

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



**ITEM: 3.14
(ID # 18820)**

MEETING DATE:
Tuesday, May 17, 2022

FROM : OFFICE OF ECONOMIC DEVELOPMENT:

SUBJECT: OFFICE OF ECONOMIC DEVELOPMENT: Receive and File the Statement of the Election Official, Adopt Resolution No. 2022-084 Declaring the Results of a Consolidated Special Election, Introduce Ordinance No. 973, an Ordinance of the County of Riverside Authorizing the Levy of a Special Tax within Community Facilities District 22-2M (Mountains Edge) of the County of Riverside. 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. 22-2M (Mountains Edge) 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; and
2. Adopt Resolution No. 2022-084, a Resolution of the Board of Supervisors of the County of Riverside Declaring the Results of Consolidated Special Elections Within Community Facilities District No. 22-2M (Mountains Edge) of the County of Riverside; and

Continued on page 2

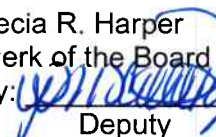
ACTION:Policy


Suzanne Holland, Director of Office of Economic Development 4/19/2022

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Perez and duly carried by unanimous vote, IT WAS ORDERED that the above 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: May 17, 2022
xc: O.E.D., COB, Recorder

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:

3. Introduce, read title, waive reading of, and adopt on successive weeks proposed Ordinance No. 973, an Ordinance of the County of Riverside Authorizing the Levy of a Special Tax within Community Facilities District No. 22-2M (Mountains Edge) 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.

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: N/A			Budget Adjustment: N/A	
			For Fiscal Year: 22/23	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The State Legislature enacted the Mello-Roos Community Facilities 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).

Cal Hearthstone Lot Option Pool 03, L.P., is the Developer of Tract 36430-2 and petitioned that the County of Riverside Office of Economic Development assist them in forming a district for the County of Riverside (County) to cover the costs associated with the maintenance of public improvements within the proposed district and has submitted an application and formation deposit. Subject to voter approval, a special tax shall be levied on each individual parcel located within the boundary of the proposed CFD to fund the costs associated with (i) Administration, inspection, and maintenance of all fossil filters, and related devices and structures as approved and accepted by the CFD. Administration includes, but is not limited to, quality control and assurance of inspections and maintenance, general contract management, scheduling of inspections and maintenance, and general oversight of all fossil filter operations. Inspection includes, but is not limited to, travel time, visual inspection process and procedures to ensure fossil filter functionality, Maintenance includes, but is not limited to, repair or replacement of any deficiencies noted during inspection, (ii) Street lighting maintenance, which includes energy charges, operation, maintenance, and administration of street lighting located within the designated boundaries of the CFD.

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

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

The property owner (Cal Hearthstone Lot Option Pool 03, L.P) of Tract Map No. 36430-2 has petitioned the County to include their property into proposed Community Facilities District 22-2M (Mountains Edge).

The boundaries of CFD No. 22-2M (Mountains Edge) will encompass the entire Tract Map No. 36430-2, which include 190 single family dwelling units, none of which are currently occupied.

On April 5, 2022 (Agenda item 3.15), the County of Riverside Board of Supervisors approved, Resolution No. 2022-082, 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 Lennar Homes of California, Inc. The Resolution also directed that the Board of Supervisors hold a public hearing and submit the formation of the proposed CFD 22-2M (Mountains Edge) to the landowners at a special election to be conducted by mailed ballot if a majority protest does not occur.

On May 10, 2022 (Agenda item 19.2), 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. 2022-083, a Resolution of the Board of Supervisors of the County of Riverside of Formation of Community Facilities District No. 22-2M (Mountains Edge) of the County of Riverside, Authorizing the Levy of a Special Tax within Said District to Pay for authorized maintenance of fossil filters and street lighting, 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 130 'YES' votes for Proposition A and Proposition B as described in Section 14 of Resolution No. 2022-083 (adopted on 5/10/2022). Adoption of proposed Resolution No. 2022-083, 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 22-2M (Mountains Edge). Proposed County Ordinance No. 973 would authorize and levy special taxes within the boundaries of Community Facilities District 22-2M (Mountains Edge).

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

Reference

The CFD 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 attached Recorded Boundary Map (inclusive of Tract Map No. 36430-2) 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 declining 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 ensure the infrastructure is maintained. This CFD does not propose to fund the repayment of any bonds or bond obligations and is solely for the purposes of funding the service and maintenance of Developer installed and County required infrastructure, finance authorized maintenance of fossil filters 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 2022-2023 as reflected in the Rate and Method of Apportionment will result in Special tax of \$176 per taxable Single-Family Property and \$1,467 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 up to 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 2021. 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. 2022-084
- Proposed Ordinance No. 973



Scott Brinkner 5/9/2022

FORM APPROVED COUNTY COUNSEL
BY KELLY MORAN 5/5/22 DATE

1 Board of Supervisors

County of Riverside

2
3 RESOLUTION NO. 2022-084

4 A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE
5 DECLARING THE RESULTS OF CONSOLIDATED SPECIAL ELECTIONS WITHIN COMMUNITY
6 FACILITIES DISTRICT NO. 22-2M (MOUNTAINS EDGE)
7 OF THE COUNTY OF RIVERSIDE

8
9 WHEREAS, on May 10, 2022 the Board of Supervisors (the "Board of Supervisors") of
10 the County of Riverside adopted Resolution No. 2022-083 forming Community Facilities District No. 22-
11 2M (Mountains Edge) of the County of Riverside (the "Community Facilities District") and calling a
12 special election for submitting to the voters propositions with respect to the levy of an annual special tax
13 within the Community Facilities District and establishing an appropriations limit for the Community
14 Facilities District; and

15 WHEREAS, the Board of Supervisors has received a statement from the Director of the
16 Office of Economic Development, who was appointed to serve as the election official of the election (the
17 "Election Official") pursuant to Resolution No. 2022-083, with respect to the canvass of the ballots
18 returned in and the results of the consolidated special elections, certifying that more than two-thirds of the
19 votes cast upon the propositions submitted to the voters within the Community Facilities District were
20 cast in favor of the propositions.

