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1 description of the authorized facilities (the “Facilities”) and the authorized services (the “Services”)
2 and the incurrence of the Original Bonded Indebtedness, and such matters were not precluded by a
3 majority protest; and

4 **WHEREAS**, following said public hearing, the Council adopted its resolution determining
5 the validity of prior proceedings, establishing the District, authorizing the levy of the Original
6 Facilities Special Tax and the Original Services Special Tax within each Improvement Area of the
7 District to fund the Facilities and Services within the boundaries of the District and establishing an
8 appropriations limit (the “Resolution of Formation”); and

9 **WHEREAS**, the map of the boundaries of the District, including the Improvement Areas
10 (the “Original Map”) has been recorded in the Office of the County Recorder of Riverside County,
11 California in Book 89, Pages 23 of the Book of Maps of Assessment and Community Facilities
12 Districts, as Document Number 2020-0220066; and

13 **WHEREAS**, the Council, in its capacity as the legislative body of the District (the
14 “Legislative Body”) called and duly held an election in each Improvement Area of the District
15 pursuant to Resolution No. 7646 (the “Resolution Calling Election”) adopted on July 14, 2020, for
16 the purpose of presenting to the qualified electors within each Improvement Area, propositions for
17 the levy of the Original Facilities Special Tax and the Original Services Special Tax and the
18 authorization to issue the Original Bonded Indebtedness related to the Original Facilities Special
19 Tax; and

20 **WHEREAS**, as shown in Resolution No. 7647 (the “Resolution Declaring Results”), the
21 canvass of the votes cast in the District at the special election held in each Improvement Area of the
22 District on July 14, 2020, resulted in a unanimous vote of the qualified electors within each
23 Improvement Area voting at said election; and

24 **WHEREAS**, pursuant to Ordinance No. 1648 adopted by the Legislative Body on July 28,
25 2020, the District is authorized to levy the Original Special Taxes within the Improvement Area No.
26 1 and Improvement Area No. 2 of the District at the rates and pursuant to the formulas set forth in
27 the Resolution of Formation for each Improvement Area (collectively, the “Original RMAs”); and
28

1 **WHEREAS**, the District has not yet incurred any indebtedness; and

2 **WHEREAS**, Lennar Homes of California, LLC (the “Developer”), the developer of the
3 Property, has approached the District to consider certain modifications to the District pursuant to
4 the Act; and

5 **WHEREAS**, the Legislative Body received a petition and waiver from the owner of the
6 Property (the “Petition”) and on August 9, 2022 adopted Resolution No. 7953 (the “Resolution of
7 Consideration”) instituting change proceedings to (i) eliminate the designation of Improvement
8 Areas; (ii) modify the Original RMAs to consolidate into one rate and method of apportionment and
9 increase certain special tax rates as set forth in the Amended RMA as defined described in the
10 Resolution of Consideration and attached therein as Exhibit D; (iii) increase the maximum bonded
11 indebtedness for the District from the principal amount not to exceed \$20,000,000 within
12 Improvement Area No. 1 and \$20,000,000 within Improvement Area No. 2, to not to exceed
13 \$50,000,000 within the District as set forth in the Resolution of Consideration; (iv) modify the
14 boundaries of the District to eliminate certain non-taxable property as set forth in the Amended Map
15 as depicted on Exhibit A to the Resolution of Consideration; and (v) revise the appropriations limit
16 for the District from the \$20,000,000 for the Facilities Special Tax with respect to each Improvement
17 Area and \$250,000 (adjusted up by 3% annually) for the Services Special Tax for each Improvement
18 Area to an amount equal to \$50,000,000 for the Facilities Special Tax for the District and \$700,000
19 (adjusted up by 3% annually) for the Services Special Tax for the District, all in accordance with
20 the terms of the Resolution of Consideration (collectively, the “Proposed Modifications”); and

21 **WHEREAS**, on September 13, 2022, this Council held a noticed hearing as required by law
22 relative to the Proposed Modifications; and

23 **WHEREAS**, at said hearing all persons not exempt from the special taxes of the District
24 desiring to be heard on all matters pertaining to the Proposed Modifications were heard and a full
25 and fair hearing was held; and

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1 **WHEREAS**, at said hearing evidence was presented to this Legislative Body on said matters
2 before it, and this Legislative Body at the conclusion of said hearing was and is fully advised in the
3 premises; and

4 **WHEREAS**, this Legislative Body wishes to present to the qualified electors of the District
5 a proposition on the Proposed Modifications.

