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**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIALTO,
CALIFORNIA, MAKING CERTAIN FINDINGS, CERTIFYING THE
RESULTS OF AN ELECTION AND ADDING PROPERTY TO
COMMUNITY FACILITIES DISTRICT NO. 2016-1 (PUBLIC SERVICES),
ANNEXATION NO. 2**

WHEREAS, the City Council of the City of Rialto (the “City Council”), has previously formed a Community Facilities District pursuant to the provisions of the “Mello-Roos Community Facilities Act of 1982”, being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California, said Article 3.5 thereof. The existing Community Facilities District being designated as Community Facilities District No. 2016-1 (Public Services) (hereafter referred to as CFD No. 2016-1); and,

WHEREAS, the City Council initiated proceedings to annex certain territory to Community Facilities District No. 2016-1 (Public Services), Annexation No. 2 (hereafter referred to as “Annexation No. 2”); and

WHEREAS, the unanimous consent to the annexation of Annexation No. 2 has been received from the property owner or owners of such territory; and

WHEREAS, twelve (12) or more registered voters have not resided within the territory of Annexation No. 2 for each of the ninety (90) days preceding January 29, 2019 and February 12, 2019, therefore, pursuant to the Act the qualified electors of Annexation No. 2 shall be the “landowners” of Annexation No. 2 as such term is defined in Government Code Section 53317(f) and each such landowner who is the owner of record, or the authorized representative

thereof, shall have one vote for each acre or portion of an acre of land that she or he owns within;
and

WHEREAS, the time limit specified by the Act for conducting an election to submit the levy of the special taxes on the property within Annexation No. 2 to the qualified electors of Annexation No. 2 and the requirements for impartial analysis and ballot arguments have been waived with the unanimous consent of the qualified electors of Annexation No. 2; and

WHEREAS, the City Clerk of the City of Rialto has caused ballots to be distributed to the qualified electors of Annexation No. 2, has received and canvassed such ballots and made a report to the City Council regarding the results of such canvas, a copy of which is attached as Exhibit A hereto and incorporated herein by this reference; and

WHEREAS, at this time the measure voted upon and such measure did receive the favorable 2/3's vote of the qualified electors, and the City Council desires to declare the results of the election; and

WHEREAS, a map showing the territory to be annexed and designated as Annexation No. 2 (hereafter referred to as the "Annexation Map"), a copy of which is attached as Exhibit B hereto and incorporated herein by this reference, and a list of Properties to be annexed and landowners, a copy of which is attached as Exhibit C hereto and incorporated herein by this reference, has been submitted to the City Council.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RIALTO HEREBY RESOLVES FOR THE CITY OF RIALTO COMMUNITY FACILITIES DISTRICT NO. 2016-1, ANNEXATION NO. 2 AS FOLLOWS:

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

1 **Section 2:** Findings. This City Council does hereby determine as follows:

2 (a) The unanimous consent to the annexation of Annexation No. 2 to CFD No. 2016-1
3 has been given by all of the owners within Annexation No. 2 and such consent shall
4 be kept on file in the Office of the City Clerk.

5
6 (b) Twelve (12) or more registered voters have not resided within the territory of
7 Annexation No. 2 for each of the ninety (90) days preceding January 29, 2019 and
8 February 12, 2019, therefore, pursuant to the Act the qualified electors of Annexation
9 No. 2 shall be the “landowners” of such Annexation No. 2 as such term is defined in
10 Government Code Section 53317(f).

11 (c) The qualified electors of Annexation No. 2 have unanimously voted in favor of the
12 levy of special taxes within Annexation No. 2 upon its annexation to CFD No. 2016-1
13 and the election.

14
15 **Section 3:** Annexed Area. The boundaries and parcels of territory within Annexation
16 No. 2 and on which special taxes will be levied in order to pay for the costs and expenses of
17 authorized public services are shown on the Annexation Map as submitted to and hereby
18 approved by this City Council.

19 **Section 4:** Declaration of Annexation. The City Council does hereby determine and
20 declare that Annexation No. 2 is now added to and becomes a part of CFD No. 2016-1. The City
21 Council, acting as the legislative body of CFD No. 2016-1, is hereby empowered to levy the
22 authorized special tax within Annexation No. 2.

Section 5: Notice. Immediately upon adoption of this Resolution, notice shall be given as follows:

An Amendment to the Notice of Special Tax Lien (Notice of Annexation) shall be recorded in the Office of the County Recorder no later than fifteen (15) days after the date of adoption of this Resolution.

Section 6: The City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 12th day of February, 2019.

DEBORAH ROBERTSON, Mayor

ATTEST:

BARBARA. McGEE, City Clerk

APPROVED AS TO FORM:

FRED GALANTE, City Attorney

EXHIBIT A

CERTIFICATE OF ELECTION OFFICIAL AND STATEMENT OF VOTES CAST

CERTIFICATE OF ELECTION OFFICIAL AND STATEMENT OF VOTES CAST

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

The undersigned, ELECTION OFFICIAL OF THE CITY OF RIALTO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, DOES HEREBY CERTIFY that pursuant to the provisions commencing with Section 53326 of the Government Code of the State of California, I did canvass the returns of the votes cast at the

CITY OF RIALTO
COMMUNITY FACILITIES DISTRICT NO. 2016-1
(PUBLIC SERVICES)
ANNEXATION NO. 2
SPECIAL ELECTION

in the City, held on February 12, 2019.

