#### CITY MANAGER'S REPORT JUNE 11, 2018 CITY COUNCIL REGULAR MEETING

ITEM:

**PUBLIC** HEARING (PUBLISHED NOTICE) CONSIDER FISCAL YEAR 2018/19 ASSESSMENTS INDUSTRIAL LIGHTING FOR **MAINTENANCE** DISTRICT; RESIDENTIAL LIGHTING MAINTENANCE DISTRICT; MOSSDALE LANDSCAPE AND LIGHTING **LANDSCAPING** DISTRICT: STONEBRIDGE MAINTENANCE DISTRICT; STONEBRIDGE DRAINAGE AND LIGHTING DISTRICT; STORM DRAIN DISTRICT **ZONE 1; AND STORM DRAIN DISTRICT ZONE 1A** 

#### **RECOMMENDATION:**

**Council to Consider the Following:** 

- 1. Hold a Public Hearing; and
- 2. Adopt Resolution Approving the Final Engineer's Report and Ordering the Levy and Collection of Assessments for the City of Lathrop Industrial Lighting Maintenance District for Fiscal Year 2018/19; Maximum Assessment for the District for Fiscal Year 2018/19 not to exceed Zone A \$7.52; Zone B \$38.35; Zone C \$7.52, and Proposed Annual Assessment for Fiscal Year 2018/19 Zone A \$7.52; Zone B \$38.35; Zone C \$7.52.
- 3. Adopt Resolution Approving the Final Engineer's Report and Ordering the Levy and Collection of Assessments for the City of Lathrop Residential Lighting Maintenance District for Fiscal Year 2018/19; Maximum Assessment for the District for Fiscal Year 2018/19 not to exceed Zone A \$41.16; Zone B \$44.10; Zone C \$29.00; Zone D \$53.94; Zone E \$56.71; Zone F \$32.62; Zone G \$7.46, and Proposed Annual Assessment for Fiscal Year 2018/19 Zone A \$41.16; Zone B \$44.10; Zone C \$29.00; Zone D \$53.94; Zone E \$56.71; Zone F \$32.62; Zone G \$7.46.
- 4. Adopt Resolution Approving the Final Engineer's Report and Ordering the Levy and Collection of Assessments for the Mossdale Landscape and Lighting Maintenance District for Fiscal Year 2018/19; Maximum Assessment for Fiscal Year 2018/19 not to exceed \$268.06, and Proposed Annual Assessment for Fiscal Year 2018/19 \$260.25.

- 5. Adopt Resolution Approving the Final Engineer's Report and Ordering the Levy and Collection of Assessments for the Stonebridge Landscape Maintenance District and the Stonebridge Drainage & Lighting District for Fiscal Year 2018/19; Maximum Assessments for each District for Fiscal Year 2018/19 not to exceed \$397.99, and Proposed Annual Assessments for Fiscal year 2018/19 for each District \$225.06.
- 6. Adopt Resolution Approving the Final Engineer's Report and Ordering the Levy and Collection of Assessments for the Storm Drain District Zone 1 and Storm Drain District Zone 1A for Fiscal Year 2018/19; Proposed Annual Assessment for Fiscal Year 2018/19 for Storm Drain Zone 1 not to exceed \$112.52, and Proposed Assessment for Fiscal Year 2018/19 for Storm Drain Zone 1A not to exceed \$199.92.

#### **SUMMARY:**

At the May 14, 2018 City Council Meeting, Staff presented the preliminary Engineer's Report and Intent to Levy for the Industrial Lighting Maintenance District, Residential Lighting Maintenance District, Mossdale Landscape and Lighting Maintenance District, Stonebridge Landscape Maintenance District, Stonebridge Drainage & Lighting District, Storm Drain District Zone 1, and Storm Drain District Zone 1A (the "Districts") to Council for approval and requested to set a public hearing date to initiate the final approval process.

The City Council approved the preliminary Engineer's Report and Intent to Levy for all Districts, and set the public hearing date for June 11, 2018. A notice of the public hearing was mailed to each property owner within each District. The public hearing was published in the Manteca Bulletin on May 24th & May 31st.

Four (4) out of seven (7) Districts present a "general benefit," meaning, that the improvements benefit the public at large, including the City. General benefit is excluded from a District's assessment. The City covers the costs of the general benefit utilizing resources from the General Fund.

The general benefit cost for all districts for Fiscal Year 2018/19 is \$28,321.

Storm Drain District Zone 1A does not generate sufficient revenue to cover its operating expenses. A general fund subsidy in the amount of \$32,010, coupled with the use of District's reserves is required to cover the shortfall and maintain current service levels for the district. Staff estimates the beginning Fiscal Year 2018/19 District Reserves to be \$8,476.

The total amount needed from the General Fund to cover Storm Drain District Zone 1A shortfall and the General Benefit costs is \$40,486.

Table 1 below displays the current and proposed assessment rates.

FY 17/18 FY 18/19 Proposed Rates % Change District Rates Notes Levy needed to minimize draw on \$252.67 \$260.25 3.00% reserve Mossdale LLMD \$112.52 0.00% Rate unchanged since FY 1996/97 Storm Drain Zone 1 \$112.52 Rate unchanged since FY 1996/97 Storm Drain Zone 1A 0.00% \$199.92 \$199.92 Adequate reserve allows for unchanged Stonebridge LMD 0.00% assessment rate \$225.06 \$225.06 Adequate reserve allows for unchanged \$225.06 \$225.06 0.00% assessment rate Stonebridge BAD Max Levy needed to minimize draw on \$7.31 or \$37.25 \$7.52 or \$38.35 3.00% reserve Industrial LMD Max Levy needed to minimize draw on \$7.24 to \$55.06 \$7.46 to \$56.71 3.00% Residential LMD

Table 1

Please note that the assessment and budget amounts shown in the Final Engineer's Reports have not been modified from the approved Preliminary Engineer's Reports on May 14th.

Tonight, the City Council is being asked to approve the Final Engineer's Report for all Districts and order the levy and collection of annual assessments for Fiscal Year 2018/19.

City Council may order amendments to the Engineer's Reports or confirm as submitted. If approved, the assessment information will be submitted to the County Auditor-Controller, and included on the property tax roll for each benefiting parcel for Fiscal Year 2018/19. The collected monies will fund each District's operation and maintenance costs.