21 NOW, THEREFORE, BE IT RESOLVED, FOUND AND ORDERED by the Board of
22 Supervisors of the County of Riverside, in regular session assembled on May 17, 2022, as follows:

23 Section 1. All of the above recitals are true and correct.

24 Section 2. Findings. The Board of Supervisors finds that: (i) there were no persons
25 registered to vote within the boundaries of the Community Facilities District at the time of the close of the
26 public or protest hearing on May 10, 2022, and, pursuant to Section 53326 of the California Government
27 Code ("Section 53326"), the vote in the consolidated special elections for the Community Facilities
28 District was, therefore, to be by the landowners owning land within the Community Facilities District,

MAY 17 2022 3:14

1 with each landowner having one vote for each acre or portion of an acre of land that he or she owned
2 within the Community Facilities District which would have been subject to the special tax if levied at the
3 time of the consolidated special elections; (ii) pursuant to Section 53326 and Resolution No. 2022-083,
4 the Election Official caused the ballots for the consolidated special elections for the Community Facilities
5 District to be delivered to the owners of the property within the Community Facilities District (the
6 "Property Owners"); (iii) the Property Owners waived the time limits for holding the consolidated special
7 elections and the election dates specified in Section 53326, and consented to the calling and holding of the
8 consolidated special elections on May 10, 2022; (iv) the consolidated special elections have been properly
9 conducted in accordance with all statutory requirements and the provisions of Resolution No. 2022-083;
10 (v) pursuant to Section 53326, based on the acreage of their land ownership within the Community
11 Facilities District, the Property Owners, as the owners of all of the property within such Community
12 Facilities District, were entitled to 130 votes in the consolidated special elections; (vi) the ballots for the
13 consolidated special elections were returned by the Property Owners to the Election Official prior to 5:00
14 p.m. on May 10, 2022; (vii) the ballots returned to the Election Official by the Property Owners voted all
15 votes to which they were entitled in favor of all propositions set forth therein; (viii) more than two-thirds
16 of the votes cast in the consolidated special elections on each proposition were cast in favor thereof, and
17 pursuant to Section 53328 of the California Government Code, all such propositions carried; (ix) the
18 Board of Supervisors, as the legislative body of the Community Facilities District, is therefore authorized
19 to annually levy special taxes on taxable property in the Community Facilities District, in amounts
20 sufficient to fund, pay for, and finance authorized maintenance of fossil filters and streetlight services (as
21 specified and reflected in the Resolution of Intention, the Resolution of Formation, and the Rate and
22 Method of Apportionment of Special Tax) and to pay expenses incidental thereto and incidental to the
23 levy and collection of the special taxes, so long as the special taxes are needed to fund such services, at
24 the special tax rates and pursuant to the method of apportioning the special taxes set forth in Exhibit B to
25 Resolution No. 2022-082; and (x) an appropriations limit for the Community Facilities District has been
26 established in the amount of \$4,000,000.

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1 Section 3. Declaration of Results. All votes voted in the consolidated special elections on
2 (i) the proposition with respect to the annual levy of special taxes on taxable property within the
3 Community Facilities District, consistent with the Rate and Method of Apportionment, in amounts
4 sufficient to fund, pay for, and finance authorized maintenance of fossil filters and streetlight services and
5 to pay expenses incidental thereto and expenses incidental to the levy and collection of the special taxes,
6 so long as the special taxes are needed to fund such services; and (ii) the proposition with respect to
7 establishing an appropriations limit for the Community Facilities District in the amount of \$4,000,000;
8 were voted in favor thereof; and both such propositions carried.

9 Section 4. Effect of Elections. The effect of the results of the consolidated special
10 elections, as specified in Section 3 hereof, is that the Board of Supervisors, as the legislative body of the
11 Community Facilities District, is authorized to annually levy special taxes on taxable property within the
12 Community Facilities District in amounts sufficient to fund, pay for, and finance authorized maintenance
13 of fossil filters and streetlight services and to pay expenses incidental thereto and expenses incidental to
14 the levy and collection of the special taxes, so long as the special taxes are needed to fund such services in
15 accordance with the Rate and Method of Apportionment set forth in Exhibit B to Resolution No. 2022-
16 083 adopted by the Board of Supervisors on May 10, 2022; and that an appropriations limit of \$4,000,000
17 has been established for the Community Facilities District.

18 Section 5. Notice of Special Tax Lien. The Clerk is authorized and directed to record a
19 notice of special tax lien as provided in Section 53328.3 of the California Government Code and Section
20 3114.5 of the California Streets and Highways Code.

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ADOPTED this 17th day of May, 2022.


Chair of the Board of Supervisors

ATTEST:

Kecia R. Harper
Clerk of the Board of Supervisors

By: 
Deputy

ROLL CALL:

Ayes:	Jeffries, Spiegel, Washington, Perez and Hewitt
Nays:	None
Absent:	None

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.

Kecia R. Harper, Clerk of said Board

By 
Deputy

1
2
3 AN ORDINANCE OF THE COUNTY OF RIVERSIDE
4 AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN
5 COMMUNITY FACILITIES DISTRICT NO. 22-2M (MOUNTAINS EDGE)
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 April 5, 2022, the Board of Supervisors (the “Board of Supervisors”) of the County of
13 Riverside (the “County”) adopted Resolution No. 2022-082 (the “Resolution of Intention”), stating its
14 intention to establish a community facilities district proposed to be named Community Facilities District
15 No. 22-2M (Mountains Edge) of the County of Riverside (the “District”), and to authorize the levy of
16 special taxes to fund, pay for, and finance authorized administration, inspection, and maintenance of all
17 fossil filters and streetlights (as specified and reflected in the Resolution of Intention, the Resolution of
18 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 May 10, 2022 as the date for a public hearing to
21 be held on the establishment of the District.

22 b. On May 10, 2022, the Board of Supervisors opened, conducted and closed
23 said public hearing. At said public hearing, all persons desiring to be heard on all matters pertaining to
24 the proposed establishment of the District, the furnishing of the Services, and the proposed levy of an
25 annual special tax were heard. Written protests, if any, were received, and a full and fair hearing was
26 held.
27
28

1 c. Subsequent to said public hearing, the Board of Supervisors adopted
2 Resolution No. 2022-083 (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 May 10, 2022 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 May 10, 2022. Each of the propositions was approved by more
9 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 2022-2023 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 administration, inspection, and maintenance of all fossil filters and streetlights and
6 to pay expenses incidental thereto, so long as the special taxes are needed to fund such services; to
7 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 affect 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.

