3 c. All of the collections of the special tax shall be used as provided for in the
4 Act, the Rate and Method and the Resolution of Formation, including, but not limited to, to fund, pay for,
5 and finance authorized lighting and maintenance services for streets, roads, parks, parkways and open
6 space and to pay expenses incidental thereto, so long as the special taxes are needed to fund such services;
7 to replenish the reserve fund for the District; to pay the costs of administering the District, and to pay the
8 costs of collecting and administering the special tax.

9 d. The special taxes shall be collected from time to time as necessary to meet
10 the financial obligations of the District on the secured real property tax roll in the same manner as
11 ordinary *ad valorem* taxes are collected, or may be collected in such other manner as set forth in the Rate
12 and Method. The special taxes shall have the same lien priority, and shall be subject to the same penalties
13 and the same procedure and sale in cases of delinquency as provided for *ad valorem* taxes. The Board of
14 Supervisors, acting as the Legislative Body of the District, is hereby authorized and directed to take all
15 actions necessary in order to effect the proper billing and collection of the special tax, so that the special
16 tax shall be levied and collected in sufficient amounts and at the times necessary to satisfy the financial
17 obligations of the District in each fiscal year.

18 e. Notwithstanding the foregoing, the Board of Supervisors, acting as the
19 Legislative Body of the District, may collect, or cause to be collected, one or more installments of the
20 special taxes by means of direct billing by the District of the property owners within the District if, in the
21 judgment of the Legislative body, such means of collection will reduce the burden of administering the
22 District or is otherwise appropriate in the circumstances. In such event, the special taxes shall become
23 delinquent if not paid when due as set forth in any such respective billing to the property owners.

24 Section 5. EXEMPTIONS. Properties or entities of the state, federal or other local
25 governments shall be exempt from any levy of the special taxes, to the extent set forth in the Rate and
26 Method. In no event shall the special taxes be levied on any parcel within the District in excess of the
27 maximum tax specified in the Rate and Method.

1 Section 6. SEVERABILITY. If for any reason any portion of this ordinance is found
2 to be invalid, or if the special tax is found inapplicable to any particular parcel within the District, by a
3 court of competent jurisdiction, the balance of this ordinance and the application of the special tax to the
4 remaining parcels within the District shall not be affected.

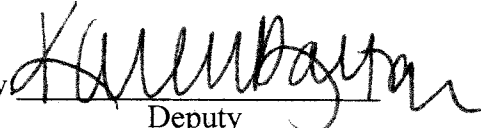
5 Section 7. EFFECTIVE DATE. This ordinance relating to the levy and collection of
6 special taxes in the District shall take effect immediately upon its passage in accordance with the
7 provisions of Section 25123(c) of the Government Code. The Chairman of the Board of Supervisors shall
8 sign this ordinance, and the Clerk of the Board of Supervisors shall attest to the Chairman's signature and
9 then cause a summary of the same to be published within 15 days after its passage at least once in *The*
10 *Press-Enterprise*, a newspaper of general circulation published and circulated in the area of the District.
11

12 BOARD OF SUPERVISORS OF THE COUNTY
13 OF RIVERSIDE, STATE OF CALIFORNIA

14 By: 
Chairman

15 ATTEST:

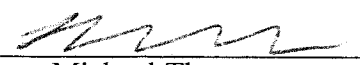
16 CLERK OF THE BOARD:

17
18 By: 
Deputy

19
20 (SEAL)

21
22
23 APPROVED AS TO FORM

24 FEBRUARY 14, 2019

25
26 By: 
27 Michael Thomas
Deputy County Counsel

28

1 EXHIBIT A

2 **RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX FOR**
3 **COMMUNITY FACILITIES DISTRICT 18-2M (GOLDEN SUNSET)**
4 **OF THE COUNTY OF RIVERSIDE**
5 **STATE OF CALIFORNIA**

6 A Special Tax (all capitalized terms are defined in Section A. Definitions, below) shall be
7 applicable to each Parcel of Taxable Property located within the boundaries of Community
8 Facilities District (CFD) 18-2M (Golden Sunset). The amount of Special Tax to be levied on a
9 Parcel in each Fiscal Year, commencing in Fiscal Year 2019-2020, shall be determined by the
10 Riverside County Board of Supervisors, acting in its capacity as the legislative body of the CFD
11 by applying the appropriate Special Tax as set forth in Sections B., C., and D., below. All of the
12 real property within the CFD, unless exempted by law or by the provisions of Section E. below,
13 shall be taxed for the purposes, to the extent, and in the manner herein provided.

11 **A. DEFINITIONS**

12 The terms hereinafter set forth have the following meanings:

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

19 **“Act”** means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter
20 2.5 of Part 1 of Division 2 of Title 5 of the Government Code of the State of California.

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

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

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

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

3 **"Assessor"** means the Assessor of the County.

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

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

8 **"Base Year"** means the Fiscal Year ending June 30, 2020.

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

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

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

16 **"CFD"** means Community Facilities District 18-2M (Golden Sunset) of the County of Riverside.

