

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

**RESOLUTION OF INTENTION OF THE CITY COUNCIL OF  
THE CITY OF RIALTO TO INCUR BONDED  
INDEBTEDNESS IN THE AMOUNT OF NOT TO EXCEED \$7  
MILLION WITHIN PROPOSED CITY OF RIALTO  
COMMUNITY FACILITIES DISTRICT NO. 2019-2  
(FOOTHILL/SPRUCE)**

**WHEREAS**, the City Council (the “Council”) of the City of Rialto, California (the “City”) upon receipt of a petition (including consent and waiver) (the “Petition”) as provided in Section 53318 of the Government Code of the State of California instituted proceedings to form City of Rialto Community Facilities District No. 2019-2 (Foothill/Spruce) (the “Community Facilities District No. 2019-2” or the “District”) pursuant to the Mello-Roos Community Facilities Act of 1982, commencing with Section 53311 of the Government Code of the State of California (the “Act”), as amended, pursuant to Resolution No. \_\_ adopted by the Council on the date hereof (the “Resolution”) to finance (1) the payment of City development impact fees, identified in Exhibit “A” hereto and incorporated herein by this reference (“Fees”), that are used for the purchase, construction, modification, expansion, improvement or rehabilitation of public facilities (the “Facilities”); (2) certain services permitted to be financed by the Act and described in the Resolution and (3) the incidental expenses to be incurred in financing the Fees, Facilities and Services and forming and administering the District (the “Incidental Expenses”); and

**WHEREAS**, in order to finance the Fees, Facilities and Incidental Expenses related thereto, the Council intends to authorize the issuance of bonds for the proposed District in the maximum aggregate amount of not to exceed \$7 million; and

**WHEREAS**, the repayment of the bonds of the District is to be secured by certain special taxes (the “Facilities Special Taxes”) levied in the District in accordance with Section 53328 of the Act in accordance with the rate and method of apportionment of special taxes for the District set forth in Exhibit “D” to the Resolution (the “Rate and Method”). The Facilities Special Taxes are described as “Special Tax Rate A” in the Rate and Method.

**NOW, THEREFORE**, THE CITY COUNCIL OF THE CITY OF RIALTO DOES HEREBY RESOLVE AS FOLLOWS:

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

**Section 2.** It is necessary to incur bonded indebtedness within the proposed boundaries of proposed Community Facilities District No. 2019-2 in an amount not to exceed \$7 million within the District, to finance the costs of the Fees, Facilities and Incidental Expenses, as permitted by the Act.

**Section 3.** The bonds for the District will be issued for the purpose of financing the costs of the Fees, Facilities and the Incidental Expenses, including, but not limited to, the

funding of reserve funds for the bonds, the financing of costs associated with the issuance of the bonds and all other costs and expenses which are permitted to be financed pursuant to the Act.

**Section 4.** It is the intent of the Council to authorize the sale of bonds for the District in one or more series, in the maximum aggregate principal amount of not to exceed \$7 million and at a maximum interest rate not in excess of 12 percent per annum or such rate not in excess of the maximum rate permitted by law at the time the bonds are issued. The term of the bonds of each series shall be determined pursuant to a resolution of the Council acting in its capacity as the legislative body of the District authorizing the issuance of the bonds of such series, but such term shall in no event exceed 45 years or such longer term as is then permitted by law.

**Section 5.** A public hearing (the "Hearing") on the proposed debt issue shall be held December 10, 2019 at 6:00 p.m. or as soon thereafter as practicable, at the chambers of the City Council of the City of Rialto, 150 S. Palm Avenue, Rialto, CA 92376.

**Section 6.** At the Hearing at the time and place set forth above, any interested persons, including all persons owning land or registered to vote within the proposed District, may appear and be heard at the Hearing.

**Section 7.** The City Clerk is hereby directed to publish a notice of the hearing (the "Notice") pursuant to Section 6061 of the Government Code in a newspaper of general circulation circulated within the proposed District. Such publication shall be completed at least seven (7) days prior to the date of the Hearing.

**WHEREFORE**, this Resolution is passed, approved and adopted this \_\_\_\_ day of \_\_\_\_, 2019.

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DEBORAH ROBERTSON, Mayor

**ATTEST:**

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BARBARA McGEE, City Clerk

**APPROVED AS TO FORM**

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FRED GALANTE, 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 \_\_\_\_\_, 2019.

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 \_\_\_\_\_, 2019.

BARBARA A. McGEE, City Clerk

MAYOR OF THE CITY OF RIALTO

Attest:

City Clerk

By: \_\_\_\_\_

## **EXHIBIT A**

### **TYPES OF FEES AND FACILITIES TO BE FINANCED BY CITY OF RIALTO COMMUNITY FACILITIES DISTRICT NO. 2019-2 (Foothill/Spruce)**

The General Description of the Fees and related Facilities authorized to be financed with the Facilities Special Taxes and bonds of the District are: City development impact fees, including but not limited to, fees for general facilities, law enforcement, fire protection, park development, open space, library facilities, transportation facilities, fair share traffic signal contribution, street medians, storm drain facilities, water facilities, water and landscape meters, fire line services, sewage collection and sewage treatment.