#### BACKGROUND:

Maintenance Districts are formed to fund services and improvements that provide special benefit to the properties within the District's boundaries. Improvements may include landscaping, park sites, street lightning and storm drainage.

The Districts levies are made pursuant to the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code (the "Act"),

applicable to the provisions of Proposition 218 (California Constitutional Articles XIII C and XIII D).

Each parcel within a District is assessed in accordance to assessment methodology adopted and approved by the City Council at the time of District formation. The assessments are paid by the property owner as a part of each parcel's secured property tax bill.

NBS Government Finance Group performs an annual assessment of the Districts, evaluating costs of the maintenance, operations, and servicing of the improvements to be maintained. The assessment process is generally initiated in March. Upon the completion of the assessment, NBS submits a preliminary Engineer's Report (the "Report") to City staff which includes a district overview, estimate of costs, method of apportionment, district diagrams, and parcel listing. City staff utilizes the Report findings to produce the District's annual budget.

Staff thoroughly evaluates cost increases and cost savings for each District when preparing the budget. Staff uses quantified costs such as: routine maintenance and mowing contracts; equipment repair; weed abatement; shrub and tree pruning; radios and computers; irrigation parts and controllers; water; electricity; fertilizer and other chemicals; vehicles and vehicle maintenance; street lighting repairs; storm drain system maintenance; and other administrative costs to operate the maintenance assessment districts. In addition to routine maintenance, Districts may encounter intermittent capital replacement to change out improvement items such as street lights, storm drain pump motors, irrigation components or dead landscaping.

The City of Lathrop has eight (8) Maintenance Assessment Districts (MAD); five (5) Landscaping and Lighting Districts (LLMD) (Woodfield Park is excluded from this report); three (3) Benefit Assessment Districts (BAD).

Most of the public landscaping and street lightning along Lathrop's streets and entrances to various residential communities ("medians") are maintained through LLMD's. Nine (9) of the City parks are maintained by LLMD's (eight of the nine are included in the districts that comprise this report). Most of the storm drain systems in Historical Lathrop are maintained through BAD's.

By law, assessments may only increase to the maximum approved amount set by property owners at the time of district formation or annexation. Any proposed increase which exceeds the approved amount requires the approval of the then current property owners via a Proposition 218 ballot process. Each of the City's Districts has a maximum assessment amount. The City Council may authorize any level of assessment up to the maximum amount.

If it is determined that the maximum amount is not needed, City Council may lower the actual annual assessment without jeopardizing the ongoing maximum assessment.

The Final Engineer's Report for each District is available for review at the City Clerk's office and the Public Works Department. Copies will be available at the City Council meeting per request.

The following Background subsections summarize the district-specific information for each maintenance district:

#### (1) Industrial Lighting Maintenance District

The Lathrop Industrial Lighting Maintenance District was created to pay for the maintenance of the public lighting within commercial and industrial areas of the City. The maximum assessment rates for Fiscal Year 2018/19 have increased by 3.00% which is the applicable annual escalation factor approved by the property owners. The maximum assessment rates per Equivalent Dwelling Unit (EDU) are proposed for Fiscal Year 2018/19 \$7.52 for Zone A, \$38.35 for Zone B, and \$7.52 for Zone C.

District/Zone	FY 2017/18 Annual Assessment Rate per EDU*	Proposed FY 2018/19 Annual Assessment Rate per EDU*	Variance	Maximum FY 2018/19 Assessment Rate per EDU*
Industrial LMD - Zone A	\$7.31	\$7.52	: \$0.21	\$7.52
Industrial LMD - Zone B	\$37.25	\$38.35	\$1.10	\$38.35
Industrial LMD - Zone C	\$7.31	\$7.52	\$0.21	\$7.52
*EDU = Equivalent Dwell	ing Unit			The Control of the Co

The District will receive \$53,423.22 in assessment revenue plus a General Benefit Contribution from the General Fund of \$11,635 for a total of \$65,058.22. The total estimated expenditures are anticipated to be \$59,554. Fund balance at the beginning of Fiscal Year 2018/19 is estimated to be \$95,244.63 which will increase by \$5,504.22 to \$100,749.18 at the end of Fiscal Year 2018/19.

#### (2) Residential Lighting Maintenance District

The Lathrop Residential Lighting Maintenance District was created on May 18, 1999 to pay for the operation and maintenance of street lighting to benefit residential areas in East Lathrop.

The Fiscal Year 2018/19 maximum assessment rates have increased by 2.94%, which is the applicable annual escalation factor approved by the property owners. The District is required to maintain a reserve fund of approximately 50% of its annual revenues and expenses; thus, it is proposed for the District to be assessed at its maximum assessment. The largest annual increase per EDU is in Zone E at \$1.65 annually or approximately \$0.14 per month.

District/Zone	FY 2017/18 Annual Assessment Rate per EDU*	Proposed FY 2018/19 Annual Assessment Rate per EDU*	Variance	Maximum FY 2018/19 Assessment Rate per EDU*
Residential LMD - Zone A	\$39.96	\$41.16	\$1.20	\$41.16
Residential LMD - Zone B	\$42.82	\$44.10	\$1.28	\$44.10
Residential LMD - Zone C	\$28.15	\$29.00	\$0.85	\$29.00
Residential LMD - Zone D	\$52.37	\$53.94	\$1.57	\$53.94
Residential LMD - Zone E	\$55.06	\$56.71	\$1.65	\$56.71
Residential LMD - Zone F	\$31.67	\$32.62	\$0.95	\$32.62
Residential LMD - Zone G	\$7.24	\$7.46	\$0.22	\$7.46
*EDU = Equivalent Dwellin	g Unit		· -	

The District will receive \$121,284.18 in assessment revenues plus a General Benefit contribution from the General Fund of \$8,196 for a total of \$129,480.18. The total estimated expenditures are anticipated to be \$121,016. Fund balance at the beginning of Fiscal Year 2018/19 is estimated to be \$152,408.34 which will increase by \$8,464.18 to \$160,872.52 at the end of Fiscal Year 2018/19.

