

# **ENGINEER'S ANNEXATION REPORT**

CITY OF FAIRFIELD LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 13 (NORTH CORDELIA)

ANNEXATION NO. 4 (GREEN VALLEY CORPORATE PARK BULDING A PARKING)

FISCAL YEAR 2021/2022

INTENT MEETING: JULY 6, 2021 PUBLIC HEARING: SEPTEMBER 7, 2021

> CITY OF FAIRFIELD 1000 WEBSTER STREET



**ENGINEER'S REPORT AFFIDAVIT** 

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#### **CITY OF FAIRFIELD**

# LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 13 (NORTH CORDELIA)

# Establishment of Annual Assessments for Annexation No. 4 includes all parcels of land within the area known as

#### **GREEN VALLEY CORPORATE PARK BULDING A PARKING**

As part of the Resolution of Intention packet presented for the consideration to the City Council of the City of Fairfield, this Report describes the proposed assessments to be levied on parcels within the Landscaping and Lighting Maintenance District No. 13 (North Cordelia), Annexation No. 4 (Green Valley Corporate Park Building A Parking) commencing in fiscal year 2021/2022, including the budget and basis of the assessments. Reference is hereby made to the Solano County Assessor's Maps for a detailed description of the lines and dimensions of parcels within Annexation No. 4 and subject to the proposed assessment. The undersigned respectfully submits the enclosed Report as directed by the City Council of the City of Fairfield.

Dated this \_\_\_\_\_\_ day of \_\_\_\_\_, 2021.

Willdan Financial Services Assessment Engineer On Behalf of the City of Fairfield

By: \_\_\_\_\_

Susana Hernandez Project Manager

By: \_\_\_\_\_

Tyrone Peter PE # C 81888



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# EXECUTIVE SUMMARY

# INTRODUCTION

This Engineer's Report has been prepared pursuant to the provisions of the Landscape and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code (hereafter referred to as the "1972 Act"), and in compliance with the substantive and procedural requirements of the California State Constitution Article XIIID (hereafter referred to as the "Constitution"), and as ordered by a resolution of the City Council of the City of Fairfield, County of Solano, State of California (hereafter referred to as "City"), in connection with the proceedings for the annexation of territory and the annual levy of assessments related thereto for the District designated as:

# City of Fairfield Landscaping and Lighting Maintenance District No. 13 (North Cordelia)

The annexation territory being designated as:

#### Annexation No. 4 (Green Valley Corporate Park Building A Parking)

Annexation No. 4 (Green Valley Corporate Park Building A Parking) includes the proposed parking area adjacent to the industrial Green Valley Corporate Park Building A (hereafter referred to as "Annexation No. 4" or "Annexation Territory"). Willdan submits this Engineer's Report (hereafter referred to as "Report"), for the annexation of this territory into the City of Fairfield Landscaping and Lighting Maintenance District No. 13 (North Cordelia) (hereafter referred to as the "District") and the levy and collection of annual assessments related thereto commencing in fiscal year 2021/2022 consisting of five (5) parts.

#### Part I

**Plans and Specifications:** A description of the annexation territory and the proposed improvements associated with Annexation No. 4. The properties within Annexation No. 4 shall be established in the existing District as a benefit zone encompassing the property known as Green Valley Corporate Park Building A Parking. The improvement plans associated with Annexation No. 4 have been previously approved by the City and a detailed description of these plans are on file in Public Works and by reference are made part of this Report.

#### Part II

**The Method of Apportionment:** A discussion of the benefits that the improvements and services provide to properties within Annexation No. 4 and the method of calculating each property's proportional special benefit and annual assessment. This section also identifies and outlines an Assessment Range Formula that provides for an annual adjustment to the maximum assessment rate that establishes limits on future assessments, but also provides for reasonable cost adjustments due to inflation without the added expense of additional property owner protest ballot proceedings.



# Part III

Annexation No. 4 Budget: An estimate of the annual costs to operate, maintain and service the landscaping improvements installed and constructed as part of the development of property within Annexation No. 4 and related existing improvements within the District. This budget includes an estimate of anticipated direct maintenance costs and incidental expenses including, but not limited to administration expenses and the collection of appropriate fund balances to establish a maximum assessment. The proposed maximum assessment (including an assessment range formula) established for Annexation No. 4 is based on current property development plans and estimated annual costs and expenses associated with all improvements to be accepted and maintained by the City at build-out. The proposed maximum assessment (Rate per EBU) identified in the budget of this Report establishes the initial maximum assessment for Annexation No. 4 in fiscal year 2021/2022 and shall be adjusted annually by the Assessment Range Formula described in the method of apportionment. Fiscal Year 2021/2022 is used as the base year.

