

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



**ITEM: 3.17  
(ID # 18937)**

**MEETING DATE:**

Tuesday, May 24, 2022

**FROM :** OFFICE OF ECONOMIC DEVELOPMENT:

**SUBJECT:** OFFICE OF ECONOMIC DEVELOPMENT: Community Facilities District No. 20-2M (Prairie Crossing) Improvement Area B of the County of Riverside; Adoption of Ordinance No. 964.1, an Ordinance of the County of Riverside Authorizing the Levy of a Special Tax Within Community Facilities District No. 20-2M (Prairie Crossing) Improvement Area B District 3. [\$50,181 On-going Cost; 100% CFD No. 20-2M (Prairie Crossing) Improvement Area B] (Clerk to file Notice of Exemption; Clerk to Publish and Post) (CEQA Exempt)

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Find that the adoption of Ordinance No. 964.1 is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15378, Section 15301 (Existing Facilities), and Section 15061(b)(3) (the Common Sense Exemption); and
2. Waive reading and Adopt Ordinance No. 964.1, authorizing the Levy of a Special Tax within Community Facilities District No. 20-2M (Prairie Crossing) Improvement Area B of the County of Riverside; and
3. Direct the Clerk of the Board to file a Notice of Exemption with the County Clerk for posting upon approval; and

**ACTION:Policy**

  
Suzanne Holland, Director of Office of Economic Development 5/4/2022

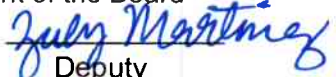
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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Spiegel, seconded by Supervisor Perez and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended and Ordinance 964.1 is adopted with waiver of the reading.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt  
Nays: None  
Absent: None  
Date: May 24, 2022  
xc: O.E.D, MC, Recorder, COBAB

Kecia R. Harper  
Clerk of the Board

By:   
Deputy

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4. Direct the Clerk of the Board to publish a summary and post a copy of Ordinance No. 964.1 pursuant to Government Code Section 25124.

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 0	\$50,181	\$ 0	\$50,181
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS:</b> CFD 20-2M (Prairie Crossing) Improvement Area B 100%			<b>Budget Adjustment:</b> N/A	
			<b>For Fiscal Year:</b> 22/23	

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

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

D.R. Horton Los Angeles Holding Company, Inc. is the Developer of Tract 31633 and petitioned the Riverside County Office of Economic Development to assist them in amending the Rate and Method Apportionment of Improvement Area B to cover the costs associated with the maintenance of public improvements within the district. The boundaries of CFD No. 20-2M (Prairie Crossing) Improvement Area B will encompass the entire Tract Map No. 31633, which is projected to include 129 assessable single-family dwelling units.

As approved by voters, a special tax is to be levied on each individual parcel located within the boundary of the CFD to fund the costs associated with administration, inspection, and maintenance of all stormwater facilities and BMPs, including water quality basins, fossil filters, basin forebays and all other NPDES/WQMP/BMP-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 NPDES/WQMP/BMP operations. Inspection includes, but is not limited to, travel time, visual inspection process and procedures for functionality, GPS location recording, assurance of proper vegetation, functioning irrigation, and citing operational or structural deficiencies, erosion, trash, silt, and sediment build-up. Maintenance includes, but is not limited to, repair or replacement of any deficiencies noted during inspection, weed control and abatement, trash removal, and healthy upkeep of required plant materials within Improvement Area B (ii) Street lighting maintenance, which includes energy charges, operation, maintenance, and administration of street lighting located within the surrounding area of Improvement Area B. (iii) Traffic signal maintenance including energy charges, operation, maintenance, and administrative costs of traffic signal within the CFD.

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

On January 12, 2021, the County of Riverside Board of Supervisors approved Resolution No. 2021-016, a resolution of intention as the initial step for forming the CFD and declared the intention of the Board of Supervisors as required by the Mello-Roos Act of 1982 to levy a special tax to fund the service and maintenance functions requested by the Developer.

On March 2, 2021, the County of Riverside Board of Supervisors held a public hearing to receive public comments and conduct a majority protest hearing concerning the establishment of the CFD and the levy of the special tax. At the conclusion of the public hearing, the Board of Supervisors adopted Resolution No. 2021-019, the Resolution of Formation of the CFD, which also authorized the levy of a special tax within the CFD subject to voter approval during a duly called election held that same day.

On March 9, 2021, the Board of Supervisors adopted Resolution No. 2021-020 declaring the results of the election regarding the proposed special tax and finding that 100% of the votes cast were in favor of the levy of the special tax. In addition, the Board introduced Riverside County Ordinance No. 964 authorizing the levy of the special tax pursuant to the Rate and Method of Apportionment approved by the voters.

On March 23, 2021, the Board of Supervisors adopted Ordinance No. 964 authorizing the Levy of a Special Tax Within Community Facilities District No. 20-2M (Prairie Crossing).

On February 23, 2022, the property owner (D.R. Horton Los Angeles Holding Company, Inc.) of Tract Map No. 31633 (Improvement Area B) petitioned the County to assist in amending the Rate and Method of Apportionment of Special Tax for Community Facilities District 20-2M (Prairie Crossing) Improvement Area B.

On April 5, 2022, the County of Riverside Board of Supervisors approved, Resolution No. 2022-085 a Resolution of Intention to Institute Change Proceedings for the CFD and declared the intention of the Board of Supervisors as required by the Mello-Roos Act of 1982 to Amend and Restate the Rate and Method of Apportionment of Special Tax of Improvement Area B to fund the service and maintenance functions requested by the Developer.

The Resolution also directed that the Board of Supervisors hold a public hearing and submit the Amended and Restated Rate and Method of Apportionment of Special Tax for CFD 20-2M (Prairie Crossing) Improvement Area B to the landowners at a special election to be conducted by mailed ballot if a majority protest does not occur.

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On May 10, 2022, 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. 2022-086, a Resolution of the Board of Supervisors of the County of Riverside Amending and Restating the Levy of Special Tax of Community Facilities District No. 20-2M (Prairie Crossing) Improvement Area B of the County of Riverside, within Said District to Pay for certain stormwater facilities and BMPs, lighting and traffic signal maintenance; Calling a Special Election to submit to the Respective Qualified Voters the Question of Amending the Levy of a Special Tax for Improvement Area B 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.

On May 17, 2022, the Board of Supervisors adopted Resolution No. 2022-087 declaring the results of the election regarding the proposed special tax and finding that 100% of the votes cast were in favor of the levy of the special tax. In addition, the Board introduced Riverside County Ordinance No. 964.1 authorizing the levy of the special tax pursuant to the Rate and Method of Apportionment approved by the voters. By today's action, the Board will formally adopt the special tax ordinance and levy the special tax.

Ordinance No. 964.1 was reviewed and determined to be exempt from CEQA pursuant to State CEQA Guidelines Section 15378, Section 15301, Class 1 – Existing facilities and Section 15061(b)(3) – Common Sense Exemption. The adoption of the ordinance is limited to the creation of a special tax ordinance to provide an alternative mechanism for financing maintenance activities involving the operation, maintenance, repair, and minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving no expansion of use. The adoption of the ordinance would not result in direct impacts to the physical environment or reasonably foreseeable indirect effects, as it would not include any changes to the existing land use or a physical degradation of the property,

County Counsel has approved the ordinance as to form.

**Impact on Residents and Businesses**

The voters within the CFD have voted to authorize the special tax levied by Riverside County Ordinance No. 964.1 on real property within the CFD to provide funds for authorized maintenance and service activities. The property owners within the CFD will be favorably impacted by the levy of the special tax and the associated maintenance and service activities it funds.

**ATTACHMENTS:**

- Riverside County Ordinance No. 964.1

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
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- CEQA Notice of Exemption
- Summary of Ordinance
- CFD 20-2M Recorded Boundary Map

  
Scott Bruckner 5/17/2022



1 establishing an annual appropriations limit of \$4,000,000 for the District, subject to voter approval, and  
2 calling a special election for the District for May 10, 2022 on the propositions to levy a special tax to  
3 Improvement Area B within the District and to maintaining an appropriations limit for the District.

4 d. Pursuant to the terms of the Resolution of Formation and the provisions of  
5 the Act, said special election was held on May 10, 2022. Each of the propositions was approved by more  
6 than two-thirds of the votes cast at said special election.

7 e. Pursuant to the Act, the Board of Supervisors is the *ex officio* legislative body  
8 (the “Legislative Body”) of the District.

9 Section 2. PURPOSE. The purpose of this ordinance is to provide for the levy of a  
10 special tax to Improvement Area B within the District.

11 Section 3. AUTHORITY. This ordinance is adopted pursuant to Sections 53328 and  
12 53340 of the California Government Code, which authorizes counties to adopt ordinances to levy special  
13 taxes at the rate and in accordance with the method of apportionment specified in the resolution of formation  
14 of the community facilities district.

