

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



**ITEM: 3.54  
(ID # 24795)**

**MEETING DATE:**

Tuesday, May 21, 2024

**FROM :** TLMA-TRANSPORTATION:

**SUBJECT:** TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION:  
Adopt Resolution No. 2024-007 and Resolution No. 2024-008 to Initiate proceedings for the Annexation of Zone 242 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Bermuda Dunes, District 4. [\$14,616 Ongoing Cost - L&LMD No. 89-1-C 100%]  
(Set for Public Hearing on July 9, 2024) (Clerk to Advertise)

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

1. Adopt Resolution Number 2024-007 a Resolution of the Board of Supervisors of the County of Riverside initiating proceedings for the annexation of Zone 242 to Landscaping and Lighting Maintenance District Number 89-1-Consolidated of the County of Riverside pursuant to the Landscaping and Lighting Act of 1972 and ordering preparation of the Engineer's Report regarding said annexation;

Continued on Page 2

**ACTION:Policy, Set for Hearing**

  
Dennis Acuna, Director of Transportation 5/6/2024

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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Gutierrez, seconded by Supervisor Jeffries and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended and is set for public hearing on Tuesday, July 9, 2024, at 9:30 a.m. or as soon as possible thereafter.

Ayes: Jeffries, Spiegel, Washington, Perez and Gutierrez  
Nays: None  
Absent: None  
Date: May 21, 2024  
xc: Trans., COBcf

Kimberly A. Rector  
Clerk of the Board

By:   
Deputy

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

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

2. Adopt Resolution Number 2024-008, a Resolution of the Board of Supervisors of the County of Riverside declaring its intent to order the annexation of Zone 242 to Landscaping and Lighting Maintenance District Number 89-1-Consolidated of the County of Riverside pursuant to the Landscaping and Lighting Act of 1972 for the maintenance and servicing of streetlights and dormant parkway landscaping, adopting the preliminary Engineer’s Report, giving notice of and setting the time and place of the public hearing on the annexation of Zone 242, ordering an assessment ballot proceeding conducted by mail, and directing the notice of the public hearing and the assessment ballot to be mailed pursuant to said Act and Article XIID of the California Constitution and Section 4000 of the Elections Code; and
3. Set the public hearing on the annexation of Zone 242 for July 9, 2024, order a mailed assessment ballot proceeding; and direct notice of the public hearing and ballot be mailed pursuant to Article XIID of the California Constitution. (Clerk to Advertise)

| <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                         | \$14,616                 | \$0                           | \$14,616            |
| <b>NET COUNTY COST</b>   | \$0                         | \$0                      | \$0                           | \$0                 |
| <b>SOURCE OF FUNDS:</b> L&LMD Number 89-1-C – 100%<br>There are no General Funds used in this project. |                             |                          | <b>Budget Adjustment:</b> N/A |                     |
|  |                             |                          | <b>For Fiscal Year:</b> 24/25 |                     |

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

**BACKGROUND:**

**Summary**

Landscaping and Lighting Maintenance Districts (L&LMD’s) are formed for the purpose of creating a funding mechanism to pay for the installation and maintenance of landscaping, streetlights, traffic signals, runoff catch basin filters, decorative fencing, and other roadside features within the road right of way. Within an established L&LMD, zones are created for specific developments, a fee structure is developed specific to the features within that zone, and the zone is then assessed through a tax levy on an annual basis for the installation and maintenance of the features within that particular zone.

L&LMD Number 89-1-C was formed in 1994, Resolution Number 94-389, and currently consists of 166 individual zones with different fee structures spread throughout Riverside County. The residential property owner (Developer) of TTM37735, as described in the attached Exhibit “A”, has petitioned the County to annex their property into L&LMD Number 89-1-C, creating Zone 242. The boundaries of Zone 242 will encompass the entire TTM37735 and will include the maintenance and servicing of streetlights and parkway landscaping.

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

Adoption of Resolution Number 2024-007 appoints the Director of the Transportation Department, or their designee, as the Engineer to prepare a Report regarding the proposed annexation of Zone 242 to Landscaping and Lighting Maintenance District Number 89-1-Consolidated ("L&LMD Number 89-1-C").

Resolution Number 2024-008 declares the Board of Supervisors' intention of ordering the annexation of Zone 242 to L&LMD Number 89-1-C. The annexation of Zone 242 to L&LMD Number 89-1-C will fund the maintenance and servicing of streetlights and parkway landscaping within public right-of-way located Northerly of Port Royal Ave, Easterly of Hermitage Drive, Westerly of Hopewell Avenue in the Bermuda Dunes area and includes condos totalling 3.30 acres.

Consistent with the Board of Supervisors' direction regarding compliance with Article XIID of the California Constitution and the Landscaping and Lighting Act of 1972, the attached resolutions have been prepared and a public hearing scheduled for 9:30 a.m. on July 9, 2024 to receive testimony for and against the proposed assessment. Each property owner within the proposed Zone 242 will receive a notice of the public hearing and mail-in assessment ballot, an impartial analysis, a copy of Resolution Number 2024-008, and an information sheet.

Assessment ballots must be returned prior to the conclusion of the public hearing. If, at the time designated for the tabulation of the assessment ballots, the assessment ballots submitted in favor of the annexation and levy of the assessment exceed the assessment ballots submitted in opposition of said annexation and levy, Zone 242 will be annexed to L&LMD Number 89-1-C.

There is only one individual/entity which owns all of the property within the proposed boundaries of Zone 242 and said property owner has executed a "Waiver and Consent Regarding Date of Assessment Ballot Proceeding" allowing for the proceeding and public hearing to be held on July 9, 2024.

**Reference**

At the direction of the County of Riverside Board of Supervisors, L&LMD Number 89-1-C was formed in 1994 by Resolution Number 94-389 authorizing the annexation of new zones into L&LMD Number 89-1-C for the purpose of levying assessments to pay for the installation and maintenance of landscaping, streetlights, and other right-of-way approved improvements.

The zone-specific Engineer's Report for fiscal year 2024-2025 was prepared in compliance with the requirement of Article 4, Chapter, 1, of the Landscaping and Lighting Act of 1972, which is Part 2, Division 15 of the California Streets and Highways Code. The County initiates annexation proceedings for the annual levy of assessments by passing a resolution, which proposes the new levy under the Landscaping and Lighting Act of 1972. This resolution also describes the improvements, describes the location of the zone within the District and finally orders an engineer, who is a registered professional engineer, certified by the State of California, to prepare and file a detailed report.

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

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

**Impact on Residents and Businesses**

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

Only the residential property owners within the proposed boundaries of Zone 242, which are represented by TTM37735, as described in the attached Exhibit "A" (a two-page exhibit containing a description and diagram) are impacted by the cost of this annexation. By setting up an assessment for the maintenance of certain infrastructure required by the development, the County requires that the development pay for its maintenance impact, rather than the obligation falling upon public funding sources.

**SUPPLEMENTAL:**

**Additional Fiscal Information**

The proposed budget for fiscal year 2024-2025 for Zone 242 is \$14,616. This will result in an assessment for fiscal year 2024-2025 within Zone 242 of \$812 per parcel, per a year. The annual assessment may be adjusted annually by the greater of 2% or the cumulative percentage increase in the Consumer Price Index for all Urban Consumers (CPI-U), if any, as it stands as of March of each year over the base index for March of 2024.

**Contract History and Price Reasonableness**

N/A

**ATTACHMENTS:**

Location Map  
Exhibit A  
Resolution Number 2024-007  
Resolution Number 2024-008  
Engineer's Report

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

  
Jason Farin, Principal Management Analyst 5/16/2024

  
Aaron Gettis, Chief of Deputy County Counsel 5/16/2024

2 RESOLUTION NUMBER 2024-007

3  
4 **RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE INITIATING**  
5 **PROCEEDINGS FOR THE ANNEXATION OF ZONE 242 TO LANDSCAPING AND LIGHTING**  
6 **MAINTENANCE DISTRICT NUMBER 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE**  
7 **PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 AND ORDERING**  
8 **PREPARATION OF ENGINEER'S REPORT REGARDING SAID ANNEXATION**

9 **WHEREAS**, the Board of Supervisors (hereinafter the "Board of Supervisors") of the County of  
10 Riverside (hereinafter the "County") has been advised by the Riverside County Transportation  
11 Department (hereinafter "Department") that said Department has received an application from the  
12 owner (the "Applicant") of all the property within the unincorporated area of the County (hereinafter  
13 "Zone 242"), as shown and described in Exhibit "A", which is attached hereto and made a part hereof,  
14 to be annexed to Landscaping and Lighting Maintenance District Number 89-1-Consolidated  
15 (hereinafter "L&LMD Number 89-1-C") of the County of Riverside, State of California, and the Board of  
16 Supervisors has determined that it is necessary and desirable to initiate proceedings for the annexation  
17 of Zone 242 to L&LMD Number 89-1-C pursuant to the Landscaping and Lighting Act of 1972, Part 2  
18 (commencing with Section 22500) of Division 15 of the Streets and Highways Code (hereinafter,  
19 respectively, the "Act" and the "Streets and Highways Code"); and

20 **WHEREAS**, such proceedings shall comply with the requirements of Article XIID of the  
21 California Constitution and Section 4000 of the Elections Code requiring voter approval of the proposed  
22 assessment to be levied by L&LMD Number 89-1-C for Zone 242; and

23 **WHEREAS**, the Applicant has executed a "Waiver and Consent Regarding Date of Assessment  
24 Ballot Proceeding" allowing for the proceeding to be held on July 9, 2024; and

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

FORM APPROVED COUNTY COUNSEL  
BY: *[Signature]* DATE: 5/15/24  
STEPHANIE K. NELSON

1 to serve as the engineer (hereinafter the "Engineer") for the County with regard to the annexation of  
2 Zone 242 to L&LMD Number 89-1-C.