#### (3) Mossdale Landscape and Lighting Maintenance District

On June 15, 2004, Mossdale property owners approved the creation of the Mossdale Landscape and Lighting Maintenance District to provide funding to maintain the landscaping, park sites, and street lighting for the District. The maximum assessment for Fiscal Year 2018/19 will increase by 3 percent; this is the applicable annual escalation factor approved by the property owners at the time of district formation. The Fiscal Year 2018/19 maximum assessment rate per single-family and multi-family unit is \$268.06. The Fiscal Year 2018/19 assessment rate is \$260.25 because a financial review of the District shows that this rate will continue the required level of service.

The District will receive \$561,962.76 in assessment revenues and expenditures are anticipated to be at \$599,327. The fund balance at the beginning of Fiscal Year 2018/19 is estimated to be \$464,605.22, which will be reduced by \$37,364.24 to \$427,240.98 by the end of Fiscal Year 2018/19.

District	FY 2017/18 Annual Assessment Rate per EDU*	Proposed FY 2018/19 Annual Assessment Rate per EDU*	Variance	Maximum FY 2018/19 Assessment Rate per EDU*
Mossdale LLMD	\$252.67	\$260.25	\$7.58	\$268.06

#### (4) Stonebridge Landscaping District Stonebridge Drainage and Lighting Maintenance District

#### Stonebridge Landscaping District

The Stonebridge Landscape District was created to pay for the service, operation and maintenance of the common area street landscaping, and Stonebridge Park. The Fiscal Year 2018/19 maximum assessment rate of \$397.99 represents an increase of 5% over that of Fiscal Year 2017/18, which is the applicable annual escalation factor approved by property owners. The annual assessment to be levied is proposed to be set at \$225.06. This is the same as the rate that was assessed in Fiscal Year 2017/18. This consistent assessment is due to the District already possessing a healthy reserve fund.

The Landscape District will receive \$203,229 in assessment revenues plus a General Benefit Contribution from the General Fund of \$4,245, and rent and concessions of \$1,000 for a total of \$208,474. The total estimated expenditures are anticipated to be \$232,561. The fund balance at the beginning of Fiscal Year 2018/19 is estimated to be \$98,433.27, which will decrease by \$24,087 to \$74,346.27 at the end of Fiscal Year 2018/19.

	FY 2017/18 Annual Assessment Rate	Proposed FY 2018/19 Annual Assessment Rate		Maximum FY 2018/19 Assessment Rate
District	per EDU*	per EDU*	Variance	per EDU*
Stonebridge Landscaping	\$225.06	\$225.06	\$0.00	\$397.99
*EDU = Equivalent Dwelli	ng Unit		-	

#### **Stonebridge Drainage and Lighting District**

The Stonebridge Drainage and Lighting District was created to pay for the service, operation and maintenance of the street lighting, and storm drain facilities within the Stonebridge development. The Fiscal Year 2018/19 maximum assessment rate of \$397.99 represents an increase of 5% over that of Fiscal Year 2016/17, which is the applicable annual escalation factor approved by property owners. The annual assessment to be levied is proposed to be set at \$225.06. This is the same as the rate that was assessed in Fiscal Year 2016/17. This consistent assessment is due to the District already possessing a healthy reserve fund.

The Drainage and Lighting District will receive \$203,004 in revenue plus a General Benefit contribution from the General Fund of \$4,425 for a total of \$207,249. The total estimated expenditures are anticipated to be \$312,803. Fund balance at the beginning of Fiscal Year 2018/19 is estimated to be \$245,454.98 which will decrease by \$105,554 to \$139,900.98 at the end of Fiscal Year 2018/19. Reserve funds are intended to be used for annual operating shortfall coverage, cash flow timing financing, and/or extraordinary maintenance/repair funding.

District	FY 2017/18 Annual Assessment Rate per EDU*	Proposed FY 2018/19 Annual Assessment Rate per EDU*	Variance	Maximum FY 2018/19 Assessment Rate per EDU*
Stonebridge Drainage &	· ·			· · · · · · · · · · · · · · · · · · ·
Lighting	\$225.06	\$225.06	\$0.00	\$397.99
*EDU = Equivalent Dwelli	ng Unit	1 11 1		-

#### (5) Storm Drain Districts Zones 1 and 1A

On June 6, 1989, property owners approved a ballot measure for storm drainage maintenance fees for the Lathrop Storm Drain District, City Zone 1. In 1993, the City annexed an additional Storm Drain Maintenance District incorporating the area known as City Zone 1A (Crossroads Development). Both districts were created without an annual escalation factor for the maximum assessment. Both districts have been levied at their static maximum assessments for many years.

The assessment for City Zone 1 is \$112.52 per unit. The City may continue to levy the assessment for City Zone 1 as long as the rate does not exceed \$112.52 per unit.

The assessment for City Zone 1A is \$84.72 per Maintenance Unit and \$115.20 Per Available Unit, a compiled total of \$199.92. The City may continue to levy the assessment for Zone 1A as long as rates do not exceed \$84.72 per Maintenance Unit and \$115.20 per Availability Unit.

Over the last few fiscal years, inflationary effects have occurred on ordinary expenditures, asset replacements have been necessary, and assessment revenue remains static; thus, District deficits have occurred. Sizeable deficits may occur in future fiscal years due to the lack of the escalation factor. In order to remedy this imbalance, a Proposition 218 balloting of the Districts' property owners would have to be initiated and successfully completed. While this is not proposed for FY 2018/19, Staff advises City Council to consider this action for a future fiscal year.

For Fiscal Year 2018/19, Zone 1 is projected to have sufficient assessment revenue, along with a contribution from the reserves, to keep operations at the current required levels of service. Contrarily, Zone 1A will need its entire estimated fund reserve of \$8,476 and a \$32,010 General Fund subsidy to continue to operate at the current required levels of service.

Storm Drain Zone 1 will receive \$239,141 in assessment revenues and expenditures are expected to be \$286,915. The Fund Balance at the beginning of Fiscal Year 2018/19 is estimated at \$180,459.90 which will decrease by \$47,774 to \$132,685.90 at the end of Fiscal Year 2018/19.

Storm Drain Zone 1A will receive \$113,364 in assessment revenues and expenditures are expected to be \$153,850. The Fund balance at the beginning of Fiscal Year 2018/19 is estimated to be \$8,476, which will be fully utilized by the

projected deficit in this district. A General Fund subsidy of \$32,010 is needed to maintain the current required levels of service.