15 Section 4. LEVY OF SPECIAL TAXES.

16 a. By the passage of this Ordinance, the Board of Supervisors hereby authorizes  
17 and levies special taxes within the District pursuant to Sections 53328 and 53340 of the Government Code,  
18 at the amended rate and in accordance with the Amended and Restated Method of Apportionment (the “Rate  
19 and Method”) set forth in the Resolution Amending the Rate and Method of Apportionment of Special Tax  
20 and attached as Exhibit A hereto and made a part hereof. The special taxes are hereby levied commencing  
21 in the fiscal year 2022-2023 and in each fiscal year thereafter for the period necessary to satisfy the Special  
22 Tax Requirement (as defined in the Rate and Method) and until action is taken by the Board of Supervisors,  
23 acting as the Legislative Body of the District, to dissolve the District.

24 b. The Board of Supervisors, acting as the Legislative Body of the District, is  
25 hereby authorized and directed each fiscal year to determine, or cause to be determined, the specific special  
26 tax rate and amount to be levied for the next ensuing fiscal year for each parcel of real property within the  
27 District, in the manner and as provided in the Rate and Method.

1 c. All of the collections of the special tax shall be used as provided for in the  
2 Act, the Rate and Method and the Resolution Amending the Rate and Method of Apportionment of Special  
3 Tax, including, but not limited to, to fund, pay for, and finance authorized stormwater facilities, street  
4 lighting and traffic signals services and to pay expenses incidental thereto, so long as the special taxes are  
5 needed to fund such services; to replenish the reserve fund for the District; to pay the costs of administering  
6 the District, and to pay the costs of collecting and administering the special tax.

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

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

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

26 Section 6. SEVERABILITY. If for any reason any portion of this ordinance is found to  
27 be invalid, or if the special tax is found inapplicable to any particular parcel within the District, by a court  
28



1 of competent jurisdiction, the balance of this ordinance and the application of the special tax to the  
2 remaining parcels within the District shall not be affected.


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

10 BOARD OF SUPERVISORS OF THE COUNTY  
11 OF RIVERSIDE, STATE OF CALIFORNIA

12 By:   
13  
14 Chair of the Board of Supervisors  
15 **JEFF HEWITT**

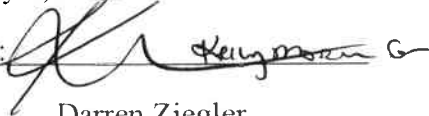
15 ATTEST:

16 CLERK OF THE BOARD:

17  
18 By:   
19 Deputy  
20 (SEAL)

21  
22  
23 APPROVED AS TO FORM

24 May 5, 2022

25 By:   
26 Darren Ziegler  
27 Deputy County Counsel

28

1 EXHIBIT A

2 AMENDED AND RESTATED

3 RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX FOR

4 COMMUNITY FACILITIES DISTRICT 20-2M (PRAIRIE CROSSING)

5 OF THE COUNTY OF RIVERSIDE

6 STATE OF CALIFORNIA

7  
8  
9 A Special Tax (all capitalized terms are defined in Section A. Definitions, below) shall be  
10 applicable to each Parcel of Taxable Property located within the boundaries of Community  
11 Facilities District (CFD) 20-2M (Prairie Crossing). The amount of Special Tax to be levied on each  
12 Parcel in each Improvement Area in each Fiscal Year, commencing in Fiscal Year 2021-2022  
13 shall be determined by the Riverside County Board of Supervisors, acting in its capacity as the  
14 legislative body of the CFD by applying the appropriate Special Tax as set forth in Sections B.,  
15 C., and D., below. All of the real property within the CFD, unless exempted by law or by the  
16 provisions of Section E., below, shall be taxed for the purposes, to the extent, and in the manner  
17 herein provided.

18  
19 **A. DEFINITIONS**

20  
21 The terms hereinafter set forth have the following meanings:

22  
23 “**Acre**” or “**Acreage**” means the land area of a Parcel as indicated on the most recent Assessor’s  
24 Parcel Map, or if the land area is not shown on the Assessor’s Parcel Map, the land area shown  
25 on the applicable Final Map, condominium plan, or other recorded County map or the land area  
26 calculated to the reasonable satisfaction of the Administrator using the boundaries set forth on  
27 such map or plan. The square footage of a Parcel is equal to the Acreage of such Parcel multiplied  
28 by 43,560.

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**“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 the applicable Improvement Area 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 annual amount of the levy and collection of the Special Taxes.

**“Approved Property”** means all Parcels of Taxable Property: (i) that are included in a Final Map that was recorded prior to the January 1<sup>st</sup> preceding the Fiscal Year in which the Special Tax is being levied, and (ii) that have not been issued a Building Permit prior to the April 1<sup>st</sup> 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 Parcels by Assessor’s Parcel Number.

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

3  
4 **“Base Year”** means the Fiscal Year ending June 30, 2021.

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

8  
9 **“Boundary Map”** means a recorded map of the CFD which indicates by a boundary line the  
10 extent of the territory of each Improvement Area within the CFD identified to be subject to the levy  
11 of Special Taxes.

12  
13 **“Building Permit”** means the first legal document issued by a local agency giving official  
14 permission for new construction. For purposes of this definition, Building Permit shall not include  
15 any subsequent Building Permits issued or changed after the first issuance.

16  
17 **“CFD”** means Community Facilities District 20-2M (Prairie Crossing) of the County of Riverside.

18  
19 **“Consumer Price Index”** means the cumulative percentage increase in the Consumer Price  
20 Index published by the U.S. Bureau of Labor Statistics for All Urban Consumers in the Riverside-  
21 San Bernardino-Ontario Area, as it stands in March of each year over the base index of March  
22 2020 for Improvement Area A and March 2021 for Improvement Area B. In the event this index  
23 ceases to be published, the Consumer Price Index shall be another index as determined by the  
24 Administrator that is reasonably comparable to the Consumer Price Index for the Riverside-San  
25 Bernardino-Ontario Area.

26  
27 **“County”** means the County of Riverside, California.

28

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

5  
6 **“Dwelling Unit” or “(D/U)”** means a residential unit that is used or intended to be used as a  
7 domicile by one or more persons, as determined by the Administrator.

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

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

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

19  
20 **“Improvement Area(s)”** means Improvement Area A or Improvement Area B as identified on the  
21 Boundary Map.

22  
23 **“Improvement Area A”** means the specific area identified on the Boundary Map as Improvement  
24 Area A of the CFD.

25  
26 **“Improvement Area B”** means the specific area identified on the Boundary Map as Improvement  
27 Area B of the CFD.

28

1 **“Land Use Class”** means any of the classes listed in Table 1, 2, 3, or 4 of Section C. below.

2  
3 **“Maximum Special Tax”** means for each Parcel in each Fiscal Year, the greatest amount of  
4 Special Tax, determined in accordance with Section C., below, which may be levied on such  
5 Parcel in a given Fiscal Year for Improvement Area A or Improvement Area B.

6  
7 **“Multi-family Residential Property”** means all Parcels of Residential Property that consist of a  
8 building or buildings comprised of attached Dwelling Units available for rental by the general  
9 public, not for sale to an end user, and under common management.

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

13  
14 **“Parcel”** means a lot or parcel within the CFD shown on an Assessor’s Parcel Map with an  
15 assigned Assessor’s Parcel Number valid as of July 1<sup>st</sup> for the Fiscal Year for which the Special  
16 Tax is being levied.

17  
18 **“Property Owners Association Property”** means all Parcels which have been conveyed,  
19 dedicated to, or irrevocably offered for dedication to a property owner association, including any  
20 master or sub-association, prior to April 1<sup>st</sup> preceding the Fiscal Year in which the Special Tax is  
21 being levied.

22  
23 **“Proportionately”** means for Parcels of Taxable Property that are (i) Developed Property, that  
24 the ratio of the actual Special Tax levy to Maximum Special Tax is the same for all Parcels of  
25 Developed Property as determined separately for each Improvement Area, (ii) Approved Property,  
26 that the ratio of the actual Special Tax levy to the Maximum Special Tax is the same for all Parcels  
27 of Approved Property as determined separately for each Improvement Area, and (iii) Undeveloped  
28 Property, Public Property or Property Owners Association Property, that the ratios of the actual

1 Special Tax levy per Acre to the Maximum Special Tax per Acre is the same for all Parcels of  
2 Undeveloped Property, Public Property and Property Owners Association Property as determined  
3 separately for each Improvement Area.

4  
5 **“Public Property”** means all Parcels which, as of April 1<sup>st</sup> preceding the Fiscal Year in which the  
6 Special Tax is being levied, are (i) used for rights-of-way or any other purpose and is owned by,  
7 dedicated to, or irrevocably offered for dedication to the federal government, the State, the  
8 County, City or any other public agency, provided, however, that any property leased by a public  
9 agency to a private entity and subject to taxation under Section 53340.1 of the Act shall be taxed  
10 and classified according to its use; or (ii) encumbered by an unmanned utility easement making  
11 impractical its utilization for other than the purpose set forth in the easement.

12  
13 **“Residential Property”** means all Parcels of Developed Property for which a Building Permit has  
14 been issued permitting the construction of one or more residential Dwelling Units.