3 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the  
4 Board of Supervisors of the County of Riverside assembled in regular session on May 21, 2024 as  
5 follows:

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

8 **Section 2. Annexation.** The Board of Supervisors proposes to annex Zone 242 to  
9 L&LMD Number 89-1-C and to initiate and conduct proceedings therefor pursuant to the Act for the  
10 purpose of levying an annual assessment on all parcels within Zone 242 to pay the costs of the  
11 following services:

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

17 **Section 3. Boundaries and Designation.** The boundaries of Zone 242 that are  
18 proposed to be annexed to L&LMD Number 89-1-C shall include all of the property as shown and  
19 described in Exhibit "A".

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

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

2  
3 RESOLUTION NO. 2024-007

4 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE INITIATING  
5 PROCEEDINGS FOR THE ANNEXATION OF ZONE 242 TO LANDSCAPING AND LIGHTING  
6 MAINTENANCE DISTRICT NUMBER 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE  
7 PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 AND ORDERING  
8 PREPARATION OF ENGINEER'S REPORT REGARDING SAID ANNEXATION

9  
10 ROLL CALL:

11  
12 Ayes: Jeffries, Washington, Spiegel, Perez, and Gutierrez

13 Nays: None

14 Absent: None

15  
16  
17 The foregoing is certified to be a true copy of a resolution duly adopted by said Board of  
18 Supervisors on the date therein set forth.

19  
20 KIMBERLY A. RECTOR, Clerk of said Board

21  
22 By:  \_\_\_\_\_  
23 Deputy



**EXHIBIT "A"**

**DESCRIPTION OF BOUNDARIES**

The boundaries of Zone 242 to be annexed into Landscaping and Lighting Maintenance District Number. 89-1-Consolidated, of the County of Riverside, County of Riverside, are coterminous with the boundaries of APN 607-312-037 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2024-2025.

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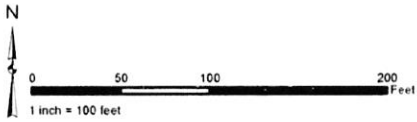
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1 CONSOLIDATED

**ZONE 242**

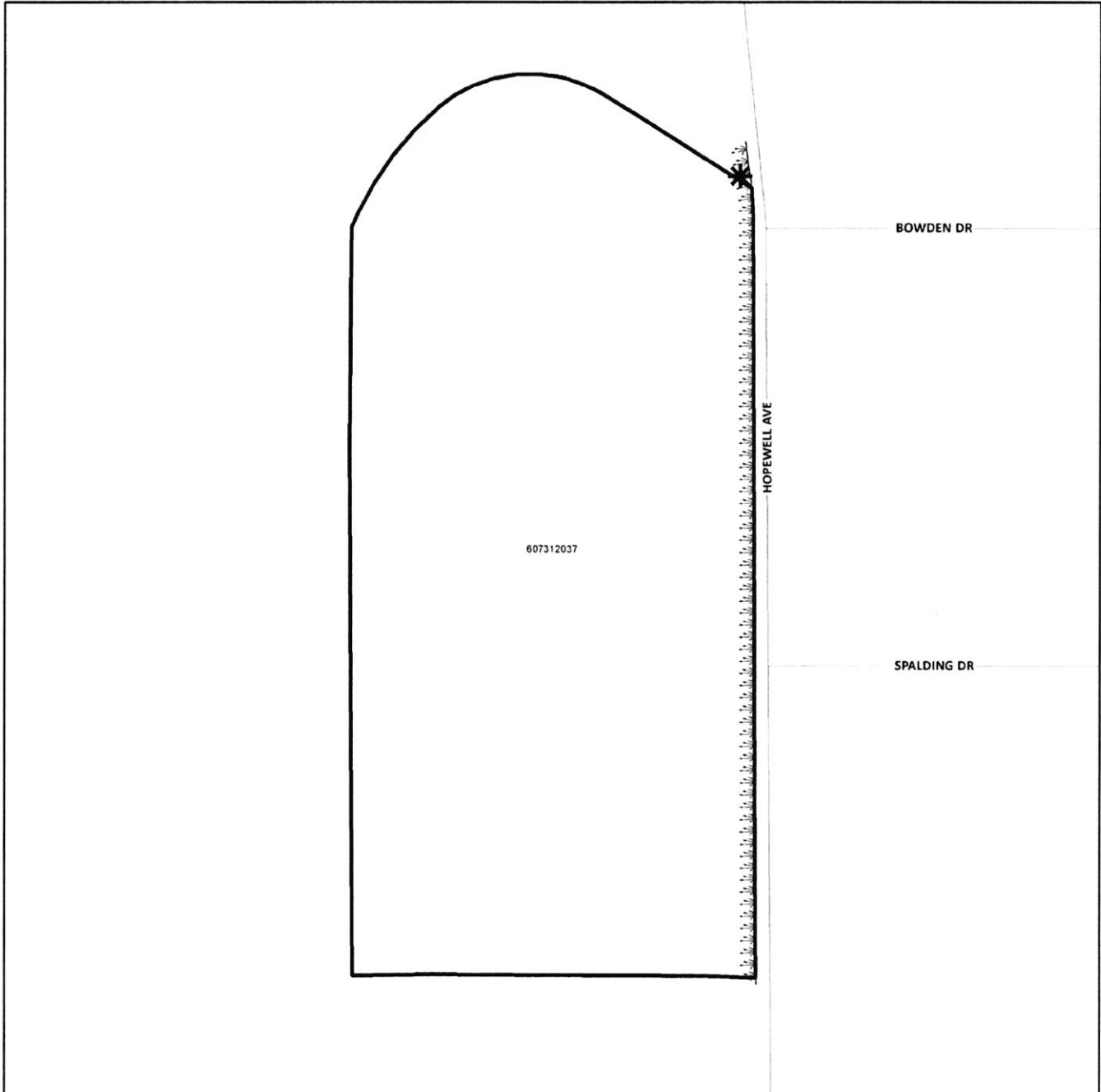
PORTION(S) OF SECTION 8, T.5S., R.7E.  
TENTATIVE TRACT MAP NO. 37735  
1 PARCEL (18 CONDOMINIUMS)



The County of Riverside assumes no warranty or legal responsibility for the information contained on this map. Data and information represented on this map is subject to updates, modifications and may not be complete or appropriate for all purposes. County GIS and other sources should be queried for the most current information. Do not copy or resell this map. Printed by BHAWN on 4/1/2024



**ASSESSMENT DIAGRAM**



DENOTES LANDSCAPED AND MAINTAINED PARKWAY

DENOTES MAINTAINED ROW STREETLIGHT

DENOTES ZONE BOUNDARY

2 RESOLUTION NUMBER 2024-008

3 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING  
4 ITS INTENT TO ORDER THE ANNEXATION OF ZONE 242 TO LANDSCAPING AND LIGHTING  
5 MAINTENANCE DISTRICT NUMBER 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE  
6 PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 FOR THE MAINTENANCE  
7 AND SERVICING OF STREETLIGHTS AND DORMANT PARKWAY LANDSCAPING; ADOPTING  
8 THE PRELIMINARY ENGINEER'S REPORT; GIVING NOTICE OF AND SETTING THE TIME AND  
9 PLACE OF THE PUBLIC HEARING ON THE THE ANNEXATION OF ZONE 242 ; ORDERING AN  
10 ASSESSMENT PROCEEDING; ORDERING AN ASSESSMENT BALLOT PROCEEDING  
11 CONDUCTED BY MAIL; AND DIRECTING NOTICE OF THE PUBLIC HEARING AND THE  
12 ASSESSMENT BALLOT TO BE MAILED PURSUANT TO SAID ACT AND ARTICLE XIID OF THE  
13 CALIFORNIA CONSTITUTION AND SECTION 4000 OF THE ELECTIONS CODE

14 WHEREAS, the Board of Supervisors (hereinafter the "Board of Supervisors") of the County of  
15 Riverside (hereinafter the "County") has adopted Resolution Number 2024-007 on May 21, 2024  
16 initiating proceedings for the annexation of Zone 242 (hereinafter "Zone 242"), as described and shown  
17 in Exhibit "A", which is attached hereto and incorporated herein, to Landscaping and Lighting  
18 Maintenance District Number 89-1-Consolidated of the County of Riverside, State of California,  
19 (hereinafter "L&LMD Number 89-1-C") pursuant to the Landscaping and Lighting Act of 1972  
20 (hereinafter the "Act"), which is Part 2 (commencing with Section 22500) of Division 15 of the Streets  
21 and Highways Code (hereinafter the "Streets and Highways Code"), and ordering the preparation of a  
22 report (hereinafter the "Report") regarding the proposed annexation of Zone 242 and the assessments  
23 to be levied within Zone 242 each fiscal year beginning fiscal year 2024-2025 for the maintenance and  
24 servicing of streetlights and dormant parkway landscaping within the public right-of-way within said  
25 zone; and

26 WHEREAS, such proceedings shall comply with the requirements of Article XIID of the  
California Constitution (hereinafter "Article XIID"), the Act, and Section 4000 of the Elections Code  
requiring voter approval of the proposed assessment to be levied by L&LMD Number 89-1-C for  
Zone 242; and

FORM APPROVED COUNTY COUNSEL  
BY: *[Signature]* / DATE: 5/15/24  
STEPHANIE K. NELSON

1           **WHEREAS**, the Board of Supervisors by Resolution Number 2024-007 directed the Director of  
2 the Transportation Department, or their designee (hereinafter the "Engineer"), to prepare and file the  
3 Report with the Clerk of the Board of Supervisors in accordance with Sections 22608 and 22585 et.  
4 seq. of the Streets and Highways Code and Section 4 of Article XIID; and

5           **WHEREAS**, said Engineer has filed the Report with the Clerk of the Board of Supervisors and  
6 the Report has been presented to and considered by the Board of Supervisors; and

7           **WHEREAS**, the Applicant has executed a "Waiver and Consent Regarding Date of Assessment  
8 Ballot Proceeding" allowing for the proceeding to be held on July 9, 2024; and

9           **WHEREAS**, it is necessary that the Board of Supervisors adopt a resolution of intention  
10 pursuant to Section 22587 of the Streets and Highways Code, which fixes and gives notice, pursuant to  
11 Section 22588 of the Streets and Highways Code, of the time and place of a public hearing on said  
12 Report, the annexation of Zone 242, and the assessments to be levied on parcels within Zone 242  
13 beginning in fiscal year 2024-2025;

14           **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the  
15 Board of Supervisors in regular session assembled on May 21, 2024 as follows:

16           **Section 1. Findings.** The Board of Supervisors, after reviewing the Report, finds that:

- 17           (a) The foregoing recitals are true and correct;
- 18           (b) The Report contains all matters required by Sections 22565 through 22574 of the  
19 Streets and Highways Code and Section 4 of Article XIID and may, therefore, be  
20 approved by the Board of Supervisors;
- 21           (c) The annual assessment for fiscal year 2024-2025 on all parcels within Zone 242 will be  
22 \$812 per parcel.

