

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



**ITEM: 3.52
(ID # 16898)**

MEETING DATE:
Tuesday, August 17, 2021

FROM : TLMA-TRANSPORTATION:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION:
Adopt Resolution No. 2021-090 and Resolution No. 2021-091 to Initiate proceedings for the Annexation of Zone 218 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Rancho California, District 3. [\$6,110 Ongoing Cost - L&LMD No. 89-1-C 100%] (Set for Public Hearing on October 05, 2021) (Clerk to Advertise)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. 2021-090 a Resolution of the Board of Supervisors of the County of Riverside initiating proceedings for the annexation of Zone 218 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated of the County of Riverside pursuant to the Landscaping and Lighting Act of 1972 and ordering preparation of the Engineer's Report regarding said annexation;

Continued on page 2

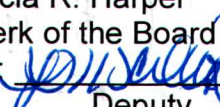
ACTION:Policy, Set for Meeting


Mark Lancaster, Director of Transportation 7/27/2021

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Hewitt, seconded by Supervisor Jeffries and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended and is set for public hearing on Tuesday, October 5, 2021, at 9:30 a.m. or as soon as possible thereafter.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: August 17, 2021
xc: Transp., COB

Kecia R. Harper
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:

2. Adopt Resolution No. 2021-091, a Resolution of the Board of Supervisors of the County of Riverside declaring its intent to order the annexation of Zone 218 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 and multi-purpose trails, adopting the preliminary Engineer's Report, giving notice of and setting the time and place of the public hearing on the annexation of Zone 218, ordering an assessment ballot proceeding conducted by mail, and directing the notice of the public hearing and the assessment ballot to be mailed pursuant to said Act and Article XIID of the California Constitution and Section 4000 of the Elections Code; and

3. Set the public hearing on the annexation of Zone 218 for October 05, 2021, 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	\$ 6,110	\$ 0	\$ 6,110
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: L&LMD No. 89-1-C – 100% There are no General Funds used in this project.			Budget Adjustment: N/A	
			For Fiscal Year: 22/23	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

Landscaping and Lighting Maintenance Districts (L&LMD's) are formed for the purpose of creating a funding mechanism to pay for the installation and maintenance of landscaping, streetlights, traffic signals, 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 166 individual zones with different fee structures spread throughout Riverside County. The residential property owner of Tract No. 33356, as described in the attached Exhibit "A", has petitioned the County to annex their property into L&LMD No. 89-1-C, creating Zone 218. The boundaries of Zone 218 will encompass the entire Tract No. 33356 and will include the maintenance and servicing of streetlights and multi-purpose trails.

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

Adoption of Resolution No. 2021-090 appoints the Director of the Transportation Department, or their designee, as the Engineer to prepare a Report regarding the proposed annexation of Zone 218 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated ("L&LMD No. 89-1-C").

Resolution No. 2021-091 declares the Board of Supervisors' intention of ordering the annexation of Zone 218 to L&LMD No. 89-1-C. The annexation of Zone 218 to L&LMD No. 89-1-C will fund the maintenance and servicing of streetlights and multi-purpose trails within public right-of-way located north of Linda Rosea Road and west of Anza Road in the Rancho California area and includes 16 single-family residences.

Consistent with the Board of Supervisors' direction regarding compliance with Article XIID of the California Constitution and the Landscaping and Lighting Act of 1972, the attached resolutions have been prepared and a public hearing scheduled for 9:30 a.m. on October 5, 2021 to receive testimony for and against the proposed assessment. Each property owner within the proposed Zone 218 will receive a notice of the public hearing and mail-in assessment ballot, an impartial analysis, a copy of Resolution No. 2021-091, and an information sheet.

Assessment ballots must be returned prior to the conclusion of the public hearing. If, at the time designated for the tabulation of the assessment ballots, the assessment ballots submitted in favor of the annexation and levy of the assessment exceed the assessment ballots submitted in opposition of said annexation and levy, Zone 218 will be annexed to L&LMD No. 89-1-C.

There is only one individual/entity which owns all of the property within the proposed boundaries of Zone 218 and said property owner has executed a "Waiver and Consent Regarding Date of Assessment Ballot Proceeding" allowing for the proceeding and public hearing to be held on October 5, 2021.

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 2022-23 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.

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

In November 1996, California voters passed Proposition 218, Right to Vote on Taxes Act which added Articles XIII C and XIII D to the California Constitution, new procedures must be followed to levy annual assessments under the Landscaping and Lighting Act of 1972. A County may levy annual assessments for an assessment district after complying with the requirements of the Landscaping and Lighting Act of 1972, and the provisions of Proposition 218 Right to Vote on Taxes Act.

Impact on Residents and Businesses

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

Only the residential property owners within the proposed boundaries of Zone 218, which are represented by Tract No. 33356, 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 2022-23 for Zone 218 is \$6,110.00. This will result in an assessment for fiscal year 2022-23 within Zone 218 of \$382 per parcel. The annual assessment may be adjusted annually by the greater of 2% or the cumulative percentage increase in the Consumer Price Index for all Urban Consumers (CPI-U), if any, as it stands as of March of each year over the base index for March of 2021.

Contract History and Price Reasonableness

N/A

ATTACHMENTS:

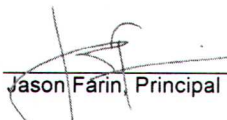
Location Map

Exhibit A

Resolution No. 2021-090

Resolution No. 2021-091

Engineer's Report



Jason Farin, Principal Management Analyst 8/11/2021



Gregory V. Priamos, Director County Counsel 8/5/2021

RESOLUTION NO. 2021-090

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE INITIATING PROCEEDINGS FOR THE ANNEXATION OF ZONE 218 TO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 AND ORDERING PREPARATION OF ENGINEER'S REPORT REGARDING SAID ANNEXATION