15  
16 **“Single Family Property”** means all Parcels of Residential Property, other than Multi-family  
17 Residential Property.

18  
19 **“Special Tax” or “Special Taxes”** means the special tax to be levied in each Fiscal Year on  
20 each Parcel of Taxable Property in accordance with Section D. to fund the Special Tax  
21 Requirement.

22  
23 **“Special Tax Requirement(s)”** means that amount required in any Fiscal Year to pay for the  
24 Special Tax Requirement for Improvement Area A or for the Special Tax Requirement for  
25 Improvement Area B.

26  
27 **“Special Tax Requirement for Improvement Area A”** means that amount required in each  
28 Fiscal Year within Improvement Area A of the CFD, to: (i) pay the estimated cost of Special Tax

1 Services for Improvement Area A for such Fiscal Year as determined by the County; (ii) fund the  
2 Special Tax Reserve Fund in an amount equal to the lesser of (a) an amount equal to 20% of the  
3 Special Tax Reserve Fund Requirement for Improvement Area A or (b) the amount needed to  
4 fund the Special Tax Reserve Fund up to the Special Tax Reserve Fund Requirement for  
5 Improvement Area A; (iii) pay Administrative Expenses; (iv) pay for anticipated Special Tax  
6 delinquencies based on actual delinquencies from the prior Fiscal Year outstanding at the time  
7 the annual Special Tax levy is determined; and (v) less a credit for funds available to reduce the  
8 annual Special Tax levy as determined by the Administrator.

9  
10 **“Special Tax Requirement for Improvement Area B”** means that amount required in each  
11 Fiscal Year within Improvement Area B of the CFD, to: (i) pay the estimated cost of Special Tax  
12 Services for Improvement Area B for such Fiscal Year as determined by the County; (ii) fund the  
13 Special Tax Reserve Fund in an amount equal to the lesser of (a) an amount equal to 20% of the  
14 Special Tax Reserve Fund Requirement for Improvement Area B or (b) the amount needed to  
15 fund the Special Tax Reserve Fund up to the Special Tax Reserve Fund Requirement for  
16 Improvement Area B; (iii) pay Administrative Expenses; (iv) pay for anticipated Special Tax  
17 delinquencies based on actual delinquencies from the prior Fiscal Year outstanding at the time  
18 the annual Special Tax levy is determined; and (v) less a credit for funds available to reduce the  
19 annual Special Tax levy as determined by the Administrator.

20  
21 **“Special Tax Reserve Fund”** means a fund to be used for capital replacement and maintenance  
22 costs related to the Special Tax Services for Improvement Area A or for the Special Tax Services  
23 for Improvement Area B.

24  
25 **“Special Tax Reserve Fund Requirement for Improvement Area A”** means an amount up to  
26 150% of the anticipated annual cost of Special Tax Services for Improvement Area A of \$80,500  
27 for the Base Year. The Special Tax Reserve Fund Requirement for Improvement Area A shall be  
28 increased annually, commencing July 1, 2021, based on the percentage increase in the



1 Consumer Price Index with a maximum annual increase of six percent (6%) and a minimum  
2 annual increase of two percent (2%) of the amount in effect in the previous Fiscal Year.

3  
4 **“Special Tax Reserve Fund Requirement for Improvement Area B”** means an amount up to  
5 150% of the anticipated annual cost of Special Tax Services for Improvement Area B of \$51,181  
6 for the Base Year. The Special Tax Reserve Fund Requirement for Improvement Area B shall be  
7 increased annually, commencing July 1, 2022, based on the percentage increase in the  
8 Consumer Price Index with a maximum annual increase of six percent (6%) and a minimum  
9 annual increase of two percent (2%) of the amount in effect in the previous Fiscal Year.

10  
11 **“Special Tax Services”** means Special Tax Services for Improvement Area A or Special Tax  
12 Services for Improvement Area B.

13  
14 **“Special Tax Services for Improvement Area A”** means (i) the administration, inspection and  
15 maintenance of all stormwater facilities and BMPs, including water quality basins, fossil filters,  
16 basin forebays and all other NPDES/WQMP/BMP-related devices and structures as approved  
17 and accepted by the CFD. Administration includes, but is not limited to, quality control and  
18 assurance of inspections and maintenance, general contract management, scheduling of  
19 inspections and maintenance, and general oversight of all NPDES/WQMP/BMP  
20 operations. Inspection includes, but is not limited to, travel time, visual inspection process and  
21 procedures for functionality, GPS location recording, assurance of proper vegetation, functioning  
22 irrigation, and citing operational or structural deficiencies, erosion, trash, silt and sediment build-  
23 up. Maintenance includes, but is not limited to, repair or replacement of any deficiencies noted  
24 during inspection, weed control and abatement, trash removal, and healthy upkeep of required  
25 plant materials within Improvement Area A. (ii) Street lighting maintenance, which includes energy  
26 charges, operation, maintenance, and administration of street lighting located within the  
27 surrounding area of Improvement Area A. (iii) Traffic signal maintenance including energy  
28 charges, operation, maintenance, and administrative costs of traffic signal within the CFD.

1  
2 **“Special Tax Services for Improvement Area B”** means (i) the administration, inspection and  
3 maintenance of all stormwater facilities and BMPs, including water quality basins, fossil filters,  
4 basin forebays and all other NPDES/WQMP/BMP-related devices and structures as approved  
5 and accepted by the CFD. Administration includes, but is not limited to, quality control and  
6 assurance of inspections and maintenance, general contract management, scheduling of  
7 inspections and maintenance, and general oversight of all NPDES/WQMP/BMP  
8 operations. Inspection includes, but is not limited to, travel time, visual inspection process and  
9 procedures for functionality, GPS location recording, assurance of proper vegetation, functioning  
10 irrigation, and citing operational or structural deficiencies, erosion, trash, silt and sediment build-  
11 up. Maintenance includes, but is not limited to, repair or replacement of any deficiencies noted  
12 during inspection, weed control and abatement, trash removal, and healthy upkeep of required  
13 plant materials within Improvement Area B. (ii) Street lighting maintenance, which includes energy  
14 charges, operation, maintenance, and administration of street lighting located within the  
15 surrounding area of Improvement Area A. (iii) Traffic signal maintenance including energy  
16 charges, operation, maintenance, and administrative costs of traffic signal within the CFD.

17  
18 **“State”** means the State of California.

19  
20 **“Taxable Property”** means all Parcels within the boundary of the CFD pursuant to the Boundary  
21 Map which are not exempt from the Special Tax pursuant to Section E., below.

22  
23 **“Taxable Unit”** means either a Dwelling Unit or an Acre, as shown in Table 1, 2, 3 or 4.

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

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

2  
3 Each Fiscal Year, commencing with Fiscal Year 2021-2022, all Parcels of Taxable Property within  
4 Improvement Area A and Improvement Area B shall be classified as either Developed Property,  
5 Approved Property, Undeveloped Property, Public Property or Property Owners Association  
6 Property, and subject to the levy of Special Tax in accordance with this Rate and Method of  
7 Apportionment as determined pursuant to Sections C. and D.

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

12  
13 **C. MAXIMUM SPECIAL TAX**

14  
15 **1. Developed Property**

16  
17 The Maximum Special Tax that may be levied and escalated, as explained further in  
18 Section C.1. (a) below, in each Fiscal Year for each Parcel classified as  
19 Developed Property shall be determined by reference to Table 1 for each Parcel in  
20 Improvement Area A, and by reference to Table 2 for each Parcel in Improvement Area B.

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**TABLE 1**  
**Maximum Special Tax for Developed**  
**Property for Fiscal Year 2020-2021**  
**Improvement Area A**

<b>Land Use Class</b>	<b>Description</b>	<b>Taxable Unit</b>	<b>Maximum Special Tax Per Taxable Unit</b>
<b>1</b>	<b>Single Family Property</b>	<b>D/U</b>	<b>\$350</b>
<b>2</b>	<b>Multi-family Residential Property</b>	<b>Acre</b>	<b>\$1,791</b>
<b>3</b>	<b>Non-Residential Property</b>	<b>Acre</b>	<b>\$1,791</b>

**TABLE 2**  
**Maximum Special Tax for Developed**  
**Property for Fiscal Year 2021-2022**  
**Improvement Area B**

<b>Land Use Class</b>	<b>Description</b>	<b>Taxable Unit</b>	<b>Maximum Special Tax Per Taxable Unit</b>
<b>1</b>	<b>Single Family Property</b>	<b>D/U</b>	<b>\$389</b>
<b>2</b>	<b>Multi-family Residential Property</b>	<b>Acre</b>	<b>\$1,824</b>
<b>3</b>	<b>Non-Residential Property</b>	<b>Acre</b>	<b>\$1,824</b>

1 (a) Increase in the Maximum Special Tax

2  
3 On each July 1, following the Base Year, the Maximum Special Tax identified in Table 1  
4 and Table 2 above shall be increased annually, commencing July 1, 2021, for Improvement  
5 Area A and July 1, 2022 for Improvement Area B, based on the percentage increase in the  
6 Consumer Price Index with a maximum annual increase of six percent (6%) and a minimum  
7 annual increase of two percent (2%) of the Maximum Special Tax in effect in the previous  
8 Fiscal Year.

