

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

23  
24  
25  
26  
27

28

1 and has conducted a property owner protest ballot proceeding for the proposed new  
2 assessments related thereto, the results of which have been presented and confirmed by  
3 this City Council; and,

4 **WHEREAS**, the City Council desires to levy and collect assessments against  
5 parcels of land within the Annexation Territory for the fiscal year commencing July 1,  
6 2022 and ending June 30, 2023 (Fiscal Year 2022/2023), to pay the costs and expenses  
7 of the ongoing operation, maintenance, and servicing of improvements, appurtenant  
8 facilities; and the incidental expenses related thereto that have been determined to be of  
9 special benefit to the properties and the development of properties within the Annexation  
10 Territory, as described in the Engineer's Report.

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

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

14 **Section 2:** Based on testimony given, the results of the property owner protest ballot  
15 proceedings and the documents and discussion presented, the City Council has directed  
16 and confirmed any necessary modifications or amendments to the Engineer's Report  
17 previously presented and filed based on the tabulation of the property owner protest  
18 ballots, and said modifications or amendments so reflected by the minutes of this meeting  
19 shall by reference be incorporated into the approved Engineer's Report.

20 **Section 3:** The Engineer's Report and Assessment Diagram connected therewith as  
21 approved, shall constitute the territory and properties within the Annexation Territory, and  
22 confirm and establish the method of apportionment and the maximum assessment rate  
23 including the assessment range formula as presented to the property owners of record in  
24 the ballot proceeding. Said assessments as described in the Engineer's Report as  
25 submitted or amended, including the assessment range formula described therein, are  
26 hereby confirmed and adopted by the City Council.

27 **Section 4:** Based upon its review (and amendments, as applicable) of the  
28 Engineer's Report, which has been filed with the City Clerk, the City Council hereby finds

1 and determines that:

2 4a) The land within the Annexation Territory as approved will receive special  
3 benefit from the operation, maintenance and servicing of landscaping and lighting  
4 improvements and all appurtenant facilities related thereto, to be provided by the District  
5 as described in the approved Engineer's Report.

6 4b) The Annexation Territory as defined by the Assessment Diagrams in the  
7 approved Engineer's Report includes all of the lands receiving such special benefit.

8 4c) The net amount to be assessed upon the lands within the Annexation  
9 Territory as approved has been apportioned by a formula and method which fairly  
10 distributes the net amount among all eligible parcels in proportion to the special benefit to  
11 be received by each parcel from the improvements and services to be provided  
12 commencing with Fiscal Year 2022/2023.

13 **Section 5:** The City Council hereby orders the proposed improvements as  
14 described within the approved Engineer's Report to be made. The improvements so  
15 described generally include, but are not limited to, the maintenance, operation and  
16 servicing of the local landscaping and lighting improvements established or installed in  
17 connection with the development of properties within the approved Annexation Territory  
18 or directly associated with the properties within those Annexation Territories and shall be  
19 maintained by the City for the special benefit of the properties therein pursuant to the Act.

20 **Section 6:** The adoption of this Resolution constitutes the annexation of the  
21 approved Annexation Territory to the District, the boundaries of which are contained in  
22 the Assessment Diagrams; the establishment of the maximum assessment rate and  
23 assessment range formula connected therewith; and the assessments for the fiscal year  
24 commencing July 1, 2022 and ending June 30, 2023, as described in the approved  
25 Engineer's Report and adopted by the City Council, and the County Auditor of San  
26 Bernardino shall enter on the County Assessment Roll opposite each parcel of land the  
27 amount of levy so described in the approved Engineer's Report, and such levies shall be  
28 collected at the same time and in the same manner as the County taxes are collected.

1 After collection by the County, the net amount of the levy shall be paid to the City  
2 Treasurer.

3 **Section 7:** The City Clerk shall certify to the passage and adoption of this  
4 Resolution, and the minutes of this meeting shall so reflect the City Council's approval of  
5 the annexation of Territory to the District; the adoption and confirmation of the  
6 Assessment Diagram; and the establishment of the maximum assessment rate(s),  
7 assessment range formula and the assessments for Fiscal Year 2022/2023 as described  
8 in the approved Engineer's Report as submitted or amended herein.

9 **Section 8:** The City Clerk or their designee is hereby authorized and directed to file  
10 the levy of assessments for Fiscal Year 2022/2023 as approved, with the County Auditor  
11 of San Bernardino upon adoption of the Resolution confirming the annual assessments  
12 for all Zones and parcels in the District.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**PASSED APPROVED AND ADOPTED** \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
DEBORAH ROBERTSON, Mayor

**ATTEST:**

\_\_\_\_\_  
BARBARA A. McGEE, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
ERIC S. VAIL, City Attorney

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 \_\_\_\_\_, 2022.

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 \_\_\_\_\_, 2022.

BARBARA A. McGEE, CITY CLERK