The Facilities financed by such fees are included in the fee programs and capital improvement programs and plans of the City. The facilities include but are not limited to the following:

**Parks and Recreation:** Acquisition, design, construction and rehabilitation of Parks and Recreation facilities, including but not limited to turf, landscaping, buildings, structures and other amenities and the purchase of equipment for parks and recreation purposes.

**Regional Traffic Network:** Costs of designing, upgrading and improving the regional traffic network, including but not limited to constructing, improving, rehabilitating, widening streets, thoroughfares, bridges, and intersections. Other improvements include widening of arterials, intersections, installation of traffic signals, grade crossings, and freeway intersections. Improvements may include right of way and/or property acquisition.

**Local Traffic Network:** Costs of designing, upgrading and/or improving the local traffic network, including right of way or property acquisition. Design and construction of public facilities like streets, traffic lanes, traffic control devices, bike lanes and other traffic improvements.

**Street Medians:** Cost of designing, upgrading and improving street medians and related improvements, including monuments on major arterials and streets. Design, upgrade, enhancement and/or construction of raised medians and related improvements on major thoroughfares and regional roadways, including but not limited to landscaping, special markers, entrance signs, monument signs and other related improvements.

**Municipal Facilities:** Cost of providing general municipal facilities and services, including acquisition of property for municipal facilities, design and construction of buildings for municipal services and master plans, purchasing vehicles and equipment for municipal

services.

**Library Facilities:** Cost of constructing and improving library facilities, including acquisition of property, design, construction and/or rehabilitation of buildings for library services and master plans, furnishing of buildings and facilities for library services, purchase of books, equipment, and vehicles for library services.

**Law Enforcement:** Cost of providing law enforcement, including the design, construction, rehabilitation and/or acquisition of property and buildings for law enforcement facilities and services, furnishing of buildings for law enforcement services, purchasing of equipment and services for law enforcement services.

**Fire Protection:** Cost of providing fire protection facilities, including design, construction, rehabilitation, acquisition, furnishing and equipping of property and buildings for fire protection and ambulance and/or related services, Purchasing of equipment and vehicles for fire protection.

**Open Space:** Acquisition, design, construction, installation of open space and infrastructure for such open space, including preparation, development, studies to designate space for habitat preservation for endangered species or other requests of the council. Design, construction and acquisition of improvements and buildings for open space and/or access thereto and preservation of open space areas. Facilities and endowments for ongoing biological or cultural monitoring or programs necessary to maintain the viability of habitat conservation areas

**Sewers:** Costs of constructing, designing, rehabilitating and improving sewer collection facilities, and right of ways, including acquisition, construction, improving of property and/or buildings, facilities, infrastructure and pipelines, pump stations, for sewer collection services and master plans, furnishing of sewer stations, lift stations, pumps or facilities for sewer collection services. Purchasing of vehicles and equipment for sewer collection services.

**Sewage Treatment:** Costs of constructing, designing, rehabilitating and improving and furnishing sewer treatment facilities and master plans, including acquisition of property for sewage treatment facilities and right of way, design and construction of buildings and infrastructure for sewer treatment services, purchase of equipment and vehicles for sewer treatment services

**Water Facilities- Domestic and recycled water:** costs, including constructing, designing, rehabilitating and improving and furnishing water treatment facilities and domestic water facilities, and master plans. Acquisition of property for water treatment and other facilities and right of way, design and construction of buildings, infrastructure, pipelines for water services (including treatment, production, purification, holding and distribution), purchase of equipment and vehicles for water services. Costs include costs

of providing production, storage, and distribution facilities

Storm Drain Facilities: Costs of providing storm water flow and retention facilities. Acquisiton, design, construction, rehabilitation of property, buildings and infrastructure for storm drain services, including special studies, retention studies, drainage and other storm flow facilities, retention and detention basins, treatment facilities and pipelines.

Fair Share Facilities: Certain facilities required by the council pursuaunt to a project approval or capital improvement plan, including but not limited to all of the above mentioned type of facilities.

#### OTHER

The District may also finance any of the following:

1. Bond related expenses, including underwriter's discount, reserve fund, capitalized interest, financial advisor fees and expenses, bond and disclosure counsel fees and expenses, special tax consultant fees and expenses, dissemination agent fees and all other incidental expenses.
2. Administrative fees of the City, the CFD and the Bond trustee or fiscal agent related to the District and the Bonds.
3. Reimbursement of costs related to the formation of the District advanced by the City or any related entity, or any landowner or developer within the District, as well as reimbursement of any costs advanced by the City or any related entity, or any landowner or developer within the District, for facilities or other purposes or costs of the District.
4. Litigation expenses, extraordinary costs or other costs of the District.