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EXHIBIT A
RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX FOR
COMMUNITY FACILITIES DISTRICT 22-2M (MOUNTAINS EDGE)
OF THE COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

A Special Tax (all capitalized terms are defined in Section A. Definitions, below) shall be applicable to each Parcel of Taxable Property located within the boundaries of Community Facilities District (CFD) 22-2M (Mountains Edge). The amount of Special Tax to be levied on a Parcel in each Fiscal Year, commencing in Fiscal Year 2022-2023, shall be determined by the Riverside County Board of Supervisors, acting in its capacity as the legislative body of the CFD by applying the appropriate Special Tax as set forth in Sections B., C., and D., below. All property within the CFD, unless exempted by law or by the provisions of Section E., below, shall be taxed for the purposes, to the extent, and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

“Accessory Dwelling Unit(s)” means a residential unit of limited size, as defined in California Government Code Section 65852.2 that shares an Assessor’s Parcel Number with Single-Family Property.

“Acre” or “Acreage” means the land area of a Parcel as shown on the most recent Assessor’s Parcel Map, or if the land area is not shown on the Assessor’s Parcel Map, the land area shown on the applicable Final Map, condominium plan, or other recorded County map. If the preceding maps are not available,

1 the Acreage of an Assessor's Parcel Number may be determined utilizing GIS. The square footage of a
2 Parcel is equal to the Acreage of such Parcel multiplied by 43,560.

3
4 **"Act"** means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5 of Part 1
5 of Division 2 of Title 5 of the Government Code of the State of California.

6
7 **"Administrative Expenses"** means all actual or reasonably estimated costs and expenses of the CFD that
8 are chargeable or allocable to carry out the duties of the Administrator of the CFD as allowed by the Act,
9 which shall include without limitation, all costs and expenses arising out of or resulting from the annual
10 levy and collection of the Special Tax (whether by the County or designee thereof, or both), any litigation
11 or appeal involving the CFD, and other administrative expenses of the County or designee thereof, or
12 both, directly related to the CFD. Administrative Expenses shall also include amounts estimated or
13 advanced by the County or CFD for attorney's fees and other costs related to commencing and pursuing
14 to completion any foreclosure as a result of delinquent Special Taxes.

15
16 **"Administrator"** means an official of the County, or designee thereof, responsible for determining the
17 Special Tax Requirement and providing for the levy and collection of the Special Taxes.

18
19 **"Approved Property"** means all Parcels of Taxable Property: (i) that are included in a Final Map that
20 was recorded prior to the January 1st preceding the Fiscal Year in which the Special Tax is being levied,
21 and (ii) that have not been issued a Building Permit(s) prior to the April 1st preceding the Fiscal Year in
22 which the Special Tax is being levied.

23
24 **"Assessor"** means the Assessor of the County.

25
26 **"Assessor's Parcel Map"** means an official map of the Assessor of the County designating a Parcel by an
27 Assessor's Parcel Number.

28

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

3
4 **“Board”** means Riverside County Board of Supervisors, acting in its capacity as the legislative body of
5 the CFD.

6
7 **“Boundary Map”** means a recorded map of the CFD which indicates by a boundary line the extent of the
8 territory within the CFD identified to be subject to the levy of Special Taxes.

9
10 **“Building Permit(s)”** means a legal document(s) issued by a local agency that allows for new vertical
11 construction of a building or buildings.

12
13 **“CFD”** means Community Facilities District 22-2M (Mountains Edge) of the County of Riverside.

14
15 **“Consumer Price Index”** means the cumulative percentage increase in the Consumer Price Index (CPI)
16 published by the U.S. Bureau of Labor Statistics for All Urban Consumers in the Riverside-San
17 Bernardino-Ontario Area, as it stands in March of each year over the base index as of 2021. In the event
18 this index ceases to be published, the Consumer Price Index shall be another index as determined by the
19 Administrator that is reasonably comparable to the Consumer Price Index for the Riverside-San
20 Bernardino-Ontario Area. In the event that the percentage change in the annualized CPI is negative, the
21 Special Tax shall not be decreased.

22
23 **“County”** means the County of Riverside, California.

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

1 “**Development Class**” means either Developed Property, Approved Property, Taxable Property Owner’s
2 Association Property, Taxable Public Property, or Undeveloped property.

3 “**Dwelling Unit(s)**” or “**(D/U)**” means a residential building(s) that is used or intended to be used as a
4 domicile by one or more persons, as determined by the Administrator. An Accessory Dwelling Unit shall
5 be considered a separate Taxable Unit for purposes of calculating the Special Tax.

6
7 “**Exempt Property**” means any Parcel which is exempt from Special Taxes pursuant to Section E.,
8 below.

9
10 “**Final Map**” means a subdivision of property by recordation of a tract map, parcel map or lot line
11 adjustment, pursuant to the Subdivision Map Act (California Government Code Section 66410 *et seq.*) or
12 recordation of a condominium plan pursuant to California Civil Code 4200 that creates individual lots for
13 which Building Permit(s) may be issued without further subdivision.

14
15 “**Fiscal Year**” means the 12-month period starting on July 1 of any calendar year and ending the
16 following June 30.

17
18 “**Maximum Special Tax**” means for each Parcel in each Fiscal Year, the greatest amount of Special Tax,
19 determined in accordance with Section C., below, which may be levied on such Parcel in each Fiscal
20 Year.

21
22 “**Multi-family Residential Property**” means all Parcels of Residential Property that consist of a two or
23 more buildings comprised of attached Dwelling Units available for rental by the general public, not for
24 sale to an end user, and under common management. An Accessory Dwelling Unit that may be rented
25 and under common management does not qualify as Multifamily Residential Property.

26
27 “**Non-Residential Property**” means all Parcels of Developed Property for which a Building Permit(s)
28 was issued permitting the construction of one or more non-residential structures.

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

4
5 **“Property Owner’s Association Property”** means all Parcels which have been conveyed, dedicated to,
6 or irrevocably offered for dedication to a home-owner’s association, condominium owner’s association or
7 any master or sub-association, prior to April 1st preceding the Fiscal Year in which the Special Tax is
8 being levied.

9
10 **“Proportionately”** means for each Parcel of Taxable Property that are Developed Property, Approved
11 Property, Taxable Property Owner’s Association Property, Taxable Public Property or Undeveloped
12 Property, that the ratio of the actual Special Tax levy to Maximum Special Tax is the same for all Parcels
13 assigned within each Development Class.

14
15 **“Public Property”** means all Parcels which, as of April 1st preceding the Fiscal Year in which the
16 Special Tax is being levied, are (i) used for rights-of-way or any other purpose and is owned by, dedicated
17 to, or irrevocably offered for dedication to the federal government, the State, the County, City or any
18 other public agency, provided, however, that any property leased by a public agency to a private entity
19 and subject to taxation under Section 53340.1 of the Act shall be taxed and classified according to its use;
20 or (ii) encumbered by an unmanned utility easement making impractical its utilization for other than the
21 purpose set forth in the easement.