WHEREAS, the Board of Supervisors (hereinafter the "Board of Supervisors") of the County of Riverside (hereinafter the "County") has been advised by the Riverside County Transportation Department (hereinafter "Department") that said Department has received an application from the owner (the "Applicant") of all the property within the unincorporated area of the County (hereinafter "Zone 218"), as shown and described in Exhibit "A", which is attached hereto and made a part hereof, to be annexed to Landscaping and Lighting Maintenance District No. 89-1-Consolidated (hereinafter "L&LMD No. 89-1-C") of the County of Riverside, State of California, and the Board of Supervisors has determined that it is necessary and desirable to initiate proceedings for the annexation of Zone 218 to L&LMD No. 89-1-C pursuant to the Landscaping and Lighting Act of 1972, Part 2 (commencing with Section 22500) of Division 15 of the Streets and Highways Code (hereinafter, respectively, the "Act" and the "Streets and Highways Code"); and

WHEREAS, such proceedings shall comply with the requirements of Article XIID of the California Constitution and Section 4000 of the Elections Code requiring voter approval of the proposed assessment to be levied by L&LMD No. 89-1-C for Zone 218; and

WHEREAS, the Applicant has executed a "Waiver and Consent Regarding Date of Assessment Ballot Proceeding" allowing for the proceeding to be held on October 5, 2021; and

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

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FORM APPROVED COUNTY COUNSEL
BY: AARON C. GETTIS
DATE: 8-5-21

1 serve as the engineer (hereinafter the "Engineer") for the County with regard to the annexation of
2 Zone 218 to L&LMD No. 89-1-C.

3 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the Board
4 of Supervisors of the County of Riverside assembled in regular session on August 17, 2021 as follows:

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

7 **Section 2. Annexation.** The Board of Supervisors proposes to annex Zone 218 to
8 L&LMD No. 89-1-C and to initiate and conduct proceedings therefor pursuant to the Act for the purpose
9 of levying an annual assessment on all parcels within Zone 218 to pay the costs of the following services:

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

15 **Section 3. Boundaries and Designation.** The boundaries of Zone 218 that are
16 proposed to be annexed to L&LMD No. 89-1-C shall include all of the property as shown and described
17 in Exhibit "A".

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

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

2 **RESOLUTION 2021-090**

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4 **A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF**
5 **RIVERSIDE INITIATING PROCEEDINGS FOR THE ANNEXATION OF ZONE 218 TO**
6 **LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-**
7 **CONSOLIDATED OF THE COUNTY OF RIVERSIDE PURSUANT TO THE**
8 **LANDSCAPING AND LIGHTING ACT OF 1972 AND ORDERING A PREPARATION**
9 **OF ENGINEER'S REPORT REGARDING SAID ANNEXATION**

10 ADOPTED by Riverside County Board of Supervisors on August 17, 2021.

11 ROLL CALL:

12
13 Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
14 Nays: None
15 Absent: None

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

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KECIA R. HARPER, Clerk of said Board

By:  Deputy

08.17.2021 3.52

2 **RESOLUTION NO. 2021-091**

3 **RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING**
4 **ITS INTENT TO ORDER THE ANNEXATION OF ZONE 218 TO LANDSCAPING AND LIGHTING**
5 **MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE**
6 **PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 FOR THE MAINTENANCE**
7 **AND SERVICING OF STREETLIGHTS AND MULTI-PURPOSE TRAILS; ADOPTING THE**
8 **PRELIMINARY ENGINEER'S REPORT; GIVING NOTICE OF AND SETTING THE TIME AND PLACE**
9 **OF THE PUBLIC HEARING ON THE THE ANNEXATION OF ZONE 218 ; ORDERING AN**
10 **ASSESSMENT PROCEEDING; ORDERING AN ASSESSMENT BALLOT PROCEEDING**
11 **CONDUCTED BY MAIL; AND DIRECTING NOTICE OF THE PUBLIC HEARING AND THE**
12 **ASSESSMENT BALLOT TO BE MAILED PURSUANT TO SAID ACT AND ARTICLE XIID OF THE**
13 **CALIFORNIA CONSTITUTION AND 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. 2021-090 on August 17, 2021 initiating
16 proceedings for the annexation of Zone 218 (hereinafter "Zone 218"), as described and shown in
17 Exhibit "A", which is attached hereto and incorporated herein, to Landscaping and Lighting Maintenance
18 District No. 89-1-Consolidated of the County of Riverside, State of California, (hereinafter "L&LMD No.
19 89-1-C") pursuant to the Landscaping and Lighting Act of 1972 (hereinafter the "Act"), which is Part 2
20 (commencing with Section 22500) of Division 15 of the Streets and Highways Code (hereinafter the
21 "Streets and Highways Code"), and ordering the preparation of a report (hereinafter the "Report")
22 regarding the proposed annexation of Zone 218 and the assessments to be levied within Zone 218 each
23 fiscal year beginning fiscal year 2022-23 for the maintenance and servicing of streetlights and multi-
24 purpose trails within the public right-of-way within said zone; and

25 **WHEREAS**, such proceedings shall comply with the requirements of Article XIID of the California
26 Constitution (hereinafter "Article XIID"), the Act, and Section 4000 of the Elections Code requiring voter
approval of the proposed assessment to be levied by L&LMD No. 89-1-C for Zone 218; and

WHEREAS, the Board of Supervisors by Resolution No. 2021-090 directed the Director of the
Transportation Department, or their designee (hereinafter the "Engineer"), to prepare and file the Report

FORM APPROVED COUNTY COUNSEL
BY: AARON C. GETTIS DATE 8-5-21

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1 with the Clerk of the Board of Supervisors in accordance with Sections 22608 and 22585 et. seq. of the
2 Streets 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 Proceeding" allowing for the proceeding to be held on October 5, 2021; 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 Zone 218, and the assessments to be levied on parcels within Zone 218 beginning in fiscal
11 year 2022-23;

12 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the Board
13 of Supervisors in regular session assembled on August 17, 2021 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 2022-23 on all parcels within Zone 218 will be \$382
20 per parcel.

