

**CITY OF WILDOMAR
PETITION FORM**

**PETITION FOR ANNEXATION TO
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO 89-1-CONSOLIDATED
AND WAIVER OF RIGHTS TO RECEIVE NOTICE, TO FILE PROTEST, TO APPEAR AT ANY
HEARING OR OTHERWISE OBJECT TO SUCH PROCEEDINGS**

Date: _____

We, the undersigned, hereby:

- (1) Petition your honorable body to undertake proceedings for the annexation to Landscaping and Lighting Maintenance District No. 89-1-Consolidated pursuant to the provisions of the Landscaping and Lighting Act of 1972 (California Streets and Highways Code, Sections 22500, et seq.). This maintenance district is required for the purposes of providing for improvement, servicing and maintenance of landscaping, trails, fencing, irrigation, streetlights, traffic signals, bridge lights, graffiti abatement, bio-swales, and fossil filters to be installed by

(Name of Developer)

on that certain real property legally described in the map attached and incorporated herein as Exhibit "A", (Tract Map, Parcel Map, Plot Plan or Use Case Number _____)

APN(s) _____

Are condominiums (commercial or residential) involved in this project? ___ Yes ___ No

If Yes, how many units? _____

- (2) Certify that the property which will be subject to special assessment for the purposes of such maintenance district is that real property located in the City of Wildomar, State of California, the boundaries of which are shown on the map attached.
- (3) Certify that we are the owners as defined in Section 22532 of the California Streets and Highways Code of more than 60% in the area of the property subject to special assessment for the proposed maintenance district described in this petition.
- (4) Expressly waive our rights under the Landscaping and Lighting Act of 1972 to receive notice of such proceedings, to file written protest with respect thereto, to appear at any hearing in connection therewith, and to otherwise object to such proceedings.
- (5) Pay a fee of \$2,500.00 for the administrative cost of annexation and special election.
- (6) Understand that a ballot will be sent to the owner(s) of the subject property regarding the special assessment and that if the election fails the annexation condition will not have been met and any related clearances may be rescinded.

Signature of owner

Petition Form
Page Two
Case Number: _____

AGENT/CONTACT INFORMATION

Agent's Name (Please print)

Company Name

Street Address

City, State, Zip Code

Telephone Number

Fax Number

E-mail Address

Signature of Agent

OWNER INFORMATION

Owner name as shown on the Assessor's Roll

Mail Ballot to: Attention

Street Address

City, State, Zip Code

Telephone Number

Fax Number

E-mail Address

**PROCEDURE FOR ANNEXATION TO
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT
NO. 89-1-CONSOLIDATED ON BEHALF OF THE CITY OF WILDOMAR
FOR TRACT MAPS, PARCEL MAPS, PLOT PLANS, CONDITIONAL USE AND
PUBLIC USE CASES CONDITIONED TO ANNEX TO
A LANDSCAPING MAINTENANCE DISTRICT
PRIOR TO RECORDATION OF MAP OR ISSUANCE OF BUILDING PERMIT**

Information regarding the formation and annexation of a new zone to Landscaping and Lighting Maintenance District No. 89-1-Consolidated (L&LMD No. 89-1-C), a countywide assessment district under the Landscaping and Lighting act of 1972 (1972 Act) and State of California Proposition 218, the "Right to Vote on Taxes Act" is detailed below.

The 1972 Act permits the formation of L&LMD No. 89-1-C, and annexation to said district, to finance the installation, maintenance and servicing of landscaping, trails, fencing, irrigation, streetlights, traffic signals, bridge lights, graffiti abatement, bio-swales, and fossil filters through annual assessments on real property within the district. The annual assessment for each zone in the L&LMD No. 89-1-C is based on the estimated specific benefit to each parcel, Equivalent Dwelling Unit (EDU) or acre and not on property valuation.

As of 1996, State of California Proposition 218 requires that all parcel assessments, such as L&LMD No. 89-1-C assessments, be presented to the property owners for their authorization in order to levy the parcel assessment. A "Special Election" is conducted to ascertain if 51% of the affected property owners are in favor of an annual assessment for L&LMD No. 89-1-C being added to their property taxes. Elections will be conducted in the same year the application for annexation is submitted.