6 **NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Rialto,
7 acting as the legislative body of the City of Rialto Community Facilities District No. 2020-1 (El
8 Rancho Verde), does hereby resolve as follows:

9 **Section 1.** Written protests against the Proposed Modifications to the District were not filed
10 by (a) fifty percent (50%) or more of the registered electors of the District, or six (6) registered
11 voters, whichever is greater, residing within the District, or (b) the owners of one-half (½) or more
12 of the area of land included within the District.

13 **Section 2.** The Report prepared by Webb Municipal Finance, LLC, relating to the Proposed
14 Modifications, as now submitted is hereby approved and is made a part of the record of the hearing,
15 and is ordered kept on file with the transcript of these proceedings and open for public inspection.

16 **Section 3.** Pursuant to Government Code Section 53338, the Legislative Body hereby
17 submits to the qualified electors of the District a proposition (the “Proposition”) of the Proposed
18 Modifications, consisting of (i) elimination of the designation of Improvement Areas; (ii)
19 modification of the Original RMAs to consolidate into one rate and method of apportionment and
20 increase certain special tax rates as set forth in the Amended RMA; (iii) increase of the maximum
21 bonded indebtedness for the District from the principal amount not to exceed \$20,000,000 within
22 Improvement Area No. 1 and \$20,000,000 within Improvement Area No. 2, to not to exceed
23 \$50,000,000 within the District; (iv) modification of the boundaries of the District to eliminate
24 certain non-taxable property as set forth in the Amended Map; and (v) revision of the appropriations
25 limit for the District from the \$20,000,000 for the Facilities Special Tax with respect to each
26 Improvement Area and \$250,000 (adjusted up by 3% annually) for the Services Special Tax for each
27 Improvement Area to an amount equal to \$50,000,000 for the Facilities Special Tax for the District
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1 and \$700,000 (adjusted up by 3% annually) for the Services Special Tax for the District; all in
2 accordance with the terms of the Resolution of Consideration. The form of the Proposition is
3 attached as Exhibit "A."

4 **Section 4.** The time for notice having been waived by all of the qualified electors, the date
5 of the special election on the Proposition shall be on the 13th day of September, 2022.

6 **Section 5.** There being no registered voters residing within the territory of the District at the
7 time of the protest hearing and ninety (90) days prior thereto, there being less than twelve (12)
8 landowners in the District, and the requirements of Section 53326 of the Act having been waived
9 by all landowners, the ballot for the special election shall be personally delivered to each landowner
10 within the District. Each landowner shall have one (1) vote for each acre or portion thereof that it
11 owns within the District, as provided by Section 53326 of the Act. The voter ballot shall be returned
12 to the City Clerk at 150 South Palm Avenue, Rialto, California 92376, no later than 11:00 o'clock
13 p.m. on September 13, 2022. However, the election may be closed within the concurrence of the
14 City Clerk, as soon as the ballot is returned.

15 **Section 6.** The City Clerk shall personally deliver or cause the personal delivery of the
16 ballots to the landowner(s) upon adoption of this Resolution.

17 **Section 7.** Notice of said election and written argument for or against the Proposition have
18 been waived by the landowner(s).

19 **Section 8.** The District shall constitute a single election precinct for the purpose of holding
20 said election.

21 **Section 9.** The Legislative Body hereby directs that the election be conducted by the City
22 Clerk of the City, as the elections official.

23 **Section 10.** This Resolution shall take effect from and after the date of its passage and
24 adoption.