21 **Section 2. Intent.** The Board of Supervisors hereby declares its intention to order the
22 annexation of Zone 218, as described and shown in Exhibit "A", to L&LMD No. 89-1-C, and to levy and
23 collect an annual assessment on all assessable lots and parcels of property within Zone 218 commencing
24 with the fiscal year 2022-23 as set forth in the Report. The Report expressly states that there are no
25 parcels or lots within Zone 218 that are owned by a federal, state or other local governmental agency
26 that will benefit from the services to be financed by the annual assessments. The annual assessments

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

4 **Section 3. Boundaries.** All the property within the boundaries of Zone 218 is proposed to
5 be annexed to L&LMD No. 89-1-C and shall include that property in the unincorporated area of the County
6 as described and shown in Exhibit "A".

7 **Section 4. Description of Services to be Provided.** The services authorized for Zone 218
8 of L&LMD No. 89-1-C are:

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

14 **Section 5. Amount to be Levied.** The assessment to be levied upon each parcel that benefits
15 from the annexation of Zone 218 to L&LMD No. 89-1-C will be \$382 per parcel for fiscal year 2022-23.
16 As stated in the Report, the total budget for Zone 218 for the fiscal year 2022-23 is \$6,110.00; there are
17 parcels that are to be assessed. Each succeeding fiscal year the special assessment may be subject to
18 an annual adjustment that is the greater of two percent (2%) or the cumulative percentage increase, if
19 any, in the Consumer Price Index for all Urban Consumers ("CPI-U") for the Riverside-San Bernardino-
20 Ontario California Standard Metropolitan Statistical area ("Index") published by the Bureau of Labor
21 Statistics of the United States Department of Labor. The annual CPI-U adjustment will be based on the
22 cumulative increase, if any, in the Index as it stands on March of each year over the base Index for March
23 of 2021. Any increase larger than the greater of 2% or the CPI-U annual adjustment requires a majority
24 approval of all the property owners in Zone 218. The Board of Supervisors will levy the assessment in
25 each subsequent fiscal year until the Board of Supervisors undertakes proceedings for the dissolution of
26 Zone 218 of L&LMD No. 89-1-C. The annual assessment will fund the services described in Section 4 of

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

3 **Section 6. The Property to be Annexed.** The property to be annexed to L&LMD No. 89-1-C
4 is Zone 218. The boundaries of Zone 218 are located within the unincorporated area of the County and
5 are described and shown in the Report and Exhibit "A".

6 **Section 7. Report.** The Report, which is on file with the Clerk of the Board of Supervisors and
7 which has been presented to the Board of Supervisors, is hereby approved. Reference is made to the
8 Report for a full and detailed description of the services, the boundaries of Zone 218, and the annual
9 assessment to be levied upon assessable lots and parcels within Zone 218 proposed to be annexed to
10 L&LMD No. 89-1-C.

11 **Section 8. Public Hearing.** The question of whether Zone 218 shall be annexed to L&LMD
12 No. 89-1-C and an annual assessment levied beginning with fiscal year 2022-23 shall be considered at
13 a public hearing (hereinafter the "Public Hearing") to be held on October 5, 2021, at 9:30 a.m. at the
14 meeting room of the Board of Supervisors of the County at 4080 Lemon Street, 1st Floor, Riverside,
15 California.

16 **Section 9. Majority Protest.** Each owner of record of property within Zone 218 is to receive
17 by mail an assessment ballot that shall conform to the requirements of Section 4 of Article XIID and
18 Section 4000 of the California Elections Code. The assessment ballots are to be returned prior to the
19 Public Hearing. The agency shall not impose an assessment if there is a majority protest. A majority
20 protest exists if, upon the conclusion of the hearing, assessment ballots submitted in opposition to the
21 assessment exceed the assessment ballots submitted in favor of the assessment. In tabulating the
22 assessment ballots, the assessment ballots shall be weighted according to the proportional financial
23 obligation of the affected property.

24 **Section 10. Information.** Any property owner desiring additional information regarding
25 Zone 218 of L&LMD No. 89-1-C, the Report, or the proposed assessment is to contact Ms. Brigitte Hahn,
26 Senior Engineering Technician, Transportation Department of the County of Riverside, 4080 Lemon

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

3 **Section 11. Notice of the Public Hearing.** Notice of Public Hearing with regard to the
4 annexation of Zone 218 to L&LMD No. 89-1-C shall be given consistent with Sections 22608 and 22588
5 of the Streets and Highways Code and Section 4 of Article XIID. The Clerk of the Board of Supervisors
6 shall give notice of the Public Hearing by causing a certified copy of this Resolution to be published once
7 in an appropriate newspaper at least ten (10) days prior to the date of the Public Hearing that is October 5,
8 2021. Publication of this Resolution is to be effected by the Clerk of the Board of Supervisors. Notice
9 shall also be given by mailing first-class, postage prepaid, those notices, as prepared by County Counsel,
10 assessment ballot and information sheets as required by Section 4 of Article XIID and Section 4000 of
11 the California Elections Code to all owners of record of property within Zone 218 as shown on the last
12 equalized assessment roll of the County. Mailing is to be made by the Engineer and deposited with the
13 U. S. Post Office at least forty-five (45) days prior to the Public Hearing on October 5, 2021.

14 **Section 12 Effective Date.** This Resolution shall take effect from and after its date of adoption.
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2 **RESOLUTION 2021-091**

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4 **A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF**

5 **RIVERSIDE DECLARING ITS INTENT TO ORDER THE ANNEXATION OF ZONE 218**

6 **TO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-**

7 **CONSOLIDATED OF THE COUNTY OF RIVERSIDE PURSUANT TO THE**

8 **LANDSCAPING AND LIGHTING ACT OF 1972 FOR THE MAINTENANCE AND**

9 **SERVICING OF STREETLIGHTS; ADOPTING THE PRELIMINARY ENGINEER'S**

10 **REPORT; GIVING NOTICE OF AND SETTING THE TIME AND PLACE OF THE**

11 **PUBLIC HEARING ON THE ANNEXATION OF ZONE 218; ORDERING AN**

12 **ASSESSMENT PROCEEDING; ORDERING AN ASSESSMENT BALLOT**

13 **PROCEEDING CONDUCTED BY MAIL; AND DIRECTING NOTICE OF THE PUBLIC**

14 **HEARING AND THE ASSESSMENT BALLOT TO BE MAILED PURSUANT TO SAID**

15 **ACT AND ARTICLE XIID OF THE CALIFORNIA CONSTITUTION AND SECTION**

16 **4000 OF THE ELECTIONS CODE**

17 ADOPTED by Riverside County Board of Supervisors on August 17, 2021.

18 ROLL CALL:

19 Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt

20 Nays: None

21 Absent: None

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

23 KECIA R. HARPER, Clerk of said Board

24 By: 

25 Deputy

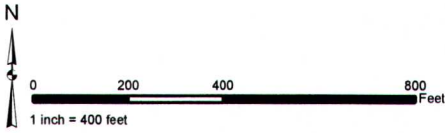
EXHIBIT "A"

DESCRIPTION OF BOUNDARIES

The boundaries of Zone 218 to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated, of the County of Riverside, County of Riverside, are coterminous with the boundaries of APN 951-220-002 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2022-23.

