



## CONSENT CALENDAR

### City of San Bernardino Request for Council Action

**Date:** September 18, 2024

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

**From:** Rochelle Clayton, Acting City Manager;  
Kenneth Chapa, Director of Economic Development

**Department:** Economic Development

**Subject:** **Adoption of Ordinance No. MC-1642 (Annexation 28A)  
(Ward 5)**

#### **Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Ordinance No. MC-1642 amending Ordinance No. MC-1522 and levying special taxes to be collected during Fiscal Year 2024-2025 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, Annexation 28A (Maintenance Services). The project, upon completion, will include 20 single family units with minimal lot sizes of one acre. The Public Hearing was held on September 4, 2024, approving the amended special taxes and conducted the first reading of the Ordinance.

#### **Background**

On December 7, 2022, the Mayor and City Council adopted Resolution No. 2022-263, 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 July 17, 2024, the Mayor and City Council was presented with a request to adjust the rates previously approved on December 7, 2022, to include additional maintenance of slopes and open space. The Mayor and City Council adopted Resolution No. 2024-

152, declaring its intent to amend Resolution No. 2022-263 and adjust the rates previously approved. A public hearing was set for September 4, 2024, on the proposed amendment to Tax Zone 29 of CFD No. 2019-1.

On September 4, 2024, the Mayor and City Council adopted Resolution No. 2024-190, calling an election to submit to the qualified electors the question of adjusting the special tax rates previously approved within Community Facilities District No. 2019-1 (Maintenance Services) Tax Zone 29 and adopted Resolution No. 2024-191, declaring election results for Community Facilities District No. 2019-1 Tax Zone 29.

### **Discussion**

On September 4, 2024, Ordinance No. MC-1642 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 associated with the recommended action of this item. All costs associated with annexing property into the District has been borne by the Property Owner. By annexing the subject property into the District, the costs of maintaining improvements located within the development will be financed through special taxes levied on the parcels within CFD 2019-1 and not through the City's General Fund.

### **Conclusion**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Ordinance No. MC-1642 amending Ordinance No. MC-1522 and levying special taxes to be collected during Fiscal Year 2024-2025 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-1642 (Ordinance Levying Special Taxes)

Attachment 2 – Exhibit A – Description of Services

Attachment 3 – Exhibit B – Description of Territory

Attachment 4 – Project Location Map

**Ward:**  
Fifth 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.

December 7, 2022 - Mayor and City Council adopted Resolution No. 2022-263, 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."

January 18, 2023 - Mayor and City Council adopted Resolution No. 2023-001 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. 28), and adopted Resolution No. 2023-002 declaring election results for Community Facilities District No. 2019-1 (Annexation No. 28); and introduced Ordinance No. MC-1608 amending Ordinance No. MC-1522.

July 17, 2024 - Mayor and City Council adopted Resolution No. 2024-152 amending Resolution No. 2022-263 and adjust the special tax rates previously approved within Community Facilities District No. 2019-1 (Maintenance Services) Tax Zone 29 of the City of San Bernardino (the "Resolution of Intention"), pursuant to the provisions of the "Mello-Roos Community Facilities Act of 1982."

September 4, 2024 - Mayor and City Council adopted Resolution No. 2024-190 calling an election to submit to the qualified electors the question of adjusting the special tax rates previously approved within Community Facilities District No. 2019-1 (Maintenance Services) Tax Zone 29 and adopted Resolution No. 2024-191 declaring election results for Community Facilities District No. 2019-1 Tax Zone 29; and introduced Ordinance No. MC-1642 amending Ordinance No. MC-1522.