23           **Section 2. Intent.** The Board of Supervisors hereby declares its intention to order the  
24 annexation of Zone 242, as described and shown in Exhibit "A", to L&LMD Number 89-1-C, and to levy  
25 and collect an annual assessment on all assessable lots and parcels of property within Zone 242  
26 commencing with the fiscal year 2024-2025 as set forth in the Report. The Report expressly states that

1 there are no parcels or lots within Zone 242 that are owned by a federal, state or other local  
2 governmental agency that will benefit from the services to be financed by the annual assessments. The  
3 annual assessments will be collected at the same time and in the same manner as property taxes are  
4 collected, and all laws providing for the collection and enforcement of property taxes shall apply to the  
5 collection and enforcement of said assessments.

6 **Section 3. Boundaries.** All the property within the boundaries of Zone 242 is proposed to  
7 be annexed to L&LMD Number 89-1-C and shall include that property in the unincorporated area of the  
8 County as described and shown in Exhibit "A".

9 **Section 4. Description of Services to be Provided.** The services authorized for Zone 242  
10 of L&LMD Number 89-1-C are:

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

16 **Section 5. Amount to be Levied.** The assessment to be levied upon each parcel that  
17 benefits from the annexation of Zone 242 to L&LMD Number 89-1-C will be \$812 per parcel for fiscal  
18 year 2024-2025. As stated in the Report, the total budget for Zone 242 for the fiscal year 2024-2025 is  
19 \$14,616; there are 18 parcels that are to be assessed that aggregate to 3.30 acres. Each succeeding  
20 fiscal year the special assessment may be subject to an annual adjustment that is the greater of two  
21 percent (2%) or the cumulative percentage increase, if any, in the Consumer Price Index for all Urban  
22 Consumers ("CPI-U") for the Riverside-San Bernardino-Ontario California Standard Metropolitan  
23 Statistical area ("Index") published by the Bureau of Labor Statistics of the United States Department of  
24 Labor. The annual CPI-U adjustment will be based on the cumulative increase, if any, in the Index as it  
25 stands on March of each year over the base Index for March of 2024. Any increase larger than the  
26 greater of 2% or the CPI-U annual adjustment requires a majority approval of all the property owners in

1 Zone 242. The Board of Supervisors will levy the assessment in each subsequent fiscal year until the  
2 Board of Supervisors undertakes proceedings for the dissolution of Zone 242 of L&LMD Number  
3 89-1-C. The annual assessment will fund the services described in Section 4 of this Resolution. For  
4 further particulars, reference is to be made to the Report on file in the Office of the Clerk of the Board of  
5 Supervisors.

6 **Section 6. The Property to be Annexed.** The property to be annexed to L&LMD Number  
7 89-1-C is Zone 242. The boundaries of Zone 242 are located within the unincorporated area of the  
8 County and are described and shown in the Report and Exhibit "A".

9 **Section 7. Report.** The Report, which is on file with the Clerk of the Board of Supervisors,  
10 and which has been presented to the Board of Supervisors, is hereby approved. Reference is made to  
11 the Report for a full and detailed description of the services, the boundaries of Zone 242, and the  
12 annual assessment to be levied upon assessable lots and parcels within Zone 242 proposed to be  
13 annexed to L&LMD Number 89-1-C.

14 **Section 8. Public Hearing.** The question of whether Zone 242 shall be annexed to L&LMD  
15 Number 89-1-C and an annual assessment levied beginning with fiscal year 2024-2025 shall be  
16 considered at a public hearing (hereinafter the "Public Hearing") to be held on July 9, 2024, at 9:30 a.m.  
17 at the meeting room of the Board of Supervisors of the County at 4080 Lemon Street, 1<sup>st</sup> Floor,  
18 Riverside, California.

19 **Section 9. Majority Protest.** Each owner of record of property within Zone 242 is to receive  
20 by mail an assessment ballot that shall conform to the requirements of Section 4 of Article XIID and  
21 Section 4000 of the California Elections Code. The assessment ballots are to be returned prior to the  
22 Public Hearing. The agency shall not impose an assessment if there is a majority protest. A majority  
23 protest exists if, upon the conclusion of the hearing, assessment ballots submitted in opposition to the  
24 assessment exceed the assessment ballots submitted in favor of the assessment. In tabulating the  
25 assessment ballots, the assessment ballots shall be weighted according to the proportional financial  
26 obligation of the affected property.

1           **Section 10. Information.** Any property owner desiring additional information regarding  
2 Zone 242 of L&LMD Number 89-1-C, the Report, or the proposed assessment is to contact  
3 Ms. Michelle Cervantes, Administrative Services Officer, Transportation Department of the County of  
4 Riverside, 4080 Lemon Street, 8th Floor, Riverside, California, 92501, or by telephone at  
5 951-955-6591, or by e-mail at micervan@rivco.org.

6           **Section 11. Notice of the Public Hearing.** Notice of Public Hearing with regard to the  
7 annexation of Zone 242 to L&LMD Number 89-1-C shall be given consistent with Sections 22608 and  
8 22588 of the Streets and Highways Code and Section 4 of Article XIID. The Clerk of the Board of  
9 Supervisors shall give notice of the Public Hearing by causing a certified copy of this Resolution to be  
10 published once in an appropriate newspaper at least ten (10) days prior to the date of the Public  
11 Hearing that is July 9, 2024. Publication of this Resolution is to be effected by the Clerk of the Board of  
12 Supervisors. Notice shall also be given by mailing first-class, postage prepaid, those notices, as  
13 prepared by County Counsel, assessment ballot and information sheets as required by Section 4 of  
14 Article XIID and Section 4000 of the California Elections Code to all owners of record of property within  
15 Zone 242 as shown on the last equalized assessment roll of the County. Mailing is to be made by the  
16 Engineer and deposited with the U. S. Post Office at least forty-five (45) days prior to the Public  
17 Hearing on July 9, 2024.

18           **Section 12 Effective Date.** This Resolution shall take effect from and after its date of  
19 adoption.

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26

2 RESOLUTION NO. 2024-008

3 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING  
 4 ITS INTENT TO ORDER THE ANNEXATION OF ZONE 242 TO LANDSCAPING AND LIGHTING  
 5 MAINTENANCE DISTRICT NUMBER 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE  
 6 PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 FOR THE MAINTENANCE AND  
 7 SERVICING OF STREETLIGHTS AND DORMANT PARKWAY LANDSCAPING; ADOPTING THE  
 8 PERLIMINARY ENGINEER’S REPORT; GIVING NOTICE OF AND SETTING THE TIME AND  
 9 PLACE OF THE PUBLIC HEARING ON THE ANNEXATION OF ZONE 242; ORDERING AN  
 10 ASSESSMENT PROCEEDING; ORDERING AN ASSESSMENT BALLOT PROCEEDING  
 11 CONDUCTED BY MAIL; AND DIRECTING NOTICE OF THE PUBLIC HEARING AND THE  
 12 ASSESSMENT BALLOT TO BE MAILED PURSUANT TO SAID ACT AND ARTICLE XIII D OF THE  
 13 CALIFORNIA CONSTITUTION AND SECTION 4000 OF THE ELECTIONS CODE

14  
15 ROLL CALL:

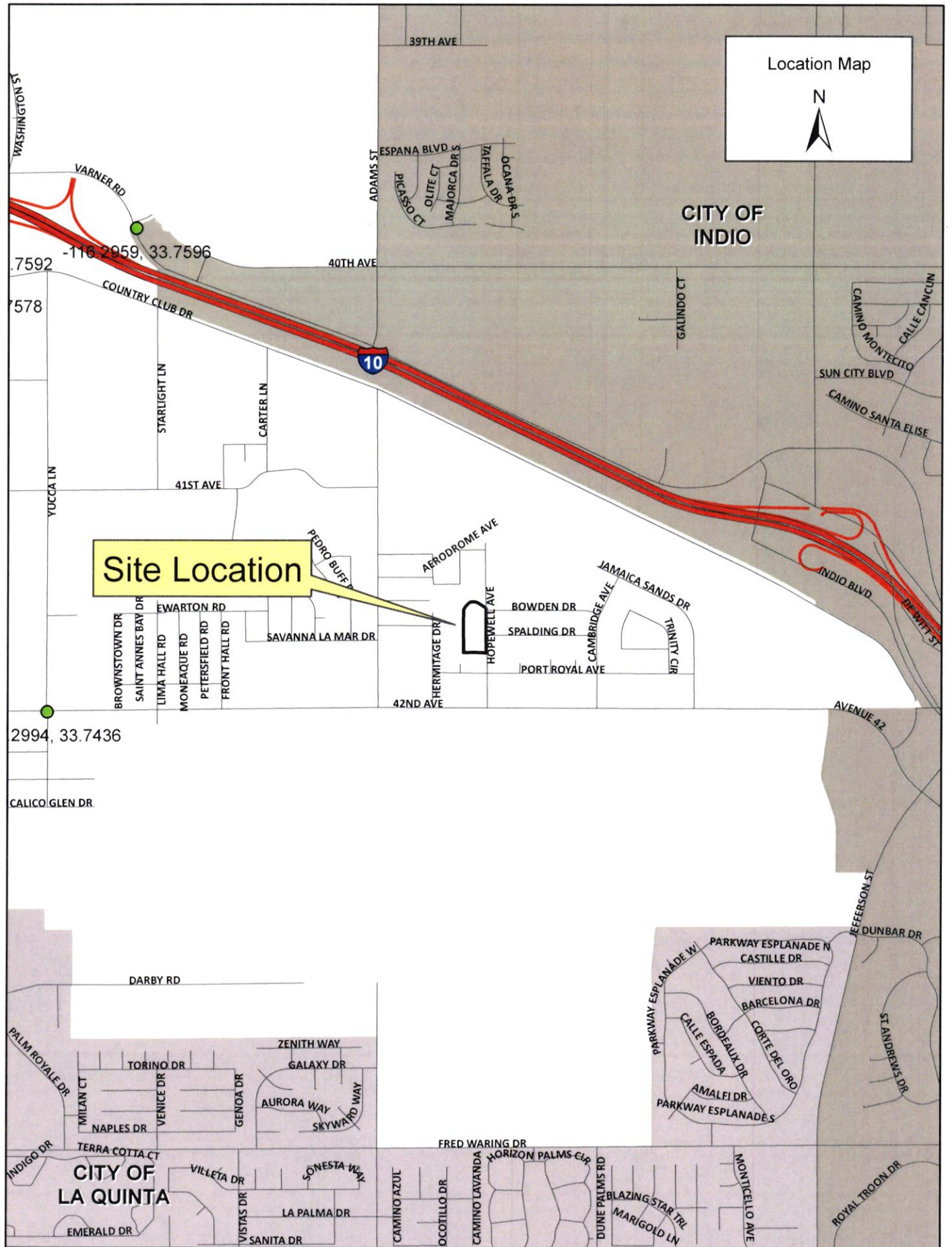
16  
 17 Ayes: Jeffries, Washington, Spiegel, Perez, and Gutierrez  
 18 Nays: None  
 19 Absent: None  
 20