22
23 **“Residential Property”** means all Parcels of Developed Property for which a Building Permit(s) has
24 been issued permitting the construction of one or more residential Dwelling Units. An Accessory
25 Dwelling Unit(s) that shares a Parcel shall be considered a separate Single-Family Property for the
26 purposes of the Special Tax.

27
28

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

3
4 **“Special Tax(es)”** means the amount to be levied in each Fiscal Year on each Parcel of Taxable Property
5 in accordance with Section D., below to fund the Special Tax Requirement.

6
7 **“Special Tax Requirement(s)”** means that amount required in any Fiscal Year to: (i) pay the estimated
8 cost of Special Tax Services such Fiscal Year as determined by the County; (ii) fund the Special Tax
9 Reserve Fund to the extent that the inclusion of such amount does not increase the Special Tax for
10 Undeveloped Property unless requested by the developer or the amount needed to fund the Special Tax
11 Reserve Fund up to the Special Tax Reserve Fund Requirement; (iii) pay Administrative Expenses; (iv)
12 pay any anticipated Special Tax delinquencies based on actual delinquencies from the prior Fiscal Year
13 outstanding at the time the annual Special Tax levy is determined; and (v) less a credit for funds available
14 to reduce the annual Special Tax levy at the sole discretion of the Administrator.

15
16 **“Special Tax Reserve Fund”** means an amount up to 150% of the anticipated annual cost of Special Tax
17 Services of \$33,440. The Special Tax Reserve Fund Requirement shall be increased annually,
18 commencing July 1, 2022, by the amount equal to the greater of two percent (2%) or up to the percentage
19 increase in the Consumer Price Index of the corresponding Maximum Special Tax in effect in the
20 previous Fiscal Year at the sole discretion of the Administrator.

21
22 **“Special Tax Services”** means (i) Administration, inspection, and maintenance of all fossil filters, and
23 related devices and structures as approved and accepted by the CFD. Administration includes, but is not
24 limited to, quality control and assurance of inspections and maintenance, general contract management,
25 scheduling of inspections and maintenance, and general oversight of all fossil filter operations. Inspection
26 includes, but is not limited to, travel time, visual inspection process and procedures to ensure fossil filter
27 functionality, Maintenance includes, but is not limited to, repair or replacement of any deficiencies noted

28

1 during inspection (ii) Street lighting maintenance, which includes energy charges, operation, maintenance,
2 and administration of street lighting located within and/or surrounding the CFD.

3
4 **“State”** means the State of California.

5
6 **“Taxable Property”** means all Parcels within the boundary of the CFD pursuant to the Boundary Map
7 which are not exempt from the Special Tax pursuant to Section E., below.

8
9 **“Taxable Property Owner’s Association Property”** means all Parcels of Property Owner’s Association
10 Property that satisfies both of the following conditions: (i) based on reference to the maps used during the
11 formation of the district, the Parcel was not anticipated to be Property Owner’s Association Property, as
12 determined by the Administrator, and (ii) if the Parcel were to be exempt from the Special Tax because it
13 is Property Owner’s Association Property, the County has determined that there would be a reduction in
14 Special Tax revenues that would create a deficit in funding the Special Tax Requirement.

15
16 **“Taxable Public Property”** means all Parcels of Public Property that satisfies both of the following
17 conditions: (i) based on reference to the maps used during the formation of the district, the Parcel was not
18 anticipated to be Public Property, as determined by the Administrator, and (ii) if the Parcel were to be
19 exempt from the Special Tax because it is Public Property, the County has determined that there would be
20 a reduction in Special Tax revenues that would create a deficit in funding the Special Tax Requirement.

21
22 **“Taxable Unit”** means either a Dwelling Unit(s) or an Acre. An Accessory Dwelling Unit on a Parcel
23 shall be considered a separate Taxable Unit for purposes of calculating the Special Tax.

24
25 **“Undeveloped Property”** means all Parcels of Taxable Property not classified as Developed Property,
26 Approved Property, Taxable Property Owner’s Association Property or Taxable Public Property.

27
28

1 **B. ASSIGNMENT TO DEVELOPMENT CLASS**

2
3 Each Fiscal Year, commencing with Fiscal Year 2022-2023, all Parcels of Taxable Property shall be
4 classified as either Developed Property, Approved Property, Taxable Property Owner's Association
5 Property, Taxable Public Property, or Undeveloped Property, and subject to the levy of Special Taxes in
6 accordance with this Rate and Method of Apportionment as determined pursuant to Sections C. and D.,
7 below.

8
9 Parcels of Developed Property shall further be classified as Residential Property or Non-Residential
10 Property. Parcels of Residential Property shall further be classified as Single-Family Property or Multi-
11 family Residential Property.

12
13 **C. MAXIMUM SPECIAL TAX RATES**

14
15 **1. Developed Property**

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

**Maximum Special Tax Rates for Developed
Property for Fiscal Year 2021-2022**

Description	Taxable Unit Per	Maximum Special Tax Per Taxable Unit
Single-Family Property	D/U	\$176
Multi-family Residential Property	Acre	\$1,467
Non-Residential Property	Acre	\$1,467

(a) Increase in the Maximum Special Tax

On each July 1, the Maximum Special Tax identified in Tables 1 and Table 2 above, shall be increased annually, commencing July 1, 2022, by the amount equal to the greater of two percent (2%) or up to the percentage increase in the Consumer Price Index of the corresponding Maximum Special Tax in effect in the previous Fiscal Year at the sole discretion of the Administrator.

(b) Multiple Development Classes

In some instances, a Parcel of Developed Property may contain more than one Development Class. The Maximum Special Tax that may be levied on such Parcel shall be the sum of the Maximum Special Tax that can be levied for each Development Class located on that Parcel. For a Parcel that contains two or more different Development Classes, the Acreage of such Parcel shall be allocated to each type of property based on the amount of Acreage designated for each land use as

1 determined by reference to the site plan approved for such Parcel. The Administrator's allocation
2 to each Development Class shall be final.

3
4 Once a Maximum Special Tax has been assigned to a Parcel of Developed Property, the Maximum
5 Special Tax shall not be reduced in future Fiscal Years regardless of changes in Development
6 Class, Square Footage, or Acreage, unless a reduction in the Maximum Special Tax is approved
7 by the Board for the entire CFD.

8
9 (c) Accessory Dwelling Unit(s)

10
11 Where an Accessory Dwelling Unit(s) is on the same Assessor Parcel Number as another Taxable
12 Unit, the Accessory Dwelling Unit(s) is considered a separate Taxable Unit that will be added to
13 the calculation of the Maximum Special Tax for a Parcel.