FY 2017/18 Annual Assessment Rate		Proposed FY 2018/19 Annual Assessment Rate		Maximum FY 2018/19 Assessment Rate
District	per EDU*	per EDU*	Variance	per EDU*
Storm Drain - Zone 1	\$112.52	\$112.52	\$0.00	\$112.52
Storm Drain - Zone 1A	\$199.92	\$199.92	\$0.00	\$199.92

#### **REASON FOR RECOMMENDATION:**

Maintain quality maintenance and service of Districts by means of allocated assessments.

#### **COUNCIL GOALS ADVANCED BY THIS AGENDA ITEM:**

Promoting Community Values by maintaining Parks, Recreation, and Community Services to its required service levels.

#### FISCAL IMPACT:

The proposed Fiscal Year 2018/19 assessments for the Residential Lighting Maintenance District and Industrial Lighting Maintenance District fully fund the budgeted expenditures to maintain required service levels within each district.

In Mossdale Landscape and Lighting District, Stonebridge Landscaping District, Stonebridge Drainage & Lighting District, and Storm Drain District Zone 1, expenditures exceed revenue; however these districts have sufficient funding within their Fund Balance reserves to cover the shortfalls.

Storm Drain District Zone 1A has expenditures which exceed revenues. City Staff proposes the use of the District's Fund Balance reserve of \$8,476 to partially fund the deficit: and, in order to maintain the current required service levels in the District. a General Fund subsidy to cover the remaining \$32,010 deficit.

In four (4) of the districts, there are "General Benefit" costs that require funding from sources other than the assessments collected by the districts, as quantified by the formation assessment engineer. General Benefit is defined as the benefit of the improvements on the public at large. Therefore, the General Fund funds these costs because the city benefits overall from these improvements. The Fiscal Year 2018/19 General Benefit costs for each of the four (4) districts are:

District	General Benefit Amount
Industrial Lighting Maintenance District	\$11,635
Residential Lighting Maintenance District	\$8,196
Stonebridge Drainage and Lighting District	\$4,245
Stonebridge Landscape District	\$4,245
Total General Benefit Cost	\$28,321

The total amount needed from the General Fund to cover the General Benefit costs and the Storm Drain Zone 1A subsidy is \$60,331.

#### **ATTACHMENTS:**

- A. Resolution Amending and/or Approving the Final Engineer's Report and Ordering the Levy and Collection of Assessments for the Industrial Lighting Maintenance District for Fiscal Year 2018/19
- B. Resolution Amending and/or Approving the Final Engineer's Report and Ordering the Levy and Collection of Assessments for the Residential Lighting Maintenance District for Fiscal Year 2018/19
- C. Resolution Amending and/or Approving the Final Engineer's Report and Ordering the Levy and Collection of Assessments for the Mossdale Landscape and Lighting Maintenance District for Fiscal Year 2018/19
- D. Resolution Amending and/or Approving the Final Engineer's Reports and Ordering the Levy and Collection of Assessments for the Stonebridge Landscaping Maintenance District and the Stonebridge Drainage and Lighting District for Fiscal Year 2018/19
- E. Resolution Amending and/or Approving the Final Engineer's Reports and Ordering the Levy and Collection of Assessments for the Storm Drain Districts Zones 1 and 1A for Fiscal Year 2018/19
- F. District Diagrams for All Districts
- G. Certification of Assessment
- H. San Joaquin County Special Assessment Charge Agreement with City of Lathrop
- \* Note Final Engineer Reports are available for review upon request in the City Clerk's Office.

APPROVALS:		
Sh I		6/4/18
Sandra Frias Budget Manager		Date
Vanessa L. Poron.		6.4.2018
Vanessa Portillo Deputy Finance Director		Date
land land		6/3/18
Cari James  Director of Finance		Date
5-11		6-5-18
Salvador Navarrete City Attorney		Date
		6.6.18
Stephen Salvatore City Manager	1	Date

#### RESOLUTION NO. 18-\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP, CALIFORNIA, AMENDING AND/OR APPROVING THE FINAL ENGINEER'S REPORT AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE INDUSTRIAL LIGHTING MAINTENANCE DISTRICT FOR FISCAL YEAR 2018/19

WHEREAS, on May 14, 2018 the City Council initiated proceedings and declared its intention to levy and collect annual assessments in a special maintenance district created pursuant to the provisions of the Landscaping and Lighting Act of 1972, Division 15, Part 2 of the Streets and Highways Code of the State of California (the "Act") said special maintenance district known and designated as the City of Lathrop, Industrial Lighting Maintenance District (hereinafter referred to as the "District"), Zones included in the District are Zone A, Zone B and Zone C; and

**WHEREAS,** on June 11, 2018, the City Council held a public hearing for the approval of the final Engineer's report and ordering of the levy and collection of assessments; and

**WHEREAS**, a notice of the public hearing was mailed to each property owner within the District, and the public hearing was published in the Manteca Bulletin on May 24th & May 31st of 2018; and

**WHEREAS,** at this time all notice and public hearing requirements as required by the Act have been met relating to the levy of the annual assessments; and

**WHEREAS,** the City Council has received a final Engineer's Report (the "Report") from the Assessment Engineer (NBS Government Finance Group) for consideration and final approval which details the method of assessment including the proposed annual assessment of \$7.52 per EDU for Zone A, \$38.35 per EDU for Zone B, and \$7.52 per Edu for Zone C. The Report is available for the publics review; and

**WHEREAS**, the assessments are in compliance with all laws pertaining to the levy of the landscape maintenance district assessments, and the assessments are levied without regard to property valuation, and the assessments are in compliance with the provisions of Proposition 218;

**WHEREAS,** the City Council is satisfied with the assessment, diagram and all other matters as contained in the Report; and

**WHEREAS,** the City Council approves the Report and ordering of the levy and collection of assessments in the amount of \$7.52 Zone A, \$38.35 Zone B, and \$7.52 Zone C;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LATHROP AS FOLLOWS:

#### **RECITALS**

- Section 1. The above recitals are all true and correct.
- Section 2. This City Council hereby finds and determines that the procedures for the consideration of the levy of the annual assessments have been undertaken in accordance with the Act inasmuch as, the proposed assessments for Fiscal Year 2018/19 are not proposed to be increased over the assessments previously authorized to be levied.