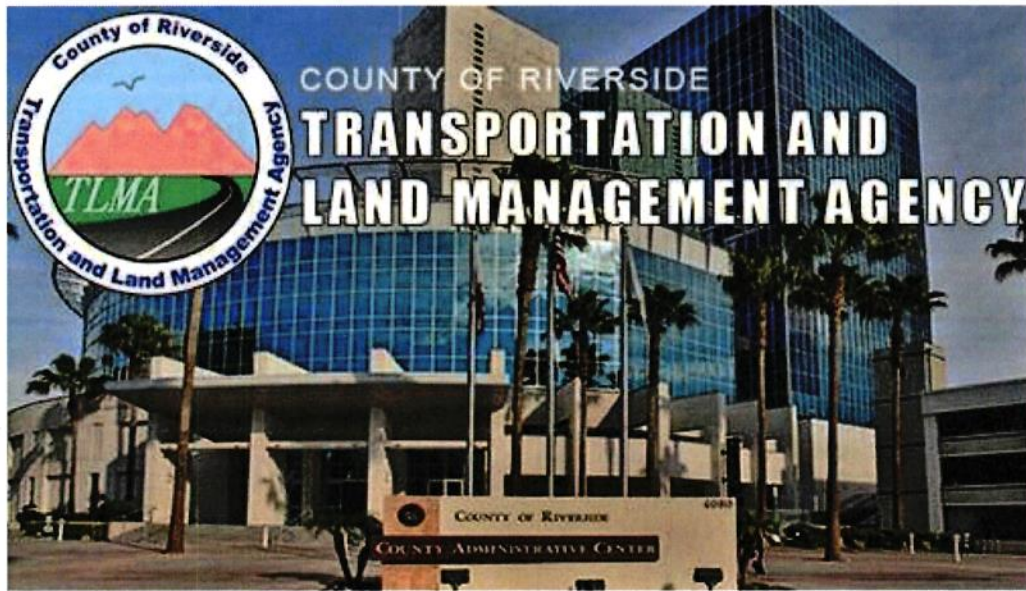
21 The foregoing is certified to be a true copy of a resolution duly adopted by said Board of  
 22 Supervisors on the date therein set forth.

23  
24 KIMBERLY A. RECTOR, Clerk of said Board

25 By:  \_\_\_\_\_  
 Deputy







## **COUNTY OF RIVERSIDE - TRANSPORTATION AND LAND MANAGEMENT AGENCY**

**ENGINEER'S REPORT FOR  
LANDSCAPING AND LIGHTING MAINTENANCE  
DISTRICT NO. 89-1-CONSOLIDATED  
ANNEXATION OF ZONE 242  
TR 37735**

**April 2024**

*PREPARED BY*



**Harris & Associates**

*41593 Winchester Rd, Suite 200  
Temecula, CA 92590  
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## ENGINEER'S CERTIFICATION

**AGENCY:** COUNTY OF RIVERSIDE, CALIFORNIA – TRANSPORTATION DEPARTMENT

**PROJECT:** ANNEXATION OF TR 37735 TO  
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO.  
89-1-CONSOLIDATED (“L&LMD NO. 89-1-C”) AS ZONE 242  
TR 37735

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

### ENGINEER'S REPORT

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

This Report provides for the annexation of Tentative Tract Map 37735 (TR 37735) to L&LMD No. 89-1-C as Zone 242 and establishes the Maximum Assessment to be levied in the Fiscal Year commencing on July 1, 2024 and ending on June 30, 2025 (2024-2025) and continuing in all subsequent Fiscal Years, for this area to be known and designated as:

### **L&LMD NO. 89-1-C ZONE 242 TR 37735**

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

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

Pursuant to the provisions of law, the costs and expenses of Zone 242 have been assessed upon the parcels of land in Zone 242 benefited thereby in direct proportion and relation to the estimated benefits to be received by each of said parcels.

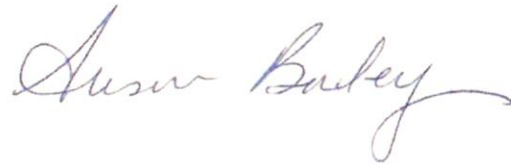
As required by law, an Assessment Diagram/Boundary Map is filed herewith, showing Zone 242, as well as the boundaries and dimensions of the respective parcels and subdivisions of land within said Zone 242

as they exist as of the date of this Report, each of which subdivisions of land or parcels or lots, respectively, have been assigned a parcel/lot number within a specific tract and indicated on said Assessment Diagram/Boundary Map and in the Assessment Roll contained herein.

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

As of the date of this Report, there are no parcels or lots within Zone 242 that are owned by a federal, state or other local governmental agency that will benefit from the services to be provided by the assessments to be collected.

DATED this 25th day of April, 2024



Alison M. Bouley, P.E., Assessment Engineer  
R.C.E. No. C61383  
Engineer of Work  
County of Riverside  
State of California

## EXECUTIVE SUMMARY

### A. Introduction

Pursuant to the provisions of law, the costs and expenses of Zone 242 have been assessed upon the parcels of land in Zone 242 benefited thereby in direct proportion and relation to the estimated benefits to be received by each of said parcel(s). For particulars as to the identification of said parcel(s), reference is made to the Assessment Diagram/Boundary Map, a reduced copy of which is included herein. On this 21st day of May, 2024, the Riverside County Board of Supervisors, County of Riverside, State of California, ordering the preparation of the Report providing for the annexation of TR 37735 to L&LMD No. 89-1-C as Zone 242 did, pursuant to the provisions of the 1972 Act, being Division 15 of the Streets and Highways Code of the State of California, adopt Resolution No. 2024-\_\_\_\_\_ for a special assessment district zone known and designated as:

ZONE 242  
TR 37735

The annexation of Zone 242 includes the parcel(s) of land within the residential development known as TR 37735, also identified by the Assessor Parcel Number(s) valid as of the date of this Report:

607-312-037

Harris & Associates submits this Report, consisting of (5) parts, for the annexation of said Zone 242 and the establishment of the Maximum Assessment to be levied and collected commencing Fiscal Year 2024-2025 and continuing in subsequent fiscal years.

### Part I

Plans and Specifications: This section contains a description of Zone 242's boundaries and the proposed improvements within said Zone 242 ("Plans" as described in Part I). Zone 242 shall consist of a benefit zone encompassing all of the properties within the residential development known as TR 37735.

### Part II

The Method of Apportionment: A narrative of the property benefits from the improvements and the method of calculating each property's proportional special benefit and annual assessment. The proposed initial Maximum Assessment and assessment range formula established for Zone 242 is based on current property development Plans and estimated annual costs and expenses associated with all improvements to be accepted and maintained by Zone 242 at build-out.



### **Part III**

The Cost Estimate: An estimate of the cost of streetlight and landscape maintenance, including incidental costs and expenses in connection therewith for Fiscal Year 2024-2025, is as set forth on the lists thereof, attached hereto.

### **Part IV**

Assessment Diagram/Boundary Map: The Assessment Diagram/Boundary Map shows the parcels of land included within the boundaries of Zone 242. For details concerning the lines and dimensions of the applicable Assessor's Parcel Number(s), refer to the Riverside County Assessor's Map(s) as of the date of this Report.

### **Part V**

Assessment Roll: Separate numbers given the subdivisions and parcels of land/lots and the initial Maximum Assessment per parcel, residential unit or lot to be applied on the tax roll for Fiscal Year 2024-2025.

## **B. Description of Assessment Zone**

The services to be provided by L&LMD No. 89-1-C Zone 242 include maintenance of public street lighting and landscaping, which provide a special benefit to the parcel(s) to be assessed. The annexation of TR 37735 to L&LMD No. 89-1-C as Zone 242 will provide the financial mechanism (annual assessments) by which the ongoing operation and maintenance of these improvements and services will be funded. Zone 242's structure, proposed improvements, method of apportionment and assessments described in this Report are based on the Plans provided to Harris & Associates as of the date of this Report, including all estimated direct expenditures, incidental expenses, and reserves associated with the energizing, maintenance and servicing of the proposed improvements.