14
15 **2. Approved Property**

16
17 The Maximum Special Tax for each Parcel of Approved Property shall be equal to the product of
18 the applicable Undeveloped Property Maximum Special Tax per Acre times the Acreage of such
19 Parcel; provided, however, for a Parcel of Approved Property that is expected to become Single-
20 Family Property as reasonably determined by the Administrator based on the Final Map for such
21 Parcel, the Maximum Special Tax for such Parcel of Approved Property shall be calculated
22 pursuant to Section C.1., as if such Parcel were already designated as Developed Property and
23 classified as Single-Family Property.

24
25 The Maximum Special Tax for Approved Property shall be increased annually, commencing July
26 1, 2022, by the amount equal to the greater of two percent (2%) or up to the percentage increase in
27 the Consumer Price Index of the corresponding Maximum Special Tax in effect in the previous
28 Fiscal Year at the sole discretion of the Administrator.

1 **3. Taxable Property Owner’s Association Property and Taxable Public Property**

2
3 The Maximum Special Tax for each Parcel of Taxable Property Owner’s Association Property or
4 Taxable Public Property shall be equal to the product of the applicable Undeveloped Property
5 Maximum Special Tax per Acre times the Acreage of such Parcel.

6
7 The Maximum Special Tax for Taxable Property Owner’s Association Property and Taxable
8 Public Property shall be increased annually, commencing July 1, 2022, by the amount equal to the
9 greater of two percent (2%) or up to the percentage increase in the Consumer Price Index of the
10 corresponding Maximum Special Tax in effect in the previous Fiscal Year at the sole discretion of
11 the Administrator.

12
13 **4. Undeveloped Property**

14
15 The Maximum Special Tax that may be levied and escalated for each Parcel classified as
16 Undeveloped Property is shown in Table 1 for each Parcel shall be \$1,467.00 per Acre.

17
18 The Maximum Special Tax for Undeveloped Property shall be increased annually, commencing
19 July 1, 2022, by the amount equal to the greater of two percent (2%) or up to the percentage
20 increase in the Consumer Price Index of the corresponding Maximum Special Tax in effect in the
21 previous Fiscal Year at the sole discretion of the Administrator.

22
23 **5. Public Property and/or Property Owner’s Association Property**

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

28

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

2
3 Commencing with Fiscal Year 2022-2023 and for each following Fiscal Year, the Administrator
4 shall levy the Special Tax on all Taxable Property until the amount of Special Tax equals the
5 Special Tax Requirement in accordance with the following steps:

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

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

14
15 Third: If additional moneys are needed to satisfy the Special Tax Requirement after the first two
16 steps have been completed, the Special Tax shall be levied Proportionately on each Parcel of
17 Taxable Property Owner's Associations Property up to 100% of the applicable Maximum Special
18 Tax for Taxable Property Owner's Association.

19
20 Fourth: If additional moneys are needed to satisfy the Special Tax requirement after the first three
21 steps have been completed, the Special Tax shall be levied Proportionately on each Parcel of
22 Taxable Public Property at up to 100% of the applicable Maximum Special Tax for Taxable Public
23 Property.

24
25 Fifth: If additional moneys are needed to satisfy the Special Tax Requirement after the first four
26 steps have been completed, the Special Tax shall be levied Proportionately on each Parcel of
27 Undeveloped Property at up to 100% of the applicable Maximum Special Tax for Undeveloped
28 Property.

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

6
7 **E. EXEMPTIONS**
8

9 The CFD shall not levy Special Taxes on Property Owner's Association Property (except Taxable
10 Property Owner's Association Property) or Public Property (except Taxable Public Property) within the
11 CFD.

12
13 **F. MANNER OF COLLECTION**
14

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

21
22 **G. APPEALS**
23

24 Any taxpayer may file a written appeal of the Special Tax on his/her Parcel(s) with the Administrator,
25 provided that the appellant is current in his/her payments of Special Taxes. During pendency of an
26 appeal, all Special Taxes must be paid on or before the payment due date established when the levy was
27 made. The appeal must specify the reasons why the appellant claims the Special Tax is in error. The
28 Administrator shall review the appeal, meet with the appellant if the Administrator deems necessary, and

1 advise the appellant of its determination. If the Administrator agrees with the appellant, the Administrator
2 shall grant a credit to eliminate or reduce future Special Taxes on the appellant's Parcel(s). No refunds of
3 previously paid Special Taxes shall be made. The Administrator shall interpret this Rate and Method of
4 Apportionment and make determinations relative to the annual levy and administration of the Special Tax
5 and any taxpayer who appeals, as herein specified.

6
7 **H. PREPAYMENT OF SPECIAL TAX**

8
9 The Special Tax may not be prepaid.

10
11 **I. TERM OF THE SPECIAL TAX**

12
13 The Special Tax shall be levied annually in perpetuity unless terminated earlier by the County.
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RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Clerk of the Board of Supervisors
Riverside County
Office of Economic Development
Attn: Leni Zarate
3403 10th Street, Ste. 400
Riverside, CA 92501

COPY

NOTICE OF SPECIAL TAX LIEN

**COUNTY OF RIVERSIDE COMMUNITY FACILITIES DISTRICT NO. 22-2M
(Mountains Edge)**

Pursuant to the requirements of Section 3114.5 of the California Streets and Highways Code and the Mello-Roos Community Facilities Act of 1982, as amended, commencing with Section 53311 of the California Government Code (the "Act"), the undersigned Clerk of the Board of Supervisors, County of Riverside, State of California, hereby gives notice (the "Notice") of the foregoing and that a lien to secure payment of a special tax is hereby imposed by the Board of Supervisors of the County of Riverside, State of California. The special tax secured by this lien is authorized to be levied for the purpose of providing the services, including incidental expenses, described in Exhibit A attached hereto and incorporated by this reference herein.

The special tax is authorized to be levied within the County of Riverside Community Facilities District No. 22-2M (Mountains Edge) (the "District"), which has now been officially formed and the lien of special tax is a continuing lien which shall secure each annual levy of the special tax and which shall continue in force and effect until the special tax ceases to be levied and a notice of cessation of special tax is recorded in accordance with the Section 53330.5 of the Act.

The rate, method of apportionment, and manner of collection of the authorized special tax are as set forth in the rate and method of apportionment of the special tax (the "Rate and Method") attached hereto as Exhibit B and by this reference incorporated herein. The Rate and Method does not provide for prepayment of the special tax obligation.