#### **DETERMINATION AND CONFIRMATION**

Section 3. The final assessments and diagram for the proceedings, as contained in the Engineer's Report, is hereby approved and confirmed.

Based upon the Engineer's Report and the testimony and other evidence presented at the Public Hearing, the City Council hereby makes the following determinations regarding the assessments proposed to be imposed:

- a. The proportionate special benefit derived by each individual parcel assessed has been determined in relationship to the entity of the cost of the operations and maintenance expenses.
- b. The assessments do not exceed the reasonable cost of the proportional special benefit conferred on each parcel.
- c. Only the special benefits have been assessed.

The assessments for the District contained in the Engineer's Report for Fiscal Year 2018/19 are hereby confirmed and levied upon the respective lots or parcels within the District in the amounts set forth in the Engineer's Report.

#### **ORDERING OF MAINTENANCE**

Section 4. The public interest and convenience requires, and this legislative body does hereby order the maintenance work to be made and performed as said maintenance work is set forth in the Engineer's Report and as previously declared and set forth in the Resolution of Intention.

#### FILING WITH CITY CLERK

Section 5. The above-referenced Engineer's Report shall be filed in the Office of the City Clerk and shall remain open for public inspection.

#### **ENTRY UPON THE ASSESSMENT ROLL**

Section 6. The County Auditor shall enter onto the County Assessment roll opposite each lot or parcel of land the amount assessed thereupon, as shown in the Engineer's Report.

#### **COLLECTION AND PAYMENT**

Section 7. The assessments shall be collected at the same time and in the same manner as County taxes are collected, and all laws providing for the collection and enforcement of County taxes shall apply to the collection and enforcement of the assessments.

#### **FISCAL YEAR**

Section 8. The assessments as above authorized and levied for these proceedings will provide revenue and relate to the fiscal year commencing July 1, 2018 and ending June 30, 2019.

The foregoing resolution was passed and add the following vote of the City Council, to wit:	
AYES:	
NOES:	
ABSENT:	
ABSTAIN:	
	Sonny Dhaliwal, Mayor
ATTEST:	APPROVED AS TO FORM:
	5 m/6
Teresa Vargas, City Clerk	Salvador Navarrete, City Attorney

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#### RESOLUTION NO. 18-\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP, CALIFORNIA, AMENDING AND/OR APPROVING THE FINAL ENGINEER'S REPORT AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE RESIDENTIAL LIGHTING MAINTENANCE DISTRICT FOR FISCAL YEAR 2018/19

WHEREAS, on May 14, 2018 the City Council initiated proceedings and declared its intention to levy and collect annual assessments in a special maintenance district created pursuant to the provisions of the Landscaping and Lighting Act of 1972, Division 15, Part 2 of the Streets and Highways Code of the State of California (the "Act") said special maintenance district known and designated as the City of Lathrop, Residential Lighting Maintenance District (hereinafter referred to as the "District"), Zones included in the District are Zone A, Zone B, Zone C, Zone D, Zone E, Zone F, and Zone G; and

**WHEREAS,** on June 11, 2018, the City Council held a public hearing for the approval of the final Engineer's report and ordering of the levy and collection of assessments; and

**WHEREAS**, a notice of the public hearing was mailed to each property owner within the District, and the public hearing was published in the Manteca Bulletin on May 24th & May 31st of 2018; and

**WHEREAS,** at this time all notice and public hearing requirements as required by the Act have been met relating to the levy of the annual assessments; and

**WHEREAS,** the City Council has received a final Engineer's Report (the "Report") from the Assessment Engineer (NBS Government Finance Group) for consideration and final approval which details the method of assessment including the proposed annual assessment of \$41.16 per EDU for Zone A, \$44.10 per EDU for Zone B, \$29.00 per EDU for Zone C, \$53.94 per EDU for Zone D, \$56.71 per EDU for Zone E, \$32.62 per EDU for Zone F, and \$7.46 per EDU for Zone G. The Report is available for the publics review; and

**WHEREAS**, the assessments are in compliance with all laws pertaining to the levy of the landscape maintenance district assessments, and the assessments are levied without regard to property valuation, and the assessments are in compliance with the provisions of Proposition 218;

**WHEREAS,** the City Council is satisfied with the assessment, diagram and all other matters as contained in the Report; and

**WHEREAS,** the City Council approves the Report and ordering of the levy and collection of the assessments in the amount of \$41.16 Zone A, \$44.10 Zone B, \$29.00 Zone C, \$53.94 Zone D, \$56.71 Zone E, \$32.62 Zone F, and \$7.46 Zone G;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LATHROP AS FOLLOWS:

#### <u>RECITALS</u>

- Section 1. The above recitals are all true and correct.
- Section 2. This City Council hereby finds and determines that the procedures for the consideration of the levy of the annual assessments have been undertaken in accordance with the Act inasmuch as, the proposed assessments for Fiscal Year 2018/19 are not proposed to be increased over the assessments previously authorized to be levied.

#### **DETERMINATION AND CONFIRMATION**

Section 3. The final assessments and diagram for the proceedings, as contained in the Engineer's Report, is hereby approved and confirmed.

Based upon the Engineer's Report and the testimony and other evidence presented at the Public Hearing, the City Council hereby makes the following determinations regarding the assessments proposed to be imposed:

- a. The proportionate special benefit derived by each individual parcel assessed has been determined in relationship to the entity of the cost of the operations and maintenance expenses.
- b. The assessments do not exceed the reasonable cost of the proportional special benefit conferred on each parcel.
- c. Only the special benefits have been assessed.

The assessments for the District contained in the Engineer's Report for Fiscal Year 2018/19 are hereby confirmed and levied upon the respective lots or parcels within the District in the amounts set forth in the Engineer's Report.

#### **ORDERING OF MAINTENANCE**

Section 4. The public interest and convenience requires, and this legislative body does hereby order the maintenance work to be made and performed as said maintenance work is set forth in the Engineer's Report and as previously declared and set forth in the Resolution of Intention.

#### FILING WITH CITY CLERK

Section 5. The above-referenced Engineer's Report shall be filed in the Office of the City Clerk and shall remain open for public inspection.

#### **ENTRY UPON THE ASSESSMENT ROLL**

Section 6. The County Auditor shall enter onto the County Assessment roll opposite each lot or parcel of land the amount assessed thereupon, as shown in the Engineer's Report.

