



1           **WHEREAS**, the City Council desires to designate the City Clerk of the City (the “City Clerk”)  
2 as the election official for the special election provided for herein;

3           **WHEREAS**, there has been filed with the City Clerk a certificate from the office of the Registrar  
4 of Voters of the County of San Bernardino indicating that no persons were registered to vote within the  
5 Additional Territory as of July 1, 2025, and, accordingly, that 12 or more persons have not been registered  
6 to vote within the Additional Territory for each of the 90 days preceding the close of said public hearing;

7           **WHEREAS**, there has been filed with the City Clerk consents and waivers of all of the  
8 landowners of record in the Additional Territory waiving any time limit specified by Section 53326 of  
9 the Act and any requirement pertaining to the conduct of said special election, consenting to the holding  
10 of said special election on August 26, 2025 and waiving any impartial analysis, arguments or rebuttals,  
11 as set forth in Sections 53326 and 53327 of the Act; and

12           **WHEREAS**, the City Clerk has concurred in said waivers and has concurred in holding said  
13 special election on August 26, 2025;

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

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

17           **Section 2.** Pursuant to Sections 53339.7 of the Act, the proposition to levy the Special Taxes in the  
18 Additional Territory, the territory proposed to be annexed to the Community Facilities District, shall be  
19 submitted to the qualified electors of the Additional Territory at a special election for the Additional Territory  
20 called therefor as provided herein.

21           The City Council hereby finds and determines that no persons were registered to vote within the  
22 Additional Territory as of July 1, 2025, and, accordingly, that 12 or more persons have not been registered  
23 to vote within the Additional Territory for each of the 90 days preceding the close of the public hearing  
24 on the proposed annexation of the Additional Territory to the Community Facilities District. Accordingly,  
25 pursuant to Section 53326 of the Act, the vote shall be by the landowners of the Additional Territory and  
26 each person who is the owner land within the Additional Territory as of the close of said public hearing,  
27 or the authorized representative thereof, shall have one vote for each acre or portion of an acre that he or  
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1 she owns within the Additional Territory not exempt from the Special Taxes. The voting procedure shall  
2 be by mailed or hand-delivered ballot.

3 **Section 3.** The City Clerk is hereby designated as the official to conduct said election.

4 **Section 4.** The City Council hereby finds and determines that the qualified electors of the  
5 Additional Territory have unanimously consented (a) to the waiver of any time limit specified by Section  
6 53326 of the Act and any requirement pertaining to the conduct of said election, (b) to the holding of said  
7 election on August 26, 2025, and (c) to the waiver of any impartial analysis, arguments or rebuttals, as  
8 set forth in Sections 53326 and 53327 of the Act. The City Council hereby finds and determines that the  
9 City Clerk has concurred in said waivers and has concurred in holding said election on August 26, 2025.

10 **Section 5.** The City Council hereby calls a special election to submit to the qualified electors of  
11 the Additional Territory propositions to levy the Special Taxes within the Additional Territory to finance  
12 the Services, and the establishment of an appropriations limit, which election shall be held at 150 South  
13 Palm Avenue, Rialto, California, on August 26, 2025.

14 The City Council has caused to be provided to the City Clerk, as the official to conduct said  
15 election, the Resolution of Intention, a certified map of sufficient scale and clarity to show the boundaries  
16 of the Additional Territory, and a sufficient description of the Additional Territory to allow the City Clerk  
17 to determine the boundaries of the Additional Territory.

18 The voted ballots shall be returned to the City Clerk not later than 6:30 p.m. on August 26, 2025;  
19 provided, however, that if all of the qualified electors of the Additional Territory have voted prior to such  
20 time, the election for the Additional Territory may be closed with the concurrence of the City Clerk.

21 **Section 6.** Pursuant to Section 53339.8 of the Act, the above proposition shall become effective  
22 upon the affirmative vote of two-thirds of the votes cast upon the proposition.

23 **Section 7.** Pursuant to Section 53326 of the Act, the election shall be conducted by mail or hand-  
24 delivered ballot pursuant to Section 4000 *et seq.* of the California Elections Code. Except as otherwise  
25 provided in the Act, the provisions of law regulating elections of the City, insofar as they may be  
26 applicable, will govern the election.

27 **Section 8.** The form of the ballot for said election is attached hereto as Exhibit A and by this  
28 reference incorporated herein, and such form of ballot is hereby approved. The City Clerk shall cause a

1 ballot in said form to be distributed to each qualified elector by mail with return postage prepaid or by  
2 personal service. Each ballot shall indicate the number of votes to be voted by the respective landowner  
3 to which it pertains.

4 Each ballot shall be accompanied by all supplies and written instructions necessary for the use  
5 and return of the ballot. The identification envelope for return of the ballot shall be enclosed with the  
6 ballot, shall have the return postage prepaid, and shall contain (a) the name and address of the landowner,  
7 (b) a declaration, under penalty of perjury, stating that the voter is the owner of record or the authorized  
8 representative of the landowner entitled to vote and is the person whose name appears on the  
9 identification envelope, (c) the printed name, signature and address of the voter, (d) the date of signing  
10 and place of execution of the declaration described in clause (b) above, and (e) a notice that the envelope  
11 contains an official ballot and is to be opened only by the canvassing board.

12 Analysis and arguments with respect to the ballot proposition are hereby waived, as provided in  
13 Section 53327 of the Act.

14 **Section 9.** The City Clerk shall accept the ballots of the qualified electors in the office of the City  
15 Clerk at 290 West Rialto Avenue, Rialto, California, to and including 6:30 p.m. on August 26, 2025,  
16 whether said ballots be personally delivered or received by mail. The City Clerk shall have available  
17 ballots which may be marked at said location on the election day by said qualified electors.

18 **Section 10.** 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.

1           **Section 11.** This Resolution shall take effect immediately upon its adoption.

2 **PASSED, APPROVED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2025.

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JOE BACA, MAYOR

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**ATTEST:**

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BARBARA McGEE, City Clerk

**APPROVED AS TO FORM:**

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

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 \_\_\_\_\_, 2025.

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 \_\_\_\_\_, 2025.

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18 BARBARA A. McGEE, City Clerk  
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