

Resolution No.

STOCKTON CITY COUNCIL

RESOLUTION OVERRULING ANY AND ALL PROTESTS, ADOPTING THE ANNUAL ENGINEER'S REPORT FOR FISCAL YEAR 2018-19, THE BUDGET FOR EACH ZONE, CERTIFY THE ASSESSMENTS MEET THE REQUIREMENTS OF PROPOSITION 218 AND ARE IN COMPLIANCE WITH THE STATE OF CALIFORNIA STREETS AND HIGHWAYS CODE, AND CONFIRMING, AND LEVYING ASSESSMENTS FOR THE STOCKTON CONSOLIDATED LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 96-2

On May 15, 2018, the City Council of the City of Stockton adopted Resolution No. 2018-05-15-1136 to preliminarily approve the Annual Engineer's Report for the Fiscal Year 2018-19, to provide preliminary approval of the proposed budget, and to set a public hearing for the Stockton Consolidated Landscape Maintenance Assessment District No. 96-2 (Consolidated Landscape District), pursuant to the Landscaping and Lighting Act of 1972; and

Notice of the public hearing that was 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, the City 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 Fiscal Year 2018-19 assessment, to the proposed budget, or to the proposed method and proportion of assessment either in writing or orally, and this City 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 Protests or objections (including all written protests not withdrawn in writing before the conclusion of the public hearing) to the proposed levy of assessments in each zone have not been made by the owners of more than 50 percent of the area of assessable lands within the district in each zone, and any and all such protests or objections are overruled.

2. The Annual Engineer's Report for the Consolidated Landscape District on file with the City Clerk for Fiscal Year 2018-19, which includes the budget for each zone, is approved and adopted as the method of assessment for each zone to be used to pay the costs and expenses for administration, maintenance, and operation of public parks and landscape improvements in public rights-of-way and public open spaces.

3. The Council certifies that the special assessment(s), fee(s) or charge(s) listed below to be placed on the 2018-19 Secured Property Tax bill by the City of Stockton are certified to meet the requirements of Proposition 218 that added Articles XIIC and XIID to the California State Constitution.

4. The assessments of the annual amount of costs and expenses for the maintenance and operation of the improvements, upon the assessable lands in the district, as contained in the Annual Engineer's Report, are hereby approved and confirmed and shall be levied and collected for Fiscal Year 2018-19. The assessments comply with all laws pertaining to the levy of the annual assessment (State of California Streets and Highways Code section 22500). The assessments are levied without regard to property valuation. The purpose of the assessments is for the maintenance and operation of public parks and landscape improvements in public rights-of-way and public open spaces.

5. The City Manager or designee, on behalf of the City Clerk, is hereby directed to file the assessments or a copy thereof certified by the City Clerk or other City official, with the San Joaquin County Auditor and cause the assessments to be entered on the 2018-19 tax roll for the parcels in the Consolidated Landscape District and each Zone within the Consolidated Landscape District as set forth in the Annual Engineer's Report on file with the City Clerk.

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

7. The City Manager is 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