#### **COLLECTION AND PAYMENT**

Section 7. The assessments shall be collected at the same time and in the same manner as County taxes are collected, and all laws providing for the collection and enforcement of County taxes shall apply to the collection and enforcement of the assessments.

#### **FISCAL YEAR**

Section 8. The assessments as above authorized and levied for these proceedings will provide revenue and relate to the fiscal year commencing July 1, 2018 and ending June 30, 2019.

	ng resolutio Ig vote of th				this 11th d	ay of June	2018,	by
AYES:	· · · · · · · · · · · · · · · · · · ·					;		
NOES:								
ABSENT:				•				
ABSTAIN:								
		;						
	· · · · · · · · · · · · · · · · · · ·	·		Sonn	y Dhaliwal,	Mayor		
ATTEST:				APPR	OVED AS T	TO FORM:	6	
Teresa Varg	jas, City Cle	rk	•	Salva	dor Navarr	ete, City	Attorney	<b>/</b> .

#### RESOLUTION NO. 18-\_\_\_\_

# RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP, CALIFORNIA, AMENDING AND/OR APPROVING THE FINAL ENGINEER'S REPORT AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE MOSSDALE LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT FOR FISCAL YEAR 2018/19

**WHEREAS,** on May 14, 2018 the City Council initiated proceedings and declared its intention to levy and collect annual assessments in a special maintenance district created pursuant to the provisions of the Landscaping and Lighting Act of 1972, Division 15, Part 2 of the Streets and Highways Code of the State of California (the "Act") said special maintenance district known and designated as the City of Lathrop, Mossdale Landscape and Lighting Maintenance District (hereinafter referred to as the "District"); and

**WHEREAS,** on June 11, 2018, the City Council held a public hearing for the approval of the final Engineer's report and ordering of the levy and collection of assessments; and

**WHEREAS**, a notice of the public hearing was mailed to each property owner within the District, and the public hearing was published in the Manteca Bulletin on May 24th & May 31st of 2018; and

**WHEREAS,** at this time all notice and public hearing requirements as required by the Act have been met relating to the levy of the annual assessments; and

**WHEREAS,** the City Council has received a final Engineer's Report (the "Report") from the Assessment Engineer (NBS Government Finance Group) for consideration and final approval which details the method of assessment including the proposed annual assessment of \$260.25. The Report is available for the publics review; and

**WHEREAS**, the assessments are in compliance with all laws pertaining to the levy of the landscape maintenance district assessments, and the assessments are levied without regard to property valuation, and the assessments are in compliance with the provisions of Proposition 218;

**WHEREAS,** the City Council is satisfied with the assessment, diagram and all other matters as contained in the Report; and

**WHEREAS,** the City Council approves the Report and ordering of the levy and collection of the assessment in the amount of \$260.25;

## NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LATHROP AS FOLLOWS:

#### **RECITALS**

- Section 1. The above recitals are all true and correct.
- Section 2. This City Council hereby finds and determines that the procedures for the consideration of the levy of the annual assessments have been undertaken in accordance with the Act inasmuch as, the proposed assessments for Fiscal Year 2018/19 are not proposed to be increased over the assessments previously authorized to be levied.

#### **DETERMINATION AND CONFIRMATION**

Section 3. The final assessments and diagram for the proceedings, as contained in the Engineer's Report, is hereby approved and confirmed.

Based upon the Engineer's Report and the testimony and other evidence presented at the Public Hearing, the City Council hereby makes the following determinations regarding the assessments proposed to be imposed:

- a. The proportionate special benefit derived by each individual parcel assessed has been determined in relationship to the entity of the cost of the operations and maintenance expenses.
- b. The assessments do not exceed the reasonable cost of the proportional special benefit conferred on each parcel.
- c. Only the special benefits have been assessed.

The assessments for the District contained in the Engineer's Report for Fiscal Year 2018/19 are hereby confirmed and levied upon the respective lots or parcels within the District in the amounts set forth in the Engineer's Report.

#### **ORDERING OF MAINTENANCE**

Section 4. The public interest and convenience requires, and this legislative body does hereby order the maintenance work to be made and performed as said maintenance work is set forth in the Engineer's Report and as previously declared and set forth in the Resolution of Intention.

#### **FILING WITH CITY CLERK**

Section 5. The above-referenced Engineer's Report shall be filed in the Office of the City Clerk and shall remain open for public inspection.

#### **ENTRY UPON THE ASSESSMENT ROLL**

Section 6. The County Auditor shall enter onto the County Assessment roll opposite each lot or parcel of land the amount assessed thereupon, as shown in the Engineer's Report.

#### **COLLECTION AND PAYMENT**

Section 7. The assessments shall be collected at the same time and in the same manner as County taxes are collected, and all laws providing for the collection and enforcement of County taxes shall apply to the collection and enforcement of the assessments.

#### **FISCAL YEAR**

Section 8. The assessments as above authorized and levied for these proceedings will provide revenue and relate to the fiscal year commencing July 1, 2018 and ending June 30, 2019.

The foregoing resolution was passe the following vote of the City Coun	pted th	nis 11th	day of .	June 20:	l8, by
AYES:	 .*	•	• •		٠
NOES:					
ABSENT:					
ABSTAIN:					
	Sonny	Dhaliwa	al, Mayo	or	
		•			
ATTEST:	APPRO	VED AS	TO FOR	RM:	
	 2	~		4	<del></del>
Teresa Vargas, City Clerk	 Salvac	lor Nava	irrete, C	City Attor	ney

#### RESOLUTION NO. 18-\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP,
CALIFORNIA, AMENDING AND/OR APPROVING THE FINAL
ENGINEER'S REPORT AND ORDERING THE LEVY AND COLLECTION OF
ASSESSMENTS FOR THE STONEBRIDGE LANDSCAPE MAINTENANCE
DISTRICT AND THE STONEBRIDGE DRAINAGE & LIGHTING DISTRICT
FOR FISCAL YEAR 2018/19

WHEREAS, on May 14, 2018 the City Council initiated proceedings and declared its intention to levy and collect annual assessments in a special maintenance district created pursuant to the provisions of the Landscaping and Lighting Act of 1972, Division 15, Part 2 of the Streets and Highways Code of the State of California and the Benefit Assessment Act of 1982, Division 2, Part 1 of the Government Code of the State of California (the "Acts") said special maintenance district known and designated as the City of Lathrop, Stonebridge Landscape Maintenance District and the Stonebridge Drainage & Lighting District (hereinafter referred to as the "Districts"); and

