

1 RESOLUTION NO. _____
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3 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
4 RIALTO, CALIFORNIA, DECLARING ITS INTENTION TO
5 CONDUCT A PUBLIC HEARING ON JUNE 27, 2023, ON
6 LANDSCAPING AND LIGHTING DISTRICT NO. 2, AND TO
7 LEVY AND COLLECT ANNUAL ASSESSMENTS RELATED
8 THERETO FOR FISCAL YEAR 2023/2024

9 WHEREAS, the City Council of the City of Rialto, California, (hereinafter the "City
10 Council"), has by previous Resolution established the Landscaping and Lighting District No.
11 2, pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2 of Division
12 15 of the Streets and Highways Code of the State of California, beginning with §22500
13 (hereafter referred to as the "Act"), that provides for the levy and collection of assessments
14 by the City of Rialto to pay for the maintenance and services of improvements and all
15 appurtenant facilities and operations related thereto; and

16 WHEREAS, an Engineer's Report for Landscaping and Lighting District No. 2,
17 (hereafter referred to as the "Report"), has been prepared and filed with the City Clerk of the
18 City of Rialto, (hereafter referred to as the "City Clerk"), and the Report identifies the levy of
19 assessments for Fiscal Year 2023/2024 (July 1, 2023, and ending June 30, 2024) in
20 accordance with the Act; and the City Council did by previous Resolution preliminarily
21 approve the Report.

22 THE CITY COUNCIL OF THE CITY OF RIALTO DOES HEREBY FIND,
23 DETERMINE, AND RESOLVE AS FOLLOWS:

24 **Section 1:** The City Council hereby declares its intention to levy and collect annual
25 assessments against parcels of land within Landscaping and Lighting District No. 2 for Fiscal
26 Year 2023/2024 in accordance with §22624 of the Act.

27 **Section 2:** The territory of land within Landscaping and Lighting District No. 2
28 consists of non-contiguous, separate Annexation Areas within the incorporated boundaries of
the City of Rialto, and a full and complete listing of parcels within Landscaping and Lighting

1 District No. 2 is included in the Report on file with the City Clerk.

2 **Section 3:** The improvements include the operation, maintenance and servicing of
3 existing streetscape landscaping including parkways and medians as well as public
4 landscaped areas, including turf, ground cover, plants, shrubs, trees, irrigation and drainage
5 systems, street lighting improvements, and appurtenant facilities and improvements to be
6 provided by the City of Rialto in connection with the improvements installed within Landscaping
7 and Lighting District No. 2. Detailed maps and descriptions of the location and extent of the
8 improvements to be maintained are on file in the Office of Public Works and by reference are
9 made part of this Resolution.

10 **Section 4:** The proposed assessments for Landscaping and Lighting District No. 2
11 are outlined in the Report. The Report details the assessments necessary to provide for the
12 annual operation, administration, services and maintenance of the improvements described in
13 Section 3 of this Resolution. These assessments are less than or equal to the maximum
14 assessment amounts previously approved by property owner petition or balloting within
15 Landscaping and Lighting District No. 2, in accordance with the provisions of the California
16 Constitution Article XIID (Proposition 218).

17 **Section 5:** The City Council hereby declares its intention to conduct a Public Hearing
18 concerning the levy of assessments for the improvements in accordance with §22625 of the
19 Act. Any interested person may file a written protest with the City Clerk prior to the conclusion
20 of the hearing, or having previously filed protest, may file a written withdrawal of that protest. A
21 written protest shall state all grounds of objection and protest by a property owner shall contain
22 a description sufficient to identify the property owned by such property owner. At the Public
23 Hearing, all interested persons shall be afforded the opportunity to hear and be heard.

24 **Section 6:** Notice is hereby given that a Public Hearing on these matters will be held
25 by the City Council on Tuesday, June 27, 2023, at 6:00 P.M., or as soon thereafter as feasible
26 in the City Council Chambers at City Hall, located at 150 South Palm Avenue, Rialto, California.

27 **Section 7:** In accordance with §22552 and §22553 of the Act, the City Clerk shall
28 cause notice to be given of the time and place of the Public Hearing by causing the publishing

1 of this Resolution once in the local paper not less than ten (10) days before the date of the
2 Public Hearing, and by posting a copy of this Resolution on the official bulletin board
3 customarily used by the City Council for the posting of such notices, pursuant to the Act.

4 **WHEREFORE**, this Resolution is passed, approved and adopted this 13th day of
5 June 2023.

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DEBORAH ROBERTSON, Mayor

ATTEST:

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BARBARA A. McGEE, City Clerk

APPROVED AS TO FORM

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ERIC VAIL, City Attorney

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 13th day of June 2023.

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 _____, 2023.

BARBARA A. MCGEE, CITY CLERK