

Resolution No.

STOCKTON CITY COUNCIL

A RESOLUTION OF INTENTION TO LEVY REASSESSMENTS AND TO ISSUE REFUNDING BONDS UPON THE SECURITY THEREOF

City of Stockton Reassessment District No. 2016-2 (Waterford Estates East Phase II)

This City Council of the City of Stockton (the "City") has conducted special assessment proceedings for the Waterford Estates East Phase II Assessment District No. 2003-03 (together, the "Assessment District") and issued a series of improvement bonds of the City for the Assessment District designated as Limited Obligation Improvement Bonds, City of Stockton, Waterford Estates East Phase II Assessment District No. 2003-03 in the original amount of \$3,360,000 (the "Prior Bonds"); and

The public interest requires the refunding of the Prior Bonds and this Council intends to accomplish the refunding through the levy of reassessments and the issuance of refunding bonds upon the security thereof, the proceeds of which refunding bonds shall be used to refund the Prior Bonds; and

This Council intends that the unpaid assessments securing the payment of the Prior Bonds be superseded and supplanted by the reassessment; now, therefore,

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

1. Proceedings Authorized. This Council hereby declares its intention to refund the Prior Bonds and to levy reassessments as security for refunding bonds as hereinafter provided. The proceedings for the levy and collection of reassessments as security for the issuance and payment of refunding bonds shall be conducted pursuant to the Refunding Act of 1984 for 1915 Improvement Act Bonds, Division 11.5 (commencing with Section 9500) of the Streets and Highways Code of California (the "Act").

2. Boundary Map. The contemplated reassessments and refunding, in the opinion of this Council, are of more than local or ordinary public benefit, and the costs and expenses thereof are made chargeable upon the Assessment District, the exterior boundaries of which are shown on a map thereof heretofore filed in the office of the City Clerk, and in the office of the County Recorder of the County of San Joaquin, to which map reference is hereby made for further particulars. Said map indicates by a boundary line the extent of the territory included in the Assessment District and shall govern for all details as to the extent thereof.

3. Reassessment Consultant; Report. The reassessment and refunding are hereby referred to Willdan Financial Services (the "Reassessment Consultant"), and the Reassessment Consultant is hereby directed to make and file with said Clerk a report in writing with respect to the Assessment District, presenting the following:

(a) A schedule setting forth the unpaid principal and interest on the Prior Bonds to be refunded for such Assessment District and the total amounts thereof and the unpaid assessment being continued in such Assessment District;

(b) The total estimated principal amount of the reassessment and of the refunding bonds and the maximum interest thereon, together with an estimate of cost of the reassessment and of issuing the refunding bonds, including all costs of issuing the refunding bonds, as defined by subdivision (a) of Section 9600 of the Act;

(c) The auditor's record kept pursuant to Section 8682 of the Streets and Highways Code of California showing the schedule of principal installments and interest on all unpaid original assessments and the total amounts thereof;

(d) The estimated amount of each reassessment, identified by reassessment number corresponding to the reassessment number of the reassessment diagram, together with a proposed auditor's record for the reassessment prepared in the manner described in said Section 8682; and

(e) A reassessment diagram showing the Assessment District and the boundaries and dimensions of the subdivisions of land within such Assessment District. Each subdivision, including each separate condominium interest as defined in Section 783 of the Civil Code, shall be given a separate number upon the diagram.

When any portion or percentage of the costs and expenses of said refunding and reassessment is to be paid from sources other than reassessments, the amount of such portion or percentage shall first be deducted from the total estimated cost and expenses of said refunding and reassessment, and said reassessments shall include only the remainder of the estimated cost and expenses. If any excess shall be realized from the reassessment it shall be used, in such amounts as this Council may determine, in accordance with the provisions of law, in a manner or manners to be provided in these proceedings.

4. Refunding Bonds. Notice is hereby given that serial or term bonds, or both, to represent said reassessments, and bear interest at the rate of not to exceed ten percent (10%) per annum, or such higher rate of interest as may be authorized by applicable law at the time of sale of such bonds, will be issued hereunder in the manner

provided by the Act, the last installment of which bonds shall mature not to exceed thirty (30) years from the second day of September next succeeding twelve (12) months from their date. It is the intention of the City that the City will not obligate itself to advance available funds from the treasury of the City to cure any deficiency in the redemption fund to be created with respect to said bonds; provided, however, that a determination not to obligate itself shall not prevent the City from, in its sole discretion, so advancing the funds.

5. Bond Call Procedures. The provisions of Part 11.1 of Division 10 of the Streets and Highways Code of California, providing for an alternative procedure for the advance payment of reassessments and the calling of bonds, shall apply to refunding bonds issued pursuant to proceedings under this resolution.

6. Division 4. Reference is hereby made to proceedings heretofore had pursuant to Division 4 of the Streets and Highways Code of California with respect to the Prior Bonds which are on file in the office of the Clerk.

7. Effective Date. This Resolution shall take effect upon the date of its adoption.

PASSED, APPROVED AND ADOPTED: June 28, 2016.

ANTHONY SILVA, Mayor
of the City of Stockton

ATTEST:

BONNIE PAIGE, City Clerk
of the City of Stockton