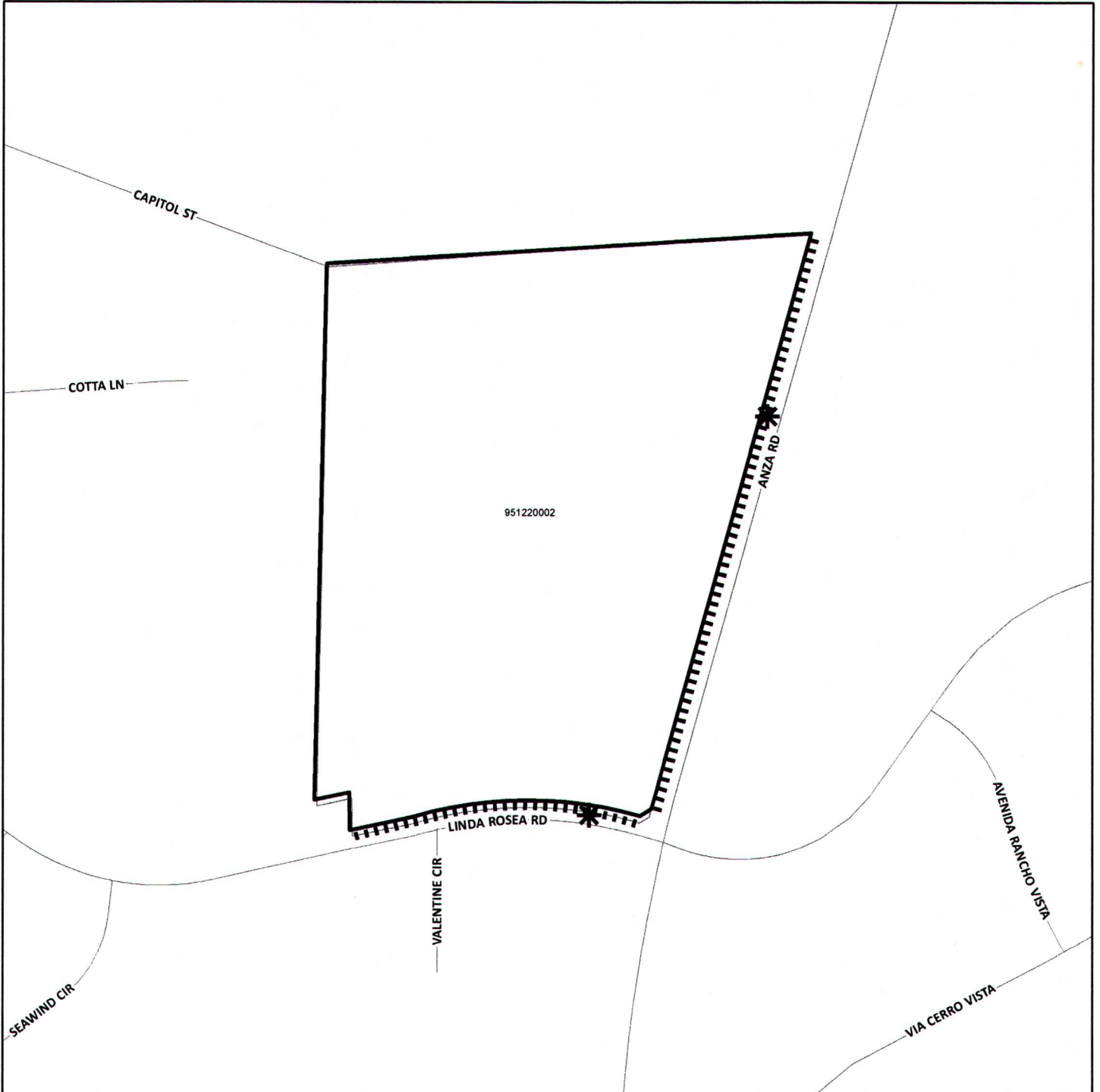
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ZONE 218
PORTION(S) OF SECTION 2, T.8S., R.2W.
TRACT MAP NO. 33356
16 PARCELS

