

Resolution No.

STOCKTON CITY COUNCIL

RESOLUTION OF INTENTION TO ANNEX TERRITORY TO A MAINTENANCE ASSESSMENT DISTRICT, LEVY AND COLLECT AN ANNUAL ASSESSMENT, SET A PUBLIC HEARING FOR NOVEMBER 6, 2018, SET FORTH MAILED PROPERTY OWNER BALLOT PROCEDURE AND PUBLISH NOTICE OF PUBLIC HEARING FOR CALAVERAS ESTATES IV

**CALAVERAS ESTATES IV
ANNEXATION TO CALAVERAS ESTATES UNIT NO 2, ZONE D-4
STOCKTON CONSOLIDATED LANDSCAPE MAINTENANCE
ASSESSMENT DISTRICT NO. 96-2
(Landscaping and Lighting Act of 1972)**

The City Council of the City of Stockton has previously formed the Stockton Consolidated Landscape Maintenance Assessment District No. 96-2 (Consolidated Landscape District) and the City, on behalf of the Consolidated Landscape District, is authorized to levy and collect assessments pursuant to the Landscaping and Lighting Act of 1972 (Streets & Highway Code § 22500, *et seq.*) (LLA); and

Florsheim Homes, the owner (the "Landowner"), is the owner of a proposed residential subdivision known as Calaveras Estates, Unit IV (the "Property") proposed for development, and has requested that such property be annexed into the Consolidated Landscape District; and

The Landowner has waived preparation of an engineer's report. Northstar Engineering Group, Inc., of Modesto, California, has prepared and filed with the City Clerk a proposed Annexation Boundary Map showing Property to be annexed to the Consolidated Landscape District, and which proposed Annexation Boundary Map is preliminarily approved by this Council; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

1. The City Council proposes to annex the Property to the Consolidated Landscape District within Zone D-4 of the Consolidated Landscape District.
2. The City Council finds that the improvements to be installed and/or maintained in the territory to be annexed are generally those maintained in Calaveras Estates Unit No. 2, Dama Estates, and Calaveras Estates Unit No. 3, Zone D-4, and those described in Exhibit "1" attached hereto and by this reference incorporated herein.

3. Tuesday, November 6, 2018, at the hour of 5:30 p.m., or as soon thereafter as the matter can be heard, in the Council Chambers of City Hall, 425 North El Dorado Street, Stockton, California, is set as the date, time, and place when the City Council will conduct a public hearing to: (a) hear and consider any objections and protests to the proposed annexation and assessment; (b) consider and finally determine whether the public interest and convenience require the improvements and/or maintenance thereof; (c) hear any and all persons objecting thereto or protesting the annexation of territory or the extent thereof, or both, may make written protests against the same by filing such written protests with the City Clerk at any time not later than the hour herein set forth for hearing such protests; (d) the City Clerk shall tabulate the assessment ballots received and report the same to the City Council; and (e) consider and finally act upon the annexation contemplated by this Resolution.

4. Notice is further given that David Kroll of the Public Works Department, telephone number (209) 937-8676, is the person and the department designated by this Council to answer inquiries regarding the protest proceedings. All interested persons are referred thereto for description of the improvements, the boundaries of the territory proposed to be annexed, the proposed assessments upon assessable lots and the territory to be annexed and the proposed budget for the Fiscal Year 2018-2019, the estimated cost of annual operation and maintenance of the improvements and the maximum annual assessments.

5. The City Clerk is hereby authorized and directed to cause notice of the hearing ordered herein to be given by mailing, postage prepaid, in the United States mail, and such notice shall be deemed to have been given when so deposited in such mail. The envelope or cover of the mailing shall include the name of the City and the return address of the City Clerk as the sender. The mailed notice shall be given to all property owners within the territory proposed to be annexed as known to the City, by such mailing by name to those persons whose name and addresses appear on the last equalized assessment roll of the County of San Joaquin or the State Board of Equalization assessment roll, as the case may be. The notice shall include, but not be limited to, the total amount of the assessment proposed to be levied in the territory proposed to be annexed, the assessment proposed for the owner's particular parcel(s) and the duration thereof, the reason for the assessment and the basis upon which the amount of the assessment was calculated. Each notice shall also contain an assessment ballot, a summary of the procedures applicable to the completion, return and tabulation of assessment ballots and a statement that the existence of a majority protest will result in the assessment not being imposed. The notice herein provided shall be mailed not less than forty-five (45) days before the date of the public hearing.

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6. The City Manager is hereby authorized to take whatever actions are necessary and appropriate to carry out the purpose and intent of this Resolution.

7. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED, and ADOPTED September 18, 2018.

MICHAEL D. TUBBS, Mayor
of the City of Stockton

ATTEST

CHRISTIAN CLEGG
Deputy City Manager/Interim City Clerk
of the City of Stockton