9  
10 (b) Multiple Land Use Classes

11  
12 In some instances, a Parcel of Developed Property may contain more than one Land Use  
13 Class. The Maximum Special Tax that may be levied on such Parcel shall be the sum of  
14 the Maximum Special Tax that can be levied within the applicable Improvement Area for  
15 each Land Use Class located on that Parcel. For a Parcel that contains more than one  
16 Land Use Class, the Acreage of such Parcel shall be allocated to each type of property  
17 based on the amount of Acreage designated for each land use as determined by reference  
18 to the site plan approved for such Parcel. The Administrator's allocation to each Land Use  
19 Class shall be final.

20  
21 **2. Approved Property**

22  
23 The Maximum Special Tax for each Parcel of Approved Property shall be equal to the  
24 product of the applicable Undeveloped Property Maximum Special Tax per Acre for the  
25 applicable Improvement Area times the Acreage of such Parcel; provided, however, for a  
26 Parcel of Approved Property that is expected to become Single Family Property as  
27 reasonably determined by the Administrator based on the Final Map for such Parcel, the  
28 Maximum Special Tax for such Parcel of Approved Property shall be calculated pursuant

1 to Section C.1. as if such Parcel were already designated as Developed Property and  
2 classified as Single Family Property within the applicable Improvement Area.

3  
4 The Maximum Special Tax for Approved Property shall be increased annually,  
5 commencing July 1, 2021 for Improvement Area A and July 1, 2022 for Improvement Area  
6 B, based on the percentage increase in the Consumer Price Index with a maximum annual  
7 increase of six percent (6%) and a minimum annual increase of two percent (2%) of the  
8 corresponding Maximum Special Tax in effect in the previous Fiscal Year.

9  
10 **3. Undeveloped Property**

11  
12 The Maximum Special Tax that may be levied and escalated for each Parcel classified as  
13 Undeveloped Property is shown in Table 3 for each Parcel in Improvement Area A and in  
14 Table 4 for each Parcel in Improvement Area B.

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16  
17 **Table 3**  
18 **Maximum Special Tax for Undeveloped**  
19 **Property for Fiscal Year 2020-2021**  
20 **Improvement Area A**

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23

Taxable Unit	Maximum Special Tax Per Acre
Acre	\$1,791

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**Table 4**  
**Maximum Special Tax for Undeveloped**  
**Property for Fiscal Year 2021-2022**  
**Improvement Area B**

<b>Taxable</b>	<b>Maximum Special Tax</b>
<b>Unit</b>	<b>Per Acre</b>
<b>Acre</b>	<b>\$1,824</b>

The Maximum Special Tax for Undeveloped Property shall be increased annually, commencing July 1, 2021 for Improvement Area A and July 1, 2022 for Improvement Area B, based on the percentage increase in the Consumer Price Index with a maximum annual increase of six percent (6%) and a minimum annual increase of two percent (2%) of the corresponding Maximum Special Tax in effect in the previous Fiscal Year.

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

The Maximum Special Tax that may be levied and escalated for each Parcel classified as Public Property and/or Property Owners Association Property shall be \$0.00 per Acre for both Improvement Area A and Improvement Area B. **There shall be no levy on Public Property and/or Property Owners Association Property.**

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

2  
3 Commencing with Fiscal Year 2021-2022 and for each following Fiscal Year, the  
4 Administrator shall levy the Special Tax in each Improvement Area on all Taxable Property  
5 until the amount of Special Tax equals the Special Tax Requirement for each Improvement  
6 Area in accordance with the following steps:

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

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

16  
17 Third: If additional moneys are needed to satisfy the Special Tax Requirement for an  
18 Improvement Area after the first two steps have been completed, the Special Tax shall be  
19 levied Proportionately on each Parcel of Undeveloped Property at up to 100% of the  
20 applicable Maximum Special Tax for Undeveloped Property within such Improvement  
21 Area.

22  
23 Notwithstanding the above, under no circumstances will the Special Taxes levied in any Fiscal  
24 Year against any Parcel of Residential Property within an Improvement Area for which a certificate  
25 of occupancy has been issued be increased by more than ten percent (10%) as a result of a  
26 delinquency in the payment of the Special Tax applicable to any other Parcel within the same  
27 Improvement Area above the amount that would have been levied in that Fiscal Year for the same  
28



1 Improvement Area had there never been any such delinquency or default within the same  
2 Improvement Area of the CFD.

3  
4 **E. EXEMPTIONS**

5  
6 The CFD shall not levy Special Taxes on Public Property or Property Owners Association Property  
7 within either Improvement Area within the boundary of the CFD.

8  
9 **F. MANNER OF COLLECTION**

10  
11 The Special Tax shall be collected in the same manner and at the same time as ordinary *ad*  
12 *valorem* property taxes and shall be subject to the same penalties, the same procedure, sale and  
13 lien priority in the case of delinquency; provided, however, that the Administrator may directly bill  
14 the Special Tax, may collect Special Taxes at a different time or in a different manner if necessary  
15 to meet the financial obligations of the CFD, and provided further that the CFD may covenant to  
16 foreclose and may actually foreclose on Parcels having delinquent Special Taxes as permitted by  
17 the Act.

18  
19 **G. APPEALS**

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

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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. TERM OF THE SPECIAL TAX**

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

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STATE OF CALIFORNIA        )  
  )  
COUNTY OF RIVERSIDE        )        ss

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said county held on May 24, 2022, the foregoing ordinance consisting of 7 Sections was adopted by the following vote:

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

DATE:            May 24, 2022

KECIA R. HARPER  
Clerk of the Board

BY: Julie Martinez  
Deputy

SEAL

Item 3.17

County of Riverside  
Facilities Management  
3133 Mission Inn Ave, Riverside, CA 92507

COPY

Date: April 26, 2022

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

From: Mike Sullivan, Senior Environmental Planner, Facilities Management

Subject: **County of Riverside ED99120003  
Prairie Crossing Community Facilities District (CFD) Ordinance No. 964.1,  
Authorizing the Levy of a Special Tax Within Area B of the CFD 20-2M  
District, County of Riverside**

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

**After posting, please return the document to:**

**Mail Stop #2600**

**Attention: Mike Sullivan, Senior Environmental Planner,  
Facilities Management,**

**3133 Mission Inn Avenue, Riverside, CA 92507**

**If you have any questions, please contact Mike Sullivan at 955-8009 or email  
at [msullivan@rivco.org](mailto:msullivan@rivco.org).**

Attachment

cc: file

**RIVERSIDE COUNTY CLERK & RECORDER**

**AUTHORIZATION  
TO BILL  
BY JOURNAL VOUCHER**

**Project Name: Prairie Crossing Community Facilities District Ordinance No. 964.1,  
Authorizing the Levy of a Special Tax Within Improvement Area B of the  
20-2M District, County of Riverside**

**Accounting String: 537180-23010-915202- ED99120003**

DATE: April 26, 2022

AGENCY: Riverside County

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

NUMBER OF DOCUMENTS INCLUDED: One (1)

AUTHORIZED BY: Mike Sullivan, Senior Environmental Planner, Facilities Management

Signature: 

PRESENTED BY: Leni Zarate, Special Districts Administrator, Community Services

-TO BE FILLED IN BY COUNTY CLERK-

ACCEPTED BY: -

DATE: -

RECEIPT # (S) -

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

5/26/22  
Date

JM  
Initial

## NOTICE OF EXEMPTION

April 26, 2022

**Project Name:** County of Riverside, Community Facilities District (CFD) No. 20-2M (Prairie Crossing) of the County of Riverside; Adoption of Ordinance No. 964.1, an Ordinance of the County of Riverside Authorizing the Levy of a Special Tax Within Improvement Area B of the Prairie Crossing CFD

**Project Number:** ED99120003

**Project Location:** County of Riverside, Community Facilities District No. 20-2M (Prairie Crossing)

**Description of Project:** On January 27, 2015, the Board of Supervisors revised Board Policy B-12 entitled "Land Secured Financing Districts" to include "Service and Maintenance CFDs" to fund the ongoing maintenance of landscape, storm water Best Management Practices (BMP), street lighting, or other similar improvements and set goals and policies concerning Community Facilities Districts (CFD). As approved by voters, a special tax is to be levied on each individual parcel located within the boundary of the CFD to fund the costs associated with administration, inspection, and maintenance of all stormwater facilities and BMPs, including water quality basins, fossil filters, basin forebays and all other NPDES/WQMP/BMP-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 NPDES/WQMP/BMP operations. Inspection includes, but is not limited to, travel time, visual inspection process and procedures for functionality, GPS location recording, assurance of proper vegetation, functioning irrigation, and citing operational or structural deficiencies, erosion, trash, silt, and sediment build-up. Maintenance includes, but is not limited to, repair or replacement of any deficiencies noted during inspection, weed control and abatement, trash removal, and healthy upkeep of required plant materials within Improvement Area B (ii) Street lighting maintenance, which includes energy charges, operation, maintenance, and administration of street lighting located within the surrounding area of Improvement Area B. (iii) Traffic signal maintenance including energy charges, operation, maintenance, and administrative costs of traffic signal within the CFD.