**WHEREAS,** on June 11, 2018, the City Council held a public hearing for the approval of the final Engineer's report and ordering of the levy and collection of assessments; and

**WHEREAS**, a notice of the public hearing was mailed to each property owner within the District, and the public hearing was published in the Manteca Bulletin on May 24th & May 31st of 2018; and

**WHEREAS,** at this time all notice and public hearing requirements as required by the Act have been met relating to the levy of the annual assessments; and

**WHEREAS,** the City Council has received a final Engineer's Report (the "Report") from the Assessment Engineer (NBS Government Finance Group) for consideration and final approval which details the method of assessment including the proposed annual assessment of \$225.06 for each District. The Report is available for the publics review; and

**WHEREAS**, the assessments are in compliance with all laws pertaining to the levy of the landscape maintenance district assessments, and the assessments are levied without regard to property valuation, and the assessments are in compliance with the provisions of Proposition 218;

**WHEREAS,** the City Council is satisfied with the assessment, diagram and all other matters as contained in the Report; and

**WHEREAS,** the City Council approves the Report and ordering of the levy and collection of the assessment in the amount of \$225.06 for each District;

## NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LATHROP AS FOLLOWS:

#### **RECITALS**

- Section 1. The above recitals are all true and correct.
- Section 2. This City Council hereby finds and determines that the procedures for the consideration of the levy of the annual assessments have been undertaken in accordance with the Act inasmuch as, the proposed assessments for Fiscal Year 2018/19 are not proposed to be increased over the assessments previously authorized to be levied.

#### **DETERMINATION AND CONFIRMATION**

Section 3. The final assessments and diagram for the proceedings, as contained in the Engineer's Report, is hereby approved and confirmed.

Based upon the Engineer's Report and the testimony and other evidence presented at the Public Hearing, the City Council hereby makes the following determinations regarding the assessments proposed to be imposed:

- a. The proportionate special benefit derived by each individual parcel assessed has been determined in relationship to the entity of the cost of the operations and maintenance expenses.
- b. The assessments do not exceed the reasonable cost of the proportional special benefit conferred on each parcel.
- c. Only the special benefits have been assessed.

The assessments for the District contained in the Engineer's Report for Fiscal Year 2018/19 are hereby confirmed and levied upon the respective lots or parcels within the District in the amounts set forth in the Engineer's Report.

#### **ORDERING OF MAINTENANCE**

Section 4. The public interest and convenience requires, and this legislative body does hereby order the maintenance work to be made and performed as said maintenance work is set forth in the Engineer's Report and as previously declared and set forth in the Resolution of Intention.

#### **FILING WITH CITY CLERK**

Section 5. The above-referenced Engineer's Report shall be filed in the Office of the City Clerk and shall remain open for public inspection.

#### **ENTRY UPON THE ASSESSMENT ROLL**

Section 6. The County Auditor shall enter onto the County Assessment roll opposite each lot or parcel of land the amount assessed thereupon, as shown in the Engineer's Report.

#### **COLLECTION AND PAYMENT**

Section 7. The assessments shall be collected at the same time and in the same manner as County taxes are collected, and all laws providing for the collection and enforcement of County taxes shall apply to the collection and enforcement of the assessments.

#### **FISCAL YEAR**

Section 8. The assessments as above authorized and levied for these proceedings will provide revenue and relate to the fiscal year commencing July 1, 2018 and ending June 30, 2019.

	olution was passed and ad of the City Council, to wit	opted this 11th day of June 2018, by :
AYES:		
NOES:		
ABSENT:		
ABSTAIN:		
		Sonny Dhaliwal, Mayor
<b>:</b> 		
ATTEST:		APPROVED AS TO FORM:
		Smb
Teresa Vargas, Cit	y Clerk	Salvador Navarrete, City Attorney

#### RESOLUTION NO. 18-\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP, CALIFORNIA, AMENDING AND/OR APPROVING THE FINAL ENGINEER'S REPORT AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR STORM DRAIN DISTRICT ZONE 1 AND STORM DRAIN DISTRICT ZONE 1A FOR FISCAL YEAR 2018/19

WHEREAS, the City Council has, as successor in interest to the County of San Joaquin and the Lathrop County Water District, the authority to assess and collect storm drain charges for the Lathrop Storm Drain Districts Zone 1 and 1A (hereafter referred to as the "Districts")

WHEREAS, on May 14, 2018 the City Council initiated proceedings for Fiscal Year 2018/19, pursuant to the provisions of the *Benefit Assessment Act of 1982, Division 2, Title 5 of the California Government Code (commencing with Section 54703)* (hereafter referred to as the "Act") that provides for the levy and collection of assessments by the County of San Joaquin for the City of Lathrop to pay the maintenance and services of all improvements and facilities related thereto; and

**WHEREAS,** on June 11, 2018, the City Council held a public hearing for the approval of the Final Engineer's report and ordering of the levy and collection of assessments; and

**WHEREAS**, a notice of the public hearing was mailed to each property owner within each District, and the public hearing was published in the Manteca Bulletin on May 24th & May 31st of 2018; and

**WHEREAS,** at this time all notice and public hearing requirements as required by the Act have been met relating to the levy of the annual assessments; and

**WHEREAS,** the City Council has received a final Engineer's Report (the "Report") from the Assessment Engineer (NBS Government Finance Group) for consideration and final approval which details the method of assessment including the proposed annual assessment of \$112.52 for Storm Drain District Zone 1 and \$199.92 for Storm Drain District Zone 1A. The Report is available for the publics review; and

**WHEREAS,** the assessments are in compliance with all laws pertaining to the levy of the maintenance district assessments, and the assessments are levied without regard to property valuation, and the assessments are in compliance with the provisions of Proposition 218;

**WHEREAS,** the City Council is satisfied with the assessment, diagram and all other matters as contained in the Report; and

**WHEREAS,** the City Council approves the Report and ordering of the levy and collection of the assessment in the amount of \$112.52 for Storm Drain District Zone 1 and \$199.92 for Storm Drain District Zone 1A;

## NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LATHROP AS FOLLOWS:

#### **RECITALS**

- Section 1. The above recitals are all true and correct.
- Section 2. This City Council hereby finds and determines that the procedures for the consideration of the levy of the annual assessments have been undertaken in accordance with the Act inasmuch as, the proposed assessments for Fiscal Year 2018/19 are not proposed to be increased over the assessments previously authorized to be levied.