Notice is further given that upon the recording of this Notice in the office of the County Recorder of the County of Riverside, the obligation to pay the special tax levy shall become a lien upon all nonexempt real property within the District, in accordance with Section 3115.5 of the California Streets and Highways Code.

The names of the owners and the assessor's tax parcel numbers of the real property included within the District are as set forth in Exhibit C attached hereto and by this reference made a part hereof.

MAY 17 2022 B.14

Reference is made to the boundary map of the District recorded on April 7, 2022 in Book 88 of Maps of Assessment and Community Facilities Districts at Page 63 in the office of the County Recorder for the County of Riverside, State of California, as Document # 2022-0166475 which map is the final boundary map of the District.

For further information concerning the current and estimated future tax liability of owners or purchasers of real property subject to this special tax lien, interested persons should contact the Maintenance CFD Administrator at the County of Riverside Office of Economic Development, 3403 10th Street, Suite 400, Riverside, CA 92501, phone 951-955-3212.

Dated: May 17, 2022

By: 
Clerk of the Board of Supervisors

EXHIBIT A

DESCRIPTION OF SERVICES

The services (the "Services") described below are proposed to be financed by County of Riverside Community Facilities District No. 22-2M (Mountains Edge) (the "CFD"):

- (i) Administration, inspection, and maintenance of all fossil filters, and related devices and structures as approved and accepted by the CFD. Administration includes, but is not limited to, quality control and assurance of inspections and maintenance, general contract management, scheduling of inspections and maintenance, and general oversight of all fossil filter operations. Inspection includes, but is not limited to, travel time, visual inspection process and procedures to ensure fossil filter functionality, Maintenance includes, but is not limited to, repair or replacement of any deficiencies noted during inspection,
- (ii) Street lighting maintenance, which includes energy charges, operation, maintenance, and administration of street lighting located within the surrounding area of the Community Facilities District; and

Incidental Expenses

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

EXHIBIT B

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT 22-2M (MOUNTAINS EDGE) OF THE COUNTY OF RIVERSIDE STATE OF CALIFORNIA

A Special Tax (all capitalized terms are defined in Section A. Definitions, below) shall be applicable to each Parcel of Taxable Property located within the boundaries of Community Facilities District (CFD) 22-2M (Mountains Edge). The amount of Special Tax to be levied on a Parcel in each Fiscal Year, commencing in Fiscal Year 2022-2023, shall be determined by the Riverside County Board of Supervisors, acting in its capacity as the legislative body of the CFD by applying the appropriate Special Tax as set forth in Sections B., C., and D., below. All property within the CFD, unless exempted by law or by the provisions of Section E., below, shall be taxed for the purposes, to the extent, and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

“Accessory Dwelling Unit(s)” means a residential unit of limited size, as defined in California Government Code Section 65852.2 that shares an Assessor’s Parcel Number with Single-Family Property.

“Acre” or **“Acreage”** means the land area of a Parcel as shown on the most recent Assessor’s Parcel Map, or if the land area is not shown on the Assessor’s Parcel Map, the land area shown on the applicable Final Map, condominium plan, or other recorded County map. If the preceding maps are not available, the Acreage of an Assessor’s Parcel Number may be determined utilizing GIS. The square footage of a Parcel is equal to the Acreage of such Parcel multiplied by 43,560.

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

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

estimated or advanced by the County or CFD for attorney's fees and other costs related to commencing and pursuing to completion any foreclosure as a result of delinquent Special Taxes.

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

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

"Assessor" means the Assessor of the County.

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

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

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

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

"Building Permit(s)" means a legal document(s) issued by a local agency that allows for new vertical construction of a building or buildings.

"CFD" means Community Facilities District 22-2M (Mountains Edge) of the County of Riverside.

"Consumer Price Index" means the cumulative percentage increase in the Consumer Price Index (CPI) published by the U.S. Bureau of Labor Statistics for All Urban Consumers in the Riverside-San Bernardino-Ontario Area, as it stands in March of each year over the base index as of 2021. In the event this index ceases to be published, the Consumer Price Index shall be another index as determined by the Administrator that is reasonably comparable to the Consumer Price Index for the Riverside-San Bernardino-Ontario Area. In the event that the percentage change in the annualized CPI is negative, the Special Tax shall not be decreased.

"County" means the County of Riverside, California.

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

“Development Class” means either Developed Property, Approved Property, Taxable Property Owner’s Association Property, Taxable Public Property, or Undeveloped property.

“Dwelling Unit(s)” or “(D/U)” means a residential building(s) that is used or intended to be used as a domicile by one or more persons, as determined by the Administrator. An Accessory Dwelling Unit shall be considered a separate Taxable Unit for purposes of calculating the Special Tax.

“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 creates individual lots for which Building Permit(s) may be issued without further subdivision.

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

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

“Multi-family Residential Property” means all Parcels of Residential Property that consist of a two or more buildings comprised of attached Dwelling Units available for rental by the general public, not for sale to an end user, and under common management. An Accessory Dwelling Unit that may be rented and under common management does not qualify as Multifamily Residential Property.

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

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

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

“Proportionately” means for each Parcel of Taxable Property that are Developed Property, Approved Property, Taxable Property Owner’s Association Property, Taxable Public Property or Undeveloped Property, that the ratio of the actual Special Tax levy to Maximum Special Tax is the same for all Parcels assigned within each Development Class.

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

“Residential Property” means all Parcels of Developed Property for which a Building Permit(s) has been issued permitting the construction of one or more residential Dwelling Units. An Accessory Dwelling Unit(s) that shares a Parcel shall be considered a separate Single-Family Property for the purposes of the Special Tax.

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

“Special Tax(es)” means the amount to be levied in each Fiscal Year on each Parcel of Taxable Property in accordance with Section D., below to fund the Special Tax Requirement.

“Special Tax Requirement(s)” means that amount required in any Fiscal Year to: (i) pay the estimated cost of Special Tax Services such Fiscal Year as determined by the County; (ii) fund the Special Tax Reserve Fund to the extent that the inclusion of such amount does not increase the Special Tax for Undeveloped Property unless requested by the developer or the amount needed to fund the Special Tax Reserve Fund up to the Special Tax Reserve Fund Requirement; (iii) pay Administrative Expenses; (iv) pay any 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 at the sole discretion of the Administrator.