The annual assessments and costs for the first fiscal year (2021/2022) and each subsequent year shall be based on the estimated annual cost of operation and maintenance of the improvements for that fiscal year and may be equal to or less than the adjusted maximum assessment. The budget contained in this Report provides an estimate of the costs and expenses to establish the initial maximum assessment rate for properties within Annexation No. 4 and also establishes the budget and maximum assessment rate in fiscal year 2021/2022 to be escalated in subsequent fiscal years.

# Part IV

**Assessment Roll:** A listing of the proposed assessment amounts to be presented to the property owners of record in the protest ballot proceedings required pursuant to the provisions of the California Constitution. The proposed assessment amount for each parcel is based on the parcel's proportional special benefit as outlined in the method of apportionment and the proposed initial maximum assessment rate described herein.

# Part V

<u>Annexation Diagram</u>: A Diagram showing the exterior boundaries of Annexation No. 4 is provided in this Report and includes all parcels that will receive special benefits from the improvements. Parcel identification, the lines and dimensions of each lot, parcel and subdivision of land within Annexation No. 4 shall be those shown on the Solano County Assessor's Parcel Maps as they existed at the time of the passage of the Resolution of Intention, and shall include all subsequent subdivisions, lot-line adjustments or parcel changes therein. This Annexation Diagram along with the existing District Diagram shall constitute the revised boundaries of Landscaping and Lighting Maintenance District No. 13 (North Cordelia). Reference is hereby made to the Solano County Assessor's maps for a detailed description of the lines and dimensions of each parcel within Annexation No. 4.



# OVERVIEW

The existing District is composed of both residential and non-residential parcels. There have been three prior annexations to the original District, consisting of Annexation No. 1 (Hidden Meadows) with higher maximum assessment rates than the rest of the original District, Annexation No. 2 (Village Oaks) with maximum assessment rates that are consistent with the rest of the original District, and Annexation No. 3 (Jayo Subdivision) with higher maximum assessment rates than the rest of the original District.

This Annexation No. 4 to the existing District will provide for the ongoing maintenance, operation and servicing of local landscaping improvements installed in connection with development of the property within Annexation No. 4 as well as its proportional special benefit from related improvements currently provided within the overall District. Since many of the existing improvements provided by the District benefit all developing properties in the area, the properties within Annexation No. 4 will proportionately share in the cost of those improvements including existing landscaping along Neitzel Road. Similarly, the landscaping being installed as part of the annexation area will benefit not only the properties within Annexation No. 4, but also adjacent properties within the existing District. Therefore, only a portion of the annual cost to maintain these improvements will be allocated to properties within Annexation No. 4. Annexation No. 4 also includes private improvements such as internal lighting and landscaping that are a direct result of this development only. The internal lighting and landscaping are not in the public right of way and will not be maintained by the District. This Report identifies the existing District improvements and new improvements associated with Annexation No. 4 and presents a proportional budget and assessment for the special benefits received by the properties within Annexation No. 4.

The word "parcel," for the purposes of this Report, refers to an individual property assigned its own Assessment Number by the Solano County Assessor's Office. The Solano County Auditor/Controller uses Assessment Numbers and specific Fund Numbers to identify properties assessed on the tax roll for special district benefit assessments.

As part of the annexation process, the City shall conduct a Property Owner Protest Ballot proceeding for the proposed levy of a new assessment pursuant to the provisions of the California Constitution, Article XIIID Section 4. In conjunction with this ballot proceeding, the City Council will conduct a noticed public hearing to consider public testimonies, comments and written protests regarding Annexation No. 4 and levy of assessments. Upon conclusion of the public hearing, property owner protest ballots received will be opened and tabulated to determine whether majority protest exists (ballots shall be weighted based on each parcel's assessment amount), and by resolution the City Council will confirm the results of the ballot tabulation. If majority protest exists, proceedings for the levy of assessments for Annexation No. 4 shall be abandoned. If tabulation of the ballots indicates that majority protest does not exist for the City Council may approve the Report (as submitted or amended), order Annexation No. 4, and approve the levy and collection of assessments. In such case, the assessments may be submitted to the Solano County Auditor/Controller for inclusion on the property tax roll for each parcel.



