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**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, DECLARING THE RESULTS OF THE PROPERTY OWNER PROTEST BALLOT PROCEEDINGS CONDUCTED FOR THE PROPOSED LEVY OF ASSESSMENTS RELATED TO THE ANNEXATION OF TERRITORIES TO THE RIALTO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 2, COMMENCING IN FISCAL YEAR 2024/2025**

**WHEREAS**, the City Council of the City of Rialto (the “City”) pursuant to the provisions of the Landscaping and Lighting Act of 1972, being Part 2, Division 15 of the California Streets and Highways Code, commencing with Section 22500 (hereafter referred to as the “Act”), did by previous resolutions, initiate proceedings for the annexation of Territories to Landscaping and Lighting Maintenance District No. 2 (the “District”), consisting of PPD 2021-0055 (LOCUST SPRINGS, LLC), PPD 2022-0001 (AIREF RIALTO COMMERCE CENTER II LP), (hereinafter referred to as the “Annexation Territories”), and declared its intention to conduct a protest balloting for the levy of new assessments within the Annexation Territories commencing in Fiscal Year 2024/2025 for the special benefits received by properties therein from the improvements related thereto; and,

**WHEREAS**, in accordance with the provisions of the California Constitution, Article XIID, the City Council has caused and conducted a property owner protest ballot proceeding for the proposed new assessments to be levied on properties within the Annexation Territories; and,

**WHEREAS**, the assessments presented to each property owner of record within the Annexation Territories reflects each property’s proportional special benefit and financial obligation for the costs and expenses related to the maintenance, servicing and operation of local lighting improvements therein as authorized by the Act and the provisions of the California Constitution and the ballots presented clearly identified the total amount balloted to all properties, the proposed assessment rate, the property’s proportional

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annual amount commencing with Fiscal Year 2024/2025 and the inflationary adjustment applicable to future assessments; and

**WHEREAS**, upon the close of the Public Hearing held on February 11, 2025, the protest ballots returned by the landowners of record within the Annexation Territory, were opened and tabulated, the results of which are illustrated below:

**Zone 40 & Zone L  
PPD 2021-0055  
LOCUST SPRINGS, LLC**

**Yes:** \_\_\_\_\_  
**No:** \_\_\_\_\_

**Zone 41 & Zone L  
PPD 2022-0001  
AIREF RIALTO COMMERCE CENTER II LP**

**Yes:** \_\_\_\_\_  
**No:** \_\_\_\_\_

1           **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RIALTO DOES**  
2 **HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:**

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

4           **Section 2:** The protest proceedings were conducted with the notices and ballots of  
5 the proposed new assessments presented to the qualified property owners within the  
6 Annexation Territories as required by law, with a required receipt of the returned ballots to  
7 the City Clerk prior to the close of the Public Hearing on February 11, 2025.

8           **Section 3:** The canvass of the protest ballots cast for the proposed assessments  
9 and Annexation Territories, received prior to the close of the public hearing and weighted  
10 according to the proportional financial obligation of the affected properties is hereby  
11 approved and confirmed.

12           **Section 4:** The City Clerk is hereby directed to enter this Resolution on the minutes  
13 of this meeting, which shall constitute the official declaration of the result of such property  
14 owner protest ballot proceeding.

15           **Section 5:** This Resolution shall become effective immediately upon its adoption  
16 and the City Clerk shall certify the adoption of this Resolution.

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

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22 JOE BACA, Mayor

23 **ATTEST:**

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28 BARBARA A. McGEE, City Clerk

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**APPROVED AS TO FORM:**

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ERIC S. VAIL, City Attorney

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

I, Barbara 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 \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Upon motion of Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_, 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 \_\_\_\_\_, 2025.

\_\_\_\_\_  
BARBARA A. McGEE, CITY CLERK