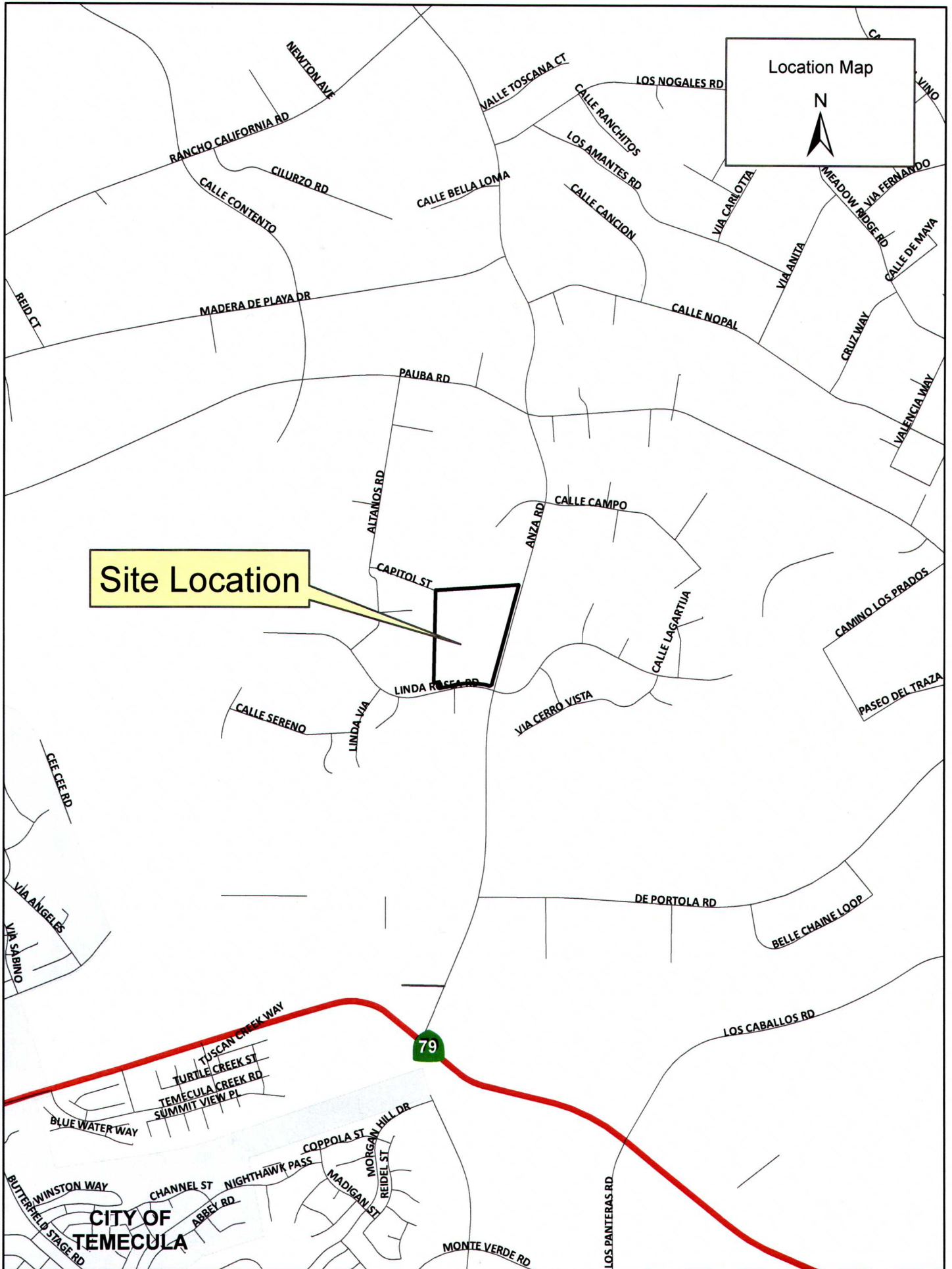


The County of Riverside assumes no warranty or legal responsibility for the information contained on this map. Data and information represented on this map is subject to updates, modifications and may not be complete or appropriate for all purposes. County GIS and other sources should be queried for the most current information. Do not copy or resell this map. Printed by bhahn on 4/1/2021

ASSESSMENT DIAGRAM



- DENOTES MAINTAINED MULTI-PURPOSE TRAIL
- DENOTES MAINTAINED ROW STREETLIGHT
- DENOTES ZONE BOUNDARY





COUNTY OF RIVERSIDE - TRANSPORTATION AND LAND MANAGEMENT AGENCY

**ENGINEER'S REPORT FOR
LANDSCAPING AND LIGHTING MAINTENANCE
DISTRICT NO. 89-1-CONSOLIDATED
ANNEXATION OF ZONE 218
TR 33356**

May 2021

PREPARED BY



Harris & Associates

*41593 Winchester Rd, Suite 200
Temecula, CA 92590
www.weareharris.com*



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ENGINEER'S CERTIFICATION

AGENCY: COUNTY OF RIVERSIDE, CALIFORNIA – TRANSPORTATION DEPARTMENT

PROJECT: ANNEXATION OF TR 33356 TO
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO.
89-1-CONSOLIDATED ("L&LMD NO. 89-1-C") AS ZONE 218
TR 33356

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"), consisting of five parts.

This Report provides for the annexation of Tract 33356 (TR 33356) to L&LMD No. 89-1-C as Zone 218 and establishes the Maximum Assessment to be levied in the Fiscal Year commencing on July 1, 2022 and ending on June 30, 2023 (2022-2023) and continuing in all subsequent Fiscal Years, for this area to be known and designated as:

L&LMD NO. 89-1-C ZONE 218 **TR 33356**

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

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

Pursuant to the provisions of law, the costs and expenses of Zone 218 have been assessed upon the parcels of land in Zone 218 benefited thereby in direct proportion and relation to the estimated benefits to be received by each of said parcels

As required by law, an Assessment Diagram/Boundary Map is filed herewith, showing Zone 218, as well as the boundaries and dimensions of the respective parcels and subdivisions of land within said Zone 218



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 parcel map and indicated on said Assessment Diagram/Boundary Map and in the Assessment Roll contained herein.

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

As of the date of this Report, there are no parcels or lots within Zone 218 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 26th day of April 2021



Alison Bouley

Alison M. Bouley, P.E., Assessment Engineer

R.C.E. No. C61383
Engineer of Work
County of Riverside
State of California

EXECUTIVE SUMMARY

A. Introduction

Pursuant to the provisions of law, the costs and expenses of Zone 218 have been assessed upon the parcels of land in Zone 218 benefited thereby in direct proportion and relation to the estimated benefits to be received by each of said parcel(s). For particulars as to the identification of said parcel(s), reference is made to the Assessment Diagram/Boundary Map, a reduced copy of which is included herein. On this 17th day of August, 2021, the Riverside County Board of Supervisors, County of Riverside, State of California, ordering the preparation of the Report providing for the annexation of TR 33356 to L&LMD No. 89-1-C as Zone 218 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. 2021-090 for a special assessment district zone known and designated as:

ZONE 218
TR 33356

The annexation of Zone 218 includes the parcel(s) of land within the residential development known as TR 33356, also identified by the Assessor Parcel Number(s) valid as of the date of this Report:

951-220-002

Harris & Associates submits this Report, consisting of (5) parts, for the annexation of said Zone 218 and the establishment of the Maximum Assessment to be levied and collected commencing Fiscal Year 2022-2023 and continuing in subsequent fiscal years.