# PART I — PLANS AND SPECIFICATIONS

# DESCRIPTION OF THE DISTRICT AND ANNEXATION

The territory of the proposed Annexation consists of the area known as the "Green Valley Corporate Park Building A Parking". This development covers approximately 2 acres (1.94 acres) and is inclusive of the entire territory to be annexed to Landscaping and Lighting Maintenance District No. 13 (North Cordelia) as Annexation No. 4. The area of land within Annexation No. 4 is generally located east of Business Center Drive, west of Neitzel Road and northwest of Interstate 80. As of the writing of this Report, the entire Annexation area is inclusive of an existing assessor parcel identified by the Solano County Assessor's Office as Assessor's Parcel Number 0148-540-380.

# DESCRIPTION OF IMPROVEMENTS AND SERVICES

#### Landscape Improvements

The landscaping improvements associated with Annexation No. 4 may include, but are not limited to turf, ground cover, shrubs, trees, plants, irrigation and drainage systems, ornamental lighting structures, recreational equipment, masonry walls or other fencing, monuments, and associated appurtenant facilities located in the street right-of-ways and public areas including parkways, medians, trails, wetlands, drainage basins, parks and open spaces within Annexation No. 4 and the District. These improvements and the ongoing maintenance, servicing and operation of these facilities have been identified as a special benefit to properties within Annexation No. 4 and the annual assessments described herein will fund in whole or in part the materials, equipment, utilities, labor, appurtenant facilities and incidental expenses related thereto.

Specifically, landscape improvements currently provided and maintained in the existing District and for which properties within Annexation No. 4 receive proportional special benefit include:

- Landscaped median islands and parkway strips between the curb and the public right-of-way on Green Valley Road;
- Landscaped median islands and parkway strips between the curb and the public right-of-way on Neitzel Road;
- Landscaped median islands and parkway strips between the curb and the public right-of-way on Business Center Drive;
- Landscaped parkway strips between the curb and the public right-of-way on west side of Suisun Valley Road;
- Landscaped median islands on Mangels Boulevard;
- Firebreaks for all lands designated as open space within the District.

Specifically, landscape improvements being installed and constructed as part of the parking area development, the costs of which will be shared by other properties within the District includes:

- Parkway perimeter landscaping along the eastern boundary of the annexation area, along the western side of Neitzel Road.
- Proportional special benefit and cost allocation of the existing landscape areas located on the primary access streets for the current adjacent developments within the District.



#### Public Street Lighting Improvements

There are no street lights being installed for the development of the Annexation area.

Internal lights within the Annexation Territory will be installed as part of the development of the parking area which will enhance the surrounding visibility. This lighting is privately owned and will not be maintained by the District. As such, the amount of proportional special benefit the parcel receives from existing street lights in the District is minimal and incidental. In accordance with Resolution No. 1991-213B, the budget reflects City policy of charging only for the increased costs for electrical energy and maintenance associated with decorative street lights. There are no decorative street lights in the public right of way being installed in connection with the development of the Annexation Territory. As such, there are no special benefit costs associated with public street lighting to be budgeted for the Annexation Territory.



### PART II — METHOD OF APPORTIONMENT

# GENERAL

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 and appurtenant facilities. The 1972 Act further requires that the cost of these improvements be levied according to benefit rather than assessed value:

"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 within the Annexation Territory and the District as a whole, reflects the composition of the parcels, and the improvements and services provided, to fairly apportion the costs based on estimated benefit to each parcel. In addition, pursuant to the Constitution Article XIIID Section 4, a parcel's assessment may not exceed the reasonable cost of the proportional special benefit conferred on that parcel and provides that only special benefits may be assessed.

# **BENEFIT ANALYSIS**

Each of the proposed improvements, the associated costs and assessments have been carefully reviewed, identified and allocated based on special benefit pursuant to the provisions of the Constitution and the 1972 Act. All improvements associated with Annexation No. 4 have been identified as necessary, required and/or desired for the orderly development of the properties within the Green Valley Corporate Park Building A Parking (Annexation No. 4) as well as other properties within the District to their full potential, consistent with the proposed development plans and applicable portions of the City General Plan. As such, these improvements would be necessary and required of individual property owners for the development of such properties and the ongoing operation, servicing and maintenance of these improvements would be the financial obligation of those properties. Therefore, the improvements and the annual costs of ensuring the maintenance and operation of the improvements are of direct and special benefit to the properties.

