

1 RESOLUTION NO. _____

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
3 RIALTO, CALIFORNIA, DECLARING ITS INTENTION FOR THE
4 ANNEXATION OF TERRITORY TO THE RIALTO LANDSCAPING
5 AND LIGHTING MAINTENANCE DISTRICT NO. 2; AND
6 DECLARING ITS INTENTION TO CONDUCT A PROPERTY
7 OWNER PROTEST BALLOT PROCEEDING ON THE MATTER OF
8 THE NEW ASSESSMENTS RELATED THERETO COMMENCING
9 WITH FISCAL YEAR 2025/2026

8 WHEREAS, the City Council of the City of Rialto (hereinafter the "City Council"),
9 pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2 of Division 15
10 of the Streets and Highways Code of the State of California, beginning with §22500 (hereafter
11 referred to as the "Act"), did by previous Resolution initiate proceedings for the annexation of
12 territory to the Rialto Landscaping and Lighting Maintenance District No. 2 (hereafter referred
13 to as the "District"), consisting of PPD 2024-0001 (ZUBIN LAIWALLA) (hereinafter referred to
14 as the "Annexation Territory"), and the proposed levy and collection of annual special benefit
15 assessments related thereto commencing in Fiscal Year 2025/2026; and

16 WHEREAS, the City Council desires to annex to the District the Annexation Territory,
17 and to levy and collect annual assessments against lots and parcels of land within the
18 Annexation Territory to pay the cost and expenses related to the maintenance, servicing and
19 operation of local landscaping and/or street lighting improvements that provide special benefits
20 to the parcels of land therein as authorized by the Act and the provisions of the California
21 Constitution Article XIID (hereafter referred to as the "California Constitution"); and,

22 WHEREAS, the City Council has retained Webb Municipal Finance, LLC, who has
23 prepared and filed with the City Clerk an Engineer's Report, (hereafter referred to as the
24 "Report"), in connection with such annexation proceedings commencing in Fiscal Year
25 2025/2026 and the proposed levy and collection of assessments commencing with Fiscal Year
26 2025/2026, in accordance with the Act and the California Constitution, and said Report has
27 been presented to the City Council.

1 **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RIALTO DOES HEREBY**
2 **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 Roll
5 **(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, operation
8 and incidental expenses related to the local landscaping and/or street lighting improvements
9 within the public rights-of-way or easements associated with the development of properties
10 within the Annexation Territory, which may include but are not limited to, landscaped parkways,
11 medians, slopes, or other public areas, and/or street lighting improvements which shall be
12 maintained by the City for the special benefit of the properties therein. The Engineer's Report
13 prepared in connection with these proceedings provides a more detailed description of the
14 improvements and associated costs.

15 **Section 3:** The Engineer's Report as presented consists of the following:

- 16 a) A Description of the Improvements (Plans and Specifications).
- 17 b) The Method of Apportionment that details the method of calculating the
18 proportional special benefits and the annual assessment obligation for each affected parcel
19 including a description of an "Assessment Range Formula" that provides for an annual
20 inflationary adjustment to the maximum assessment rate.
- 21 c) The estimated annual costs and expenses to provide the improvements (Budget)
22 that establishes the proposed initial "Maximum Assessment Rate".
- 23 d) An Assessment Diagram (Boundary Map).
- 24 e) An Assessment Roll containing the proposed assessment to be levied for each
25 Assessor Parcel Number within the Annexation Territory based on the maximum
26 assessment rate and method of apportionment described therein.

27 **Section 4:** The Engineer's Report presented is hereby approved on a preliminary basis
28 as submitted or amended by direction of this City Council and is hereby ordered to be filed in

1 the Office of the City Clerk as a permanent record and remain open to public inspection.