## PART I – PLANS AND SPECIFICATIONS

### A. Description of Improvements and Services for L&LMD No. 89-1-C

The following services were authorized pursuant to the County of Riverside Board of Supervisors approved Resolution No. 94-389 for L&LMD No. 89-1-C:

- L&LMD No. 89-1-C will annually levy an assessment on property within its boundaries to pay the cost of the following services and improvements in proportion to the special benefit provided to the parcels to be assessed:
  - The installation and planting of landscaping, including trees, shrubs, grass and other ornamental vegetation;
  - The installation or construction of statuary, fountains and other ornamental structures and facilities;
  - The installation or construction of public lighting facilities including but not limited to, traffic signals;
  - The installation or construction of any facilities which are appurtenant to any of the foregoing, or which are necessary or convenient for the maintenance or servicing thereof, including, but not limited to, grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks or paving, water irrigation, drainage or electrical facilities; and,
  - The maintenance and/or servicing of any of the foregoing.

### B. Improvements and Services for L&LMD No. 89-1-C Zone 242

The improvements and services to be funded by L&LMD No. 89-1C Zone 242 include one (1) public streetlight located on the northwest corner of Hopewell Avenue and the tract entrance, and landscaping immediately adjacent to the residential subdivision along the west side of Hopewell Avenue. All improvements are within the area of TR 37735 and are required as a condition of approval for TR 37735.

The proposed improvements described in this Report are based on current development and improvement plans provided to Harris & Associates as of the date of this Report. Improvement plans include the (1) Final Site Plan of Development Tract Map No. 37735 by Egan Civil, Inc., dated 01/23/2023 and (2) Signed Schedule "A" Street Improvement Plans – Hopewell Avenue Street Lighting Plan, TM 37735, IP 220049 by Egan Civil, Inc., dated 02/14/2023, signed by Plan Check Oversight Engineer #76450 on 3/8/23 ("Plans").



### C. Location of Assessment Zone

Zone 242 is located within the unincorporated area of the County of Riverside, State of California and is comprised of TR 37735. The area for Zone 242 is generally located east of Hermitage Drive, south of Aerodrome Avenue, west of Hopewell Avenue, and north of Port Royal Avenue. At full development, Zone 242 is projected to include 18 assessable residential lots/units and 1 non-assessable lots. Zone 242 currently consists of the lot(s)/unit(s), parcel(s) and subdivisions of land located in the following development area:

- TR 37735 – Assessor Parcel Number(s) as of the date of this Report:

607-312-037

## PART II – METHOD OF APPORTIONMENT

### A. Benefit Analysis

The 1972 Act permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements, which include the construction, maintenance, and servicing of public lights, landscaping, dedicated easements for landscape use, and appurtenant facilities. The 1972 Act further provides that assessments may be apportioned upon all assessable lots or parcels of land within an assessment district in proportion to the estimated benefits to be received by each lot or parcel from the improvements rather than by assessed value.

Section 22573 of the 1972 Act gives the following instructions for apportioning assessments to the parcels within the district:

“The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements.”

The formula used for calculating assessments reflects the composition of the parcels and the improvements and services provided by Zone 242 to fairly apportion the costs based on the estimated benefit to each parcel.

In addition, Article XIII D of the California Constitution (“Article”) requires that a parcel’s assessment may not exceed the reasonable cost of the proportional special benefit conferred on that parcel. The Article provides that only special benefits are assessable, and the County must separate the general benefits from the special benefits conferred on a parcel. A special benefit is a particular and distinct benefit over and above general benefits conferred on the public at large, including real property within the district. The general enhancement of property value does not constitute a special benefit.

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



## **Special Benefit**

The identified improvements and services provide benefits to the parcels located within the District. Therefore, the maintenance of these improvements also provides benefits by maintaining the functionality of the improvements and allowing the improvements to operate in a proper manner. Some of these benefits are “special benefits,” benefits that are above and beyond those “general benefits” provided to the public at large or properties located outside the District. Under Assessment Law, only “special benefits” are assessable. As such, isolation and quantification of the “special benefits” associated with the improvements and services are paramount. In order to isolate the “Special Benefits,” it is necessary to quantify the amount of “General Benefits” associated with the improvements and services.

Zone 242 does not include any government-owned parcels or easements, utility easements, or flood channel parcels.

### **Special Benefits of Landscaping and Lighting Maintenance District No. 89-1-C Zone 242 Authorized Improvements and Services:**

#### **Landscaping:**

The special benefits of landscape maintenance, are the provision of improved public safety and air quality and provide a positive visual experience, specifically:

- Landscape improvements provide enhancement to nearby parcels through erosion control, dust and debris control, and weed abatement for fire safety.
- The aesthetic desirability of parcels within the District is specifically enhanced by the presence of well-maintained frontage landscape.
- Improvements are required as a condition of approval for the development.

There is existing landscaping on the east side Hopewell Avenue which is maintained and benefits the property owners on the east side of Hopewell Avenue. Installation and maintenance of new landscaping on the west side of Hopewell Avenue is the responsibility of and benefits the property owners of Zone 242.

### **Street Lighting:**

The operation, maintenance and servicing of lighting along local streets in close proximity to certain lots or parcels provides a special benefit to such lots or parcels by providing illumination resulting in:

- Improved ingress and egress from such lots or parcels by illuminating access after sunset.
- Improved nighttime visibility for the local access of emergency vehicles.

Zone 242 is located within the Riverside County Dark Sky policy area (Riverside County Ordinance 348 and Ordinance 655) with the County goal of reducing light pollution in this area. There are no public streetlights on the streets surrounding Zone 242. A Condition of Approval requires the installation and maintenance of a streetlight functioning as a safety light at the intersection containing the entrance to the project. The safety light is installed and pointed directionally for the purpose of traffic flowing into the development as well as to reduce light pollution to surrounding parcels. Therefore, the installation and maintenance of the safety streetlight is considered entirely for the benefit of parcels within Zone 242.

Maintained landscaping and streetlights confer particular and distinct special benefits upon developable parcels within the District because of the nature of the improvements. The servicing of these and their appurtenant facilities, specially benefit parcels within the District by allowing for the development of the parcel(s) and the economic benefit which results from the development.

### **General Benefit**

The total benefit from the works of improvement is a combination of the special benefits to the parcels within the Zone 242 and the general benefits, if any, to the public at large and to adjacent property owners. A portion of the total maintenance costs for the street lighting and landscaping, if any, associated with general benefits cannot be assessed to the parcels in the Zone 242, but would be paid from other Riverside County Transportation Department funds. Because streetlighting and the landscaping are located immediately adjacent to properties within the Zone 242, which were required as a condition of approval for the development of the property, the streetlights are maintained solely for the benefit of the properties. Additionally, there is existing landscaping on adjacent streets are located and maintained by adjacent parcels outside the zone. Therefore, any benefit received for Zone 242 improvements by properties outside of the Zone 242 is nominal and the general benefit portion of the benefit received from the improvements for the Zone 242 is nominal.

### **Exempt Property**

Based on the benefits described above, streetlight improvements were an integral part of the quality of life within the District. This quality of life is a special benefit to all parcels within the District except government-owned parcels or easements, utility easements, or flood channel parcels. Government-owned parcels or easements, utility easements, and flood channel parcels ("Exempt Property") do not benefit from the improvements due to their type of use and lack of human habitation on such parcels. Parcels of this nature are usually vacant narrow strips of land or flood control channels and therefore do not generate or experience pedestrian or vehicular traffic. Nor do these types of parcels support dwelling units or other structures that would promote frequent use by the traveling public. As a result of this lack of activity on such parcels, they do not receive any benefit from streetlight improvements and are not assessed.

## Summary

In summary, no property is assessed in excess of the reasonable cost of the proportional special benefit conferred on that property. Additionally, because the benefiting properties consist of a uniform land use (residential), it is determined that each of the residential units, parcels or lots within Zone 242, at buildout, will benefit equally from the improvements. Therefore, the proportionate share of the costs and expenses for the maintenance and servicing of the street lighting and landscaping are apportioned equally on a per residential unit basis within Zone 242.

## B. Maximum Assessment Methodology

The following methodology for establishing the Maximum Annual Assessment was adopted by Riverside County Board of Supervisors in the annual Report approved on November 29, 1994. Such methodology has been maintained in preparation of this Report. The purpose of establishing a Maximum Assessment formula is to provide for reasonable increases and inflationary adjustments to annual assessments without requiring costly noticing and mailing procedures, which would add to Zone 242 costs and assessments.

The Maximum Assessment formula shall be applied to all assessable residential units of land within Zone 242. For Zone 242, the initial Maximum Assessment for Fiscal Year 2024-2025 is as follows:

- The initial Maximum Assessment established within Zone 242 (TR 37735) shall be \$14,614.
- The initial Maximum Assessment per residential unit established within Zone 242 (TR 37735) shall be \$812 per assessable residential unit.

The initial Maximum Assessment shall be adjusted by the greater of two percent (2%) or the cumulative percentage increase in the Consumer Price Index for all Urban Consumers ("CPI-U") for Riverside-San Bernardino-Ontario California Standard Metropolitan Statistical Area ("Index") published by the Bureau of Labor Statistics of the United States Department of Labor (BLS). The

annual CPI-U adjustment will be based on the cumulative increase, if any, in the Index as it stands in March of each year over the base Index of 2024, starting in Fiscal Year 2025-2026.

The Maximum Assessment is adjusted annually and is calculated independent of the Zone 242's annual budget and proposed annual assessment. The proposed annual assessment (rate per assessable residential unit) applied in any fiscal year is not considered to be an increased assessment if less than or equal to the Maximum Assessment amount. In no case shall the annual assessment exceed the Maximum Assessment.

Although the Maximum Assessment will increase each year, the actual Zone 242 assessments may remain virtually unchanged. The Maximum Assessment adjustment is designed to establish a reasonable limit on Zone 242 assessments. The Maximum Assessment calculated each year does not require or facilitate an increase to the annual assessment and neither does it restrict assessments to the adjusted maximum amount. If the budget and assessments for the fiscal year require an increase and the increase is more than the adjusted Maximum Assessment, it is considered an increased assessment.