I FURTHER CERTIFY that this Statement of Votes Cast shows the whole number of votes cast in the area proposed to be annexed, Annexation No. 2 to Community Facilities District No. 2016-1 (Public Services) of the City of Rialto for or against the Measure are full, true and correct.

VOTES CAST ON PROPOSITION A: YES _____
NO _____

VOTES CAST ON PROPOSITION B: YES _____
NO _____

WITNESS my hand this 12th day of February, 2019.

BARBARA McGEE, City Clerk

EXHIBIT B

ANNEXATION MAP

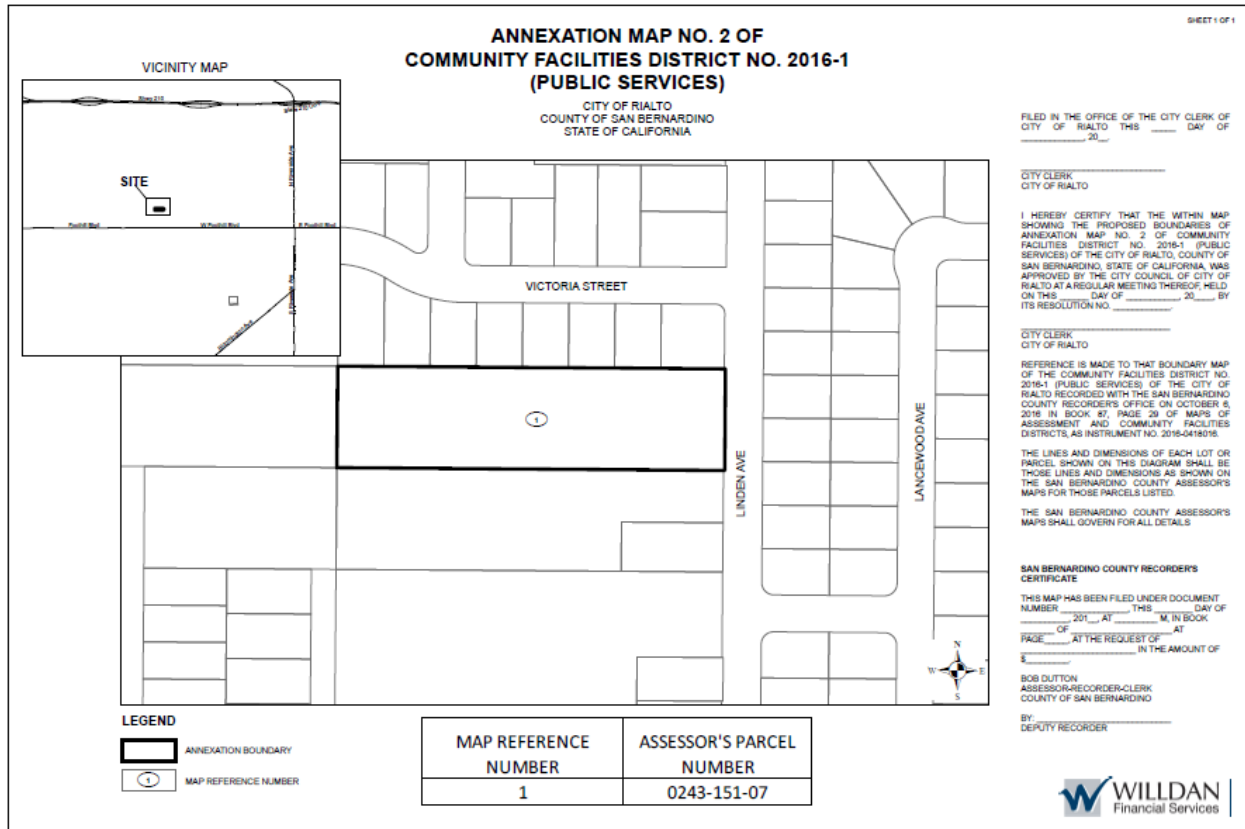


EXHIBIT C

LIST OF PROPERTIES TO BE ANNEXED

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1 **LIST OF PROPERTIES TO BE ANNEXED**

2 **ANNEXATION #2**

3 **ASSESSOR PARCEL NO(S)**

4 **0243-351-32-0000 THROUGH 0243-351-39-0000**

5 THE ETIWANDA HOMES PROJECT (THE "PROJECT") PROPOSED FOR
6 ANNEXATION HAS BEEN DEVELOPED BY 642 N. LINDEN LLC AND IS LOCATED
7 ON THE WEST SIDE OF LINDEN AVENUE APPROXIMATELY 950 FEET SOUTH OF
8 ETIWANDA AVENUE. THE SITE INCLUDES THE DEVELOPMENT OF 8 NEW
9 SINGLE-FAMILY RESIDENTIAL UNITS. THE ANNEXATION CONSISTS OF
10 APPROXIMATELY 1.81 GROSS ACRES.

11 **Landowner**

12 **SA Golden Investments**
13 **c/o 642 N Linden LLC**
14 **918 S Teakwood Ave**
15 **Bloomington, CA 92316**

16 **Other Landowners:**

17 **1520 WEST CORNELL STREET, RIALTO CA - CHRISTINA ROBLEDO and**
18 **CONRADO ROBLEDO**

19 **1532 WEST CORNELL STREET, RIALTO CA – - KATHLEEN O'CONNOR**