2 **Section 5:** The City Council hereby declares its intention to annex the territory of land
3 to the District designated as the Annexation Territory commencing in Fiscal Year 2025/2026,
4 and to levy and collect annual assessments against parcels of land within said territory to fund
5 the ongoing cost and expenses of maintaining, operating and servicing the improvements
6 determined to be of special benefit to the parcels of land therein as outlined in the Report
7 prepared in connection therewith, commencing with Fiscal Year 2025/2026; and, the City
8 Council further declares its intention to conduct a public hearing regarding the annexation of
9 the Annexation Territory to the District, and the proposed levy of assessments connected
10 therewith; and calls for a property owner protest balloting proceeding in accordance with the
11 provisions of Article XIID of the California Constitution (Proposition 218). The City Council
12 finds that the public's best interest requires such action and levy of assessments.

13 **Section 6:** The City Council hereby declares its intention to conduct a public hearing
14 concerning the levy of assessments for the Annexation Territory in accordance with
15 Government Code, Section 54954.6 and Section 4(e) of Article XIID of the California
16 Constitution; and, notice is hereby given that a public hearing on these matters will be held by
17 the City Council on Tuesday, March 10, 2026, at 6:30 P.M., or as soon thereafter as feasible,
18 in the City Council Chambers located at 150 South Palm Avenue, Rialto, California. At the
19 Public Hearing, all interested persons shall be afforded the opportunity to hear and be heard.

20 **Section 7:** Pursuant to Article XIID of the California Constitution, an assessment ballot
21 proceeding is hereby called on the matter of confirming the proposed assessments for the
22 Annexation Territory. The ballots and notices so authorized shall be distributed by first class
23 mail to the property owners of record as of the last County equalized tax roll, and property
24 owner or owners of each affected parcel may return the ballot by mail or in person to the City
25 Clerk not later than the conclusion of the public hearing for these matters.

26 **Section 8:** The City Council hereby authorizes and directs the Engineer of Record, on
27 behalf of the City Clerk, to prepare and mail notice of the Public Hearing and property owner
28 protest ballots to the property owners of record regarding the proposed assessments, including

1 the assessment range formula as outlined in the Report, for return receipt prior to the date and
2 time of the public hearing set forth in this Resolution; and, the notice of the hearing and ballot
3 shall be distributed by first class mail to the property owner(s) of record for each parcel within
4 the Annexation Territory subject to an assessment. The owner of 100% of the property to be
5 annexed has waived his right to receive the notice and ballot not less than 45 days before the
6 date of the public hearing pursuant to the California Constitution.

7 **Section 9:** The property owner protest ballot proceeding conducted for the Annexation
8 Territory shall constitute the property owners' approval or rejection of the annual levy of
9 assessments and assessment range formula described in the Report presented and previously
10 approved by the City Council. Each property owner may return the ballot by mail or in person
11 to the City Clerk no later than the conclusion of the public hearing scheduled for Tuesday,
12 March 10, 2026. After the close of the Public Hearing, pursuant to Section 4 (e) of Article XIID
13 of the California Constitution, the City Clerk shall open and tabulate the ballots returned to
14 determine if a majority protest exists. Only those ballots issued by or on behalf of the City and
15 signed by the property owner of record or authorized representative, shall be considered as
16 valid ballots and shall be weighted according to the proportional financial obligation of each
17 affected property. A majority protest exists if, upon the conclusion of the hearing, valid ballots
18 submitted in opposition to the assessment exceed the ballots submitted in favor of the
19 assessment; and, in addition to the ballot proceedings, property owners may also file a
20 separate written protest with the City Clerk prior to the conclusion of the hearing, or having
21 previously filed such protest, may file a written withdrawal of that protest. A written protest
22 shall state all grounds of objection and shall contain a description sufficient to identify the
23 property owned by such property owner. At the public hearing, all interested persons shall be
24 afforded the opportunity to hear and be heard.

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PASSED, APPROVED AND ADOPTED this 10th day of February 2026.

JOE BACA, Mayor

ATTEST:

BARBARA A. McGEE, City Clerk

APPROVED AS TO FORM:

ERIC S. VAIL, City Attorney

Exhibit A

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APN	PROJECT ID	OWNER	LANDSCAPE ZONE	LIGHTING ZONE
0130051580000	PPD 2024-0001	ZUBIN LAIWALLA	47	L