17 **"Consumer Price Index"** means the cumulative percentage increase in the Consumer Price
18 Index published by the U.S. Bureau of Labor Statistics for All Urban Consumers in the
19 Riverside-San Bernardino-Ontario Area, as it stands in March of each year over the base index
20 of 2018. In the event this index ceases to be published, the Consumer Price Index shall be
21 another index as determined by the Administrator that is reasonably comparable to the
22 Consumer Price Index for the Riverside-San Bernardino-Ontario Area.

23 **"County"** means the County of Riverside, California.

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

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

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

"Final Map" means a subdivision of property by recordation of a tract map, parcel map or lot
line adjustment, pursuant to the Subdivision Map Act (California Government Code Section
66410 *et seq.*) or recordation of a condominium plan pursuant to California Civil Code 4200 that

1 creates individual lots for which Building Permits may be issued without further subdivision.

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

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

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

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

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

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

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

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

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

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

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

1
2 **“Special Tax”** means the special tax to be levied in each Fiscal Year on each Parcel of Taxable Property in accordance with Section D. to fund the Special Tax Requirement.

3 **“Special Tax Requirement”** means for each Fiscal Year, that amount required to: (i) pay the
4 estimated cost of Special Tax Services for such Fiscal Year as determined by the County; (ii)
5 fund the Special Tax Reserve Fund in an amount equal to the lesser of (a) an amount equal to
6 20% of the Special Tax Reserve Fund Requirement or (b) the amount needed to fund the
7 Special Tax Reserve Fund up to the Special Tax Reserve Fund Requirement, (iii) pay
8 Administrative Expenses; (iv) pay for anticipated Special Tax delinquencies based on actual
delinquencies from the prior Fiscal Year outstanding at the time the annual Special Tax levy is
determined; and (v) less a credit for funds available to reduce the annual Special Tax levy as
determined by the Administrator.

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

11 **“Special Tax Reserve Fund Requirement”** means an amount up to 150% of the anticipated
12 annual cost of Special Tax Services of \$76,194 for the Base Year. The Special Tax Reserve
13 Fund Requirement shall be increased annually, commencing July 1, 2020, based on the
14 percentage increase in the Consumer Price Index with a maximum annual increase of six
percent (6%) and a minimum annual increase of two percent (2%) of the amount in effect in the
previous Fiscal Year.

15 **“Special Tax Services”** i) Administration, inspection, and maintenance of all stormwater
16 facilities and BMPs to include: water quality basins, fossil filters, basin forebays, and all other
17 NPDES/WQMP/BMP related devices and structures as approved and accepted by the CFD.
18 Administration includes, but is not limited to, quality control and assurance of inspections and
19 maintenance, general contract management, scheduling of inspections and maintenance, and
20 general oversight of all NPDES/WQMP/BMP operations. Inspection includes, but is not limited
21 to, travel time, visual inspection process and procedures for functionality, GPS location
22 recording, assurance of proper vegetation, functioning irrigation, and citing operational or
23 structural deficiencies, erosion, trash, silt and sediment build-up. Maintenance includes, but is
not limited to, repair or replacement of any deficiencies noted during inspection, weed control
and abatement, trash removal, and healthy upkeep of required plant materials. (ii) Street
lighting maintenance, which includes energy charges, operation, maintenance, and
administration of street lighting located within the designated boundaries of the CFD. (iii)
Maintenance of landscaped improvements in the public right of way to include plant and tree
material, irrigation systems, decomposed granite trail systems, graffiti abatement, and fence
repair and replacement.

24 **“State”** means the State of California.

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

27 **“Taxable Unit”** means either a Dwelling Unit or an Acre, as shown in Table 1.
28

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

3 **B. ASSIGNMENT TO LAND USE CLASS**

4 Each Fiscal Year, commencing with Fiscal Year 2019-2020, all Parcels of Taxable Property
5 shall be classified as either Developed Property, Approved Property, Undeveloped Property,
6 Public Property or Property Owners Association Property, and subject to the levy of Special
7 Taxes in accordance with this Rate and Method of Apportionment as determined pursuant to
8 Sections C. and D.

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

12 **C. MAXIMUM SPECIAL TAX RATES**

13 **1. Developed Property**

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

17 **TABLE 1**
18 **Maximum Special Tax Rates for Developed**
19 **Property for Fiscal Year 2019-2020**

Land Use Class	Description	Taxable Unit	Maximum Special Tax Per Taxable Unit
1	Single Family Property	D/U	\$665
2	Multi-family Residential Property	Acre	\$3,578
3	Non-Residential Property	Acre	\$3,578

20 (a) Increase in the Maximum Special Tax

21 On each July 1, following the Base Year, the Maximum Special Tax, identified in Table 1,
22 above, shall be increased annually, commencing July 1, 2020, based on the percentage
23 increase in the Consumer Price Index with a maximum annual increase of six percent
24 (6%) and a minimum annual increase of two percent (2%) of the Maximum Special Tax in
25 effect in the previous Fiscal Year.