D.R. Horton Los Angeles Holding Company, Inc. is the Developer of Tract 31633 and petitioned the Riverside County Office of Economic Development to assist them in amending the Rate and Method Apportionment of Improvement Area B to cover the costs associated with the maintenance of public improvements within the district. The boundaries of CFD No. 20-2M (Prairie Crossing) Improvement Area B will encompass the entire Tract Map No. 31633, which is projected to include 129 assessable single-family dwelling units. On January 12, 2021, the Board of Supervisors adopted Resolution 2021-016, a resolution of intention, as the initial step for forming the CFD and declaring the Board's intention to levy a special tax to fund the of Intention to establish a CFD for Prairie Crossing in order to authorize the levy of special taxes to fund, pay for, and finance authorized maintenance and service activities.

On March 2, 2021, the Board of Supervisors held a public hearing to receive public comments and conduct a majority protest hearing concerning the establishment of the CFD and the levy of the special tax. At the conclusion of the public hearing, the Board of Supervisors adopted Resolution No. 2021-019, the resolution of formation of the CFD, which also authorized the levy of a special tax within the CFD subject to voter approval during a duly called election held that same day.

MAY 24 2022 3.17

On March 9, 2021, the Board of Supervisors adopted Resolution No. 2021-020 declaring the results of the election regarding the proposed special tax and finding that 100% of the votes cast were in favor of the levy of the special tax. In addition, the Board introduced Riverside County Ordinance No. 964 authorizing the levy of the special tax pursuant to the Rate and Method of Apportionment approved by the voters.

On March 23, 2021, the Board of Supervisors adopted Ordinance No. 964 authorizing the Levy of a Special Tax Within Community Facilities District No. 20-2M (Prairie Crossing).

On February 23, 2022, the property owner (D.R. Horton Los Angeles Holding Company, Inc.) of Tract Map No. 31633 (Improvement Area B) petitioned the County to assist in amending the Rate and Method of Apportionment of Special Tax for Community Facilities District 20-2M (Prairie Crossing) Improvement Area B.

On April 5, 2022, the County of Riverside Board of Supervisors approved, Resolution No. 2022-085 a Resolution of Intention to Institute Change Proceedings for the CFD and declared the intention of the Board of Supervisors as required by the Mello-Roos Act of 1982 to Amend and Restate the Rate and Method of Apportionment of Special Tax of Improvement Area B to fund the service and maintenance functions requested by the Developer.

The Resolution also directed that the Board of Supervisors hold a public hearing and submit the Amended and Restated Rate and Method of Apportionment of Special Tax for CFD 20-2M (Prairie Crossing) Improvement Area B to the landowners at a special election to be conducted by mailed ballot if a majority protest does not occur.

On May 10, 2022, 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. 2022-086, a Resolution of the Board of Supervisors of the County of Riverside Amending and Restating the Levy of Special Tax of Community Facilities District No. 20-2M (Prairie Crossing) Improvement Area B of the County of Riverside, within Said District to Pay for certain stormwater facilities and BMPs, lighting and traffic signal maintenance; Calling a Special Election to submit to the Respective Qualified Voters the Question of Amending the Levy of a Special Tax for Improvement Area B 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.

On May 17, 2022, the Board of Supervisors adopted Resolution No. 2022-087 declaring the results of the election regarding the proposed special tax and finding that 100% of the votes cast were in favor of the levy of the special tax. In addition, the Board introduced Riverside County Ordinance No. 964.1 authorizing the levy of the special tax pursuant to the Rate and Method of Apportionment approved by the voters. The Board will now formally adopt the special tax ordinance and levy the special tax. Riverside County Ordinance No. 964.1, which authorizes the levy of a special tax within Improvement Area B of the Prairie Crossing CFD to fund services for maintenance and service activities, is identified as the proposed project under the California Environmental Quality Act (CEQA). The Ordinance includes the creation of a funding mechanism to provide maintenance and service activities within the CFD. No expansion of an existing use will occur. No additional direct or indirect physical environmental impacts are anticipated from the provision of maintenance services identified in the Riverside County Ordinance No. 964.1.

**Name of Public Agency Approving Project:** County of Riverside

**Name of Person or Agency Carrying Out Project:** County of Riverside

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

**Reasons Why Project is Exempt:** The direct effects of the adoption of the Ordinance to levy a special tax within Prairie Crossing CFD would not constitute a project as defined by CEQA Section 21065 and State CEQA Guidelines Section 15378. Section 15378 (b) provides a list of five activities that are not considered a project under CEQA. The proposed Ordinance would qualify under two conditions identified in Section 15378 (b): (4) the creation of government funding

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

- **Section 15301 – Class 1 Existing Facilities Exemption:** This categorical exemption includes the operation, repair, maintenance, leasing, or minor alteration of existing public or private structures or facilities, provided the exemption only involves negligible or no expansion of the site’s use. The development on the site was previously reviewed under CEQA which evaluated the effects of the development of 129 single-family homes within Tract 31633, which is Improvement Area B of Prairie Crossing CFD and subsequently approved. This approved development represents the environmental baseline and existing conditions under CEQA, as it is a dependent condition for the project, as proposed, to occur. The project is limited to the maintenance of the approved development within Improvement Area B of the Prairie Crossing CFD. The maintenance within Improvement Area B of the Prairie Crossing CFD is consistent within the activities permitted under Section 15301 and would ensure that the area does not physically deteriorate and potentially result in blight. The continued maintenance would not require any expansion of public services and facilities beyond what was approved for development; therefore, the project is exempt as it meets the scope and intent of the Class 1 Exemption identified in Section 15301, Article 19, Categorical Exemptions of the CEQA Guidelines.
- **Section 15061 (b) (3) – “Common Sense” Exemption:** In accordance with CEQA, the use of the Common Sense Exemption is based on the “general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment.” State CEQA Guidelines, Section 15061(b) (3). The use of this exemption is appropriate if “it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.” *Ibid*. This determination is an issue of fact and if sufficient evidence exists in the record that the activity cannot have a significant effect on the environment, then the exemption applies and no further evaluation under CEQA is required. See *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal. 3d 68. The ruling in this case stated that if a project falls within a category exempt by administrative regulation or ‘it can be seen with certainty that the activity in question will not have a significant effect on the environment’, no further agency evaluation is required. With certainty, there is no possibility that the project may have a significant effect on the environment. The adoption of the Ordinance and creation of funding to provide continued maintenance within Improvement Area B of the Prairie Crossing CFD will not result in any direct or indirect physical environmental impacts. The use and operation in Improvement Area B of the Prairie Crossing CFD will be substantially similar to the existing use and the ongoing maintenance will not create any new environmental impacts to the environment. No alterations and no impacts beyond the ongoing, existing use in Improvement Area B of the Prairie Crossing CFD would occur. Therefore, in no way, would the project as proposed have the potential to cause a significant environmental impact and the project is exempt from further CEQA analysis.

Therefore, the County of Riverside hereby concludes that no physical environmental impacts are anticipated to occur and the project as proposed is exempt under CEQA. No further environmental analysis is warranted.

Signed: 

Date: 4-26-2022

Mike Sullivan, Senior Environmental Planner  
County of Riverside



SUMMARY OF ORDINANCE NO. 964.1  
AN ORDINANCE OF THE COUNTY OF RIVERSIDE  
AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN COMMUNITY FACILITIES  
DISTRICT NO. 20-2M (PRAIRIE CROSSING) IMPROVEMENT AREA B  
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. 964.1 may be examined at the Office of the Clerk of the Board of Supervisors of the County of Riverside, located at 4080 Lemon Street 1<sup>st</sup> Floor, Riverside, California 92501.