To impose an increased assessment, the County of Riverside must comply with the provisions of the California Constitution Article XIII D Section 4c, that requires a public hearing and certain protest procedures including mailed notice of the public hearing and property owner protest balloting. Property owners, through the balloting process, must approve the proposed assessment increase. If the proposed assessment is approved, then a new Maximum Assessment is established for Zone 242. If the proposed assessment is not approved, the County may not levy an assessment greater than the adjusted Maximum Assessment previously established for Zone 242.

### **C. Annual Assessment**

The Method of Apportionment of the Assessment is based upon the relative special benefit derived from the improvements and conferred upon the assessable real property within Zone 242 over and above general benefit conferred upon the assessable real property within Zone 242 or to the public at large. It is determined that each residential unit, parcel or lot within Zone 242, at buildout, will benefit equally from the improvements. Therefore, the proportionate share of the costs and expenses for the maintenance and servicing of the street lights and landscaping are apportioned on a per residential unit basis for all benefiting residential parcels within Zone 242. Any Exempt Property within Zone 242 is specifically excluded from the apportionment calculation and is exempt from assessment.

The Assessment Rate per Residential Unit within Zone 242 is calculated by dividing the total Annual Balance to Levy by the total number of Assessable Residential Units within Zone 242, at buildout,

to determine the Annual Assessment per Assessable Residential Unit. The Annual Balance to Levy is the Total Annual Street Light and Landscaping Costs as seen in Part III – Cost Estimate.

The Assessment for each Assessable Residential Unit/Parcel for FY 2024-2025 is calculated as follows:

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

## PART III – COST ESTIMATE

### L&LMD NO. 89-1-C ZONE 242 (TR 37735) FOR FISCAL YEAR 2024-2025

| Cost Description   | Total Costs for Zone 242 <sup>1,2</sup> | Cost per Residential Unit for Zone 242 <sup>2,3</sup> |
|--|---|---|
| Landscaping (2,500 sf)                                       | \$2,310                                 | \$128   |
| Tree Trimming (19 trees)                                     | \$3,800                                 | \$211   |
| Water & Water Meter  | \$639                                   | \$35  |
| Electric Meter   | \$300                                   | \$17  |
| Calsense Single  | \$175                                   | \$10  |
| Landscape Lighting (19)                                      | \$4,750                                 | \$264   |
| Streetlight 6,086 Lumen, 39 watt LED - 1 streetlight         | \$350                                   | \$19  |
| Field  | \$399                                   | \$22  |
| Repair & Replacement   | \$1,216                                 | \$68  |
| Maintenance Total  | \$13,939                                | \$774   |
| Administrative Costs   | \$423                                   | \$24  |
| Contingency  | \$252                                   | \$14  |
| <b>Total Annual Costs for Zone 242</b>                       | <b>\$14,614</b>                         | <b>\$812</b>  |
| <b>Initial Maximum Assessment for Zone 242<sup>4,5</sup></b> | <b>\$14,614</b>                         | <b>\$812</b>  |

<sup>1</sup> Projected base rates of services for Fiscal Year 2024-2025 were provided by the County of Riverside transportation Department.

<sup>2</sup> Total costs and cost per parcel rounded to whole dollars.

<sup>3</sup> Based on projected 18 assessable residential units/parcels/lots.

<sup>4</sup> The Initial Maximum Assessment shall be adjusted annually by the greater of two percent or the cumulative percentage increase in the CPI-U-E Index published by the BLS.

<sup>5</sup> The Initial Maximum Assessment per Residential Unit rounded to whole dollar for illustrative purposes. The actual Initial Maximum Assessment per Residential Unit is equal to \$811.86.



## PART IV – ASSESSMENT DIAGRAM/BOUNDARY MAP

### Part IV – Assessment Diagram/Boundary Map

#### Fiscal Year 2024-2025 L&LMD NO. 89-1-C ZONE 242

The Assessment Diagram/Boundary Map for Zone 242 by this reference is incorporated and made a part of this Report. Only the parcels identified within Zone 242 Assessment Diagram are within said boundary.

If any parcel submitted for collection is identified by the County Auditor Controller to be an invalid parcel number for the current fiscal year, a corrected parcel number and/or new parcel number will be identified and resubmitted to the County Auditor Controller. The assessment amount to be levied and collected for the resubmitted parcel or parcels shall be based on the method of apportionment and assessment rate approved in this Report. Therefore, if a single parcel has changed to multiple parcels, the assessment amount applied to each of the new parcels shall be according to the approved method of apportionment and assessment rate rather than a proportionate share of the original assessment.

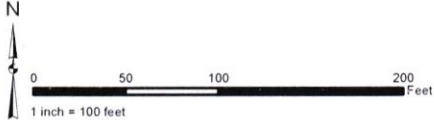
Information identified on this Assessment Diagram/Boundary Map was provided by the Riverside County transportation Department.

The Zone 242 Assessment Diagram/Boundary Map identifying the boundaries of parcels within TR 37735 in L&LMD No. 89-1-C Zone 242 is included in this Report for reference on the following page. For details concerning the lines and dimensions of the applicable Assessor's Parcel Numbers, refer to the County Assessor's Maps as of the date of this Report.

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1 CONSOLIDATED

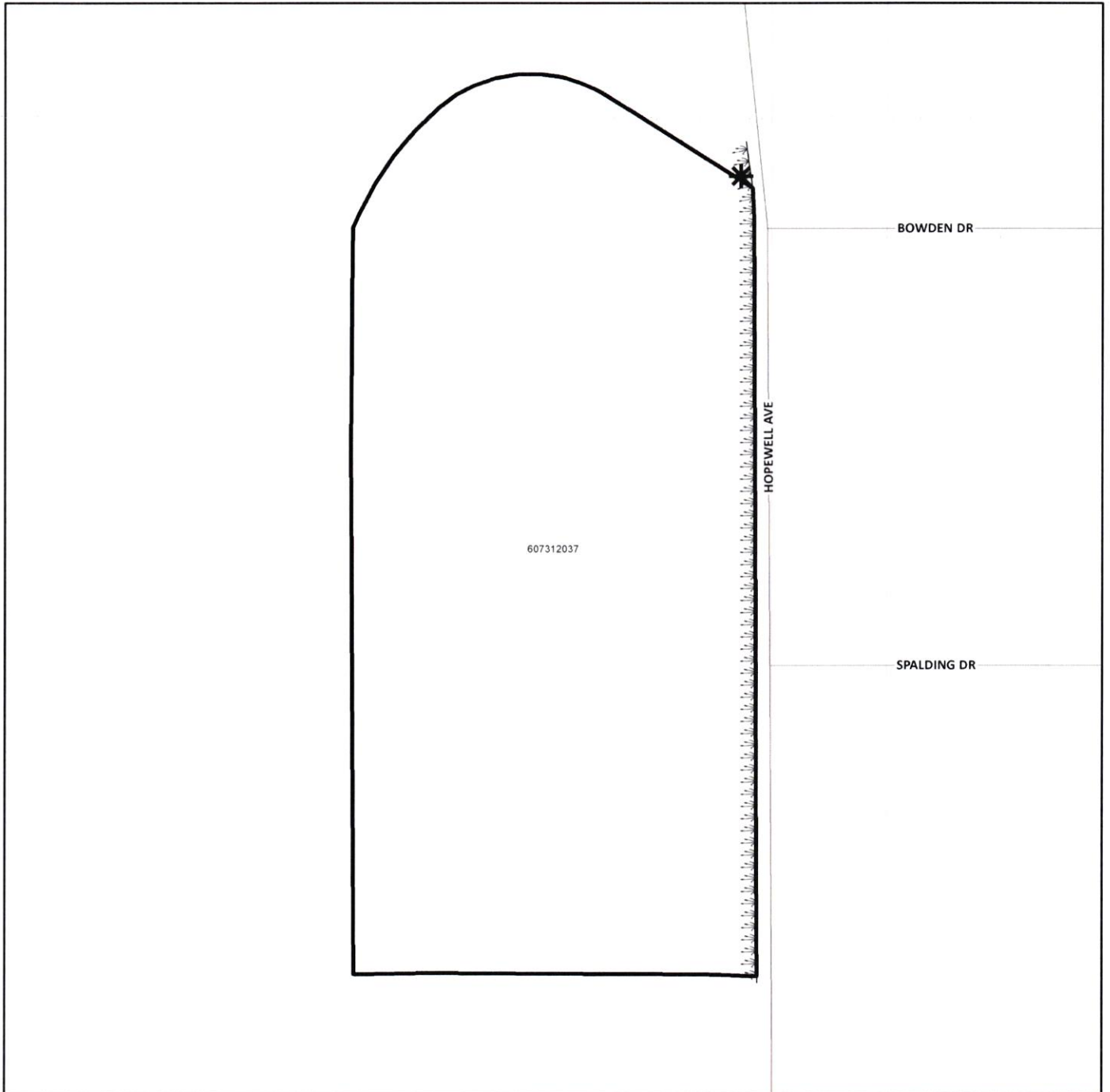
**ZONE 242**

PORTION(S) OF SECTION 8, T.5S., R.7E.  
TENTATIVE TRACT MAP NO. 37735  
1 PARCEL (18 CONDOMINIUMS)



The County of Riverside assumes no warranty or legal responsibility for the information contained on this map. Data and information represented on this map is subject to updates, modifications and may not be complete or appropriate for all purposes. County GIS and other sources should be queried for the most current information. Do not copy or resell this map. Printed by BHAHN on 4/1/2024

**ASSESSMENT DIAGRAM**



DENOTES LANDSCAPED AND MAINTAINED PARKWAY

DENOTES MAINTAINED ROW STREETLIGHT

DENOTES ZONE BOUNDARY



## PART V – ASSESSMENT ROLL

Parcel identification for each lot/unit or parcel within Zone 242 shall be the parcel as shown on the Riverside County Secured Roll for the year in which this Report is prepared and reflective of the Assessor's Parcel Map(s). Zone 242 includes the following APN(s) as of the date of this Report:

607-312-037

The initial Maximum Assessment for Zone 242 is as follows:

**L&LMD NO. 89-1-C ZONE 242  
(TR 37735)  
PROPOSED FISCAL YEAR 2024-2025 MAXIMUM ASSESSMENT<sup>1</sup>**

| TR       | Residential<br>Units/Assessor<br>Parcel Number/<br>Lot No. | Maximum<br>Assessment<br>per Residential<br>Unit <sup>2</sup> |
|----------|--|---|
| TR 37735 | 1 - 18   | \$812   |

<sup>1</sup> The initial Maximum Assessment shall be adjusted annually by the greater of two percent or the cumulative percentage increase in the CPI-U Index published by the BLS.