“Special Tax Reserve Fund” means an amount up to 150% of the anticipated annual cost of Special Tax Services of \$33,440. The Special Tax Reserve Fund Requirement shall be increased annually, commencing July 1, 2022, by the amount equal to the greater

of two percent (2%) or up to the percentage increase in the Consumer Price Index of the corresponding Maximum Special Tax in effect in the previous Fiscal Year at the sole discretion of the Administrator.

“Special Tax Services” means (i) Administration, inspection, and maintenance of all fossil filters, and related devices and structures as approved and accepted by the CFD. Administration includes, but is not limited to, quality control and assurance of inspections and maintenance, general contract management, scheduling of inspections and maintenance, and general oversight of all fossil filter operations. Inspection includes, but is not limited to, travel time, visual inspection process and procedures to ensure fossil filter functionality, Maintenance includes, but is not limited to, repair or replacement of any deficiencies noted during inspection (ii) Street lighting maintenance, which includes energy charges, operation, maintenance, and administration of street lighting located within and/or surrounding the CFD.

“State” means the State of California.

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

“Taxable Property Owner’s Association Property” means all Parcels of Property Owner’s Association Property that satisfies both of the following conditions: (i) based on reference to the maps used during the formation of the district, the Parcel was not anticipated to be Property Owner’s Association Property, as determined by the Administrator, and (ii) if the Parcel were to be exempt from the Special Tax because it is Property Owner’s Association Property, the County has determined that there would be a reduction in Special Tax revenues that would create a deficit in funding the Special Tax Requirement.

“Taxable Public Property” means all Parcels of Public Property that satisfies both of the following conditions: (i) based on reference to the maps used during the formation of the district, the Parcel was not anticipated to be Public Property, as determined by the Administrator, and (ii) if the Parcel were to be exempt from the Special Tax because it is Public Property, the County has determined that there would be a reduction in Special Tax revenues that would create a deficit in funding the Special Tax Requirement.

“Taxable Unit” means either a Dwelling Unit(s) or an Acre. An Accessory Dwelling Unit on a Parcel shall be considered a separate Taxable Unit for purposes of calculating the Special Tax.

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

B. ASSIGNMENT TO DEVELOPMENT CLASS

Each Fiscal Year, commencing with Fiscal Year 2022-2023, all Parcels of Taxable Property shall be classified as either Developed Property, Approved Property, Taxable Property Owner's Association Property, Taxable Public Property, or Undeveloped Property, and subject to the levy of Special Taxes in accordance with this Rate and Method of Apportionment as determined pursuant to Sections C. and D., below.

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

C. MAXIMUM SPECIAL TAX RATES

1. Developed Property

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

**TABLE 1
Maximum Special Tax Rates for Developed
Property for Fiscal Year 2021-2022**

Description	Taxable Unit Per	Maximum Special Tax Per Taxable Unit
Single-Family Property	D/U	\$176
Multi-family Residential Property	Acre	\$1,467
Non-Residential Property	Acre	\$1,467

(a) Increase in the Maximum Special Tax

On each July 1, the Maximum Special Tax identified in Tables 1 and Table 2 above, shall be increased annually, commencing July 1, 2022, by the amount equal to the greater of two percent (2%) or up to the percentage increase in the Consumer Price Index of the corresponding Maximum Special Tax in effect in the previous Fiscal Year at the sole discretion of the Administrator.

(b) Multiple Development Classes

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

Once a Maximum Special Tax has been assigned to a Parcel of Developed Property, the Maximum Special Tax shall not be reduced in future Fiscal Years regardless of changes in Development Class, Square Footage, or Acreage, unless a reduction in the Maximum Special Tax is approved by the Board for the entire CFD.

(c) Accessory Dwelling Unit(s)

Where an Accessory Dwelling Unit(s) is on the same Assessor Parcel Number as another Taxable Unit, the Accessory Dwelling Unit(s) is considered a separate Taxable Unit that will be added to the calculation of the Maximum Special Tax for a Parcel.

2. Approved Property

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

The Maximum Special Tax for Approved Property shall be increased annually, commencing July 1, 2022, by the amount equal to the greater of two percent (2%) or up to the percentage increase in the Consumer Price Index of the corresponding Maximum Special Tax in effect in the previous Fiscal Year at the sole discretion of the Administrator.

3. Taxable Property Owner's Association Property and Taxable Public Property

The Maximum Special Tax for each Parcel of Taxable Property Owner's Association Property or Taxable Public Property shall be equal to the product of the applicable Undeveloped Property Maximum Special Tax per Acre times the Acreage of such Parcel.

The Maximum Special Tax for Taxable Property Owner's Association Property and Taxable Public Property shall be increased annually, commencing July 1, 2022, by the amount equal to the greater of two percent (2%) or up to the percentage increase in the Consumer Price Index of the corresponding Maximum Special Tax in effect in the previous Fiscal Year at the sole discretion of the Administrator.

4. Undeveloped Property

The Maximum Special Tax that may be levied and escalated for each Parcel classified as Undeveloped Property is shown in Table 1 for each Parcel shall be \$1,467.00 per Acre.

The Maximum Special Tax for Undeveloped Property shall be increased annually, commencing July 1, 2022, by the amount equal to the greater of two percent (2%) or up to the percentage increase in the Consumer Price Index of the corresponding Maximum Special Tax in effect in the previous Fiscal Year at the sole discretion of the Administrator.

5. Public Property and/or Property Owner's Association Property

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

D. METHOD OF APPORTIONMENT OF THE SPECIAL TAX

Commencing with Fiscal Year 2022-2023 and for each following Fiscal Year, the Administrator shall levy the Special Tax on all Taxable Property until the amount of Special Tax equals the Special Tax Requirement in accordance with the following steps:

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

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

Third: If additional moneys are needed to satisfy the Special Tax Requirement after the first two steps have been completed, the Special Tax shall be levied Proportionately on each Parcel of Taxable Property Owner's Associations Property

up to 100% of the applicable Maximum Special Tax for Taxable Property Owner's Association.

Fourth: If additional moneys are needed to satisfy the Special Tax requirement after the first three steps have been completed, the Special Tax shall be levied Proportionately on each Parcel of Taxable Public Property at up to 100% of the applicable Maximum Special Tax for Taxable Public Property.

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

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

E. EXEMPTIONS

The CFD shall not levy Special Taxes on Property Owner's Association Property (except Taxable Property Owner's Association Property) or Public Property (except Taxable Public Property) within the CFD.

F. MANNER OF COLLECTION

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

G. APPEALS

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

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

H. PREPAYMENT OF SPECIAL TAX

The Special Tax may not be prepaid.

