

Resolution No.

# STOCKTON CITY COUNCIL

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## **RESOLUTION OF INTENTION TO INCUR BONDED INDEBTEDNESS TO FINANCE THE ACQUISITION AND CONSTRUCTION OF CERTAIN PUBLIC FACILITIES IN AND FOR IMPROVEMENT AREAS WITHIN PROPOSED COMMUNITY FACILITIES DISTRICT NO. 2018-2 (WESTLAKE VILLAGES II)**

The City Council (the "Council") of the City of Stockton (the "City") has this date adopted its "Resolution of Intention to Form a Community Facilities District and two Improvement Areas and to Levy a Special Tax Therein to Finance Public Services and the Construction and Acquisition of Certain Public Facilities in and for Such District" (the "Resolution of Intention"), stating its intention to form the City of Stockton Community Facilities District No. 2018-2 (Westlake Villages II) (the "CFD") and designate Improvement Area "M" and Improvement Area "1" therein, pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing at section 53311, of the California Government Code (the "Act"), for the purpose of financing certain public improvements, as further provided in that Resolution of Intention; and

In order to finance the costs of the Facilities (defined below) it is necessary to incur bonded indebtedness on behalf of each Improvement Area within the CFD, in the amounts not to exceed \$15,000,000 for Improvement Area 2 and \$60,000,000 for Improvement Area 1; now, therefore,

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

1. The Council declares and finds that in order to finance the acquisition and construction of public facilities (the "Facilities") described in the Council's Resolution of Intention, captioned "RESOLUTION OF INTENTION TO FORM A COMMUNITY FACILITIES DISTRICT AND TWO IMPROVEMENT AREAS AND TO LEVY A SPECIAL TAX THEREIN TO FINANCE PUBLIC SERVICES AND THE ACQUISITION AND CONSTRUCTION OF CERTAIN PUBLIC FACILITIES IN AND FOR SUCH DISTRICT" it is necessary to incur a bonded indebtedness.

2. The purpose for which the proposed bonded indebtedness is to be incurred is to provide the funds necessary to pay for the cost of said Facilities.

3. The maximum amount of the proposed bonded indebtedness is \$15,000,000 for Improvement Area 2 and \$60,000,000 for Improvement Area 1 to be issued as bonds or notes in multiple series at such time as the Council deems appropriate.

4. It is the intention of the Council that any such bonds issued shall be made callable in accordance with the terms of the Act and as more specifically to be set forth in any resolution authorizing issuance of the bonds, and shall be issued in such series and bear interest payable semi-annually or in such other manner as the Council shall determine, at a rate not to exceed the maximum rate of interest as may be authorized by applicable law at the time of sale of such bonds, and shall mature not to exceed 40 years from the date of the issuance thereof.

5. In the event any series of bonds issued under the authorization is refunded to produce savings meeting the requirement of section 53362.5 of the Act, all or a portion of the savings achieved through the issuance of refunding bonds may be used to finance Facilities insofar as the savings component provides capacity for bonded indebtedness in excess of that being refunded, and such additional bonded indebtedness attributable to the savings component shall not reduce and may exceed the amount of bonded indebtedness authorized herein.

6. The Council hereby sets Tuesday, June 19, 2018, at 5:30 p.m., at the City of Stockton City Council Chambers located at 425 N. El Dorado Street, Stockton, California 95202, as the time and place for a hearing by the Council on the proposed bond issue. At that time and place any persons interested, including any persons owning property in the CFD, will be heard.

7. The City Clerk is hereby directed to cause notice of said public hearing to be given by one-time publication in a newspaper of general circulation in the area of the CFD. The publication of said notice shall be completed at least 7 days before the date herein set for said public hearing. Such notice shall be substantially in the form specified in section 53346 of the Act, with the form summarizing the provisions hereof hereby specifically approved.

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

PASSED, APPROVED, and ADOPTED May 15, 2018.

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MICHAEL D. TUBBS, Mayor  
of the City of Stockton

ATTEST:

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BRET HUNTER, CMC, City Clerk  
of the City of Stockton