26 (b) Multiple Land Use Classes

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

6 **2. Approved Property**

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

15 The Maximum Special Tax for Approved Property shall be increased annually,
16 commencing July 1, 2020, based on the percentage increase in the Consumer Price
17 Index with a maximum annual increase of six percent (6%) and a minimum annual
18 increase of two percent (2%) of the corresponding Maximum Special Tax in effect in the
19 previous Fiscal Year.

16 **3. Undeveloped Property**

17 The Maximum Special Tax that may be levied and escalated for each Parcel classified as
18 Undeveloped Property shall be \$3,578 per Acre.

19 The Maximum Special Tax for Undeveloped Property shall be increased annually,
20 commencing July 1, 2020, based on the percentage increase in the Consumer Price
21 Index with a maximum annual increase of six percent (6%) and a minimum annual
22 increase of two percent (2%) of the corresponding Maximum Special Tax in effect in the
23 previous Fiscal Year.

22 **4. Public Property and/or Property Owners Association Property**

23 The Maximum Special Tax that may be levied and escalated for each Parcel classified as
24 Public Property and/or Property Owners Association Property shall be \$0.00 per Acre.
25 **There shall be no levy on Public Property and/or Property Owners Association
26 Property.**
27
28

1 **D. METHOD OF APPORTIONMENT OF THE SPECIAL TAX**

2 Commencing with Fiscal Year 2019-2020 and for each following Fiscal Year, the
3 Administrator shall levy the Special Tax on all Taxable Property until the amount of
4 Special Tax equals the Special Tax Requirement in accordance with the following steps:

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

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

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

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

21 **E. EXEMPTIONS**

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

24 **F. MANNER OF COLLECTION**

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

1 **G. APPEALS**

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

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

14 **H. TERM OF THE SPECIAL TAX**

15 The Special Tax shall be levied annually in perpetuity unless terminated earlier by the County.
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STATE OF CALIFORNIA)
)
COUNTY OF RIVERSIDE) SS

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said county held on April 30, 2019, the foregoing ordinance consisting of 7 Sections was adopted by the following vote:

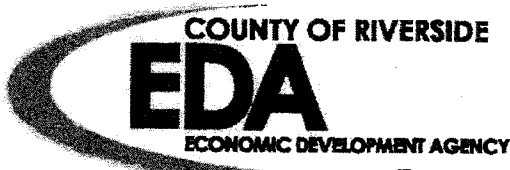
AYES: Jeffries, Spiegel, Washington and Perez
NAYS: None
ABSENT: Hewitt

DATE: April 30, 2019

KECIA R. HARPER
Clerk of the Board

BY: *Kecia Harper*
Deputy

SEAL



Original Negative Declaration/Notice of Determination was routed to County Clerks for posting on.

5/1/19
Date

kb
Initial

NOTICE OF EXEMPTION

March 15, 2019

Project Name: County of Riverside, Economic Development Agency (EDA) Community Facilities District (CFD) No. 18-2M (Golden Sunset) of the County of Riverside; Adoption of Ordinance No. 948, an Ordinance of the County of Riverside Authorizing the Levy of a Special Tax Within the Golden Sunset CFD

Project Number: ED9150078

Project Location: County of Riverside, Community Facilities District No. 18-2M (Golden Sunset)
(See Attached Exhibit)

Description of Project: On January 27, 2015, the Board of Supervisors revised Board Policy B-12 entitled "Land Secured Financing Districts" to include "Service and Maintenance CFDs" to fund the ongoing maintenance of landscape, storm water Best Management Practices (BMP), street lighting, or other similar improvements and set goals and policies concerning Community Facilities Districts (CFD). As approved by voters, a special tax is to be levied on each individual parcel located within the boundary of the CFD to fund the costs associated with services for lighting and maintenance services for streets, roads, parks, parkways, and open space. The special tax is levied according to a Rate and Method of Apportionment which is developed with respect to the specific features of the particular development within the District and which is approved by the eligible voters and later adopted by ordinance. The special tax levy is annually placed on the tax roll for each Assessor Parcel Number noted in the CFD Boundary Map. WFP Partners 2, LLC is the Developer of Tract 31632-1 and requested that the County form a CFD to cover the costs associated with the maintenance of public improvements within the district. The boundaries of CFD No. 18-2M (Golden Sunset) will encompass the entire Tract Map No. 31632-1 which is projected to include 78 assessable single family dwelling units. On November 6, 2018, the Board of Supervisors adopted Resolution 2018-197, a resolution of intention, as the initial step for forming the CFD and declaring the Board's intention to levy a special tax to fund the of Intention to establish a CFD for Golden Sunset in order to authorize the levy of special taxes to fund, pay for, and finance authorized maintenance and service activities.

