

Resolution No. 2012-06-26-1601



STOCKTON CITY COUNCIL

RESOLUTION RENEWING THE MIRACLE MILE IMPROVEMENT DISTRICT PROPERTY AND BUSINESS IMPROVEMENT DISTRICT, APPROVING THE ASSESSMENT FORMULA, AND LEVYING THE ASSESSMENTS

CITY OF STOCKTON Miracle Mile Improvement District No. 2012-01

The Property and Business Improvement District Law of 1994, Streets and Highways Code section 36600 et seq. authorizes cities and counties to establish property and business improvement districts upon petition by a weighted majority of property owners within the proposed district and affirmative ballot; and

A majority of the property owners subject to assessment, weighted according to the amount of assessment to be paid by each property owner, have petitioned the City Council to renew the proposed Miracle Mile Property and Business Improvement District ("MMID"); and

On May 8, 2012, the City Council adopted Resolution No. 2012-05-08-1502, which was the Resolution of Intention to renew the MMID, accepting petitions of property owners, preliminarily approving the Management District Plan and Engineer's Report, approving a proposed boundary map, setting a date for the Public Hearing of protests, providing for property owner ballots, and authorizing the Mayor to sign the ballot on behalf of City-owned property; and

Pursuant to California Constitution Article XIII D, ballots were mailed to property owners within the boundaries of the MMID, and, among those ballots returned to the City, a majority protest against renewal of the MMID does not exist; and

A Public Hearing has been duly noticed in The Record at least 15 days prior to the Public Hearing date of June 26, 2012; and

All written and oral protests made or filed were duly heard, evidence for and against the proposed action was received, and a full, fair and complete hearing was granted and held; and

City Atty
Review GDP
Date June 20, 2012

A detailed Engineer's Report prepared by a registered professional engineer certified by the State of California, Kristen Lowell, in support of the MMID's assessments has been prepared, is incorporated in the Management District Plan, and is on file with the Office of the City Clerk and is incorporated herein by this reference as Exhibit 1; now, therefore,

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

1. The recitals set forth herein are true and correct.
2. The ballots were counted and a majority protest against renewal of the MMID does not exist.
3. The MMID is hereby renewed and the assessment is hereby levied for fiscal year 2013. The annual assessment will total approximately \$235,000.
4. The Management District Plan and Final Engineer's Report are hereby approved and adopted.
5. The assessment shall be imposed on properties within the MMID. The renewed MMID shall include those commercial parcels in the Pacific Avenue area from Alpine Avenue on the north to Harding Way on the south, and all commercial parcels that front Harding Way between Lincoln Street on the west and North El Dorado Street on the east.
6. Assessment rates are as follows:

Benefit Zone	Annual Assessment Rate per Lot plus Bldg Sq.Ft.
Zone 1:	\$0.1276
Zone 2:	\$0.0622
7. The assessment roll for the MMID, Stockton, State of California has been filed with the City Clerk, and is hereby approved.
8. The assessments shall be collected in accordance with Section 36631 of the Streets and Highways Code.
9. The assessment levied for the MMID shall be applied towards an enhanced maintenance program, security program, marketing and promotions programs, and an advocacy program with the intent of increasing the commercial activity and overall image of the Miracle Mile and Harding Way areas.
10. Bonds shall not be issued.

11. Properties within the MMID are subject to any amendments to Part 7 (commencing with Section 36600) of Division 18 of the Streets and Highways Code.

12. The improvements and activities to be provided in the MMID will be funded by the levy of the assessments specified in the assessment roll. The revenue from the levy of such assessments shall not be used to provide improvements or activities outside the MMID or for any purpose other than the purposes specified on the Resolution of Intention.

13. All property within the MMID will be benefited specially and directly by the improvements and activities funded by the assessments proposed to be levied.

14. The City Clerk is directed to take all necessary actions to complete renewal of the MMID. The City Clerk is directed to record in the County Recorder's Office a notice and assessment diagram, now on file with the City Clerk's Office, as required by Streets and Highways Code section 36627.

15. This resolution shall take effect immediately.

PASSED, APPROVED, and ADOPTED June 26, 2012



ANN JOHNSTON, Mayor
of the City of Stockton

ATTEST:



BONNIE PAIGE, City Clerk
of the City of Stockton

