

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, GIVING PRELIMINARY APPROVAL OF THE ENGINEERS REPORT FOR LANDSCAPING AND LIGHTING DISTRICT NO. 2, AND THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS RELATED THERETO FOR FISCAL YEAR 2021/2022.

WHEREAS, the City Council of the City of Rialto, California, (hereinafter the "City Council"), has by previous Resolution established the Landscaping and Lighting District No. 2, 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 services of improvements and all appurtenant facilities and operations related thereto; and

WHEREAS, Landscaping and Lighting District No. 2 includes existing streetscape landscaping including parkways and medians as well as public landscaped areas, including turf, ground cover, plants, shrubs, trees, irrigation and drainage systems, street lighting improvements, and appurtenant facilities and improvements within non-contiguous, separate Annexation Areas within the incorporated boundaries of the City of Rialto; and

WHEREAS, the Act provides for the levy and collection of assessments by the County of San Bernardino for the City of Rialto to pay costs for the maintenance and services of all improvements and facilities related thereto; and

WHEREAS, Webb Municipal Finance, LLC has prepared an Engineer's Report (hereafter referred to as the "Report") in accordance with the Act, and in accordance with the requirements of Articles XIIIC and XIIID of the California Constitution as enacted by the passage of Proposition 218, also referred to as "The Right to Vote on Taxes Act," as approved by the voters of the State of California on November 5, 1996.

WHEREAS, there has now been presented to the City Council the Report for Landscaping and Lighting District No. 2 for Fiscal Year 2021/2022; and

1 **WHEREAS**, the City Council has carefully examined and reviewed the Report as
2 presented and is preliminarily satisfied with each and all of the budget items and documents
3 as set forth therein, and is preliminarily satisfied that the proposed annual assessments have
4 been spread in accordance with the special benefits properties within Landscaping and
5 Lighting District No. 2 will receive from the improvements, operation, maintenance and
6 services to be performed as part of Landscaping and Lighting District No. 2, as set forth in
7 said Report.

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

10 **Section 1:** The preceding recitals are all true and correct.

11 **Section 2:** The Report, as presented, consists of the following:

- 12 1) A description of Landscaping and Lighting District No. 2 and its improvements.
- 13 2) A Method of Apportionment that outlines the special benefit conferred on
14 properties within Landscaping and Lighting District No. 2 from the
15 improvements; and the calculations used to establish each parcel's proportional
16 special benefit assessment for Fiscal Year 2021/2022.
- 17 3) An annual budget that outlines the costs and expenses to service, and maintain
18 the improvements, including incidental expenses, as authorized by the Act.
- 19 4) An Assessment Diagram that identifies the lots, parcels and properties included
20 within the boundaries of Landscaping and Lighting District No. 2.
- 21 5) An Assessment Roll containing each of the Assessor Parcel Numbers that
22 comprise Landscaping and Lighting District No. 2, and the proportional
23 maximum assessment for Fiscal Year 2021/2022.

24 **Section 3:** The Report is hereby approved on a preliminary basis (as submitted or
25 amended) and ordered to be filed in the Office of the City Clerk as a permanent record and to
26 remain open to public inspection.

27 **Section 4:** The proposed assessments for Fiscal Year 2021/2022 are less than or
28 equal to the maximum assessment amounts previously approved by property owner petition

1 or balloting, in accordance with the provisions of the California Constitution Article XIIID
2 (Proposition 218).

3 **Section 5:** The City Clerk shall certify to the passage and adoption of this
4 Resolution, and the minutes of this meeting shall so reflect the presentation of the Report for
5 Landscaping and Lighting District No. 2.

6 **WHEREFORE**, this Resolution is passed, approved and adopted this 13th day of
7 July 2021.

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10 _____
11 DEBORAH ROBERTSON, Mayor
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13 **ATTEST:**
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16 BARBARA A. McGEE, City Clerk
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18 **APPROVED AS TO FORM**
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21 ERIC VAIL, City Attorney
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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 the
5 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 13th day of July 2021.

7 Upon motion of Councilmember _____, seconded by Councilmember
8 _____, the foregoing Resolution No. _____ 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 of the
14 City of Rialto this _____ day of _____, 2021.

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18 BARBARA A. MCGEE, CITY CLERK
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