

RESOLUTION NO. 2025-017

A RESOLUTION OF THE CITY COUNCIL OF CITY OF CHINO AUTHORIZING THE ANNEXATION OF CERTAIN TERRITORY TO IMPROVEMENT AREA 5 OF COMMUNITY FACILITIES DISTRICT NO. 2003-3 OF THE CITY OF CHINO, AUTHORIZING THE LEVY OF SPECIAL TAXES, AND CALLING ELECTIONS THEREIN (ANNEXATION NO. 9)

WHEREAS, the City Council (the "City Council") of City of Chino (the "City") has heretofore adopted Resolution No. 2025-013 on April 15, 2025 (the "Resolution of Intention to Annex") stating its intention to annex certain territory (the "Proposed Annexation Area") to Improvement Area 5 ("Improvement Area 5") of Community Facilities District No. 2003-3 of the City of Chino (the "Community Facilities District") pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5 of Part 1 of Division 2 of Title 5 of the Government Code of the State of California (the "Act"); and

WHEREAS, a copy of the Resolution of Intention to Annex setting forth a description of the Proposed Annexation Area to Improvement Area 5 of the Community Facilities District and the services (the "Services") and costs of the Community Facilities District to be financed by Improvement Area 5 of the Community Facilities District, and the rate and method of apportionment of the special tax for Improvement Area 5 of the Community Facilities District proposed to be levied within the Proposed Annexation Area is on file with the Clerk of the City (the "City Clerk") and is incorporated herein by reference; and

WHEREAS, a notice was published in a newspaper of general circulation at least seven (7) days prior to the public hearing on June 3, 2025 with respect to the matters described in the Resolution of Intention to Annex and notice was mailed to all owners of the land within the Proposed Annexation Area as required by law relative to the intention of the City Council to annex the Proposed Annexation Area to Improvement Area 5 of the Community Facilities District and to levy a special tax within the Proposed Annexation Area; and

WHEREAS, on May 20, 2025, this City Council opened a noticed public hearing and continued the public hearing to the next regular meeting of the City Council on June 3, 2025, as required by law relative to the proposed annexation of the Proposed Annexation Area to Improvement Area 5 of the Community Facilities District and the levy of special taxes therein for the payment of the Services and costs of the Community Facilities District; and

WHEREAS, at the June 3, 2025 public hearing all persons desiring to be heard on all matters pertaining to the proposed annexation of the Proposed Annexation Area to Improvement Area 5 of the Community Facilities District, and the levy of the special taxes within the Proposed Annexation Area were heard and a full and fair hearing was held; and

WHEREAS, at the public hearing, evidence was presented to the City Council on the matters before it, and the proposed annexation of the Proposed Annexation Area to Improvement Area 5 of the Community Facilities District and the levy of special taxes within the Proposed Annexation Area was not precluded by a majority protest of the type described in Section 53339.5 of the Act, and this City Council at the conclusion of the hearing is fully advised as to all matters relating to the annexation of the Proposed Annexation Area to Improvement

Area 5 of the Community Facilities District and the levy of the special taxes in the Proposed Annexation Area; and

WHEREAS, the City Council has determined that there have been fewer than twelve registered voters residing in the Proposed Annexation Area for the period of 90 days prior to May 20, 2025 and that the qualified electors in the Proposed Annexation Area are the landowners within the Proposed Annexation Area; and

WHEREAS, on the basis of all of the foregoing, the City Council has determined at this time to proceed with the annexation of the Proposed Annexation Area to Improvement Area 5 of the Community Facilities District and to call an election within the Proposed Annexation Area to authorize (i) the annexation of the Proposed Annexation Area to Improvement Area 5 of the Community Facilities District, and (ii) the levy of special taxes pursuant to the applicable rate and method of apportionment of the special tax for Improvement Area 5 of the Community Facilities District, as set forth in Exhibit C to the Resolution of Intention to Annex (the "Improvement Area 5 Rate and Method").

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF CHINO AS FOLLOWS:

**Section 1.** Each of the above recitals is true and correct.

**Section 2.** An annexation of the Proposed Annexation Area to Improvement Area 5 of the Community Facilities District is hereby authorized pursuant to the Act. The City Council hereby finds and determines that all prior proceedings taken with respect to the annexation of the Proposed Annexation Area to Improvement Area 5 were valid and in conformity with the requirements of law, including the Act.