Part I

Plans and Specifications: This section contains a description of Zone 218's boundaries and the proposed improvements within said Zone 218 ("Plans" as described in Part I). Zone 218 shall consist of a benefit zone encompassing all of the properties within the residential development known as TR 33356.

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 Assessment Methodology and initial Maximum Assessment established for Zone 218 is based on current property development Plans and estimated annual costs and expenses associated with all improvements to be accepted and maintained by Zone 218 at build-out.

Part III

The Cost Estimate: An estimate of the cost of multi-purpose trail and streetlight maintenance, including incidental costs and expenses in connection therewith for Fiscal Year 2022-2023, is as set forth on the lists thereof, attached hereto.

Part IV

Assessment Diagram/Boundary Map: The Assessment Diagram/Boundary Map shows the parcels of land included within the boundaries of Zone 218. For details concerning the lines and dimensions of the applicable Assessor's Parcel Number(s), refer to the Riverside County Assessor's Map(s) 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 2022-2023.

B. Description of Assessment Zone

The services to be provided by L&LMD No. 89-1-C Zone 218 include multi-purpose trails and public street lighting that provide a special benefit to the parcel(s) to be assessed. The annexation of TR 33356 to L&LMD No. 89-1-C as Zone 218 will provide the financial mechanism (annual assessments) by which the ongoing operation and maintenance of these improvements and services will be funded. Zone 218's structure, proposed improvements, method of apportionment and assessments described in this Report are based on the Plans provided to Harris & Associates 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

A. 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 in proportion to the special benefit provided to the parcels to be assessed:
 - 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.

B. Improvements and Services for L&LMD No. 89-1-C Zone 218

The improvements and services to be funded by L&LMD No. 89-1-C Zone 218 include one (1) multi-purpose trail bordering Zone 218 along Anza Road and Linda Rosea Road and two (2) public streetlights adjacent to the parcel(s) within the public right-of-way of Anza Road and Linda Rosea Road. All improvements are within the area of TR 33356 and are required as a condition of approval for TR 33356.

The proposed improvements described in this Report are based on current development and improvement plans provided to Harris & Associates as of the date of this Report. Improvement plans include the (1) County of Riverside Tentative Tract Map 33356 (Amended Exhibit No.3) by ACD Engineering, dated June 10,2011; (2) (Tentative) County of Riverside Schedule "B" Street

Improvement Plans, TR 33356, IP No. 160049 by ACS Consulting, Inc., (3) (Tentative) County of Riverside Schedule "B" Street Light Improvement Plan, TR 33356, IP No. 160049 by ACS Consulting, Inc., and (4) (Tentative) County of Riverside Minor Change Map Tract 33356 by ACS Consulting, Inc. dated January 2018 ("Plans").

C. Location of Zone 218

Zone 218 is located within the unincorporated area of the County of Riverside, State of California and is comprised of TR 33356. The area for Zone 218 is generally located north of Linda Rosea Road, east of Altanos Road, southeast of Capitol Street, and west of Anza Road. At full development, Zone 218 is projected to include 16 assessable residential lots/units and 2 non-assessable lots/units. Zone 218 currently consists of the lot(s)/unit(s), parcel(s) and subdivisions of land located in the following development area:

- TR 33356 – Assessor Parcel Number(s) as of the date of this Report:

951-220-002

PART II – METHOD OF APPORTIONMENT

A. Benefit Analysis

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 Zone 218 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.

The proposed improvements, the associated costs, and assessments have been carefully reviewed, and allocated based on the special benefit received by the parcels to be assessed as required by the 1972 Act and Article XIII D as described in the following section.

Special Benefit

The multi-purpose trail and street lighting improvements within and immediately adjacent to Zone 218 provide direct and special benefit to the lots or parcels within Zone 218. 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.

Public streetlights confer particular and distinct special benefits upon developable 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 allowing for the development of the parcel(s) and the economic benefit which results from the development. Installation and ongoing maintenance of the streetlights will provide safety for owners, residents and visitors, reduced property-related crimes (especially vandalism), and increased traffic safety for ingress to and egress from the parcel(s) by improving visibility. Streetlights also help to define public rights-of-way for the safety of residents and visitors by defining a specific path during all hours of the day.

The installation and maintenance of the streetlights within the public right-of-way adjacent to Zone 218 provide a safer street environment for owners of the parcels served. Therefore, the installation of streetlights is for the express, special benefit of the parcel(s) within Zone 218.

The installation and maintenance of the multi-purpose trail provides special benefits to the properties in Zone 218 in the areas of land conservation, noise and pollution control, and making the community more livable. An article in the Journal of Urban Planning and Development, December 2012, cited a number of benefits to owners of property adjacent to multi-purpose trails. Among these benefits are convenient access, scenic views, enhanced social life, stress-relief, and the health benefits of increased physical activity.

Finally, the proper maintenance of the multi-purpose trails and public streetlights, and appurtenant structures, provides an enhanced quality of life and sense of well-being for the owner(s) of properties within Zone 218.

Zone 218 does not include any government-owned parcels or easements, utility easements, or flood channel parcels.

Special Benefits of Landscaping and Lighting Maintenance District No. 89-1-C Zone 218 Authorized Improvements and Services:

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

- Increased nighttime safety on roads and streets.



- Improved ability of residents and visitors to see during the hours of darkness.
- Improved ingress to and egress from property.
- Reduced vandalism and other criminal acts of damage to improvements or property.
- Improved traffic circulation and reduced nighttime accidents and personal property loss.

The special benefits of multi-purpose trails include:

- Land conservation, scenic views.
- Noise and pollution reduction.
- Improved quality of life through stress-relief, enhanced social life, and convenient access to physical activity.