25 **Section 11.** The City Clerk shall certify the adoption of this Resolution.
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PASSED, APPROVED AND ADOPTED this ____ day of ____, 2022.

Deborah Robertson, Mayor, City of Rialto

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)

4 I, Barbara A. McGee, City Clerk of the City of Rialto, DO HEREBY CERTIFY that
5 the foregoing Resolution No. ____ was duly passed and adopted at a regular meeting of the City
6 Council of the city of Rialto held on the ____ day of ____, 2022.

7 Upon motion of ____, seconded by ____, the foregoing Resolution No.
8 ____ was duly passed and adopted.

9 VOTE ON THE MOTION

10 AYES:

11 NOES:

12 ABSENT:

13 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal o the
14 City of Rialto this ____ day of ____, 2022.

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Barbara A. McGee, City Clerk

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EXHIBIT "A"

OFFICIAL BALLOT

**CITY OF RIALTO
COMMUNITY FACILITIES DISTRICT NO. 2020-1
(EL RANCHO VERDE)**

**SPECIAL ELECTION
FOR MODIFICATION OF MAP, TAX RATES AND
BOND AND APPROPRIATIONS LIMITS**

September 13, 2022

To vote, mark an "X" in the voting square after the word "YES" or after the word "NO."
All marks otherwise made are forbidden.

This ballot is provided to Lennar Homes of California, LLC, a California limited liability company, as owner or authorized representative of such owner of land within City of Rialto Community Facilities District No. 2020-1 (El Rancho Verde), and represents ____ votes.

If you wrongly mark, tear, or deface this ballot, return it to the City Clerk of the City of Rialto at 150 South Palm Avenue, Rialto, California 92376.

PROPOSITION: Shall the following modifications be made to the City of Rialto Community Facilities District No. 2020-1 (the "District"), all in accordance with the terms of the Resolution of Consideration adopted on August 9, 2022: (i) elimination of the designation of improvement areas; (ii) modification of the original rate and methods of apportionments to consolidate into one rate and method of apportionment and increase of certain special tax rates as set forth in the Amended RMA as defined in the Resolution of Consideration; (iii) increase of the maximum bonded indebtedness for the District from the principal amount not to exceed \$20,000,000 within Improvement Area No. 1 and \$20,000,000 within Improvement Area No. 2, to not to exceed \$50,000,000 within the District; (iv) modification of the boundaries of the District to eliminate certain non-taxable property as set forth in the Amended Map as defined in the Resolution of Consideration; and (v) revision of the appropriations limit for the District from the \$20,000,000 for the Facilities Special Tax with respect to each Improvement Area and \$250,000 (adjusted up by 3% annually) for the Services Special Tax for each Improvement Area to an amount equal to \$50,000,000 for the Facilities Special Tax for the District and \$700,000 (adjusted up by 3% annually) for the Services Special Tax for the District?

YES	
NO	

CITY OF RIALTO COMMUNITY FACILITIES DISTRICT NO. 2020-1
(EL RANCHO VERDE)

**SPECIAL ELECTION
FOR MODIFICATION OF MAP, TAX RATES AND
BOND AND APPROPRIATIONS LIMITS**

September 13, 2022

VOTER IDENTIFICATION CERTIFICATION

The undersigned hereby declares under penalty of perjury as follows:

I have been duly authorized to cast ballots on behalf of the Landowner as set forth below:

By execution hereof I also certify that there were no registered voters in the property of the above-referenced District for the 90 day period preceding and including September 13, 2022.

LANDOWNER: LENNAR HOMES OF CALIFORNIA, LLC

BY: _____

NAME: _____

TITLE: _____

NAME OF VOTER: _____

ADDRESS OF VOTER: _____

DATE OF SIGNING: _____

PLACE OF SIGNING: AT ADDRESS ABOVE

**FAILURE TO COMPLETE THE ABOVE INFORMATION WILL INVALIDATE YOUR
BALLOT.**

Please Return With Ballot