

Resolution No.

# STOCKTON CITY COUNCIL

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## **RESOLUTION DECLARING RESULTS OF A SPECIAL ELECTION FOR A COMMUNITY FACILITIES DISTRICT AND DIRECTING RECORDING OF NOTICE OF SPECIAL TAX LIEN**

### **(CITY OF STOCKTON COMMUNITY FACILITIES DISTRICT NO. 2018-2 (WESTLAKE VILLAGES II)**

Pursuant to the Mello-Roos Community Facilities Act of 1982, Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing with section 53311, of the California Government Code (the "Act"), this City Council has adopted a resolution titled "Resolution 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" (the "Resolution of Formation"), ordering (A) the formation of (i) "City of Stockton Community Facilities District No. 2018-2 (Westlake Villages II)" (the "CFD"), (ii) "Improvement Area 1 of the City of Stockton Community Facilities District No. 2018-2 (Westlake Villages II)" ("Improvement Area 1"), and (iii) "Improvement Area 2 of the City of Stockton Community Facilities District No. 2018-2 (Westlake Villages II)" ("Improvement Area 2" and together with Improvement Area 1, the "Improvement Areas"); and (B) authorizing the levy of a special tax on property within each Improvement Area and preliminarily establishing an appropriations limit for each Improvement Area; and

This City Council has also adopted a resolution titled "Resolution Determining the Necessity to Incur Bonded Indebtedness for a Community Facilities District and Two Improvement Areas Therein" (the "Resolution of Necessity"), determining the necessity to incur bonded indebtedness in the maximum aggregate principal amount of \$15,000,000 for Improvement Area 1 and \$60,000,000 for Improvement Area 2 upon the security of the special tax to be levied within each Improvement Area pursuant to the Act; and

Under the provisions of the Resolution of Formation and the Resolution of Necessity and pursuant to a "Resolution Calling Special Election for a Community Facilities District and Two Improvement Areas Therein" (the "Election Resolution") adopted by this City Council, the propositions of the levy of the special tax, the establishment of the appropriations limit and the incurring of the bonded indebtedness were submitted to the qualified electors of each Improvement Area as required by the provisions of the Act; and

Pursuant to the terms of the Election Resolution, which are by this reference incorporated herein, the special election has been held in each Improvement Area and the City Clerk has on file a Canvass and Statement of Results of Election, (the "Canvass") a copy of which is attached hereto as Exhibit 1; and

This City Council has reviewed the Canvass, finds it appropriate and wishes to complete its proceedings for each Improvement Area; now, therefore,

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

1. The foregoing recitals are all true and correct.
2. The issues presented at the special election were the levy of a special tax within each Improvement Area, the incurring of a bonded indebtedness for each Improvement Area, and the approval of an annual appropriations limit for each Improvement Area, all pursuant to the Resolution of Formation and the Resolution of Necessity.
3. The Council hereby approves the Canvass and finds that it shall be a permanent part of the record of its proceedings for each Improvement Area. Pursuant to the Canvass, the issues presented at the special election were approved by the qualified electors of each Improvement Area by more than two-thirds (2/3) of the votes cast at the special election.
4. Pursuant to the voter approval, each Improvement Area is hereby declared to be fully formed with the authority to levy the special taxes, to incur the approved bonded indebtedness and to have the established appropriations limit, all as heretofore provided in these proceedings and in the Act. It is hereby found that all prior proceedings and actions taken by this City Council with respect to the CFD and each Improvement Area were valid and in conformity with the Act.
5. The City Clerk is hereby directed to complete, execute and cause to be recorded in the office of the County Recorder of the County of San Joaquin a notice of special tax lien for each Improvement Area in the form required by the Act, such recording to occur no later than fifteen (15) days following adoption by the Council of this resolution.

6. This Resolution shall take effect upon its adoption.

PASSED, APPROVED, and ADOPTED June 19, 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