<sup>2</sup> The initial Maximum Assessment is rounded down to whole dollars as request by County of Riverside. Actual assessment submitted to Riverside County Assessor will be rounded to 2 decimal places.

## WAIVER AND CONSENT

### Waiver and Consent Regarding Date of Assessment Ballot Election

There is one entity which owns all of the property within the proposed boundaries of Zone 242. Said property owner has executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election and public hearing to be held on July 9, 2024. A copy of said waiver is filed herewith and made a part hereof as seen on the following page.



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

WAIVER AND CONSENT REGARDING DATE OF  
ASSESSMENT BALLOT PROCEEDING

The undersigned, an authorized representative of GHA Paloma Group VII, Inc (the "Owner") owns property within the unincorporated area of the County of Riverside represented by the following Assessor's Parcel Numbers for fiscal year 2024-25 (the "Property"): APN(s) 607-312-037.

The Owner has made application that the Property be annexed as Zone 242 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated of the County ("L&LMD No. 89-1-C") and certifies the following:

1. The Owner waives the requirements of Section 4000 of the Elections Code of the State of California (the "Elections Code") that the mailed ballot proceeding required for annexation and the levy of an annual assessment must be held on an established mailed ballot proceeding date pursuant to Section 1500 of the Election Code; and
2. The Owner consents to the mailed assessment ballot proceeding with respect to the levy of an annual assessment on the Property being held on July 9, 2024

OWNER: GHA Paloma Group VII, Inc  
(Name of Company  
as Stated in Initial Paragraph)

By: [Signature] 4/18/24  
Signature

Name: Marvin T. Lora  
Print

Title: (Managing Member)

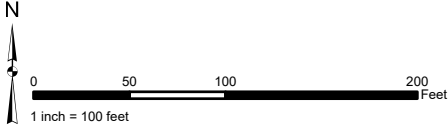
**EXHIBIT "A"**

**DESCRIPTION OF BOUNDARIES**

The boundaries of Zone 242 to be annexed into Landscaping and Lighting Maintenance District Number. 89-1-Consolidated, of the County of Riverside, County of Riverside, are coterminous with the boundaries of APN 607-312-037 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2024-2025.

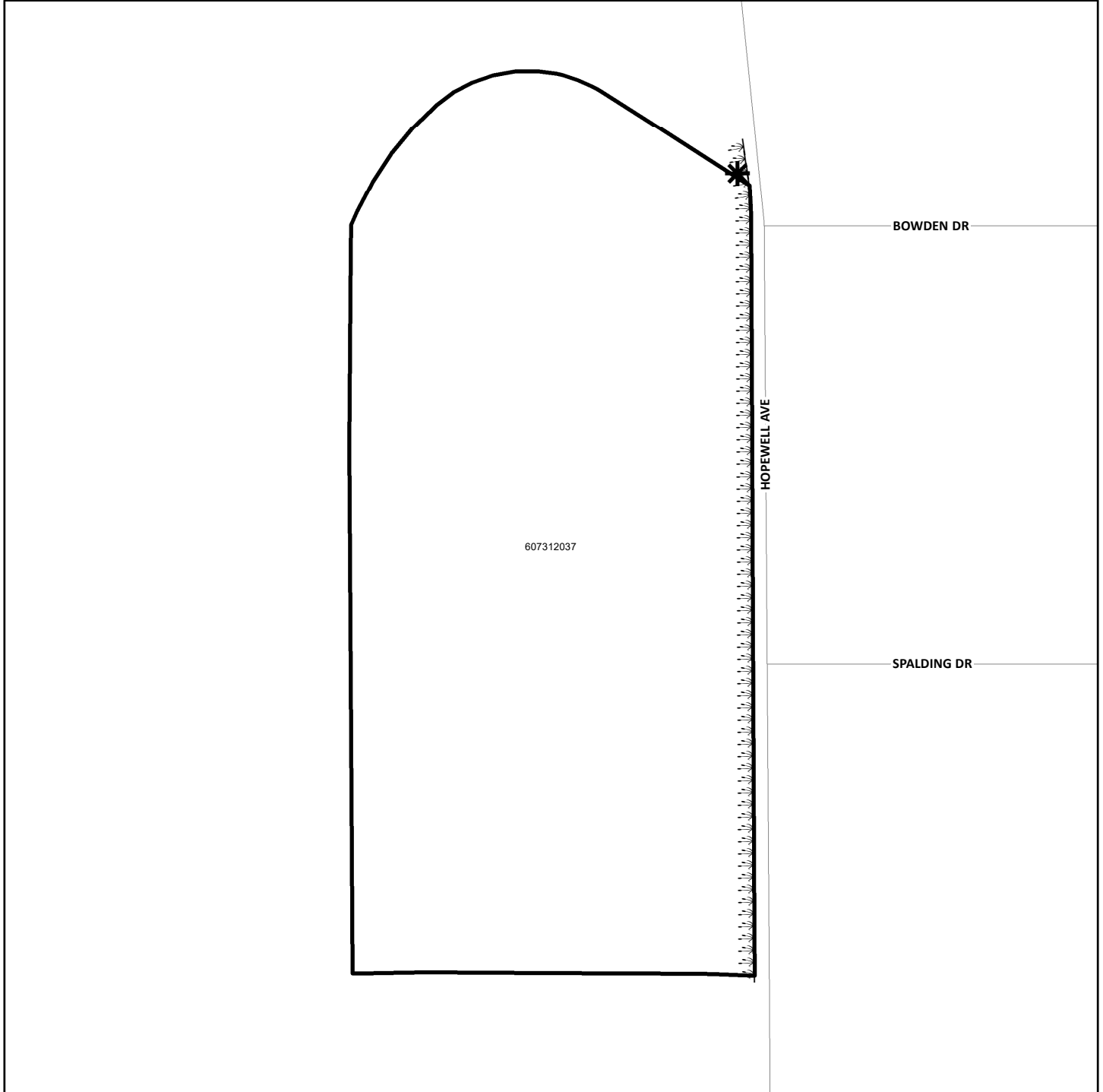
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**ZONE 242**  
PORTION(S) OF SECTION 8, T.5S., R.7E.  
TENTATIVE TRACT MAP NO. 37735  
1 PARCEL (18 CONDOMINIUMS)



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**ASSESSMENT DIAGRAM**



 DENOTES LANDSCAPED AND MAINTAINED PARKWAY

 DENOTES MAINTAINED ROW STREETLIGHT

 DENOTES ZONE BOUNDARY



2024 JUL -9 AM 10:12

**AFFIDAVIT OF PUBLICATION**


Cindy Fernandez  
Riverside County-Board Of Sup.  
4080 Lemon St  
Riverside CA 92501-3609

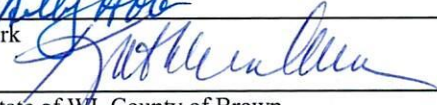
STATE OF WISCONSIN, COUNTY OF BROWN

The Desert Sun, a newspaper published in the city of Palm Springs, Riverside County, State of California, and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issue:

06/28/2024

and that the fees charged are legal.  
Sworn to and subscribed before on 06/28/2024

  
\_\_\_\_\_  
Legal Clerk

  
\_\_\_\_\_  
Notary, State of WI, County of Brown

6-28-24

My commission expires

|                   |           |              |
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**KATHLEEN ALLEN**  
Notary Public  
State of Wisconsin

**NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY**

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1<sup>st</sup> Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, July 9, 2024 at 9:30 a.m.**, or as soon as possible thereafter, to consider the following:

**RESOLUTION NUMBER 2024-008**

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE DECLARING ITS INTENT TO ORDER THE ANNEXATION OF ZONE 242 TO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NUMBER 89-1-CONSOLIDATED OF THE COUNTY OF RIVERSIDE PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 FOR THE MAINTENANCE AND SERVICING OF STREETLIGHTS AND DORMANT PARKWAY LANDSCAPING; ADOPTING THE PRELIMINARY ENGINEER'S REPORT; GIVING NOTICE OF AND SETTING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE THE ANNEXATION OF ZONE 242 ; ORDERING AN ASSESSMENT PROCEEDING; ORDERING AN ASSESSMENT BALLOT PROCEEDING CONDUCTED BY MAIL; AND DIRECTING NOTICE OF THE PUBLIC HEARING AND THE ASSESSMENT BALLOT TO BE MAILED PURSUANT TO SAID ACT AND ARTICLE XIII D OF THE CALIFORNIA CONSTITUTION AND SECTION 4000 OF THE ELECTIONS CODE**

**WHEREAS**, the Board of Supervisors (hereinafter the "Board of Supervisors") of the County of Riverside (hereinafter the "County") has adopted Resolution Number 2024-007 on May 21, 2024 initiating proceedings for the annexation of Zone 242 (hereinafter "Zone 242"), as described and shown in Exhibit "A", which is attached hereto and incorporated herein, to Landscaping and Lighting Maintenance District Number 89-1-Consolidated of the County of Riverside, State of California, (hereinafter "L&LMD Number 89-1-C") pursuant to the Landscaping and Lighting Act of 1972 (hereinafter the "Act"), which is Part 2 (commencing with Section 22500) of Division 15 of the Streets and Highways Code (hereinafter the "Streets and Highways Code"), and ordering the preparation of a report (hereinafter the "Report") regarding the proposed annexation of Zone 242 and the assessments to be levied within Zone 242 each fiscal year beginning fiscal year 2024-2025 for the maintenance and servicing of streetlights and dormant parkway landscaping within the public right-of-way within said zone; and

**WHEREAS**, such proceedings shall comply with the requirements of Article XIII D of the California Constitution (hereinafter "Article XIII D"), the Act, and Section 4000 of the Elections Code requiring voter approval of the proposed assessment to be levied by L&LMD Number 89-1-C for Zone 242; and

