

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FONTANA DECLARING IT NECESSARY FOR CITY OF FONTANA COMMUNITY FACILITIES DISTRICT NO. 113 (THE GARDENS PHASE TWO) TO INCUR BONDED INDEBTEDNESS**

**WHEREAS**, the City Council (the “City Council”) of the City of Fontana (the “City”), pursuant to the Mello-Roos Community Facilities Act of 1982 (the “Act”), has this date adopted a resolution entitled “A Resolution of the City Council of the City of Fontana of Intention to Establish a Community Facilities District Proposed to be Named City of Fontana Community Facilities District No. 113 (The Gardens Phase Two) and to Authorize the Levy of a Special Tax Therein,” stating its intention to establish City of Fontana Community Facilities District No. 113 (The Gardens Phase Two) (the “Community Facilities District”) and to authorize the Community Facilities District to levy a special tax within the Community Facilities District for the purpose of financing certain public facilities (the “Facilities”) and services; and

**WHEREAS**, the City Council deems it necessary for the Community Facilities District to incur bonded indebtedness;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Fontana as follows:

**Section 1.** The foregoing recitals are true and correct, and the City Council so finds and determines.

**Section 2.** The City Council declares it necessary for the Community Facilities District to incur bonded indebtedness.

**Section 3.** The proposed debt will be incurred for the purpose of financing the costs of the Facilities, including all costs and estimated costs incidental to, or connected with, the accomplishment of said purpose, including, but not limited to, such costs and estimated costs as are described in Section 53345.3 of the Act.

**Section 4.** The maximum amount of the proposed debt is \$24,000,000.

**Section 5.** The City Council hereby fixes Tuesday, May 14, 2024, at 7:00 p.m., or as soon thereafter as the City Council may reach the matter, at 8353 Sierra Avenue, Fontana, California, as the time and place when and where the City Council will conduct a public hearing on the proposed debt authorization; provided, that, in the event the May 14, 2024 City Council meeting is held via teleconference and/or videoconference only, the means by which the public may observe such public hearing and offer public comment shall be prescribed in the notice and agenda for such City Council meeting.

**Section 6.** The City Clerk of the City is hereby directed to publish, or cause to be published, a notice of said public hearing one time in a newspaper of general circulation published in the area of the proposed Community Facilities District. Publication of said notice shall be

completed at least seven days prior to the date herein fixed for said public hearing. Said notice shall contain all of the information prescribed by Section 53346 of the Act.

**Section 7.** All actions heretofore taken by the officers, employees and agents of the City with respect to the incurrence of bonded indebtedness by the Community Facilities District, or in connection with or related to any of the matters referred to herein, are hereby approved, confirmed and ratified.

**Section 8.** The officers, employees and agents of the City are hereby authorized and directed to take all actions and do all things that they, or any of them, may deem necessary or desirable to accomplish the purposes of this Resolution and not inconsistent with the provisions hereof.

**Section 9.** This Resolution shall take effect immediately upon its adoption.

**APPROVED and ADOPTED** by the City Council of the City of Fontana on April 9, 2024.

**READ AND APPROVED AS TO LEGAL FORM:**

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City Attorney

I, Germaine Key, City Clerk of the City of Fontana, California, and Ex-Officio Clerk of the City Council, do hereby certify that the foregoing Resolution is the actual Resolution duly and regularly adopted by the City Council of said City at a regular meeting thereof, held on April 9, 2024, by the following vote to-wit:

**AYES:**

**NOES:**

**ABSENT:**

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City Clerk

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Mayor

**ATTEST:**

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City Clerk