On December 11, 2018, the Board of Supervisors held a public hearing to receive public comments and conduct a majority protest hearing concerning the establishment of the CFD and the levy of the special tax. At the conclusion of the public hearing, the Board of Supervisors adopted Resolution No. 2018-205, the resolution of formation of the CFD, authorizing the levy of a special tax within the CFD to pay for on-going maintenance services, calling a special election to submit to the respective qualified voters the question of levying such special tax, and establishing an appropriations limit for the CFD; and designating the election official for such matters. Under the same agenda item, the required CFD report, Certificate of Registrar of Voters stating there are fewer than twelve registered voters, and Concurrence of Election Official in Date of Special Election were all received and filed. The Statement of the Election Official regarding the Canvass of the Election declared the election results which were 20 'YES' votes for Proposition A and Proposition B as described in Section 14 of Resolution 2018-205 (Agenda Item 9.1 on 12/11/2018). Adoption of proposed Resolution No. 2019-039, a Resolution of the Board of Supervisors of the County of Riverside will declare the results of the Consolidated Special Election within the boundary of Community Facilities District 18-2M (Golden Sunset).

APR 30 2019 3.10

The Board of Supervisors is now proposing to formally adopt Riverside County Ordinance No. 948 authorizing the levy of the special tax pursuant to the Rate and Method of Apportionment approved by the voters. Riverside County Ordinance No. 948, which authorizes the levy of a special tax within the Golden Sunset CFD to fund services for maintenance and service activities, is identified as the proposed project under the California Environmental Quality Act (CEQA). The Ordinance includes the creation of a funding mechanism to provide maintenance and service activities within the CFD. No expansion of an existing use will occur. No additional direct or indirect physical environmental impacts are anticipated from the provision of maintenance services identified in the Riverside County Ordinance No. 948.

Name of Public Agency Approving Project: County of Riverside, Economic Development Agency

Name of Person or Agency Carrying Out Project: County of Riverside, Economic Development Agency

Exempt Status: Not a project as defined in California Environmental Quality Act (CEQA) Section 21065 and State CEQA Guidelines Section 15378; Section 15301, Existing Facilities Exemption; Section 15061(b) (3), General Rule or "Common Sense" Exemption. Codified under Public Resources Code Division 13, Chapter 2.5, Section 21065, and California Code of Regulations Title 14, Articles 5, 19, and 20, Sections 15061, 15301, and 15378.

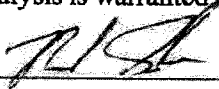
Reasons Why Project is Exempt: The direct effects of the adoption of the Ordinance to levy a special tax within the Golden Sunset CFD would not constitute a project as defined by CEQA Section 21065 and State CEQA Guidelines Section 15378. Section 15378 (b) provides a list of five activities that are not considered a project under CEQA. The proposed Ordinance would qualify under two conditions identified in Section 15378 (b): (4) the creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant impact on the environment and (5) organizational or administrative activity of the government that will not result in direct or indirect physical changes to the environment. The adoption of the Ordinance by the Board satisfies these conditions as the Ordinance would provide a funding mechanism to provide ongoing maintenance of existing buildings that would not result in direct or indirect physical changes to the environment. Based on the above conditions, the adoption of the Ordinance is not a project as defined by CEQA Section 21065 and State CEQA Guidelines Section 15378. The indirect effects of the adoption of the Ordinance which would result in continued maintenance activities within the Golden Sunset CFD are categorically exempt from the provisions of CEQA specifically by the State CEQA Guidelines as identified below. The project will not result in any specific or general exceptions to the use of the categorical exemption as detailed under State CEQA Guidelines Section 15300.2. The project will not cause an impact to an environmental resource of hazardous or critical concern nor would the project include a reasonable possibility of having a significant effect on the environment due to unusual circumstances. The project would not result in impacts to scenic highways, hazardous waste sites, historic resources, or other sensitive natural environments, or have a cumulative effect to the environment. No significant environmental impacts are anticipated to occur with the provision of services to maintain the Golden Sunset CFD.

- **Section 15301 – Class 1 Existing Facilities Exemption:** This categorical exemption includes the operation, repair, maintenance, leasing, or minor alteration of existing public or private structures or facilities, provided the exemption only involves negligible or no expansion of the site's use. The development on the site was previously reviewed under CEQA which evaluated the effects of the development of single-family homes within Tract 31632-1, which is the Golden Sunset CFD and subsequently approved. This approved development represents the environmental baseline and existing conditions under CEQA, as it is a dependent condition for the project, as proposed, to occur. The project is limited to the maintenance of the approved development within the Golden Sunset CFD. The maintenance within the Golden Sunset CFD is consistent within the activities permitted under Section 15301 and would ensure that the area does not physically deteriorate and potentially result in blight. The continued maintenance would not require any expansion of public services and facilities beyond what was approved for development; therefore, the project is exempt as it meets the scope and intent of the Class 1 Exemption identified in Section 15301, Article 19, Categorical Exemptions of the CEQA Guidelines.