The method of apportionment (method of assessment) is based on the premise that each assessed parcel within Annexation No. 4 and the District receives benefit from specific improvements. The desirability and security of properties is enhanced by the presence of street lighting and well-maintained landscaping in close proximity to those properties.

The special benefits associated with landscaping improvements are specifically:

- Enhanced desirability of properties through association with the improvements.
- Improved aesthetic appeal of properties providing a positive representation of the area and properties.
- Enhanced adaptation of the urban environment within the natural environment from adequate green space and landscaping.
- Environmental enhancement through improved erosion resistance, dust and debris control, and fire prevention.



- Increased sense of pride in ownership of property within the District resulting from wellmaintained improvements associated with the properties.
- Enhanced quality of life through well-maintained green belts and landscaped areas.
- Reduced criminal activity and property-related crimes (especially vandalism) against properties in Annexation No. 4 and the District through well-maintained surroundings and amenities including abatement of graffiti.
- Enhanced environmental quality of the parcels by moderating temperatures, providing oxygenation and attenuating noise.

The special benefits of street lighting are the convenience, safety, and security of property, improvements, and goods. Specifically:

- Enhanced deterrence of crime and the aid to police protection.
- Increased nighttime safety on roads and streets.
- Improved ability of pedestrians and motorists to see.
- Improved ingress and egress to property.
- Reduced vandalism and other criminal act and damage to improvements or property.
- Improved traffic circulation and reduced nighttime accidents and personal property loss.

All of the preceding factors contribute to a specific enhancement and desirability of each of the area within Annexation No. 4 and the District, and thereby provide special benefits to the annexation area. However, there are no additional street lights being installed in connection with the development of the Annexation Territory and the annexation area will supply its own internal, privately owned lights that will benefit the property.

# ASSESSMENT METHODOLOGY

The method of apportionment for Annexation No. 4 is the same as the method of apportionment established and applied in the existing District, which calculates the receipt of special benefit from the respective improvements based on the land use of each parcel as compared to other parcels that benefit from those improvements. In reviewing the improvement associated with Annexation No. 4 and the improvements associated with the District as a whole, it has been determined that Annexation No. 4 should be established as a separate zone of benefit within the District. Although the improvements associated with Annexation No. 4 have similarities to those provided to other properties in the District, they are not entirely the same and it has been determined that the costs associated with Annexation No. 4 requires a proportional, but separate budget and assessment. This will ensure the most appropriate reflection of special benefit and apportionment of improvement costs to the properties within the District.

To assess benefits equitably it is necessary to relate each property's proportional special benefits to the special benefits of all other properties within Annexation No. 4 and the District. For the existing District, the cost of maintaining the improvements are proportionately allocated on the following basis:

- Green Valley Road: 50% to residential and 50% to commercial
- Mangels Boulevard: 25% to residential, 50% to commercial and 25% to the City
- Water charges: divided in the same proportions as landscaping costs
- Unscheduled costs: based on 25% of landscaping maintenance costs until a history has been established and on actual expenses thereafter



- Printing, accounting and notices charges: 50% to residential and 50% to commercial
- Streetlights are allocated based on direct costs to the various residential and commercial developments.

For this District, the single-family residential home site is used as the basic unit of assessment and is assigned one benefit unit or 1.0 Equivalent Benefit Unit (EBU). Townhouse, condominium units and duets are also assigned one benefit unit (1.0 EBU) and are assessed at the same single-family residential assessment rates. Apartment complexes shall be assessed at 75% of the single-family rates and are assigned 0.75 EBU. Commercial properties are assessed proportionately for the improvements costs associated with those properties based on parcel acreage.

Based on the approved development plans for the Green Valley Corporate Park Building A Parking, the total number of Equivalent Benefit Units for Annexation No. 4 is 1.94 EBU (1.94 acres). An assessment amount per EBU (Rate) for the improvements is established by taking the total "Balance to Levy," and dividing that amount by the total number of EBU's. This Rate is then applied back to each parcel's individual EBU to determine the parcel's proportionate benefit and assessment obligation for the improvements.