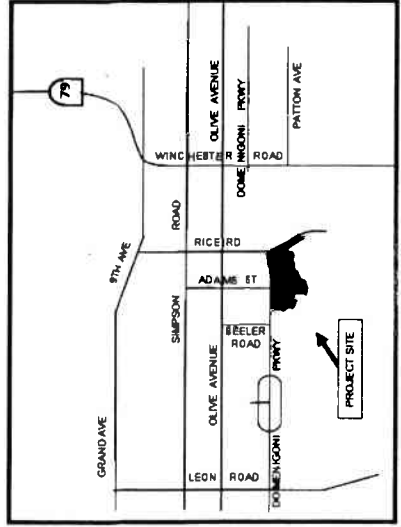
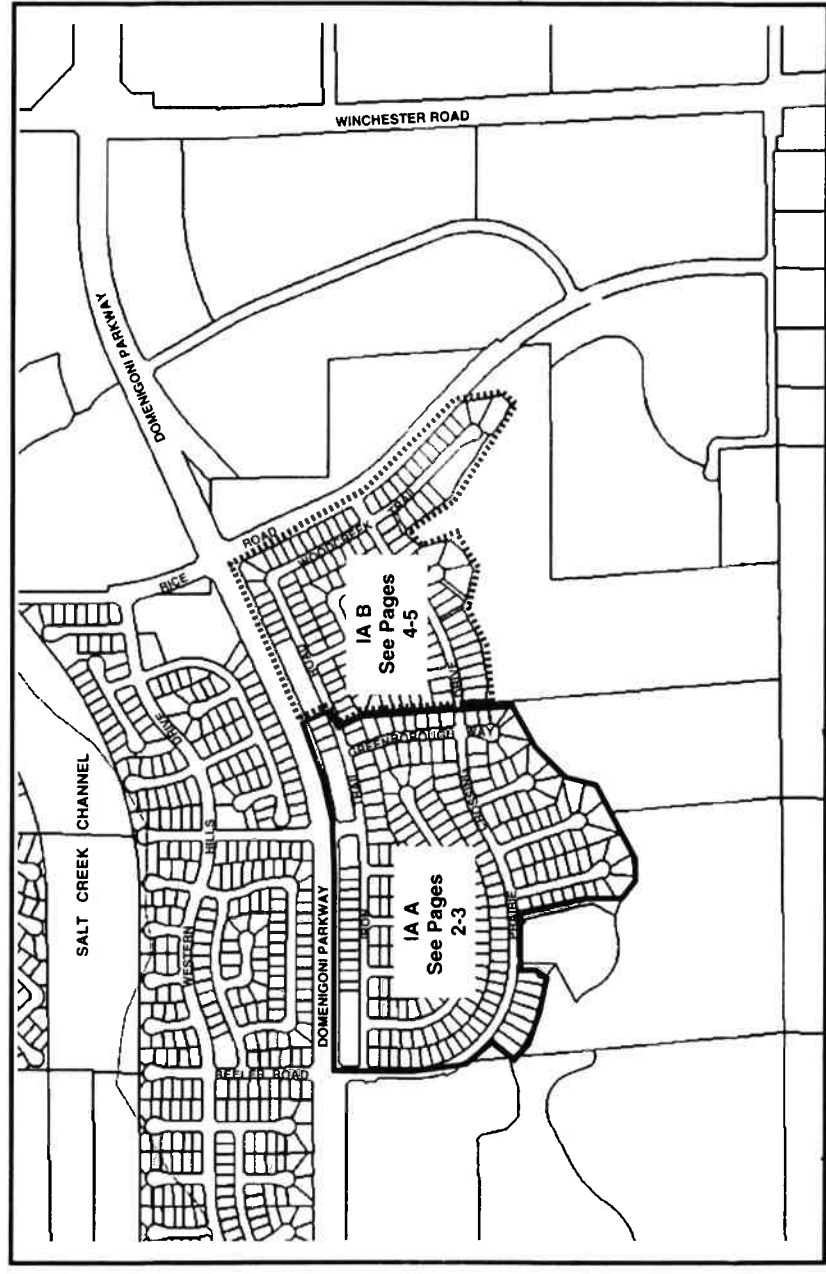
Pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, commencing with Section 53311 of the California Government Code (the "Government Code"), April 5, 2022 the Board of Supervisors (the "Board of Supervisors") of the County of Riverside adopted Resolution No. 2022-085, stating its intention to amend Community Facilities District No. 20-2M (Prairie Crossing) Improvement Area B of the County of Riverside (the "District"), and to authorize the levy of special taxes to fund, pay for, and finance authorized maintenance of stormwater facilities and BMPs, lighting and traffic signal (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. 964.1 authorizes the levy of special taxes within the District at the amended 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 964.1 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 fund the cost of collecting and administering the special tax. Ordinance No. 964.1 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 Amended and Restated Rate and Method of Apportionment of the special tax authorized by Ordinance No. 964.1 is the rate and method approved by voters within the District and as further reflected in Exhibit A "Rate and Method" to Ordinance No. 964.1. A complete copy of Exhibit A "Amended and Restated Rate and Method of Apportionment" 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. 964.1 takes effect immediately upon its adoption in accordance with section 25123(c) of the Government Code.

PK 867  
P 27

copy

# PROPOSED BOUNDARY COMMUNITY FACILITIES DISTRICT 20-2M (PRAIRIE CROSSING) COUNTY OF RIVERSIDE, STATE OF CALIFORNIA SEC. 33 T. 5S., R. 2W



VICINITY MAP

Legend

- IA A Improvement Area A
- IA B Improvement Area B

ASSESSOR PARCEL NUMBERS LOCATED WITHIN PROPOSED BOUNDARIES OF CFD 20-2M (PRAIRIE CROSSING) AS OF FISCAL YEAR 2020-2021:

(###) - REFERENCE NUMBERS SEE CORRESPONDING PAGES FOR ASSESSOR PARCEL NUMBERS

REFERENCE IS HEREBY MADE TO THE ASSESSOR MAPS OF THE COUNTY OF RIVERSIDE, FOR FISCAL YEAR 2020-2021, FOR AN EXACT DESCRIPTION OF THE LINES AND DIMENSIONS OF EACH LOT/PARCEL

FILED IN THE OFFICE OF THE COUNTY CLERK OF RIVERSIDE, STATE OF CALIFORNIA THIS 21st DAY OF January 2021

*Anna R. Hoyer*  
CLERK OF THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT 20-2M (PRAIRIE CROSSING) OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, WAS APPROVED BY THE BOARD OF SUPERVISORS AT A REGULAR MEETING THEREOF, HELD ON THE 21st DAY OF January 2021, BY RESOLUTION NO. 2021-0021740

*Anna R. Hoyer / Sue Maxwell (deputy)*  
CLERK OF THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE

RECORDED THIS 21st DAY OF January 2021 AT THE HOUR OF 11:07 O'CLOCK A.M. IN BOOK 86 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE 21-3

IN WITNESS WHEREOF, I HAVE HEREBY SET MY HAND AND SEAL OF OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, FEBRUARY DOCUMENT NO. 2021-0021740

PETER ALDANA, RIVERSIDE COUNTY ASSESSOR-CLERK-RECORDER  
*Peter Aldana*  
DEPUTY

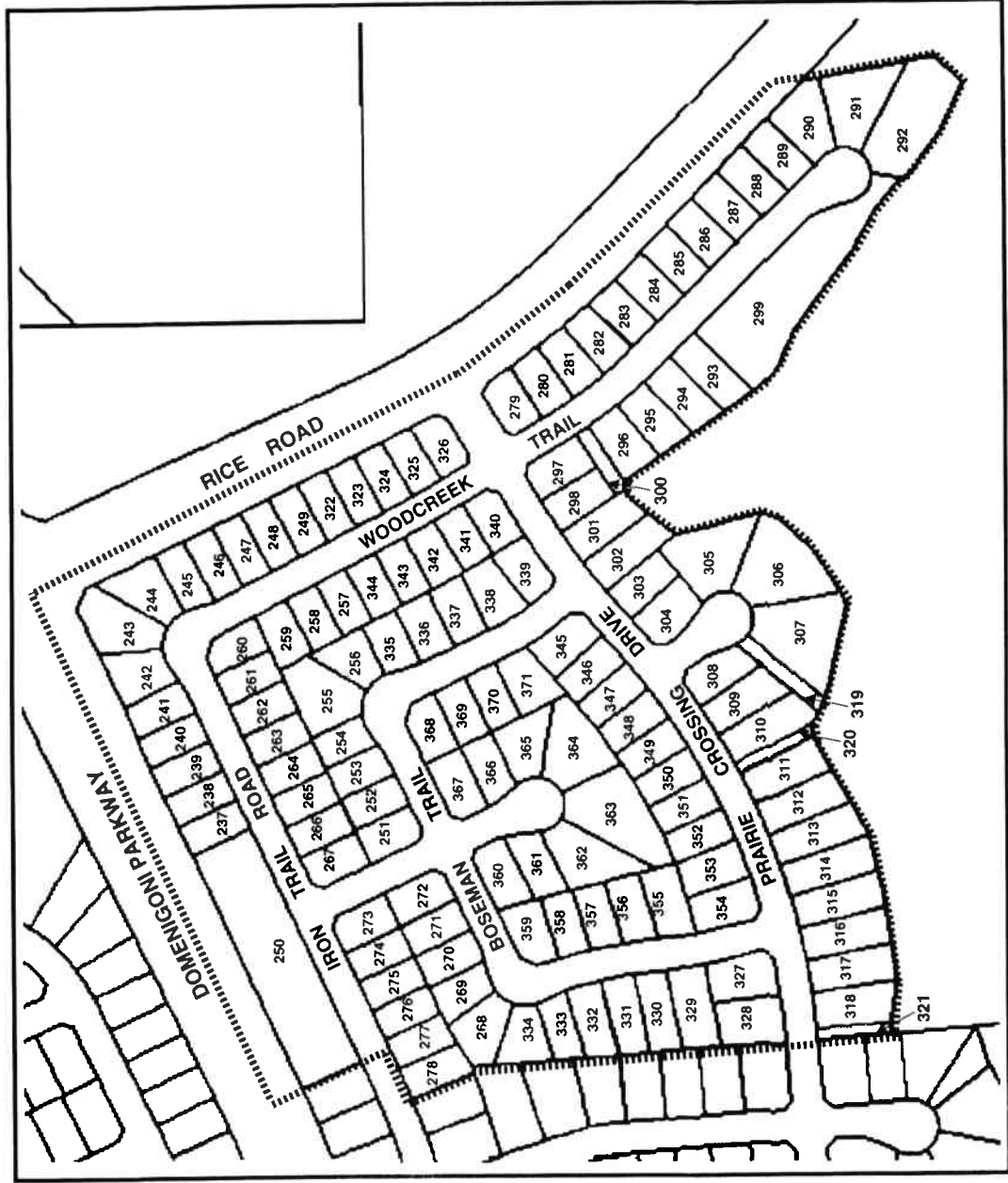
Prepared By:  
**COUNTY OF RIVERSIDE**  
BUSINESS AND COMMUNITY SERVICES  
3403 Tenth Street, Ste. 400 Riverside, CA 92501  
951-955-8916 Phone