- **Section 15061 (b) (3) – “Common Sense” Exemption:** In accordance with CEQA, the use of the Common Sense Exemption is based on the “general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment.” State CEQA Guidelines, Section 15061(b) (3). The use of this exemption is appropriate if “it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.” *Ibid*. This determination is an issue of fact and if sufficient evidence exists in the record that the activity cannot have a significant effect on the environment, then the exemption applies and no further evaluation under CEQA is required. See *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal. 3d 68. The ruling in this case stated that if a project falls within a category exempt by administrative regulation or 'it can be seen with certainty that the activity in question will not have a significant effect on the environment', no further agency evaluation is required. With certainty, there is no possibility that the project may have a significant effect on the environment. The adoption of the Ordinance and creation of funding to provide continued maintenance of the Golden Sunset CFD will not result in any direct or indirect physical environmental impacts. The use and operation of the Golden Sunset CFD will be substantially similar to the existing use and the ongoing maintenance will not create any new environmental impacts to the environment. No alterations and no impacts beyond the ongoing, existing use of the Golden Sunset CFD would occur. Therefore, in no way, would the project as proposed have the potential to cause a significant environmental impact and the project is exempt from further CEQA analysis.

Based upon the identified exemptions above, the County of Riverside, Economic Development Agency hereby concludes that no physical environmental impacts are anticipated to occur and the project as proposed is exempt under CEQA. No further environmental analysis is warranted.

Signed: _____



Date: _____

3/15/19

Mike Sullivan, Senior Environmental Planner
County of Riverside, Economic Development Agency

RIVERSIDE COUNTY CLERK & RECORDER

**AUTHORIZATION
TO BILL
BY JOURNAL VOUCHER**

Project Name: Golden Sunset Community Facilities District Ordinance No. 948, Authorizing the Levy of a Special Tax Within the 18-2M District, County of Riverside

Accounting String: 537180-23010-915202- ED9150078

DATE: March 15, 2019

AGENCY: Riverside County Economic Development Agency

THIS AUTHORIZES THE COUNTY CLERK & RECORDER TO BILL FOR FILING AND HANDLING FEES FOR THE ACCOMPANYING DOCUMENT(S).

NUMBER OF DOCUMENTS INCLUDED: One (1)

AUTHORIZED BY: Mike Sullivan, Senior Environmental Planner, Economic Development Agency

Signature: 

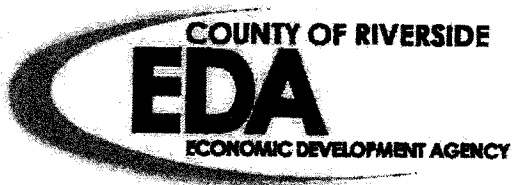
PRESENTED BY: Leni Zarate, Special Districts Administrator, Community Services Division, Economic Development Agency

-TO BE FILLED IN BY COUNTY CLERK-

ACCEPTED BY: -

DATE: -

RECEIPT # (S) -



Date: March 15, 2019

To: Kiyomi Moore/Josefina Castillo, Office of the County Clerk

From: Mike Sullivan, Senior Environmental Planner, Project Management Office

Subject: County of Riverside Economic Development Agency Project ED9150078
Golden Sunset Community Facilities District (CFD) Ordinance No. 948, Authorizing the Levy of a Special Tax Within the CFD 18-2M District, County of Riverside

The Riverside County's Economic Development Agency's Project Management Office is requesting that you post the attached Notice of Exemption. Attached you will find an authorization to bill by journal voucher for your posting fee.

After posting, please return the document to:

Mail Stop #1330

Attention: Mike Sullivan, Senior Environmental Planner,

Economic Development Agency,

3403 10th Street, Suite 400, Riverside, CA 92501

If you have any questions, please contact Mike Sullivan at 955-8009 or email at msullivan@rivco.org.

Attachment

cc: file



OFFICE OF THE
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060 FAX: (951) 955-1071

KECIA R. HARPER
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

May 1, 2019

THE PRESS ENTERPRISE
ATTN: LEGALS
P.O. BOX 792
RIVERSIDE, CA 92501

E-MAIL: legals@pe.com
TEL: (951) 368-9268

RE: SUMMARY OF ADOPTION OF ORDINANCE NO. 948

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **One (1) Time on Saturday, May 4, 2019.**

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office, **WITH TWO CLIPPINGS OF THE PUBLICATION.**

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Karen Barton

Board Assistant to:
KECIA R. HARPER, CLERK OF THE BOARD

RIVERSIDE COUNTY BOARD OF SUPERVISORS

**SUMMARY OF ORDINANCE NO. 948
AN ORDINANCE OF THE COUNTY OF RIVERSIDE
AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT
NO. 18-2M (GOLDEN SUNSET) OF THE COUNTY OF RIVERSIDE**

This summary is presented pursuant to California Government Code Section 25124(b). A certified copy of the full text of Ordinance No. 948 may be examined at the Office of the Clerk of the Board of Supervisors of the County of Riverside, located at 4080 Lemon Street 1st Floor, Riverside, California 92501.

Pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, commencing with Section 53311 of the California Government Code (the "Government Code"), on November 6, 2018, the Board of Supervisors (the "Board of Supervisors") of the County of Riverside adopted Resolution No. 2018-197, stating its intention to establish a community facilities district proposed to be named Community Facilities District No. 18-2M (Golden Sunset) of the County of Riverside (the "District"), and to authorize the levy of special taxes to fund, pay for, and finance authorized lighting and maintenance services for streets, roads, parks, parkways and open space (the "Services") and to pay expenses incidental thereto and incidental to the levy and collection of the special taxes, so long as the special taxes are needed to fund the Services.

Ordinance No. 948 authorizes the levy of special taxes within the District at the rate and in accordance with the method of apportionment approved by the voters at an election held on December 11, 2018 regarding the proposed levy of special taxes. Ordinance No. 948 provides that the Board of Supervisors, as the legislative body of the District, is authorized and directed each fiscal year to determine or cause to be determined the specific special tax rate and amount to be levied for the next ensuing fiscal year for each parcel of real property within the District. The special tax revenues shall be used to fund, pay for, and finance the Services and shall be levied so long as special taxes are needed to fund such Services. In addition, the special tax revenue may be used to replenish a reserve fund for the District, to pay the costs of administering the District, and to fund the cost of collecting and administering the special tax. Ordinance No. 948 provides that the special taxes may be collected on the secured property tax roll in the same manner as ordinary *ad valorem* taxes and that the special taxes shall have the same lien priority, and be subject to the same penalties and the same procedure and sale in cases of delinquency as provided for *ad valorem* taxes. The rate and method of apportionment of the special tax authorized by Ordinance No. 948 is the rate and method approved by voters within the District and as further reflected in Exhibit A "Rate and Method" to Ordinance No. 948. A complete copy of Exhibit A "Rate and Method" is on file with the Clerk of the Board of Supervisors and is available for public inspection and copying in that office in accordance with the California Public Records Act, Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code. Ordinance No. 948 takes effect immediately upon its adoption in accordance with section 25123(c) of the Government Code.

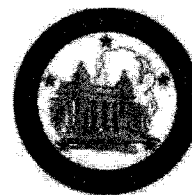
I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on **April 30, 2019**, the foregoing Ordinance was adopted by said Board by the following vote:

AYES: Jeffries, Spiegel, Washington and Perez
NAYS: None
ABSENT: Hewitt

Dated: May 1, 2019

Kecia R. Harper, Clerk of the Board
By: Karen Barton, Board Assistant

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



ITEM
3.8
(ID # 8938)

MEETING DATE:

Tuesday, February 26, 2019

FROM : ECONOMIC DEVELOPMENT AGENCY (EDA):

SUBJECT: ECONOMIC DEVELOPMENT AGENCY (EDA): Receive and File the Statement of the Election Official, Adoption of Resolution No. 2019-039 Declaring the Results of a Consolidated Special Election, Introduction of Ordinance No. 948 Authorizing the Levy of a Special Tax within CFD 18-2M (Golden Sunset) District 3; [\$0] (Clerk of the Board to Record Notice of Special Tax)

RECOMMENDED MOTION: That the Board of Supervisors:

1. With regard to the formation of Community Facilities District No. 18-2M (Golden Sunset) of the County of Riverside, receive and file the Statement of the Election Official regarding the Canvas of the Election for the Communities Facilities District;
2. Adopt Resolution No. 2019-039, a Resolution of the Board of Supervisors of the County of Riverside Declaring the Results of Consolidated Special Elections Within Community Facilities District No. 18-2M (Golden Sunset) of the County of Riverside;
3. Introduce, read title and waive further reading of proposed Ordinance No. 948, An Ordinance of the County of Riverside Authorizing the Levy of a Special Tax within Community Facilities District No. 18-2M (Golden Sunset) of the County of Riverside; and
4. Direct the Clerk of the Board to certify and record the Notice of Special Tax with the County Clerk.

ACTION:Policy

Robert Field, Assistant County Executive Officer/ECD 2/13/2019

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Washington, seconded by Supervisor Perez and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended and that the above Ordinance is approved as introduced with a waiver of reading.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: February 26, 2019
xc: Transp., Recorder,

Kecia Harper
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	\$ 0	\$ 0	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: CFD 18-2M (Golden Sunset) (100%)			Budget Adjustment:	No
			For Fiscal Year:	2019/2020

C.E.O. RECOMMENDATION: Approved

BACKGROUND:

Summary

The State Legislature enacted the Mello-Roos Act of 1982 to assist public agencies in financing certain public services and maintenance requirements. On January 27, 2015, the Board of Supervisors revised Board Policy B-12 entitled "Land Secured Financing Districts" to include "Service and Maintenance CFDs" to fund the ongoing maintenance of landscape, storm water Best Management Practices (BMP), street lighting, or other similar improvements and set goals and policies concerning Community Facilities Districts (CFD). WFP Partners 2, LLC is the Developer of Tract 31632-1 (Developer) and requested that the County of Riverside Economic Development Agency (EDA) assist them in forming a district for the County of Riverside (County) to cover the costs associated with the maintenance of public improvements within the district. A special tax shall be levied on each individual parcel located within the boundary of the CFD to fund the costs associated with services for the administration, inspection and maintenance of storm water facilities and BMPs, street lighting maintenance including energy charges, operation, maintenance, and administrative costs of streetlights, and landscape maintenance, including streetscape which may include, but is not limited to, all landscaping materials such as ground cover, shrub, trees, plants, irrigation, trash removal, weed control, water costs, and other abatements, electricity, repair/replacement and inspection.

