

03-0314

RESOLUTION NO. _____

STOCKTON CITY COUNCIL

**A RESOLUTION DECLARING RESULTS OF SPECIAL LANDOWNER ELECTION,
DETERMINING VALIDITY OF PRIOR PROCEEDINGS, AND DIRECTING
RECORDING OF AMENDED NOTICE OF SPECIAL TAX LIEN**

**CITY OF STOCKTON
Community Facilities District No. 2001-1
(Downtown Parking)**

RESOLVED, by the City Council (the "Council") of the City of Stockton (the "City"), County of San Joaquin, State of California, that:

WHEREAS, on May 6, 2003, this Council adopted its "Resolution Altering Special Taxes In and Annexing Territory To a Community Facilities District, Authorizing the Levy of Special Taxes Therein, Submitting Matters to Qualified Electors and Directing Related Actions (the "Resolution of Annexation") approving the alteration of special taxes in, the annexation of territory to and calling a special landowner election in the City's Community Facilities District No. 2001-1 (Downtown Parking) (the "CFD"), 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 with Sec. 53311) of the California Government Code, as supplemented by improvement procedures adopted under the City's charter (collectively, the "Act"); and

WHEREAS, pursuant to the Resolution of Annexation, the provisions of which are hereby incorporated herein by this reference, the special, landowner election has been held under the Act on June 10, 2003, and the City Clerk has on file a Canvass of Votes Cast in Special Election, (the "Canvass") a copy of which is attached hereto as Exhibit A; and

WHEREAS, this Council has reviewed the Canvass.

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. Issues. The issues presented at the special election were as provided in the Resolution of Annexation and in the ballot measure shown on the Canvass.
2. Canvass. As shown by the Canvass attached hereto, the measure presented at the special election was approved by the landowners of the territory annexed to the CFD by more than two-thirds of the landowners voting at the special election, each owner having one vote for each acre of land or portion thereof such owner owns in the CFD, and the Canvass is hereby approved.

CITY ATTY REVIEW GOP
DATE JUN 11 2003

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3. Authority. Pursuant to the voter approval, the annexed territory to the CFD is hereby declared to be fully annexed to and part of the CFD, the special taxes are altered as provided in the Resolution of Annexation and this Council is now authorized to levy special taxes in the entire territory of the CFD as increased by annexation at the altered rates approved at the same election.


4. Prior Proceedings. It is hereby found that all prior proceedings and actions taken by this Council pursuant to the CFD and the territory annexed thereto and the special taxes levied therein were valid and in conformity with the Act.

5. Recording. Within 15 days of the date hereof, the City Clerk shall execute and cause to be recorded in the office of the County Recorder of the County of San Joaquin, an amendment to the Notice of Special Tax Lien heretofore recorded for the CFD, which amendment shall include a description of the territory annexed to the CFD as required by Section 3117.5 of the California Streets and Highways Code.

6. Effective. This resolution shall take effect upon its adoption.

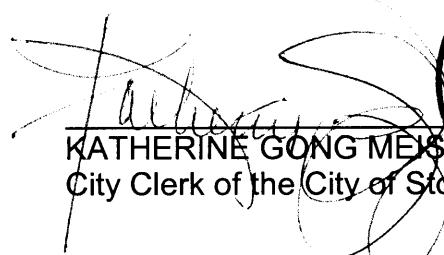
PASSED AND ADOPTED JUN 10 2003 _____

Ayes:
Noes:
Absent:



GARY A. PODESTO, Mayor
City of Stockton

ATTEST:



KATHERINE GONG MESSING
City Clerk of the City of Stockton



EXHIBIT A

CITY OF STOCKTON
Community Facilities District No. 2001-1
(Downtown Parking)

CANVASS AND STATEMENT OF RESULT OF ELECTION

I hereby certify that on this date, I canvassed the returns of the election held on this date, in the territory annexed to City of Stockton, Community Facilities District No. 2000-1 Downtown Parking) (the "CFD"), which election was for the purpose of approving annexation to and the alteration of the special taxes for the CFD, and the total number of ballots cast in the election and the total number of votes cast for and against the measure are as follows and the totals as shown for and against the measure are full, true and correct:

	Qualified Landowner Votes	Votes Cast	YES	NO
City of Stockton Community Facilities District No. 2001-1 (Downtown Parking), Special Election, June 10, 2003 (2 ballots received without votes)	<u>247</u>	<u>196</u>	<u>169</u> (86.3%)	<u>27</u> (13.7%)

BALLOT MEASURE: Shall the City of Stockton, by and for its Community Facilities District No. 2001-1 (Downtown Parking) (the "CFD"), be authorized to levy special taxes within the territory within and as annexed to the District pursuant to and as described in the Resolution Altering Special Taxes in and Annexing Territory to a Community Facilities District, Authorizing the Levy of

Special Taxes Therein, Submitting Levy
of Special Taxes to Qualified Electors
and Directing Related Actions, adopted
by its Council on May 6, 2003?

YES: _____

NO: _____

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND on June 10,
2003.

CITY OF STOCKTON

By: _____

City Clerk

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