General Benefit

The total benefit from the works of improvement is a combination of the special benefits to the parcels within Zone 218 and the general benefits to the public at large and to adjacent property owners. A portion of the total maintenance costs for the multi-purpose trails and public street lighting, if any, associated with general benefits cannot be assessed to the parcels in Zone 218, but would be paid from other Riverside County Transportation Department funds. Because the multi-purpose trail and public streetlight improvements are located immediately adjacent to properties within Zone 218 and were required as a condition of approval for the development of the property, and are maintained solely for the benefit of the properties within Zone 218, any benefit received by properties outside of Zone 218 is nominal. Therefore, the general benefit portion of the benefit received from the improvements for Zone 218 is zero.

Summary

In summary, no property is assessed in excess of the reasonable cost of the proportional special benefit conferred on that property. Additionally, because the benefiting properties consist of a uniform land use (residential), it is determined that each of the residential parcels or lots within Zone 218, at buildout, will benefit equally from the improvements. Therefore, the proportionate share of the costs and expenses for the maintenance and servicing of the multi-purpose trails and streetlights are apportioned equally on a per parcel basis within Zone 218.

B. Maximum Assessment Methodology

The following methodology for establishing the Maximum Annual Assessment 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 Zone 218 costs and assessments.

The Maximum Assessment formula shall be applied to all assessable residential parcels of land within Zone 218. For Zone 218, the initial Maximum Assessment for Fiscal Year 2022-2023 is as follows:

- The initial Maximum Assessment established within Zone 218 (TR 33356) shall be \$6,110.
- The initial Maximum Assessment per residential parcel established within Zone 218 (TR 33356) shall be \$382 per residential parcel.

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 2022, starting in Fiscal Year 2023-2024.

The Maximum Assessment is adjusted annually and is calculated independent of Zone 218's annual budget and proposed annual assessment. The proposed annual assessment (rate per assessable residential parcel) applied in any fiscal year is not considered to be an increased assessment if less than or equal to the Maximum Assessment amount. In no case shall the annual assessment exceed the Maximum Assessment.



Although the Maximum Assessment will increase each year, the actual Zone 218 assessments may remain virtually unchanged. The Maximum Assessment adjustment is designed to establish a reasonable limit on Zone 218 assessments. The Maximum Assessment calculated each year does not require or facilitate an increase to the annual assessment and neither does it restrict assessments to the adjusted maximum amount. If the budget and assessments for the fiscal year require an increase and the increase is more than the adjusted Maximum Assessment, it is considered an increased assessment.

To impose an increased assessment, the County of Riverside must comply with the provisions of the California Constitution Article XIII D Section 4c, that requires a public hearing and certain protest procedures including mailed notice of the public hearing and property owner protest balloting. Property owners, through the balloting process, must approve the proposed assessment increase. If the proposed assessment is approved, then a new Maximum Assessment is established for Zone 218. If the proposed assessment is not approved, the County may not levy an assessment greater than the adjusted Maximum Assessment previously established for Zone 218.



C. Annual Assessment

The Method of Apportionment of the Assessment is based upon the relative special benefit derived from the improvements and conferred upon the assessable real property within Zone 218 over and above general benefit conferred upon the assessable real property within Zone 218 or to the public at large. It is determined that each residential parcel or lot within Zone 218, at buildout, will benefit equally from the improvements. Therefore, the proportionate share of the costs and expenses for the maintenance and servicing of the multi-purpose trails and streetlights are apportioned on a per residential parcel basis for all benefiting residential parcels within Zone 218. Any Exempt Property within Zone 218 is specifically excluded from the apportionment calculation and is exempt from assessment.

The Assessment Rate per Residential Parcel within Zone 218 is calculated by dividing the total Annual Balance to Levy by the total number of Assessable Residential Parcels within Zone 218, at buildout, to determine the Annual Assessment per Assessable Residential Parcel. The Annual Balance to Levy is the Total Annual Multi-purpose Trail and Street Lighting Costs as seen in Part III – Cost Estimate.

The Assessment for each Assessable Residential Parcel for FY 2022-2023 is calculated as follows:

$$\text{Annual Balance to Levy} / \text{Total number of Assessable Residential Parcels} \\ = \text{Annual Assessment per Assessable Residential Parcel.}$$

PART III – COST ESTIMATE

L&LMD NO. 89-1-C ZONE 218 (TR 33356) FOR FISCAL YEAR 2022-2023

Cost Description	Total Costs for Zone 218 ^{2,3}	Cost per Residential Parcel for Zone 218 ^{3,4}
Multi-purpose Trails	\$5,551	\$347
Annual Energy Charge of \$183 per Streetlight For 2 Streetlights – 8,000 Lumen 55 Watt LPSV¹	\$366	\$23
Maintenance Total	\$5917	\$370
Administrative Costs	\$167	\$10
Contingency	\$26	\$2
Total Annual Costs for Zone 218	\$6,110	\$382
Initial Maximum Assessment for Zone 218⁵	\$6,110	\$382

¹ LPSV mean Low Pressure Sodium Vapor.

² Projected base rates of services for Fiscal Year 2022-2023 were provided by the County of Riverside Transportation Department.

³ Total costs and cost per parcel rounded to whole dollars.

⁴ Based on projected 16 assessable residential parcels/lots.

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.



PART IV – ASSESSMENT DIAGRAM/BOUNDARY MAP

Part IV – Assessment Diagram/Boundary Map

Fiscal Year 2022-2023 L&LMD NO. 89-1-C ZONE 218

The Assessment Diagram/Boundary Map for Zone 218 by this reference is incorporated and made a part of this Report. Only the parcels identified within Zone 218 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 provided by the Riverside County Transportation Department.

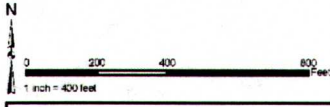
The Zone 218 Assessment Diagram/Boundary Map identifying the boundaries of parcels within TR 33356 in L&LMD No. 89-1-C Zone 218 is included in this Report for reference on the following page. For details concerning the lines and dimensions of the applicable Assessor's Parcel Numbers, refer to the County Assessor's Maps as of the date of this Report.