Each new CFD is created for a specific residential development or developments when facilities are requested to be maintained by the County. A special tax is levied according to a Rate and Method of Apportionment (RMA) developed to the specific features within that District, and a special tax levy is annually placed on the tax roll for each Assessor Parcel Number (APN) noted in the CFD Boundary Map. Developer has petitioned the County to include their property into Community Facilities District 18-2M (Golden Sunset). The boundaries of CFD 18-2M (Golden Sunset) will encompass the entire Tract Map 31632-1 and is projected to include 78 assessable single family dwelling units.

On November 6, 2018, the County of Riverside Board of Supervisors approved agenda item 3.12, Resolution No. 2018-197, a resolution of intention as the initial step for forming the CFD and declaring the intention of the Board of Supervisors as required by the Mello-Roos Act of 1982 to levy a special tax to fund the service and maintenance functions requested by the Developer. The Resolution also directed that the Board of Supervisors hold a public hearing

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

and submit the formation of the proposed CFD 18-2M (Golden Sunset) to the landowners at a special election to be conducted by mailed ballot if a majority protest does not occur.

On December 11, 2018, per agenda item 9.1, the County of Riverside Board of Supervisors held a public hearing to receive public comments and conduct a majority protest hearing. At the conclusion of the public hearing, the Board of Supervisors adopted Resolution No. 2018-205, a Resolution of the Board of Supervisors of the County of Riverside of Formation of Community Facilities District 18-2M (Golden Sunset) of the County of Riverside, Authorizing the Levy of a Special Tax within Said District to Pay for Certain Landscaping and Street Lighting Services; Calling a Special Election to submit to the Respective Qualified Voters the Question of Levying Such Special Tax and Establishing an Appropriations Limit for Said District; and Designating the Election Official For Such Matters. Under the same agenda item, the required CFD report, Certificate of Registrar of Voters stating there are fewer than twelve registered voters, and Concurrence of Election Official in Date of Special Election were all received and filed.

The attached Statement of the Election Official regarding the Canvass of the Election declares the election results which were 20 'YES' votes for Proposition A and Proposition B as described in Section 14 of Resolution 2018-205 (Agenda Item 9.1 on 12/11/2018). Adoption of proposed Resolution No. 2019-039 a Resolution of the Board of Supervisors of the County of Riverside will declare the results of the Consolidated Special Election within the boundary of Community Facilities District 18-2M (Golden Sunset). Proposed County Ordinance No. 948 would authorize and levy special taxes within the boundaries of Community Facilities District 18-2M (Golden Sunset).

Reference

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

Impact on Residents and Businesses

Only the parcels with Assessor Parcel Numbers (APN) within the boundaries of the CFD which are represented by the Recorded Boundary Map are impacted by the special tax. By setting up this mechanism 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. By specifically collecting and using the special tax revenue within the boundary of the CFD, there is a financial mechanism in place to insure the infrastructure is maintained. This CFD does not propose to fund the repayment of any bonds or

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

bond obligations and is solely for the purposes of funding the maintenance of Developer installed and County required infrastructure, particularly, storm water facilities, landscaping and streetlights. The Developer shall and is obligated to provide disclosure statements to potential buyers which outline the associated tax rate of a new home.

SUPPLEMENTAL:


Additional Fiscal Information

The budget for fiscal year 2019-2020, as reflected in the Rate and Method of Apportionment, will result in a Maximum Special Tax of \$665 per taxable unit annually for a Single Family Property and \$3,578 per acre annually for Multi-Family Residential and Non-Residential property (as defined in the Rate and Method of Apportionment attached as Exhibit A to the Ordinance). The Maximum Special Tax amount may be adjusted by the minimum of 2% or a maximum of 6% or the cumulative percentage increase in the Consumer Price Index for all Urban Consumers (CPI-U) in effect in the previous Fiscal Year, as it stands as of March of each year over the base index for March of 2020. There are no General Funds used in this project.