#### Total Balance to Levy / Total EBU = Levy per EBU (assessment rate)

#### Levy per EBU x Parcel EBU = Parcel Levy Amount

# ASSESSMENT RANGE FORMULA

Any new or increased assessment requires certain noticing and meeting requirements by law. Prior to the passage of Proposition 218 (California Constitution Articles XIIIC and XIIID), legislative changes in the Brown Act defined a "new or increased assessment" to exclude certain conditions. These conditions included "any assessment that does not exceed an assessment formula or range of assessments previously adopted by the agency or approved by the voters in the area where the assessment is imposed."

The purpose of establishing an Assessment Range Formula is to provide for reasonable increases and inflationary adjustment to annual assessments without requiring costly noticing and mailing procedures, which could add to the costs and assessments. As part of this Annexation, the notice and assessment ballots presented to the property owners for approval, includes a maximum assessment amount for fiscal year 2021/2022 (initial maximum assessment), identification of the corresponding maximum assessment rate and a summary of the Assessment Range Formula described herein.

The Assessment Range Formula for this Annexation shall be applied to all future assessments associated with the Annexation Territory only and is generally defined:

- If the proposed annual assessment (levy per EBU) for the upcoming fiscal year is less than or equal to the adjusted Maximum Assessment Rate, then the proposed annual assessment is not considered an increased assessment.
- The Maximum Assessment Rate is equal to the (Initial) Maximum Assessment Rate established in fiscal year 2021/2022 adjusted annually by the annual percentage change in the Consumer Price Index (CPI) of "All Urban Consumers" for the San Francisco-Oakland-Hayward Area. The annual percentage change in CPI shall be based on the annual percentage change established each October by the U.S. Department of Labor; Bureau of Labor Statistics. Should the Bureau of Labor Statistics revise such index or discontinue the preparation of such index, the City shall use the revised index or comparable system as approved by the City Council for determining fluctuations in the cost of living.



Beginning in fiscal year 2022/2023 and each fiscal year thereafter, the Maximum Assessment Rate will be recalculated and a new Maximum Assessment Rate will be established for the fiscal year utilizing the Assessment Range Formula described above. The Maximum Assessment Rate shall be calculated independent of the annual budget for Annexation No. 4 and proposed assessment.

Any proposed annual assessment (rate per EBU) less than or equal to the calculated (adjusted) Maximum Assessment Rate is not considered an increased assessment, even if the proposed assessment is significantly greater than the assessment applied in the prior fiscal year. Changes in land use or size of an individual property resulting in an assessment increase, is not considered an increased assessment.

To impose a new or increased assessment other than the annual inflationary adjustment provided by the preceding Assessment Range Formula, the City must comply with the provisions of the California Constitution Article XIIID 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 a proposed new or increased assessment before such an assessment may be imposed.

As part of the annexation proceedings, property owners within the Annexation Territory shall be balloted for a special benefit assessment necessary for the annual operation and maintenance of the improvements associated with those properties. Although this Report establishes an assessment amount for each of the existing properties within Annexation No. 4 and this amount is used to determine if majority protest exists in the ballot tabulation, these assessments are based on the initial maximum assessment rate and method of apportionment described in this Report. The notice and ballot presented to the property owners identifies the initial maximum assessment rate and the Assessment Range Formula described above and is the basis upon which the property owners cast their ballots.



# PART III —ANNEXATION BUDGET

The estimated maximum proposed assessment for the parcels within Annexation No. 4 for fiscal year 2021/2022 is shown below. For each fiscal year, the actual proposed assessment may be less than the maximum proposed assessment.

BUDGET ITEM	Assessment
ANNUAL MAINTENANCE (DIRECT COSTS)	
Landscape Maintenance Expenses	
Landscape Maintenance	\$285
Landscape Utilities (Water/Electricity)	97
Total Annual Landscape Maintenance Expenses	\$382
Lighting Maintenance Expenses	\$0
Total Landscaping & Lighting Maintenance	\$382
REPLACEMENT/REHABILITATION (CIP)	
Total Landscape Rehabilitation Fund	\$40
Total Lighting Rehabilitation Fund	-
Total Collection for Capital Improvement / Rehabilitation Fund	\$40
ADMINISTRATION	
City Administration Overhead	\$40
County Administration Fee Total Administration	2
Total Administration	\$42
Total Costs & Expenses	\$464
LEVY ADJUSTMENTS	
Reserve Fund Collection/(Transfer)	\$95
General Fund Contribution (Street Light Maintenance)	-
Total Levy Adjustments	\$95
BALANCE TO LEVY	\$559
Annexation No. 4 Statistics	
Total Parcels	1
Parcels Levied	1
Total EBU (Acres)	1.94 \$ 287.98
Maximum Levy per EBU (Acre) (FY 2021/22)	φ 201.98

