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**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIALTO DECLARING RESULTS OF SPECIAL ELECTION, DETERMINING THAT CERTAIN TERRITORY IS ADDED TO AND PART OF CITY OF RIALTO COMMUNITY FACILITIES DISTRICT NO. 2016-1 (PUBLIC SERVICES) (ANNEXATION NO. 7) AND DIRECTING RECORDING OF A NOTICE OF ANNEXATION**

**WHEREAS**, on June 13, 2023, the City Council (the “City Council”) of the City of Rialto (the “City”), pursuant to the Mello-Roos Community Facilities Act of 1982 (the “Act”), adopted a resolution entitled “A Resolution of the City Council of the City of Rialto of Intention to Annex Territory to City of Rialto Community Facilities District No. 2016-1 (Public Services) and to Authorize the Levy of Special Taxes Therein” stating its intention to annex certain territory (the “Additional Territory”) to City of Rialto Community Facilities District No. 2016-1 (Public Services) (the “Community Facilities District”), and to authorize the levy of special taxes (the “Special Taxes”) within the Additional Territory to provide and finance certain public services (the “Services”), and setting July 25, 2023 as the date for a public hearing to be held on the proposed annexation of the Additional Territory to the Community Facilities District;

**WHEREAS**, on July 25, 2023, the City Council adopted a resolution entitled “A Resolution of the City Council of the City of Rialto Calling a Special Election to Levy a Special Tax Within Territory Proposed to be Annexed to City of Rialto Community Facilities District No. 2016-1 (Public Services) (Annexation No. 7)” (the “Resolution Calling Election”), calling for a special election to submit to the qualified electors of the Additional Territory the proposition to levy the Special Taxes within the Additional Territory in order to finance the Services;

**WHEREAS**, pursuant to the terms of the Resolution Calling Election and the provisions of the Act, the special election was held on July 25, 2023; and

**WHEREAS**, the City Clerk of the City (the “City Clerk”) has certified the canvass of the returns of the election and has filed a Canvass and Statement of Results of Election for the election (the “Canvass”), a copy of which is attached hereto as Exhibit A;

1           **NOW, THEREFORE**, the City Council of the City of Rialto does hereby resolve, determine and  
2 order as follows:

3           **Section 1.** The foregoing recitals are true and correct.

4           **Section 2.** The City Council has received, reviewed and hereby accepts the Canvass.

5           **Section 3.** The City Council hereby finds and declares that the ballot proposition submitted to  
6 the qualified electors of the Additional Territory pursuant to the Resolution Calling Election have been  
7 passed and approved by such electors in accordance with Section 53339.8(a) of the Act.

8           **Section 4.** The City Council hereby determines that the Additional Territory is added to and part  
9 of the Community Facilities District with full legal effect.

10          **Section 5.** The boundaries of the Additional Territory added to and made part of the Community  
11 Facilities District are described in the map recorded as Instrument No. 2023-0158724 in the County of  
12 San Bernardino in Book 91 at Page 24 of Maps of Assessment in the office of the County Recorder of  
13 the County of San Bernardino.

14          **Section 6.** The City Clerk is hereby directed to prepare and record in the office of the County  
15 Recorder of the County of San Bernardino an amendment to notice of special tax lien evidencing the  
16 annexation of the Additional Territory to City of Rialto Community Facilities District No. 2016-1 (Public  
17 Services) pursuant to Section 3117.5 of the California Streets and Highways Code.

18          **Section 7.** The officers, employees and agents of the City are hereby authorized and directed to  
19 take all actions and do all things which they, or any of them, may deem necessary or desirable to  
20 accomplish the purposes of this Resolution and not inconsistent with the provisions hereof.

21          **Section 8.** This Resolution shall take effect immediately upon its adoption.

22 **PASSED, APPROVED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2023.

23  
24 \_\_\_\_\_  
25 DEBORAH ROBERTSON, Mayor

26 **ATTEST:**  
27  
28 \_\_\_\_\_

1 BARBARA McGEE, City Clerk

2 **APPROVED AS TO FORM:**

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ERIC S. VAIL, City Attorney  
7 Burke, Williams & Sorensen, LLP

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

4 I, Barbara McGee, City Clerk of the City of Rialto, do hereby certify that the foregoing  
5 Resolution No.\_\_\_\_\_ was duly passed and adopted at a regular meeting of the City Council of the City  
6 of Rialto held on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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 City of  
14 Rialto this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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16  
17 \_\_\_\_\_  
18 BARBARA A. McGEE, City Clerk  
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**EXHIBIT A**  
**CANVASS AND STATEMENT OF RESULTS OF ELECTION**  
**CITY OF RIALTO**  
**COMMUNITY FACILITIES DISTRICT NO. 2016-1**  
**(PUBLIC SERVICES)**  
**(ANNEXATION NO. 7)**

I, Barbara McGee, City Clerk of the City of Rialto, hereby certify that on July 25, 2023, I canvassed the returns of the special election held on July 25, 2023 for the territory (the "Additional Territory") proposed to be annexed to City of Rialto Community Facilities District No. 2016-1 (Public Services), that the total number of ballots cast in the Additional Territory and the total number of votes cast for and against the proposition are as follows and that the totals as shown for and against the proposition are true and correct:

	Qualified Landowner Votes	Votes Cast	YES	NO
City of Rialto Community Facilities District No. 2016-1 (Public Services) (Annexation No. 7), Special Election, July 25, 2023	4	_____	_____	_____

**PROPOSITION A:** Shall special taxes be levied annually on taxable property within the territory to be annexed into the City of Rialto Community Facilities District No. 2016-1 (Public Services), County of San Bernardino, State of California ("Annexation No. 7") and collected so long as the special taxes are needed to pay for maintenance and operational costs for police protection services, fire protection and suppression services, paramedic services, and park maintenance at the special tax rates and pursuant to the method of apportioning the special taxes set forth in Exhibit "B" to the Resolution of Intention, Resolution No. 8083, adopted by the City Council of the City of Rialto on June 13, 2023?

**PROPOSITION B:** Shall an appropriations limit, as defined by subdivision (h) of Section 8 of Article XIII B of the California Constitution, be established for Annexation No. 7 to the City of Rialto Community Facilities District No. 2016-1 (Public Services), County of San Bernardino, State of California, in the amount of \$1,000,000 per annum

IN WITNESS WHEREOF, I have hereunto set my hand this 25th day of July 2023.

By: \_\_\_\_\_  
BARBARA MCGEE, CITY CLERK  
OF THE CITY OF RIALTO

CLERK'S CERTIFICATE

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

I, Barbara McGee, City Clerk of the City of Rialto, California hereby certify that the foregoing is a full, true and correct copy of a Resolution duly adopted at a regular meeting of the City Council of said City duly and regularly held at the regular meeting place thereof on July 25, 2023, of which meeting all of the members of said City Council had due notice and at which a majority thereof were present; and that at said meeting said Resolution was adopted by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

An agenda of said meeting was posted at least 72 hours before said meeting at 150 South Palm Avenue, Rialto, California, a location freely accessible to members of the public, and a brief general description of said Resolution appeared on said agenda.

I further certify that the foregoing Resolution is a full, true and correct copy of the original Resolution adopted at said meeting; and that said Resolution has not been amended, modified or rescinded since the date of its adoption, and the same is now in full force and effect.

Dated: \_\_\_\_\_, 2023

\_\_\_\_\_  
BARBARA McGEE, City Clerk