PK 8/6

COPY

# PROPOSED BOUNDARY COMMUNITY FACILITIES DISTRICT 20-2M (PRAIRIE CROSSING)

ASSESSOR PARCEL NUMBERS LOCATED WITHIN IMPROVEMENT AREA B



PROPOSED BOUNDARY  
COMMUNITY FACILITIES DISTRICT 20-2M (PRAIRIE CROSSING)

ASSESSOR PARCEL NUMBERS LOCATED WITHIN IMPROVEMENT AREA B

(237) 461350001-2	(261) 461351011-4	(285) 461360007-9	(309) 461370009-2	(333) 461381007-4	(357) 461383013-5
(238) 461350002-3	(262) 461351012-5	(286) 461360008-0	(310) 461370010-2	(334) 461381008-5	(358) 461383014-6
(239) 461350003-4	(263) 461351013-6	(287) 461360009-1	(311) 461370011-3	(335) 461382001-1	(359) 461383015-7
(240) 461350004-5	(264) 461351014-7	(288) 461360010-1	(312) 461370012-4	(336) 461382002-2	(360) 461383016-8
(241) 461350005-6	(265) 461351015-8	(289) 461360011-2	(313) 461370013-5	(337) 461382003-3	(361) 461383017-9
(242) 461350006-7	(266) 461351016-9	(290) 461360012-3	(314) 461370014-6	(338) 461382004-4	(362) 461383018-0
(243) 461350007-8	(267) 461351017-0	(291) 461360013-4	(315) 461370015-7	(339) 461382005-5	(363) 461383019-1
(244) 461350008-9	(268) 461352001-8	(292) 461360014-5	(316) 461370016-8	(340) 461382006-6	(364) 461383020-1
(245) 461350009-0	(269) 461352002-9	(293) 461360015-6	(317) 461370017-9	(341) 461382007-7	(365) 461383021-2
(246) 461350010-0	(270) 461352003-0	(294) 461360016-7	(318) 461370018-0	(342) 461382008-8	(366) 461383022-3
(247) 461350011-1	(271) 461352004-1	(295) 461360017-8	(319) 461370019-1	(343) 461382009-9	(367) 461383023-4
(248) 461350012-2	(272) 461352005-2	(296) 461360018-9	(320) 461370020-1	(344) 461382010-9	(368) 461383024-5
(249) 461350013-3	(273) 461352006-3	(297) 461360019-0	(321) 461370021-2	(345) 461383001-4	(369) 461383025-6
(250) 461350014-4	(274) 461352007-4	(298) 461360020-0	(322) 461380001-5	(346) 461383002-5	(370) 461383026-7
(251) 461351001-5	(275) 461352008-5	(299) 461360021-1	(323) 461380002-6	(347) 461383003-6	(371) 461383027-8
(252) 461351002-6	(276) 461352009-6	(300) 461360022-2	(324) 461380003-7	(348) 461383004-7	
(253) 461351003-7	(277) 461352010-6	(301) 461370001-4	(325) 461380004-8	(349) 461383005-8	
(254) 461351004-8	(278) 461352011-7	(302) 461370002-5	(326) 461380005-9	(350) 461383006-9	
(255) 461351005-9	(279) 461360001-3	(303) 461370003-6	(327) 461381001-8	(351) 461383007-0	
(256) 461351006-0	(280) 461360002-4	(304) 461370004-7	(328) 461381002-9	(352) 461383008-1	
(257) 461351007-1	(281) 461360003-5	(305) 461370005-8	(329) 461381003-0	(353) 461383009-2	
(258) 461351008-2	(282) 461360004-6	(306) 461370006-9	(330) 461381004-1	(354) 461383010-2	
(259) 461351009-3	(283) 461360005-7	(307) 461370007-0	(331) 461381005-2	(355) 461383011-3	
(260) 461351010-3	(284) 461360006-8	(308) 461370008-1	(332) 461381006-3	(356) 461383012-4	



State of California - Department of Fish and Wildlife  
**2022 ENVIRONMENTAL DOCUMENT FILING FEE**  
**CASH RECEIPT**  
 DFW 753.5a (REV. 01/01/22) Previously DFG 753.5a

RECEIPT NUMBER: 22-210628
STATE CLEARINGHOUSE NUMBER (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY COUNTY OF RIVERSIDE OFFICE OF ECONOMIC	LEAD AGENCY EMAIL	DATE 06/01/2022
COUNTY/STATE AGENCY OF FILING RIVERSIDE	DOCUMENT NUMBER E-202200500	

PROJECT TITLE  
 NO.20-2M (PRAIRE CROSSING) OF THE COUNTY OF RIVERSIDE ADOPTION OF ORDINANCE NO. 964.1 AUTHORIZING THE LEVY OF A SPECIAL TAX

PROJECT APPLICANT NAME COUNTY OF RIVERSIDE OFFICE OF ECONOMIC	PROJECT APPLICANT EMAIL	PHONE NUMBER (951) 955-8009
PROJECT APPLICANT ADDRESS 3450 14TH ST. #2,	CITY RIVERSIDE	STATE CA
		ZIP CODE 92501

PROJECT APPLICANT (Check appropriate box)

Local Public Agency     School District     Other Special District     State Agency     Private Entity

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,539.25	\$ _____
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,548.00	\$ _____
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,203.25	\$ _____
<input checked="" type="checkbox"/> Exempt from fee		
<input checked="" type="checkbox"/> Notice of Exemption (attach)		
<input type="checkbox"/> CDFW No Effect Determination (attach)		
<input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy)		

<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$ _____
<input checked="" type="checkbox"/> County documentary handling fee		\$ 50.00
<input type="checkbox"/> Other		\$ _____

PAYMENT METHOD:

Cash     Credit     Check     Other

TOTAL RECEIVED \$ 50.00

SIGNATURE X <i>W. Sandoval</i>	AGENCY OF FILING PRINTED NAME AND TITLE Deputy
-----------------------------------	---

FILED / POSTED

County of Riverside  
Peter Aldana  
Assessor-County Clerk-RecorderE-202200500  
06/01/2022 02:23 PM Fee: \$ 50.00  
Page 1 of 3

Removed: By: Deputy



## NOTICE OF EXEMPTION

April 26, 2022

**Project Name:** County of Riverside, Community Facilities District (CFD) No. 20-2M (Prairie Crossing) of the County of Riverside; Adoption of Ordinance No. 964.1, an Ordinance of the County of Riverside Authorizing the Levy of a Special Tax Within Improvement Area B of the Prairie Crossing CFD

**Project Number:** ED99120003

**Project Location:** County of Riverside, Community Facilities District No. 20-2M (Prairie Crossing)

**Description of Project:** On January 27, 2015, the Board of Supervisors revised Board Policy B-12 entitled "Land Secured Financing Districts" to include "Service and Maintenance CFDs" to fund the ongoing maintenance of landscape, storm water Best Management Practices (BMP), street lighting, or other similar improvements and set goals and policies concerning Community Facilities Districts (CFD). As approved by voters, a special tax is to be levied on each individual parcel located within the boundary of the CFD to fund the costs associated with administration, inspection, and maintenance of all stormwater facilities and BMPs, including water quality basins, fossil filters, basin forebays and all other NPDES/WQMP/BMP-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 NPDES/WQMP/BMP operations. Inspection includes, but is not limited to, travel time, visual inspection process and procedures for functionality, GPS location recording, assurance of proper vegetation, functioning irrigation, and citing operational or structural deficiencies, erosion, trash, silt, and sediment build-up. Maintenance includes, but is not limited to, repair or replacement of any deficiencies noted during inspection, weed control and abatement, trash removal, and healthy upkeep of required plant materials within Improvement Area B (ii) Street lighting maintenance, which includes energy charges, operation, maintenance, and administration of street lighting located within the surrounding area of Improvement Area B. (iii) Traffic signal maintenance including energy charges, operation, maintenance, and administrative costs of traffic signal within the CFD.