**Section 3.** The Improvement Area 5 Rate and Method is described in detail in Exhibit C to the Resolution of Intention to Annex and incorporated herein by this reference, and the City Council hereby finds that Exhibit C to the Resolution of Intention to Annex contains sufficient detail to allow each landowner within the Proposed Annexation Area to estimate the maximum amount that may be levied against each parcel.

**Section 4.** Written protests against the annexation of the Proposed Annexation Area have not been filed by one-half or more of the registered voters or six registered voters, whichever is more residing within Improvement Area 5, within the boundaries of the Proposed Annexation Area or by the property owners of one-half or more of the area of land within the boundaries of the Proposed Annexation Area. The City Council hereby finds that the proposed annexation has not been precluded by a majority protest pursuant to Section 53339.6 of the Act.

**Section 5.** An election is hereby called for within the Proposed Annexation Area on the proposition of annexing the Proposed Annexation Area to Improvement Area 5 and the levying of the special tax for Improvement Area 5 in accordance with the Improvement Area 5 Rate and Method on the property within the Proposed Annexation. The proposition to be placed on the ballot is attached hereto as Exhibit A.

**Section 6.** The date of the foregoing election within the Proposed Improvement Area shall be May 20, 2025, or such later date as is consented to by the City Clerk and the landowners within the Proposed Annexation Area. The City Clerk shall conduct the election. Except as otherwise provided by the Act, the election shall be conducted by personally

delivered or mailed ballot and, except as otherwise provided by the Act, the election shall be conducted in accordance with the provisions of law regulating elections of the City of Chino insofar as such provisions are determined by the City Clerk to be applicable.

It is hereby found that there are not more than twelve registered voters within the Proposed Annexation Area, and, pursuant to Section 53326 of the Act, each landowner who is the owner of record on the date hereof, or the authorized representative thereof, shall have one vote for each acre or portion thereof that he or she owns within the Proposed Annexation Area.

PASSED AND ADOPTED by the City Council at a regular meeting held on the 3<sup>rd</sup> day of June 2025.

CITY COUNCIL OF THE CITY OF CHINO

By: \_\_\_\_\_  
Eunice M. Ulloa,  
Mayor of the City of Chino

ATTEST:

\_\_\_\_\_  
Natalie Gonzaga  
City Clerk of the City of Chino

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

I, NATALIE GONZAGA, City Clerk of the City of Chino, do hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Chino at a regular meeting held on the 3rd day of June 2025, by the following votes:

AYES:            COUNCIL MEMBERS

NOES:            COUNCIL MEMBERS

ABSENT:          COUNCIL MEMBERS

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NATALIE GONZAGA, CITY CLERK

Attachments: Exhibit A

EXHIBIT A

SAMPLE BALLOT

SPECIAL TAX ELECTION  
CITY OF CHINO

ANNEXATION OF TERRITORY TO  
IMPROVEMENT AREA 5 OF  
COMMUNITY FACILITIES DISTRICT NO. 2003-3  
(ANNEXATION NO. 9)

(June 3, 2025)

This ballot represents \_\_ votes.

To vote, stamp a cross (+) in the voting square after the word "YES" or after the word "NO". All marks otherwise made are forbidden. All distinguishing marks are forbidden and make the ballot void.

If you wrongly mark, tear or deface this ballot, return it to the City Clerk of City of Chino and obtain another.

PROPOSITION: Shall the territory described in Resolution No. 2025-013 of the City Council of the City of Chino (the "Resolution of Intention to Annex") as the Proposed Annexation Area be annexed to Improvement Area 5 of Community Facilities District No. 2003-3 of the City of Chino, and shall a special tax with a rate and method of apportionment as provided in Exhibit C to the Resolution of Intention to Annex for Improvement Area 5 of Community Facilities District No. 2003-3 be levied in the Proposed Annexation Area to pay for the Services and other purposes described in the Resolution of Intention to Annex?

YES \_\_\_\_\_

NO \_\_\_\_\_