

STOCKTON CITY COUNCIL

RESOLUTION ADOPTING THE ANNUAL ENGINEER'S REPORT FOR FISCAL YEAR 2018-19, THE BUDGET FOR EACH ZONE, AND CONFIRMING ASSESSMENTS FOR THE STOCKTON CONSOLIDATED STORM DRAINAGE MAINTENANCE ASSESSMENT DISTRICT NO. 2005-1

On May 15, 2018, this Council adopted its Resolution of Intention to Approve the Annual Engineer's Report (Annual Report) for the Fiscal Year (FY) 2018-19, to Provide Preliminary Approval of the Proposed Budgets for each Zone, and to Set a Public Hearing Thereon (Resolution No. 2018-05-15-1133) for the Stockton Consolidated Storm Drainage Maintenance Assessment District No. 2005-1 as required by law; and

Notice of the Public Hearing held on June 5, 2018, was duly and regularly published in The Record, in the time, form, and manner required by law, as evidenced by the declaration on file with the City Clerk; and

At the Public Hearing, this Council afforded to every interested person an opportunity to make a protest for each Zone to the Annual Report, to the maximum annual assessment, to the actual 2018-19 assessment, to the proposed budget, or to the proposed method and proportion of assessment, either in writing or orally, and this Council has considered each protest and all matters and things pertaining to the Annual Report were fully heard and considered by this Council; now, therefore,

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

1. Protests or objections (including all written protests not withdrawn in writing before the conclusion of the Public Hearing) to the proposed levy of assessments in each Zone have not been made by the owners of more than fifty percent (50%) of the area of assessable lands within the District in each Zone and any and all such protests or objections are hereby overruled.

2. The Annual Report on file with the City Clerk for the FY 2018-19 Stockton Consolidated Storm Drainage Maintenance Assessment District No. 2005-1, which includes the budget for each Zone, is hereby approved and adopted as the method of assessment for each Zone to be used to pay the costs and expenses of the maintenance and operation.

3. The assessment of the annual amount of costs and expenses of the maintenance and operation of the improvements, upon the several subdivisions of land in the District as contained in the Annual Report, be, and the same is hereby approved and confirmed and shall be levied and collected for the FY 2018-19.

A. The assessment is in compliance with all laws pertaining to the levy of the annual assessment (Section 4 of Article XIID of the California State Constitution, § 53753.5 of the Government Code of the State of California,

Streets and Highways Code § 10000, *et seq.*, and the Stockton Improvement Procedure Code).

The City of Stockton hereby certifies that the special assessment(s), fee(s) or charges(s) listed below to be placed on the 2018-19 Secured Property Tax bill by the City of Stockton meets the requirements of Proposition 218 that added Articles XIII C and XIII D to the California State Constitution.

B. The assessment is levied without regard to property valuation.

C. The purpose of the assessment is the maintenance and operation of storm drainage facilities.

4. The City Manager or his/her designee is authorized to enter the assessments on the FY 2018-19 tax roll for the parcels in each Zone within the District as set forth in the Annual Report on file with the City Clerk.

5. The Annual Report provides for various Amendments to the several Zone Assessment Diagrams showing segregated parcels created since the last Annual Report; all said Amendments are hereby approved and the City Clerk of said City shall forthwith deliver to the Superintendent of Streets of said City the said assessment together with all Amendments to the Assessment Diagrams thereto attached and made a part thereof, as confirmed by this Council, with her certificate of such confirmation thereto attached and of the date thereof; and that said Superintendent of Streets shall record all said Amendments to the Assessment Diagrams and assessment in his office in a suitable book to be kept for that purpose, and shall append thereto his certificate of the date of such recording, and such recordation shall be and constitute the assessment roll herein.

6. After the recording of the assessment and the Amendments to the Assessment Diagrams in the office of the Superintendent of Streets, the City Clerk shall file in the office of the County Recorder a copy of the Amendments to the Assessment Diagrams.

7. The City Manager or his designee is authorized and directed to execute all documents, including, but not limited to, agreements and amendments.

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

PASSED, APPROVED and ADOPTED: June 5, 2018.

MICHAEL D. TUBBS, Mayor
of the City of Stockton

ATTEST:

BRET HUNTER, CMC
City Clerk of the City of Stockton