D.R. Horton Los Angeles Holding Company, Inc. is the Developer of Tract 31633 and petitioned the Riverside County Office of Economic Development to assist them in amending the Rate and Method Apportionment of Improvement Area B to cover the costs associated with the maintenance of public improvements within the district. The boundaries of CFD No. 20-2M (Prairie Crossing) Improvement Area B will encompass the entire Tract Map No. 31633, which is projected to include 129 assessable single-family dwelling units. On January 12, 2021, the Board of Supervisors adopted Resolution 2021-016, a resolution of intention, as the initial step for forming the CFD and declaring the Board's intention to levy a special tax to fund the of Intention to establish a CFD for Prairie Crossing in order to authorize the levy of special taxes to fund, pay for, and finance authorized maintenance and service activities.

On March 2, 2021, the Board of Supervisors held a public hearing to receive public comments and conduct a majority protest hearing concerning the establishment of the CFD and the levy of the special tax. At the conclusion of the public hearing, the Board of Supervisors adopted Resolution No. 2021-019, the resolution of formation of the CFD, which also authorized the levy of a special tax within the CFD subject to voter approval during a duly called election held that same day.

MAY 24 2022 3.17

On March 9, 2021, the Board of Supervisors adopted Resolution No. 2021-020 declaring the results of the election regarding the proposed special tax and finding that 100% of the votes cast were in favor of the levy of the special tax. In addition, the Board introduced Riverside County Ordinance No. 964 authorizing the levy of the special tax pursuant to the Rate and Method of Apportionment approved by the voters.

On March 23, 2021, the Board of Supervisors adopted Ordinance No. 964 authorizing the Levy of a Special Tax Within Community Facilities District No. 20-2M (Prairie Crossing).

On February 23, 2022, the property owner (D.R. Horton Los Angeles Holding Company, Inc.) of Tract Map No. 31633 (Improvement Area B) petitioned the County to assist in amending the Rate and Method of Apportionment of Special Tax for Community Facilities District 20-2M (Prairie Crossing) Improvement Area B.

On April 5, 2022, the County of Riverside Board of Supervisors approved, Resolution No. 2022-085 a Resolution of Intention to Institute Change Proceedings for the CFD and declared the intention of the Board of Supervisors as required by the Mello-Roos Act of 1982 to Amend and Restate the Rate and Method of Apportionment of Special Tax of Improvement Area B to fund the service and maintenance functions requested by the Developer.

The Resolution also directed that the Board of Supervisors hold a public hearing and submit the Amended and Restated Rate and Method of Apportionment of Special Tax for CFD 20-2M (Prairie Crossing) Improvement Area B to the landowners at a special election to be conducted by mailed ballot if a majority protest does not occur.

On May 10, 2022, 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. 2022-086, a Resolution of the Board of Supervisors of the County of Riverside Amending and Restating the Levy of Special Tax of Community Facilities District No. 20-2M (Prairie Crossing) Improvement Area B of the County of Riverside, within Said District to Pay for certain stormwater facilities and BMPs, lighting and traffic signal maintenance; Calling a Special Election to submit to the Respective Qualified Voters the Question of Amending the Levy of a Special Tax for Improvement Area B 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.

On May 17, 2022, the Board of Supervisors adopted Resolution No. 2022-087 declaring the results of the election regarding the proposed special tax and finding that 100% of the votes cast were in favor of the levy of the special tax. In addition, the Board introduced Riverside County Ordinance No. 964.1 authorizing the levy of the special tax pursuant to the Rate and Method of Apportionment approved by the voters. The Board will now formally adopt the special tax ordinance and levy the special tax. Riverside County Ordinance No. 964.1, which authorizes the levy of a special tax within Improvement Area B of the Prairie Crossing CFD to fund services for maintenance and service activities, is identified as the proposed project under the California Environmental Quality Act (CEQA). The Ordinance includes the creation of a funding mechanism to provide maintenance and service activities within the CFD. No expansion of an existing use will occur. No additional direct or indirect physical environmental impacts are anticipated from the provision of maintenance services identified in the Riverside County Ordinance No. 964.1.

**Name of Public Agency Approving Project:** County of Riverside

**Name of Person or Agency Carrying Out Project:** County of Riverside

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

**Reasons Why Project is Exempt:** The direct effects of the adoption of the Ordinance to levy a special tax within Prairie Crossing CFD would not constitute a project as defined by CEQA Section 21065 and State CEQA Guidelines Section 15378. Section 15378 (b) provides a list of five activities that are not considered a project under CEQA. The proposed Ordinance would qualify under two conditions identified in Section 15378 (b): (4) the creation of government funding

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

- **Section 15301 – Class 1 Existing Facilities Exemption:** This categorical exemption includes the operation, repair, maintenance, leasing, or minor alteration of existing public or private structures or facilities, provided the exemption only involves negligible or no expansion of the site's use. The development on the site was previously reviewed under CEQA which evaluated the effects of the development of 129 single-family homes within Tract 31633, which is Improvement Area B of Prairie Crossing CFD and subsequently approved. This approved development represents the environmental baseline and existing conditions under CEQA, as it is a dependent condition for the project, as proposed, to occur. The project is limited to the maintenance of the approved development within Improvement Area B of the Prairie Crossing CFD. The maintenance within Improvement Area B of the Prairie Crossing CFD is consistent within the activities permitted under Section 15301 and would ensure that the area does not physically deteriorate and potentially result in blight. The continued maintenance would not require any expansion of public services and facilities beyond what was approved for development; therefore, the project is exempt as it meets the scope and intent of the Class 1 Exemption identified in Section 15301, Article 19, Categorical Exemptions of the CEQA Guidelines.
- **Section 15061 (b) (3) – “Common Sense” Exemption:** In accordance with CEQA, the use of the Common Sense Exemption is based on the “general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment.” State CEQA Guidelines, Section 15061(b) (3). The use of this exemption is appropriate if “it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.” *Ibid*. This determination is an issue of fact and if sufficient evidence exists in the record that the activity cannot have a significant effect on the environment, then the exemption applies and no further evaluation under CEQA is required. See *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal. 3d 68. The ruling in this case stated that if a project falls within a category exempt by administrative regulation or 'it can be seen with certainty that the activity in question will not have a significant effect on the environment', no further agency evaluation is required. With certainty, there is no possibility that the project may have a significant effect on the environment. The adoption of the Ordinance and creation of funding to provide continued maintenance within Improvement Area B of the Prairie Crossing CFD will not result in any direct or indirect physical environmental impacts. The use and operation in Improvement Area B of the Prairie Crossing CFD will be substantially similar to the existing use and the ongoing maintenance will not create any new environmental impacts to the environment. No alterations and no impacts beyond the ongoing, existing use in Improvement Area B of the Prairie Crossing CFD would occur. Therefore, in no way, would the project as proposed have the potential to cause a significant environmental impact and the project is exempt from further CEQA analysis.

Therefore, the County of Riverside hereby concludes that no physical environmental impacts are anticipated to occur and the project as proposed is exempt under CEQA. No further environmental analysis is warranted.

Signed:



Date: 4-26-2022

Mike Sullivan, Senior Environmental Planner  
County of Riverside



# THE PRESS-ENTERPRISE

1825 Chicago Ave, Suite 100  
Riverside, CA 92507  
951-684-1200  
951-368-9018 FAX

## PROOF OF PUBLICATION (2010, 2015.5 C.C.P)

Publication(s): The Press-Enterprise

### PROOF OF PUBLICATION OF

Ad Desc.: KT6VEUQYCPM8PC0XKCWJ-1 / ADOPTION OF  
ORDINANCE NO 964.1

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:

06/03/2022

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

Date: June 03, 2022  
At: Riverside, California



Legal Advertising Representative, The Press-Enterprise

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

Ad Number: 0011540121-03

P.O. Number: ADOPTION OF ORDINANCE NO. 964.1

Ad Copy:

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

### SUMMARY OF ORDINANCE NO. 964.1 AN ORDINANCE OF THE COUNTY OF RIVERSIDE AUTHORIZING THE AMENDED LEVY OF A SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 20-2M (PRAIRIE CROSSING) IMPROVEMENT AREA B 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. 964.1 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. 2022-085, stating its intention to consider amending the Rate and Method of Apportionment of Special Tax for Community Facilities District No. 20-2M (Prairie Crossing) Improvement Area B of the County of Riverside (the "District"), and to authorize the levy of special taxes to Improvement Area B to fund, pay for, and finance authorized stormwater facilities and BMPs, street lighting and traffic signal services (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. 964.1 authorizes the levy of special taxes to Improvement Area B 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. 964.1 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. 964.1 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. 964.1 is the rate and method approved by voters within the District and as further reflected in Exhibit A "Rate and Method" to Ordinance No. 964.1. 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. 964.1 takes effect immediately upon its adoption in accordance with section 25123(c) of the Government Code.

J. Hewitt, Chair of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on **May 24, 2022**, the foregoing Ordinance was adopted by said Board by the following vote:

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

Kecia R. Harper, Clerk of the Board  
By: Zuly Martinez, Board Assistant  
The Press-Enterprise  
Published: 6/3/22

060  
5/24/22  
3.17