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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, APPROVING THE ENGINEER'S REPORT AND ORDERING THE CONTINUED OPERATION AND MAINTENANCE OF IMPROVEMENTS FOR LANDSCAPING AND LIGHTING DISTRICT NO. 2, AND ORDERING THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS RELATED THERETO FOR FISCAL YEAR 2026/2027

WHEREAS this resolution amends and restates Resolution No. 8523 adopted on June 9, 2026; and

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 service of improvements and all appurtenant facilities and operations related thereto; and

WHEREAS, an Engineer's Report for Landscaping and Lighting District No. 2 identifying the levy of assessments for Fiscal Year 2026/2027 (commencing July 1, 2026, and ending June 30, 2027), (hereafter referred to as the "Report"), has been prepared and filed with the City Clerk of the City of Rialto, (hereafter referred to as the "City Clerk"), in accordance with the Act; and the City Clerk has presented to the City Council the Report; and

WHEREAS, the City Council has carefully examined and reviewed the Report as presented, and is satisfied with each and all of the items and documents as set forth therein, and finds that the levy has been spread in accordance with the special benefits received from the improvements, and the operation, maintenance and services to be performed, as set forth in the Report; and

1 **WHEREAS**, the City Council desires to levy and collect assessments against parcels
2 of land within Landscaping and Lighting District No. 2 for Fiscal Year 2026/2027
3 (commencing July 1, 2026, and ending June 30, 2027) to pay the costs and expenses of the
4 operation, maintenance, repair and servicing of improvements related thereto; and

5 **WHEREAS**, the Report proposes the levy and collection of annual assessments less
6 than or equal to the maximum assessment amounts previously approved by property owner
7 petition or balloting, in accordance with the provisions of Article XIID of the California
8 Constitution (Proposition 218); and

9 **WHEREAS**, the City Council has noticed and held a Public Hearing on June 9, 2026,
10 regarding Landscaping and Lighting District No. 2 and the proposed improvements and
11 assessments for Fiscal Year 2026/2027 (commencing July 1, 2026, and ending June 30,
12 2027) as described in the Report in accordance with the provisions of the Act and applicable
13 provisions of Article XIID of the California Constitution (Proposition 218).

14 **THE CITY COUNCIL OF THE CITY OF RIALTO DOES HEREBY FIND,**
15 **DETERMINE, AND RESOLVE AS FOLLOWS:**

16 **Section 1:** The above recitals are all true and correct.

17 **Section 2:** Following notice duly given, on June 9, 2026, the City Council has held a
18 full and fair Public Hearing to approve or amend the Report, the levy and collection of
19 assessments related thereto, and has considered all oral and written statements, protests
20 and communications made or filed by interested persons. The City Council has determined
21 that the property owners have approved the assessments so presented in the Report in
22 accordance with the requirements of Article XIID of the California Constitution (Proposition
23 218).

24 **Section 3:** Based upon its review (and amendments, as applicable) of the Report, a
25 copy of which has been presented to the City Council and which has been filed with the City
26 Clerk, the City Council hereby finds and determines that:

27 a) The land within Landscaping and Lighting District No. 2 will receive special benefit by
28 the operation, maintenance, and servicing of certain improvements within the

- 1 boundaries of Landscaping and Lighting District No. 2.
- 2 b) Landscaping and Lighting District No. 2 includes all of the lands receiving such special
3 benefit.
- 4 c) The net amount to be assessed upon the lands within Landscaping and Lighting District
5 No. 2 for Fiscal Year 2026/2027 (commencing July 1, 2026, and ending June 30,
6 2027) is apportioned by a formula and method which fairly distributes the net amount
7 among all eligible parcels in proportion to the special benefits to be received by each
8 parcel from the improvements and services.
- 9 d) The assessment amounts described in the Report do not exceed the maximum
10 assessments previously established in accordance with the provisions of Article XIID of
11 the California Constitution (Proposition 218).

12 **Section 4:** The Report and assessments as presented to the City Council and on file
13 in the Office of the City Clerk are hereby confirmed as filed.

14 **Section 5:** The City Council hereby orders the proposed improvements to be made,
15 which improvements are generally described as the operation, maintenance and servicing of
16 existing streetscape landscaping including parkways and medians as well as public
17 landscaped areas, including turf, ground cover, plants, shrubs, trees, irrigation and drainage
18 systems, street lighting improvements, and appurtenant facilities and improvements to be
19 provided by the City of Rialto in connection with the improvements installed within Landscaping
20 and Lighting District No. 2. The Report describes any new improvements or substantial
21 changes in existing improvements.

22 **Section 6:** The assessments as confirmed shall be submitted to the County Auditor-
23 Controller/Treasurer/Tax Collector of the County of San Bernardino (the "County Auditor"), and
24 the County Auditor is authorized to enter on the County Assessment Roll opposite each eligible
25 parcel of land the amount of levy so apportioned by the formula and method outlined in the
26 Report, and such levies shall be collected at the same time and in the same manner as San
27 Bernardino County taxes are collected pursuant to §22646 of the Act. The Auditor-
28 Controller/Treasurer/Tax Collector is hereby authorized to deduct reasonable administrative

1 costs incurred in collecting any said levies. After collection by San Bernardino County, the net
2 amount of the levy shall be paid to the City Treasurer.

3 **Section 7:** The City Treasurer shall deposit all money representing assessments
4 collected by San Bernardino County for Landscaping and Lighting District No. 2 to the credit of
5 a fund for Landscaping and Lighting District No. 2, and such money shall be expended only for
6 the operation, maintenance and servicing of the improvements as described in Section 5.

7 **Section 8:** The adoption of this Resolution constitutes the Landscaping and Lighting
8 District No. 2 levy for Fiscal Year 2026/2027 (commencing July 1, 2026, and ending June 30,
9 2027).

10 **Section 9:** The City Clerk is hereby authorized and directed to file the levy with the
11 County Auditor upon adoption of this Resolution.

12 **WHEREFORE,** this Resolution is passed, approved and adopted this 11th day of
13 August 2026.

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17 _____
JOE BACA, Mayor

18 **ATTEST:**

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21 _____
22 BARBARA A. McGEE, City Clerk

23
24 **APPROVED AS TO FORM**

25
26 _____
27 ERIC VAIL, City Attorney
28

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

I, Barbara A. 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 11th day of August 2026.

Upon motion of Councilmember _____, seconded by Councilmember _____, 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 _____, 2026.

BARBARA A. MCGEE, CITY CLERK