

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, AUTHORIZING THE EXECUTION AND DELIVERY OF A JOINT COMMUNITY FACILITIES AGREEMENT IN CONNECTION WITH COMMUNITY FACILITIES DISTRICT NO. 2024-1 OF THE COLTON JOINT UNIFIED SCHOOL.

The City Council of the City of Rialto, California (the “City Council”), does hereby resolve as follows:

WHEREAS, pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, (“Act”), on September 19, 2024, the Board of Education of the Colton Joint Unified School District (the “School District”) formed and established Community Facilities District No. 2024-1 of the Colton Joint Unified School District (the “CFD”), the boundaries of which include certain property (the “Property”) owned by Avila Collection, LLC, a Nevada limited liability company (“Owner”), which Property is within unincorporated portions of San Bernardino County (“County”), and is also located within the boundaries of the School District and the sewer service boundaries of the City of Rialto (the “City”); and

WHEREAS, Section 53316.2 of the Act provides that a community facilities district may finance facilities to be owned or operated by a public agency other than the agency that created the community facilities district only pursuant to a joint community facilities agreement or a joint exercise of powers agreement adopted pursuant to said Section; and

WHEREAS, the School District, the City, and Owner desire to enter into a Joint Community Facilities Agreement (the “JCFA”) in accordance with Sections 53316.2, 53316.4 and 53316.6 of the Act in order to provide for the financing of sewer treatment and collection facilities owned and operated by the City and Rialto Utility Authority (the “City Facilities”) in lieu of the payment of all or a portion of sewer treatment and collection fees imposed by the City upon the Property (the “City Fees”), through the issuance of tax-exempt or taxable bonds by the CFD; and

WHEREAS, the City finds and determines that the residents residing within the boundaries of the City sewer service boundaries will be benefited by the construction and/or acquisition of the City Facilities and that this JCFA is beneficial to the interests of such residents; and

WHEREAS, there has been submitted to this City Council a form of the JCFA, by and among the School District, the City and the Owner, and this City Council, with the aid of its staff, has reviewed said document and found it to be in proper order.

NOW, THEREFORE, the City Council of the City of Rialto, hereby resolves as follows:

Section 1. The above recitals are true and correct.

Section 2. The City Council hereby determines that the City enter into the JCFA, and the JCFA presented at this meeting and on file with the City Clerk be and is hereby approved, with such changes as may be approved by the City Manager or Finance Director, said officer's execution thereof to evidence approval of the changes. The City Manager or Finance Director is hereby authorized and directed to execute the JCFA with such execution to be attested to by the City Clerk.

Section 3. This Resolution shall take effect immediately upon its adoption.

Section 4. The City Clerk shall certify to the passage and adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this ____ day of March, 2025.

JOE BACA, Mayor

ATTEST:

BARBARA McGEE, City Clerk

APPROVED AS TO FORM:

ERIC S. VAIL, City Attorney

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO) ss
CITY OF RIALTO)

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 _____, 2025.

Upon motion of Council Member _____, seconded by Council Member _____, 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 _____, 2025.