ATTACHMENTS:

- Recorded CFD Boundary Map (reference only)
- Statement of the Election Official regarding the Canvass of the Election for the CFD
- Resolution No. 2019-039
- Proposed Ordinance No. 948


Rahmi Basma, Principal Management Analyst 2/19/2019


Gregory J. Priamos, Director County Counsel 2/14/2019



OFFICE OF THE
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060 FAX: (951) 955-1071

KECIA HARPER
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

February 27, 2019

THE PRESS ENTERPRISE
ATTN: LEGALS
P.O. BOX 792
RIVERSIDE, CA 92501

E-MAIL: legals@pe.com
TEL: (951) 368-9268

RE: SUMMARY OF ORDINANCE NO. 948

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **One (1) Time on Monday, March 4, 2019.**

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office, **WITH TWO CLIPPINGS OF THE PUBLICATION.**

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Stephanie Cribbs

Board Assistant to:
KECIA HARPER, CLERK OF THE BOARD

NOTICE BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY

NOTICE IS HEREBY GIVEN that the following ordinance will be considered for adoption before the Board of Supervisors of Riverside County, California on its regular meeting on **Tuesday, March 12, 2019 at 9:00 am** or as soon as possible thereafter, to be held at the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside:

**SUMMARY OF ORDINANCE NO. 948
AN ORDINANCE OF THE COUNTY OF RIVERSIDE
AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 18-2M
(GOLDEN SUNSET) OF THE COUNTY OF RIVERSIDE**

This summary is presented pursuant to California Government Code Section 25124(b). A certified copy of the full text of Ordinance No. 948 may be examined at the Office of the Clerk of the Board of Supervisors of the County of Riverside, located at 4080 Lemon Street 1st Floor, Riverside, California 92501.

Pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, commencing with Section 53311 of the California Government Code (the "Government Code"), on November 6, 2018, the Board of Supervisors (the "Board of Supervisors") of the County of Riverside adopted Resolution No. 2018-197, stating its intention to establish a community facilities district proposed to be named Community Facilities District No. 18-2M (Golden Sunset) of the County of Riverside (the "District"), and to authorize the levy of special taxes to fund, pay for, and finance authorized lighting and maintenance services for streets, roads, parks, parkways and open space (the "Services") and to pay expenses incidental thereto and incidental to the levy and collection of the special taxes, so long as the special taxes are needed to fund the Services.

Ordinance No. 948 authorizes the levy of special taxes within the District at the rate and in accordance with the method of apportionment approved by the voters at an election held on December 11, 2018 regarding the proposed levy of special taxes. Ordinance No. 948 provides that the Board of Supervisors, as the legislative body of the District, is authorized and directed each fiscal year to determine or cause to be determined the specific special tax rate and amount to be levied for the next ensuing fiscal year for each parcel of real property within the District. The special tax revenues shall be used to fund, pay for, and finance the Services and shall be levied so long as special taxes are needed to fund such Services. In addition, the special tax revenue may be used to replenish a reserve fund for the District, to pay the costs of administering the District, and to fund the cost of collecting and administering the special tax. Ordinance No. 948 provides that the special taxes may be collected on the secured property tax roll in the same manner as ordinary *ad valorem* taxes and that the special taxes shall have the same lien priority, and be subject to the same penalties and the same procedure and sale in cases of delinquency as provided for *ad valorem* taxes. The rate and method of apportionment of the special tax authorized by Ordinance No. 948 is the rate and method approved by voters within the District and as further reflected in Exhibit A "Rate and Method" to Ordinance No. 948. A complete copy of Exhibit A "Rate and Method" is on file with the Clerk of the Board of Supervisors and is available for public inspection and copying in that office in accordance with the California Public Records Act, Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code. Ordinance No. 948 takes effect immediately upon its adoption in accordance with section 25123(c) of the Government Code.

Any person wishing to testify in support of or in opposition to the above-mentioned Ordinance, may do so in writing between the date of this notice and the public hearing; or, may appear and be heard at the time and place noted above. All written comments received prior to the public hearing will be submitted to the Board of Supervisors, and the Board of Supervisors will consider such comments, in addition to any oral testimony, before making a decision on Ordinance No. 725.15.

If you challenge the above ordinance in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing. Be advised that as a result of public hearing and the consideration of all public comment, written and oral, the Board of Supervisors may amend, in whole or in part, the proposed ordinance.

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

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

Dated: February 27, 2019

Kecia Harper, Clerk of the Board
By: Stephanie Cribbs, Board Assistant



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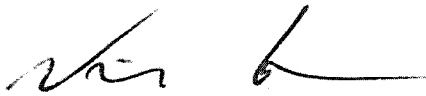
Ad Desc.: Summary of Adoption of Ordinance 948 /

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

05/04/2019

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

Date: May 04, 2019
At: Riverside, California



Legal Advertising Representative, The Press-Enterprise

BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE
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RIVERSIDE COUNTY BOARD OF SUPERVISORS

**SUMMARY OF ORDINANCE NO. 948
AN ORDINANCE OF THE COUNTY OF RIVERSIDE
AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN
COMMUNITY FACILITIES DISTRICT NO. 18-2M (GOLDEN
SUNSET) OF THE COUNTY OF RIVERSIDE**

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I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on April 30, 2019, the foregoing Ordinance was adopted by said Board by the following vote:

AYES: Jeffries, Spiegel, Washington and Perez
NAYS: None
ABSENT: Hewitt

Dated: May 1, 2019
Kecia R. Harper, Clerk of the Board
By: Karen Barton, Board Assistant

5/04