An approved L&LMD No. 89-1-C annual assessment is subject to the greater of an annual inflation escalator of 2% or the Consumer Price Index for all Urban Consumers (CPI-U or CPI-U for "electricity") as it stands on March of each year over the base Index for March in the election year. Any increase larger than the greater of 2% or the "CPI-U" (or CPI-U for "electricity") annual adjustment requires a majority approval of all the property owners within each zone of L&LMD No. 89-1-C.

For maps that are conditioned to annex into a landscaping maintenance district, the following procedure is to be followed:

- **Developer** (property owner) will obtain a petition form from L&LMD No. 89-1-C staff in the County of Riverside Transportation Department by calling 951-955-6748 or 951-955-6263, or by visiting the City of Wildomar website at <http://www.cityofwildomar.org/>
- **Developer** will submit a set of improvement plans for reverse frontage along City maintained roads to Plan Check in the County of Riverside Transportation Department, as applicable to the service to be provided through annexation: landscape, drainage, traffic signal, streetlight, bridge light, and/or street improvement.

- **Developer** will return the following:
 - A \$2,500.00 processing fee
 - A completed petition form
 - A set of improvement plans as applicable to the service to be provided through annexation:

Type of Service	Type of Improvement Plans	Approval Needed
Landscape	Landscape and Street Improvement	Must go through at least one L&LMD plan check
Bio-Swales	Landscape	Must go through at least one L&LMD plan check
Fossil Filters	Storm Drain and/or Street Improvement	Must go through at least one plan check
Traffic Signal	Traffic Signal	Must go through at least one plan check
Streetlight	Streetlight	Signed by Plan Check
Bridge Lights	Bridge Light	Signed by Plan Check

- A copy of the prospective buyer's disclosure statement as it relates to the L&LMD No. 89-1-C assessment (residential projects)
- A copy of the final map (if applicable)
- A Streetlight Authorization Form from appropriate electricity provider (if applicable)

**To : County of Riverside Transportation Dept
 Attn: Joan Pickering
 4080 Lemon St., 8th Floor
 Riverside, CA 92501**

- **Staff** will establish number of property owners who will receive benefit from L&LMD No. 89-1-C.
- **Staff** will calculate the estimated cost for annual maintenance of the service to be provided through annexation.
- **Staff** will prepare a Form 11 and Resolutions ordering the Engineer's Report declaring the intention to order the annexation of the new Zone to L&LMD No.89-1-C, giving notice of and setting the time and place of the public hearing on said proposed annexation, and ordering a mailed ballot "Special Election".
- **Staff** will prepare the Engineer's Report.
- **Staff** will appear before the City Council seeking adoption of the above-mentioned resolutions.
- **Staff** will conduct the "Special Election" by mail.

- **Staff** will prepare Form 11s and a Resolution recommending the City Council open the public hearing ordering the annexation of the new Zone to L&LMD No. 89-1-C, confirming the diagram of assessment for the new Zone and levying assessments on all assessable lots and parcels of land therein for the upcoming fiscal year.
- **Staff** will verify and tabulate returned ballots after the end of public hearing (**A 51% favorable response from the returned ballots is required for City Council to approve the above-mentioned resolution**).
- If annexation of the new Zone to L&LMD No. 89-1-C is approved by the City Council, the County Auditor-Controller will enter the lot or parcel assessment on the upcoming County Assessment Roll and the new annual assessment will appear on the property owner's tax bill due December 10th of the same year.
- **Developer** will construct improvements to City standards.
- **Staff** will prepare an RFP and award the contract for maintenance of said improvements to the lowest bidder.
- The new Zone will be accepted into L&LMD No. 89-1-C for maintenance upon completion of the improvements by the **Developer** and passing final inspection by County staff on behalf of the City of Wildomar.
- **Developer must maintain improvements until L&LMD No. 89-1-C has funds available to assume the maintenance responsibility and the improvements are constructed and approved by County staff on behalf of the City of Wildomar. This can occur on/after February 1st, following the December 10th collection of assessments on the property tax bill the preceding year.**

**INFORMATION AND FREQUENTLY ASKED QUESTIONS ABOUT
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT
NO. 89-1- CONSOLIDATED**

The Landscaping and Lighting Act of 1972 permitted the formation of Landscaping and Lighting Maintenance District No. 89-1-Consolidated (L&LMD No. 89-1-C), a countywide assessment district.

