



## CONSENT CALENDAR

### City of San Bernardino Request for Council Action

**Date:** July 17, 2024

**To:** Honorable Mayor and City Council Members

**From:** Rochelle Clayton, Acting City Manager;  
Joshua Dramitinos, Deputy Director of Economic Development

**Department:** Economic Development

**Subject:** **Adoption of Ordinance No. MC-1640 (Annexation 45 - GWS#8) (Ward 3)**

#### **Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Ordinance No. MC-1640 amending Ordinance No. MC-1522 and levying special taxes to be collected during Fiscal Year 2023-2024 to pay the annual costs of the maintenance and servicing of landscaping, lighting, water quality improvements, graffiti, streets, street sweeping, parks and trail maintenance, a reserve fund for capital replacement, and administrative expenses with respect to City of San Bernardino Community Facilities District No. 2019-1 (Maintenance Services).

#### **Executive Summary**

The recommended action is the final step of the annexation process for the proposed development into Community Facilities District (CFD) No. 2019-1 (Maintenance Services). The property owner has petitioned the City to annex into the City's CFD to mitigate its impact for maintenance service of public facilities as a result of the new development. The Public Hearing was held on June 5, 2024, approving the annexation and conducted the first reading of the Ordinance. The special taxes will be levied annually to offset general fund expenditures related to maintenance of public improvements within and for the benefit of the development.

#### **Background**

On April 17, 2024, the Mayor and City Council adopted Resolution No. 2024-070, a Resolution of Intention to annex territory into Community Facilities District No. 2019-1 (Maintenance Services) of the City of San Bernardino (the "Resolution of Intention"), pursuant to the provisions of the "Mello-Roos Community Facilities Act of 1982."

On June 5, 2024, the Mayor and City Council adopted Resolution No. 2024-116 calling

an election to submit to the qualified electors the question of levying a special tax within the area proposed to be annexed to Community Facilities District No. 2019-1 (Annexation No. 45), and adopted Resolution No. 2024-117 declaring election results for Community Facilities District No. 2019-1 (Annexation No. 45).

### **Discussion**

On June 5, 2024, Ordinance No. MC-1640 was introduced for first reading to the Mayor and City Council. The Ordinance is now being returned to the Mayor and City Council for adoption. The Ordinance will become effective 30 days from the date of adoption.

### **2021-2025 Strategic Targets and Goals**

This project is consistent with Key Target No 1. Improved Operational & Financial Capacity and Key Target No 4. Economic Growth & Development. This project will contribute to ensure that the City is clean and attractive and provide infrastructure designed for long term economic growth.

### **Fiscal Impact**

There is no fiscal impact to the City. All costs associated with annexation into the CFD have been borne by the Developer.

### **Conclusion**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Ordinance No. MC-1640 amending Ordinance No. MC-1522 and levying special taxes to be collected during Fiscal Year 2023-2024 to pay the annual costs of the maintenance and servicing of landscaping, lighting, water quality improvements, graffiti, streets, street sweeping, parks and trail maintenance, a reserve fund for capital replacement, and administrative expenses with respect to City of San Bernardino Community Facilities District No. 2019-1 (Maintenance Services).

### **Attachments**

- Attachment 1 – Ordinance No. MC-1640 (Ordinance Levying Special Taxes)
- Attachment 2 – Exhibit A – Description of Services
- Attachment 3 – Exhibit B – Description of Territory
- Attachment 4 – Project Location Map
- Attachment 5 – Ordinance No. MC-1522

### **Ward:**

Third Ward

### **Synopsis of Previous Council Actions:**

June 5, 2019 - Mayor and City Council adopted Resolution No. 2019-81, a Resolution of Intention to form Community Facilities District No. 2019-1 (Maintenance Services) of the City of San Bernardino (the "Resolution of Intention"), pursuant to the provisions of the "Mello-Roos Community Facilities Act of 1982."

July 17, 2019 - Mayor and City Council adopted Resolution No. 2019-178 establishing

Community Facilities District No. 2019-1; Resolution No. 2019-179 declaring election results for Community Facilities District No. 2019-1; and conducted the first reading of Ordinance No. MC-1522 levying special taxes to be collected during FY 2019-20 to pay annual costs of maintenance, services and expenses with respect to Community Facilities District No. 2019-1.

August 7, 2019 - Mayor and City Council conducted the final reading of Ordinance No. MC-1522 levying special taxes to be collected during FY 2019-20 to pay annual costs of maintenance, services and expenses with respect to Community Facilities District No. 2019-1.

April 17, 2024 - Mayor and City Council adopted Resolution No. 2024-070, a Resolution of Intention to annex territory into Community Facilities District No. 2019-1 (Maintenance Services) of the City of San Bernardino (the "Resolution of Intention"), pursuant to the provisions of the "Mello-Roos Community Facilities Act of 1982."

June 5, 2024 - Mayor and City Council adopted Resolution No. 2024-116 calling an election to submit to the qualified electors the question of levying a special tax within the area proposed to be annexed to Community Facilities District No. 2019-1 (Annexation No. 45) and adopted Resolution No. 2024-117 declaring election results for Community Facilities District No. 2019-1 (Annexation No. 45); and introduced Ordinance No. MC-1640 amending Ordinance No. MC-1522.