Notes:

The budget shows Fiscal Year 2021/2022 maximum assessment rates. The maximum assessment in subsequent fiscal years will be increased based on the Assessment Range Formula and the actual assessment levied may be less than the maximum amount in such fiscal year.



# PART IV — ASSESSMENT ROLL

Parcel identification for each lot or parcel within Annexation No. 4 is based on available parcel maps and property data from the Solano County Assessor's Office, as they existed at the time this Engineer's Report was prepared and the City Council adopted the Resolution of Intention. A listing of the proposed lots and parcels to be assessed within Annexation No. 4 along with the assessment amounts is provided herein.

If any parcel submitted for collection is identified by the County Auditor/Controller to be an invalid parcel number for the fiscal year, a corrected parcel number and/or new parcel numbers 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 described in this Report as approved by the City Council. Therefore, if a single parcel is subdivided to multiple parcels, the assessment amount applied to each of the new parcels shall be recalculated and applied according to the approved method of apportionment and assessment rate rather than a proportionate share of the original assessment.

The following is a list of the parcels and proposed maximum assessment amounts for each of the parcels within Annexation No. 4 as determined by the assessment rates and method of apportionment described herein:

Assessor's Parcel Number	Designated Land Use	EBU (Acres)	FY 2021/2022 Maximum Assessment Rate per EBU	FY 2021/2022 Maximum Assessment
0148-540-380	Parking Area	1.94	\$287.98	\$558.68

The assessment roll shows the maximum assessment for fiscal year 2021/2022. The levy of assessments may commence for fiscal year 2021/2022.

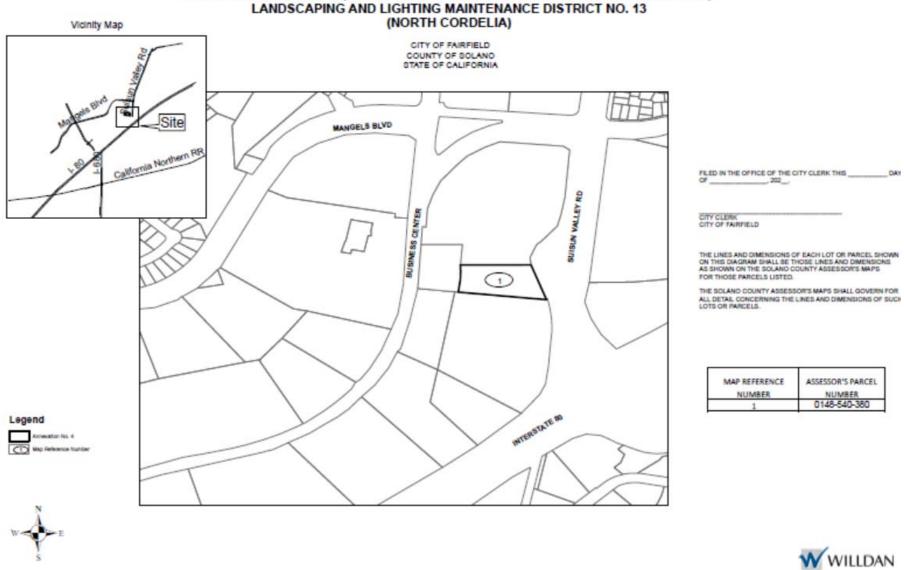


# PART V — ASSESSMENT DIAGRAM

The property within the Fairfield Landscaping and Lighting Maintenance District No. 13 (North Cordelia), Annexation No. 4 (Green Valley Corporate Park Building A Parking), consists of Assessor's Parcel Number 0148-540-380.

A copy of the Annexation No. 4 Assessment Diagram follows.

SHEET 1 OF 1



ANNEXATION MAP NO. 4 (GREEN VALLEY CORPORATE PARK BUILDING A PARKING) LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 13

City of Fairfield LLMD No. 13 Annexation No. 4



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