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RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, INITIATING PROCEEDINGS FOR THE ANNEXATION OF TERRITORY TO THE RIALTO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 2 COMMENCING WITH FISCAL YEAR 2024/2025; AND THE LEVY AND COLLECTION OF ASSESSMENTS RELATED THERETO COMMENCING WITH FISCAL YEAR 2024/2025

WHEREAS, the City Council of the City of Rialto, California, (hereinafter the “City Council”), has by previous Resolution established the Landscaping and Lighting Maintenance District No. 2, (hereinafter the “District”), pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of the State of California, beginning with §22500 (hereafter referred to as the “Act”), that provides for the levy and collection of assessments by the City of Rialto to pay for the maintenance and service of improvements and all appurtenant facilities and operations related thereto; and

WHEREAS, the City Council desires to initiate proceedings for the annexation of territory to the District including all parcels of land within PPD 2021-0055 (LOCUST SPRINGS, LLC), PPD 2022-0001 (AIREF RIALTO COMMERCE CENTER II LP), (hereinafter referred to as the “Annexation Territory”) commencing in Fiscal Year 2024/2025, and to levy and collect annual assessments against lots and parcels of land within the Annexation Territory commencing in Fiscal Year 2024/2025 to pay for the operation, maintenance and servicing of local landscaping and/or lighting improvements, and appurtenant facilities related thereto that will provide special benefits to those properties pursuant to the Act and the provisions of the California Constitution Article XIIID (hereafter referred to as the “California Constitution”); and

WHEREAS, the City Council has retained Webb Municipal Finance, LLC, who has prepared and filed an Engineer’s Report with the City Clerk in accordance with Chapter 4, Article 2 of the Act and the provisions of the California Constitution.

1 **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RIALTO DOES**
2 **HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:**

3 **Section 1:** The territory of land to be annexed to the District incorporates all of the
4 lots and parcels of land within the Annexation Territory as described in the Assessment
5 Roll (**Exhibit A**).

6 **Section 2:** The proposed improvements and services to be provided and for which
7 properties shall be assessed, include but are not limited to, the regular maintenance,
8 operation and incidental expenses related to the local landscaping and/or street lighting
9 improvements within the public right-of-ways or easements associated with the
10 development of properties within the Annexation Territory which may include, but are not
11 limited to, landscaped parkways, medians, slopes, or other public areas, and/or street
12 lighting improvements which shall be maintained by the City for the special benefit of the
13 properties therein. The Engineer's Report to be prepared in connection with these
14 proceedings shall provide a more detailed description of the improvements and
15 associated costs.

16 **Section 3:** The City Council hereby determines that in order to provide an
17 appropriate level of maintenance and related services and activities for the improvements
18 within the Annexation Territory as generally described in Section 2 of this Resolution, it is
19 necessary to levy annual special benefit assessments on the lots and parcels within the
20 Annexation Territory identified in Section 1, commencing in Fiscal Year 2024/2025.

21 **Section 4:** The City Council hereby orders the Engineer of Record to prepare and
22 file with the City Clerk an Engineer's Report concerning the proposed annexation of the
23 Annexation Territory to the District, and the proposed levy of special benefit assessments
24 for properties beginning the Fiscal Year commencing July 1, 2024, and ending June 30,
25 2025, in accordance with Chapter 3 Section 22622 of the Act. Said Engineer's Report
26 shall establish the estimated budget of anticipated expenses and the resulting proposed
27 maximum assessments, including an annual inflationary adjustment, that will be
28 necessary to provide ongoing funding for the maintenance and servicing of the

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improvements being proposed; and the assessments so described may only be imposed pursuant to the provisions of the Act and the California Constitution.

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PASSED APPROVED AND ADOPTED this 14th day of January 2025.

JOSEPH BACA, Mayor

ATTEST:

BARBARA A. McGEE, City Clerk

APPROVED AS TO FORM:

ERIC S. VAIL, City Attorney

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 14th day of January 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.

BARBARA A. McGEE, CITY CLERK