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1 CONSOLIDATED

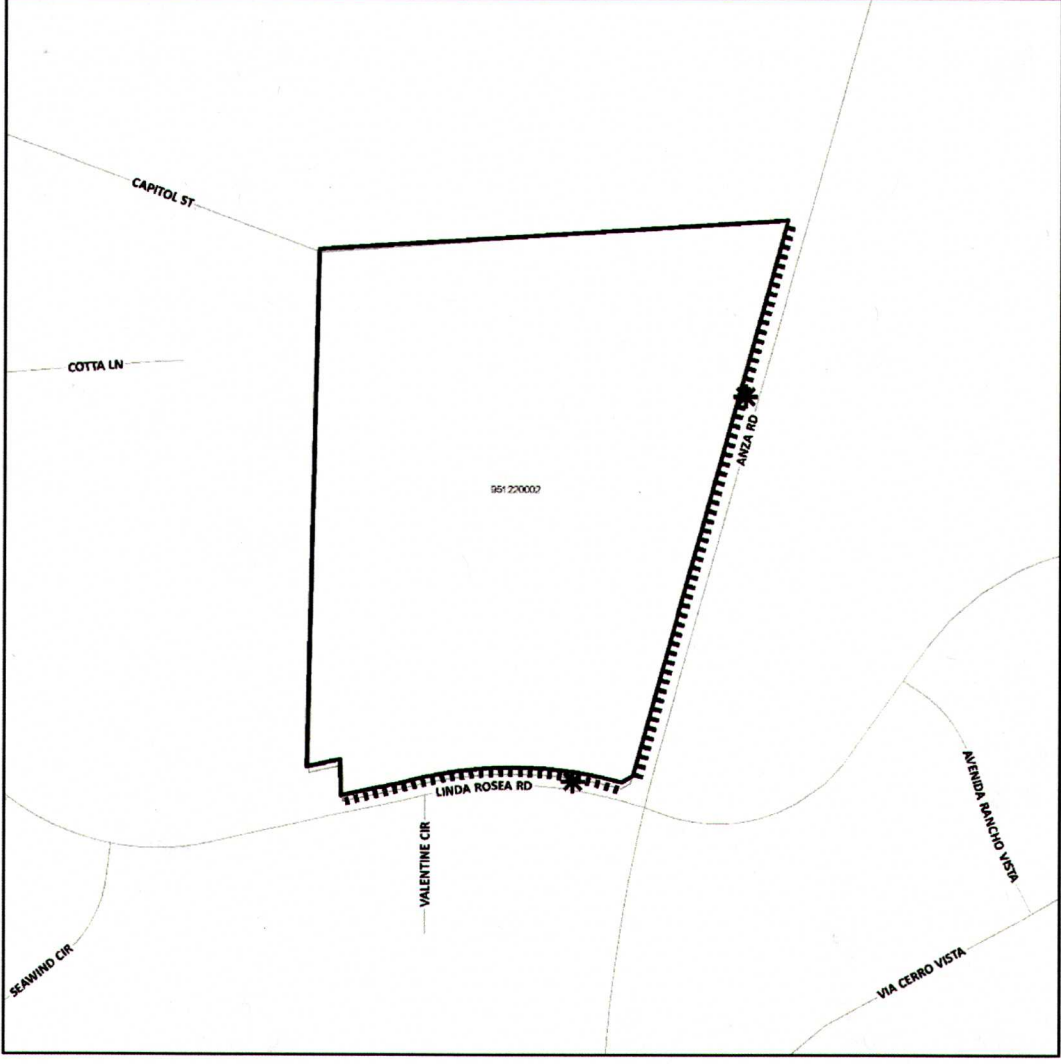
ZONE 218
 PORTION(S) OF SECTION 2, T.8S., R.2W.
 TRACT MAP NO. 33356
 16 PARCELS



The County of Riverside assumes no warranty or legal responsibility for the information contained on this map. Data and information represented on this map is subject to updates, modifications and may not be complete or appropriate for all purposes. County GIS and other sources should be queried for the most current information. Do not copy or reuse this map. Printed by Graphix on 4/12/2021



ASSESSMENT DIAGRAM



- DENOTES MAINTAINED MULTI-PURPOSE TRAIL
- * DENOTES MAINTAINED ROW STREETLIGHT
- ▭ DENOTES ZONE BOUNDARY

PART V – ASSESSMENT ROLL

Parcel identification for each lot/unit or parcel within Zone 218 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 Map(s). Zone 218 includes the following APN(s) as of the date of this Report:

951-220-002

The initial Maximum Assessment for Zone 218 is as follows:

**L&LMD NO. 89-1-C ZONE 218
(TR 33356)
PROPOSED FISCAL YEAR 2022-2023 MAXIMUM ASSESSMENT¹**

TR	Assessor Parcel Number/ Lot No.	Maximum Assessment
TR 33356	1 - 16	\$382
TR 33356	17 - 18	\$0

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 Proceeding

There is one entity which owns all of the property within the proposed boundaries of Zone 218. Said property owner has executed a "Waiver and Consent Regarding Date of Assessment Ballot Proceeding" allowing for the proceeding and public hearing to be held on October 5, 2021. A copy of said waiver is filed herewith and made a part hereof as seen on the following page.



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

WAIVER AND CONSENT REGARDING DATE OF
ASSESSMENT BALLOT PROCEEDING

The undersigned, an authorized representative of Sand Creek Development (the "Owner") owns property within the unincorporated area of the County of Riverside unincorporated area of the County of Riverside (the "County") represented by the following Assessor's Parcel Numbers for fiscal year 2022-23 (the "Property"): APN(s) 951-220-002.

The Owner has made application that the Property be annexed as Zone 218 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 proceeding required for annexation and the levy of an annual assessment must be held on an established mailed ballot proceeding date pursuant to Section 1500 of the Election Code; and
2. The Owner consents to the mailed assessment ballot proceeding with respect to the levy of an annual assessment on the Property being held on October 5, 2021

OWNER: Sand Creek Development
(Name of Company
as Stated in Initial Paragraph)

By: Angela D. Little
Signature

Name: Angela D. Little
Print

Title: General Partner