As of 1996, State of California Proposition No. 218 requires that all parcel assessments, such as an L&LMD No. 89-1-C assessment, be presented to the property owners for their authorization in order to levy a parcel assessment. This is accomplished through a “Special Election” conducted to ascertain if 51% of the affected property owners are in favor of an annual assessment being added to their property taxes for the maintenance of certain improvements annexed by Zone to L&LMD No. 89-1-C.

Q: Why is a Zone formed and annexed to L&LMD No. 89-1-C?

A: To provide funding for the maintenance and servicing of landscaping, trails, fencing, irrigation, streetlights, traffic signals, bridge lights, graffiti abatement, bio-swales and fossil filters within City maintained road right-of-way.

Q: What are the benefits of annexing to L&LMD No. 89-1-C?

A: Annexation to L&LMD No. 89-1-C enables the project applicant to comply with conditions of their development; and ultimately enhances erosion and water quality control, dust abatement, public safety, neighborhood aesthetics, traffic flow and safety, and quality of life and sense of well being for properties within the Zone.

Q: How is a Zone annexed to L&LMD No. 89-1-C?

A: The project applicant submits an annexation application package to County of Riverside Transportation Dept. staff. The application package includes a petition to the City; \$2500 fee for the processing of the annexation and special election; and improvement plans. Once the application package is submitted, Trans. Dept. staff will calculate the annual assessment for services to be provided and process the annexation through several stages culminating in the special election and final approval at the City Council.

Q: Who votes in the Special Election?

A: Only affected property owners within the proposed Zone vote in the Special Election. Tenants, renters, lease holders do not receive a ballot and can not vote in the Special Election.

Q: If I own more than one property in the proposed Zone will I receive more than one vote?

A: Yes.

Q: How many votes are needed for the election to pass?

A: Fifty one percent (51%) of the returned ballots must cast a “YES” vote for the election to pass.

Q: How is my assessment collected?

A: If the Special Election passes and is approved at the City Council, the County Auditor-Controller’s Office will levy the annual assessment in August of each calendar year, and it will be included on your next property tax bill.

Q: How much is my annual assessment?

A: Your annual assessment is based on the cost of services provided; the number of units (parcels, acres, etc.), and the land use designation within the proposed Zone.

Q: Will the annual assessment increase in the future?

A: Yes. An inflation escalator of two percent (2%) or the Consumer Price Index-Urban (CPI-U), whichever is greater can be applied to the previous year’s assessment annually.

Q: When will the assessment funds for maintenance become available?

A: Assessment funds are collected and transferred to L&LMD No. 89-1-C allowing maintenance to commence in February of the following calendar year after the annual assessment is reported to the County Auditor-Controller’s Office (in August).

Q: When will L&LMD No. 89-1-C maintenance commence?

A: Maintenance of the improvements approved through the Special Election will not commence until 1) the assessment funds are available to L&LMD No. 89-1-C; and 2) the improvements have been constructed and approved through inspection by County Transportation Dept. staff, on behalf of the City.

Q: Who is responsible for maintenance of improvements prior to L&LMD No. 89-1-C assessment funds becoming available?

A: The project applicant/owner is responsible for the maintenance of any improvements constructed until 1) the assessment funds are available to L&LMD No. 89-1-C; and 2) the improvements have been approved through inspection by County Transportation Dept. staff, on behalf of the City.

Q: The annexation/election process has begun but my project is on hold; do I still have to pay the annual assessment through my property taxes even though the improvements haven't been constructed?

A. No. Once the annexation/election is approved at the City Council the project applicant/owner can request, in writing, a deferment of the annual assessment. The deferment is good for one year and an extension of the deferment must be applied for each succeeding year. The project applicant/owner will be responsible for the maintenance of any improvements constructed until 1) the assessment funds are available to L&LMD No. 89-1-C; and 2) the improvements have been constructed and approved through inspection by County Transportation Dept. staff, on behalf of the City.