I. TERM OF THE SPECIAL TAX

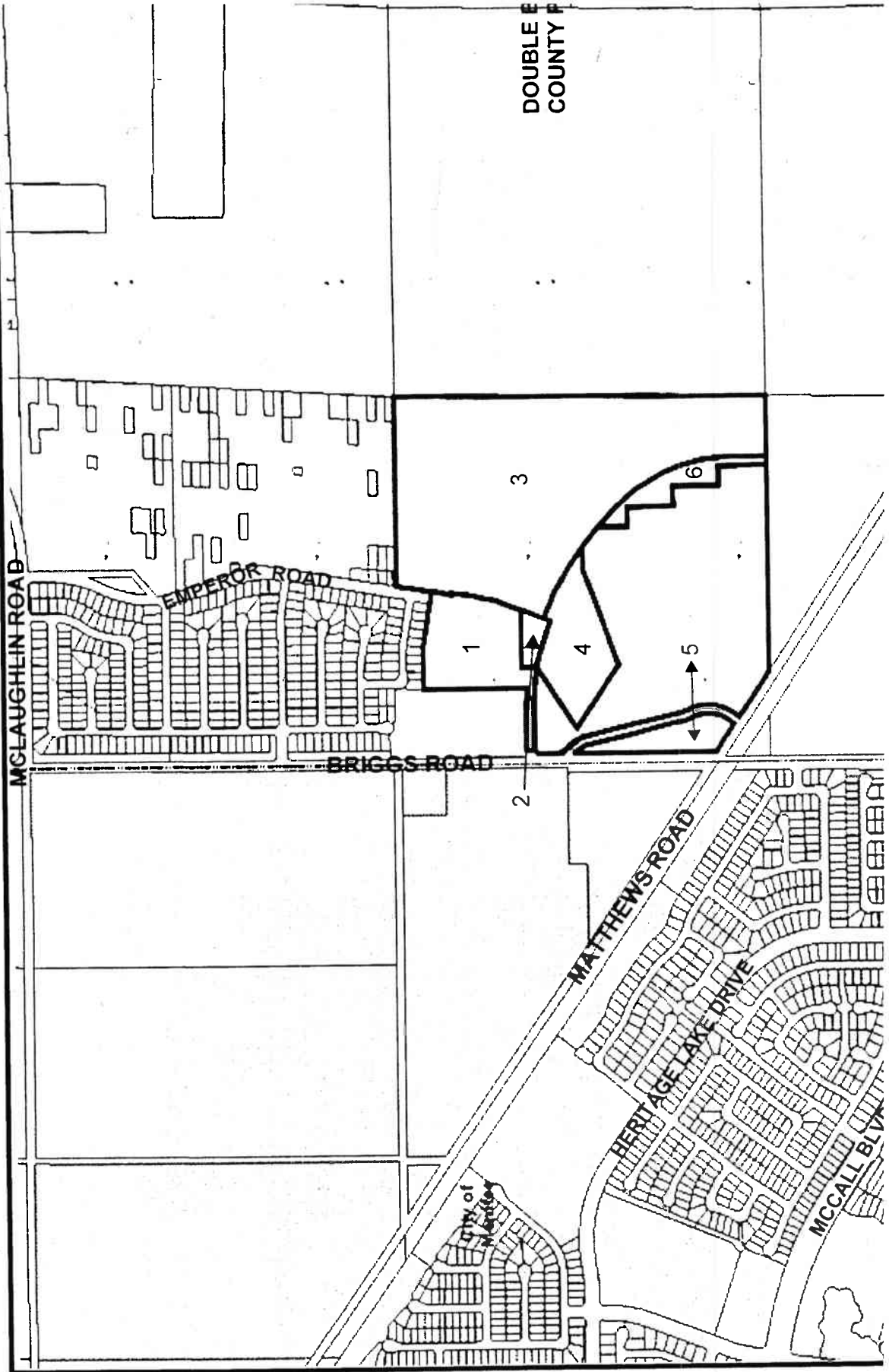
The Special Tax shall be levied annually in perpetuity unless terminated earlier by the County.

EXHIBIT C

**NAMES OF THE OWNERS AND ASSESSOR'S PARCEL NUMBERS
OF THE REAL PROPERTY WITHIN DISTRICT**

Owner: Cal Hearthstone Lot Option Pool 03, L.P	
Assessor Parcel Numbers	
461020034-2	461020042-9
461020038-6	461020043-0
461020041-8	461020044-1

PROPOSED BOUNDARY
COMMUNITY FACILITIES DISTRICT 22-2M (MOUN
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
N 1/2 OF SEC. 19, T. 5S., R. 2W.



THE PRESS-ENTERPRISE

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951-368-9018 FAX

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Ad Desc.: A7K12DCFDDAJTTXZW9L9-1 / NOI - Summary of Ordinance No. 973

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:

05/18/2022

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

Date: May 18, 2022
At: Riverside, California



Legal Advertising Representative, The Press-Enterprise

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

Ad Number: 0011535357-03

P.O. Number: NOI - Summary of Ordinance No. 973

Ad Copy:

RIVERSIDE COUNTY BOARD OF SUPERVISORS

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, May 24, 2022 at 9:30 a.m.**, or as soon as possible thereafter, to consider adoption of the following Ordinance:

SUMMARY OF ORDINANCE NO. 973 AN ORDINANCE OF THE COUNTY OF RIVERSIDE AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 22-2M (MOUNTAINS EDGE) 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. 973 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 April 5, 2022, the Board of Supervisors (the "Board of Supervisors") of the County of Riverside adopted Resolution No. 2022-082, stating its intention to establish a community facilities district proposed to be named Community Facilities District No. 22-2M (Mountains Edge) of the County of Riverside (the "District"), and to authorize the levy of special taxes to fund, pay for, and finance authorized administration, inspection, and maintenance of all fossil filters and streetlights (as specified and reflected in the Resolution of Intention, the Resolution of Formation, and the Rate and Method of Apportionment of Special Tax) (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. 973 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 May 10, 2022, regarding the proposed levy of special taxes. Ordinance No. 973 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. 973 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. 973 is the rate and method approved by voters within the District and as further reflected in Exhibit A "Rate and Method" to Ordinance No. 973. 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. 973 takes effect immediately upon its adoption in accordance with section 25123(c) of the Government Code.

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

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.

Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Clerk of the Board at (951) 955-1069, at least 72 hours prior to the meeting.

Dated: May 9, 2022
Kecia R. Harper, Clerk of the Board
By: Zuly Martinez, Board Assistant
The Press-Enterprise
Published: 5/18/22

GED
5/17/22
Item 3.14