

1 **RESOLUTION NO. XXXX**

2 **RESOLUTION OF INTENTION OF THE CITY COUNCIL**
3 **OF THE CITY OF RIALTO TO INCUR BONDED**
4 **INDEBTEDNESS IN THE AMOUNT NOT TO EXCEED**
5 **\$25,000,000 WITHIN THE PROPOSED CITY OF RIALTO**
6 **COMMUNITY FACILITIES DISTRICT NO. 2024-1**
7 **(RENAISSANCE)**

8 **WHEREAS**, the City Council (the “Council”) of the City of Rialto (the “City”), has
9 heretofore adopted Resolution No. _____ (the “Resolution of Intention”), stating the Council’s
10 intention to establish the City of Rialto Community Facilities District No. 2024-1 (Renaissance) (the
11 “District”), pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, commencing
12 with Section 53311 of the Government Code of the State of California (the “Act”), and authorize a
13 special tax of the District (the “Facilities Special Tax”) to finance the purchase, construction,
14 expansion, modification, rehabilitation or improvement of certain public capital improvements and
15 fees related thereto with an estimated useful life of five years or longer, which the District is
16 authorized by law to construct, own, operate or provide and that are necessary to meet increased
17 demands placed upon the City as a result of development occurring within the proposed District,
18 including but not limited to facilities listed on Exhibit B to the Resolution of Intention (the
19 “Facilities”); and

20 **WHEREAS**, in order to finance the Facilities it is necessary to incur bonded indebtedness by
21 the District in the aggregate amount not to exceed \$25,000,000, the repayment of which is to be
22 secured by all or a part of a facilities special tax levied in accordance with Section 53340 et seq. of
23 the Act on all property within the District other than those properties exempted from taxation as
24 provided in the rate and method of apportionment for the District attached as Exhibit D to the
25 Resolution of Intention (the “Facilities Special Tax”); and

26 **WHEREAS**, all legal prerequisites to the adoption of this Resolution have occurred.

27 **NOW, THEREFORE**, the City Council hereby resolves, determines, and orders as follows:

28 **SECTION 1.** The above recitals are true and correct and are incorporated herein by reference.

1 **SECTION 2.** It is necessary to incur bonded indebtedness in one or more series within the
2 District in the aggregate amount not to exceed \$25,000,000 to finance the costs of all or a portion of
3 the Facilities.

4 **SECTION 3.** The bonded indebtedness will be incurred for the purpose of financing the
5 costs of purchasing, constructing, expanding, modifying, rehabilitating or improving a portion of the
6 Facilities, the acquisition of necessary equipment and property therefor and fulfilling contractual
7 commitments and carrying out the powers and purposes of the District, including, but not limited to,
8 the financing of the costs associated with the issuance of the bonds and all other costs necessary to
9 finance the Facilities which are permitted to be financed pursuant to the Act.

10 **SECTION 4.** It is the intent of the Council, acting as the legislative body of the District when
11 formed, to authorize the sale of bonds in one or more series, in the maximum aggregate principal
12 amount not to exceed \$25,000,000, secured by all of the Facilities Special Tax, bearing interest
13 payable semi-annually or in such other manner as the Council shall determine at a maximum interest
14 rate of 12 percent per annum or such rate not in excess of the maximum rate permitted by law at the
15 time the bonds are issued. The term of the bonds of each series shall be determined pursuant to a
16 resolution of the Council, acting as the legislative body of the District, authorizing the issuance of the
17 bonds of such series, but such term shall in no event exceed 40 years or such longer term as is then
18 permitted by law.

19 **SECTION 5.** A public hearing (the “Hearing”) on the proposed authorization of debt by the
20 District shall be held on August 27, 2024, at 6:00 p.m., or as soon thereafter as practicable, at the
21 chambers of the City Council of the City of Rialto, 150 S. Palm Avenue, Rialto, California, 92376.
22 At the time and place set forth above for the Hearing, any interested person, including all persons
23 owning lands or registered to vote within the District, may appear and be heard.

24 **SECTION 6.** Should this Council determine to form the District, the proposition to incur
25 bonded indebtedness by the District in the maximum aggregate principal amount not to exceed
26 \$25,000,000 shall be submitted to the qualified electors of the District. If held, and there are less than
27 12 registered voters in the District, the proposed voting procedure at the elections will be a landowner
28 vote with each landowner who is the owner of record of land within the District at the close of the

1 Hearing, or the authorized representative thereof, having one vote for each acre or portion thereof
2 owned within the District. Ballots for the special election may be distributed by mail or by personal
3 service.

4 **SECTION 7.** The City Clerk is hereby directed to publish a notice (“Notice”) of the Hearing
5 pursuant to Section 6061 of the Government Code in a newspaper of general circulation published in
6 the area of the District. Such Notice shall contain the text or a summary of this Resolution, state the
7 time and place of the Hearing, a statement that the testimony of all interested persons or taxpayers
8 will be heard, a description of the protest rights of the registered voters and landowners in the District
9 and a description of the proposed voting procedure for the election required by the Act. Such
10 publication shall be completed at least seven (7) days prior to the date of the Hearing.

11 **SECTION 8.** The City Clerk may send a copy of the Notice of the Hearing by first-class
12 mail, postage prepaid, to each registered voter and to each landowner within the District as shown on
13 the last equalized assessment roll. Said mailing shall be completed not less than fifteen (15) days prior
14 to the date of the Hearing.

15 **SECTION 9.** The voting procedure with respect to the modifications to the District shall be
16 by hand delivered ballot election.

17 **SECTION 10.** The City Clerk shall certify the adoption of this Resolution.

18 **SECTION 11.** The Mayor shall sign the passage and adoption of this resolution and
19 thereupon the same shall take effect and be in force.

20 PASSED, APPROVED AND ADOPTED this 23rd day of July, 2024.

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23 _____
24 DEBORAH ROBERTSON, MAYOR
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1 **ATTEST:**

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5 BARBARA MCGEE, CITY CLERK

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7 **APPROVED AS TO FORM:**

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11 ERIC S. VAIL, CITY ATTORNEY

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1 STATE OF CALIFORNIA)
2 COUNTY OF SAN BERNARDINO) ss
3 CITY OF RIALTO)

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I, BARBARA MCGEE, City Clerk of the City of Rialto, do hereby certify that the foregoing Resolution No. _____ was duly passed and adopted at a regular meeting of the City Council of the City of Rialto held on the _____ day of _____, 2024.

Upon motion of Councilmember _____, seconded by Councilmember _____, the foregoing Resolution No. _____ was duly passed and adopted.

Vote on the motion:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of Rialto this _____ day of _____, 2024.

BARBARA MCGEE, CITY CLERK