**WHEREAS**, the Board of Supervisors by Resolution Number 2024-007 directed the Director of the Transportation Department, or their designee (hereinafter the "Engineer"), to prepare and file the Report with the Clerk of the Board of Supervisors in accordance with Sections 22608 and 22585 et. seq. of the Streets and Highways Code and Section 4 of Article XIII D; and

**WHEREAS**, said Engineer has filed the Report with the Clerk of the Board of Supervisors and the Report has been presented to and considered by the Board of Supervisors; and  
the Applicant has executed a "Waiver and Consent Regarding Date of Assessment Ballot Proceeding" allowing for the proceeding to be held on July 9, 2024; and

**WHEREAS**, it is necessary that the Board of Supervisors adopt a resolution of intention pursuant to Section 22587 of the Streets and Highways Code, which fixes and gives notice, pursuant to Section 22588 of the Streets and Highways Code, of the time and place of a public hearing on said Report, the annexation of Zone 242, and the assessments to be levied on parcels within Zone 242 beginning in fiscal year 2024-2025;

**NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the Board of Supervisors in regular session assembled on May 21, 2024 as follows:

**Section 1. Findings.** The Board of Supervisors, after reviewing the Report, finds that:

- (a) The foregoing recitals are true and correct;
- (b) The Report contains all matters required by Sections 22565 through 22574 of the Streets and Highways Code and Section 4 of Article XIII D and may, therefore, be approved by the Board of Supervisors;
- (c) The annual assessment for fiscal year 2024-2025 on all parcels within Zone 242 will be \$812 per parcel.

**Section 2. Intent.** The Board of Supervisors hereby declares its intention to order the annexation of Zone 242, as described and shown in Exhibit "A", to L&LMD Number 89-1-C, and to levy and collect an annual assessment on all assessable lots and parcels of property within Zone 242 commencing with the fiscal year 2024-2025 as set forth in the Report. The Report expressly states that there are no parcels or lots within Zone 242 that are owned by a federal, state or other local governmental agency that will benefit from the services to be financed by the annual assessments. The annual assessments will be collected at the same time and in the same manner as property taxes are collected, and all laws providing for the collection and enforcement of property taxes shall apply to the collection and enforcement of said assessments.

**Section 3. Boundaries.** All the property within the boundaries of Zone 242 is proposed to be annexed to L&LMD Number 89-1-C and shall include that property in the unincorporated area of the County as described and shown in Exhibit "A".

**Section 4. Description of Services to be Provided.** The services authorized for Zone 242 of L&LMD Number 89-1-C are:

- (a) The maintenance and servicing of landscaping within the public right-of-way including the trimming, fertilizing, weeding and replanting of trees, shrubs, grass, and other ornamental vegetation; and
- (b) Providing electricity to and the maintenance and servicing of within the public right-of-way including incidental costs and expenses.

**Section 5. Amount to be Levied.** The assessment to be levied upon each parcel that benefits from the annexation of Zone 242 to L&LMD Number 89-1-C will be \$812 per parcel for fiscal year 2024-2025. As stated in the Report, the total budget for Zone 242 for the fiscal year 2024-2025 is \$14,616; there are 18 parcels that are to be assessed that aggregate to 3.30 acres. Each succeeding fiscal year the special assessment may be subject to an annual adjustment that is the greater of two percent (2%) or the cumulative percentage increase, if any, in the Consumer Price Index for All Urban Consumers ("CPI-U") for the Riverside-San Bernardino-Ontario California Standard Metropolitan Statistical Area ("Index") published by the Bureau of Labor Statistics of the United States Department of Labor. The annual CPI-U adjustment will be based on the cumulative increase, if any, in the Index as it stands on March of each year over the base Index for March of . Any increase larger than the greater of 2% or the CPI-U annual adjustment requires a majority approval of all the property owners in Zone 242. The Board of Supervisors will levy the assessment in each subsequent fiscal year until the Board of Supervisors undertakes proceedings for the dissolution of Zone 242 of L&LMD Number 89-1-C. The annual assessment will fund the services described in Section 4 of this Resolution. For further particulars, reference is to be made to the Report on file in the Office of the Clerk of the Board of Supervisors.

**Section 6. The Property to be Annexed.** The property to be annexed to L&LMD Number 89-1-C is Zone 242. The boundaries of Zone 242 are located within the unincorporated area of the County and are described and shown in the Report and Exhibit "A".

**Section 7. Report.** The Report, which is on file with the Clerk of the Board of Supervisors, and which has been presented to the Board of Supervisors, is hereby approved. Reference is made to the Report for a full and detailed description of the services, the boundaries of Zone 242, and the annual assessment to be levied upon assessable lots and parcels within Zone 242 proposed to be annexed to L&LMD Number 89-1-C.

**Section 8. Public Hearing.** The question of whether Zone 242 shall be annexed to L&LMD Number 89-1-C and an annual assessment levied beginning with fiscal year 2024-2025 shall be considered at a public hearing (hereinafter the "Public Hearing") to be held on July 9, 2024, at 9:30 a.m. at the meeting room of the Board of Supervisors of the County at 4080 Lemon Street, 1<sup>st</sup> Floor, Riverside, California.

**Section 9. Majority Protest.** Each owner of record of property within Zone 242 is to receive by mail an assessment ballot that shall conform to the requirements of Section 4 of Article XIII D and Section 4000 of the California Elections Code. The assessment ballots are to be returned prior to the Public Hearing. The agency shall not impose an assessment if there is a majority protest. A majority protest exists if, upon the conclusion of the hearing, assessment ballots submitted in opposition to the assessment exceed the assessment ballots submitted in favor of the assessment. In tabulating the assessment ballots, the assessment ballots shall be weighted according to the proportional financial obligation of the

affected property.

**Section 10. Information.** Any property owner desiring additional information regarding Zone 242 of L&LMD Number 89-1-C, the Report, or the proposed assessment is to contact Ms. Michelle Cervantes, Administrative Services Officer, Transportation Department of the County of Riverside, 4080 Lemon Street, 8th Floor, Riverside, California, 92501, or by telephone at 951-955-6591, or by e-mail at micervan@rivco.org.

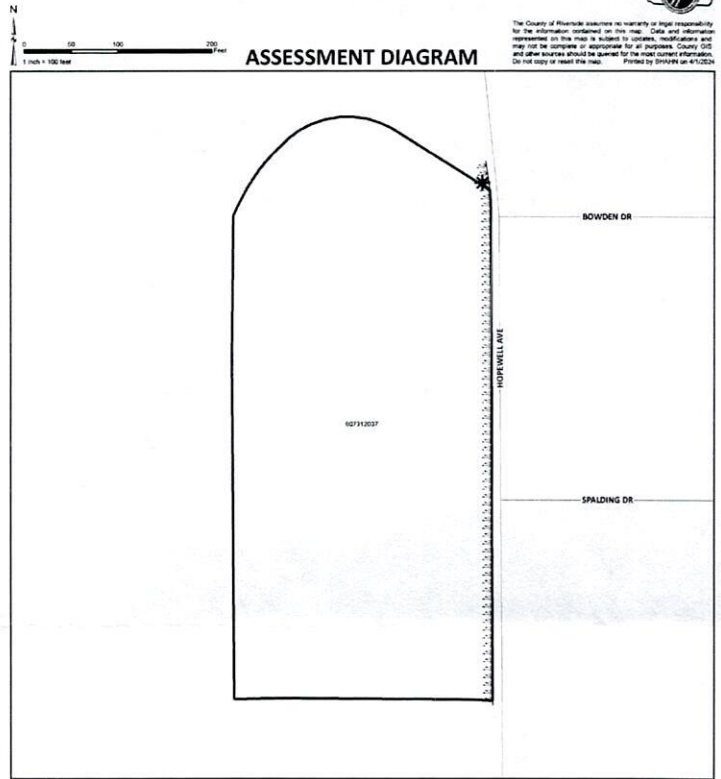
**Section 11. Notice of the Public Hearing.** Notice of Public Hearing with regard to the annexation of Zone 242 to L&LMD Number 89-1-C shall be given consistent with Sections 22608 and 22588 of the Streets and Highways Code and Section 4 of Article XIII D. The Clerk of the Board of Supervisors shall give notice of the Public Hearing by causing a certified copy of this Resolution to be published once in an appropriate newspaper at least ten (10) days prior to the date of the Public Hearing that is July 9, 2024. Publication of this Resolution is to be effected by the Clerk of the Board of Supervisors. Notice shall also be given by mailing first-class, postage prepaid, those notices, as prepared by County Counsel, assessment ballot and information sheets as required by Section 4 of Article XIII D and Section 4000 of the California Elections Code to all owners of record of property within Zone 242 as shown on the last equalized assessment roll of the County. Mailing is to be made by the Engineer and deposited with the U. S. Post Office at least forty-five (45) days prior to the Public Hearing on July 9, 2024. Section 12 Effective Date. This Resolution shall take effect from and after its date of adoption.

**EXHIBIT "A"  
DESCRIPTION OF BOUNDARIES**

The boundaries of Zone 242 to be annexed into Landscaping and Lighting Maintenance District Number 89-1-Consolidated, of the County of Riverside, County of Riverside, are coterminous with the boundaries of APN 607-312-037 as shown on Assessment Roll in the County of Riverside, State of California in Fiscal Year 2024-2025.

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1 CONSOLIDATED

**ZONE 242**  
PORTION(S) OF SECTION 8, T.5S., R.7E.  
TENTATIVE TRACT MAP NO. 37735  
1 PARCEL (18 CONDOMINIUMS)



- DENOTES LANDSCAPED AND MAINTAINED PARKWAY
- \* DENOTES MAINTAINED ROW STREETLIGHT
- DENOTES ZONE BOUNDARY

**ROLL CALL:**

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

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on **May 21, 2024.**

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

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

Dated: May 22, 2024

Kimberly A. Rector, Clerk of the Board  
By: Cindy Fernandez, Clerk of the Board Assistant