#### **DETERMINATION AND CONFIRMATION**

Section 3. The final assessments and diagram for the proceedings, as contained in the Engineer's Report, is hereby approved and confirmed.

Based upon the Engineer's Report and the testimony and other evidence presented at the Public Hearing, the City Council hereby makes the following determinations regarding the assessments proposed to be imposed:

- a. The proportionate special benefit derived by each individual parcel assessed has been determined in relationship to the entity of the cost of the operations and maintenance expenses.
- b. The assessments do not exceed the reasonable cost of the proportional special benefit conferred on each parcel.
- c. Only the special benefits have been assessed.

The assessments for the District contained in the Engineer's Report for Fiscal Year 2018/19 are hereby confirmed and levied upon the respective lots or parcels within the District in the amounts set forth in the Engineer's Report.

#### **ORDERING OF MAINTENANCE**

Section 4. The public interest and convenience requires, and this legislative body does hereby order the maintenance work to be made and performed as said maintenance work is set forth in the Engineer's Report and as previously declared and set forth in the Resolution of Intention.

#### **FILING WITH CITY CLERK**

Section 5. The above-referenced Engineer's Report shall be filed in the Office of the City Clerk and shall remain open for public inspection.

#### **ENTRY UPON THE ASSESSMENT ROLL**

Section 6. The County Auditor shall enter onto the County Assessment roll opposite each lot or parcel of land the amount assessed thereupon, as shown in the Engineer's Report.

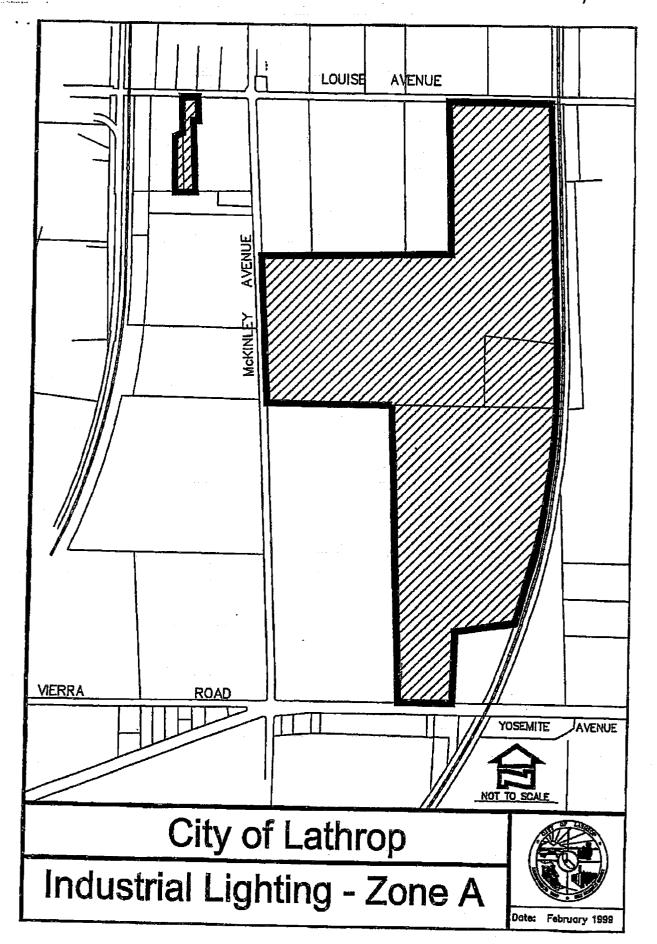
#### **COLLECTION AND PAYMENT**

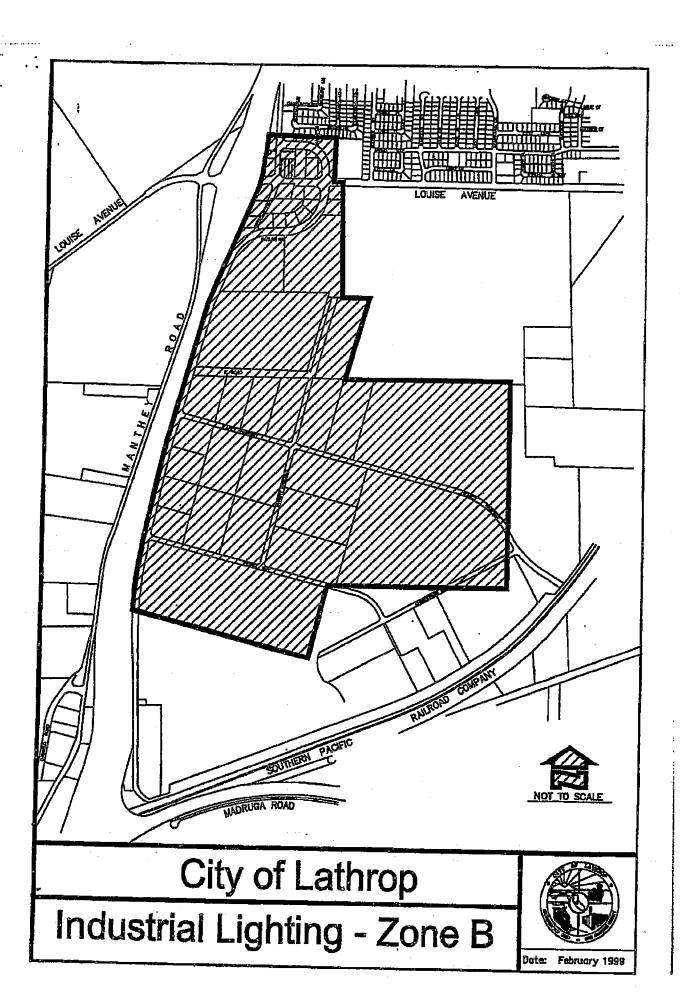
Section 7. The assessments shall be collected at the same time and in the same manner as County taxes are collected, and all laws providing for the collection and enforcement of County taxes shall apply to the collection and enforcement of the assessments.

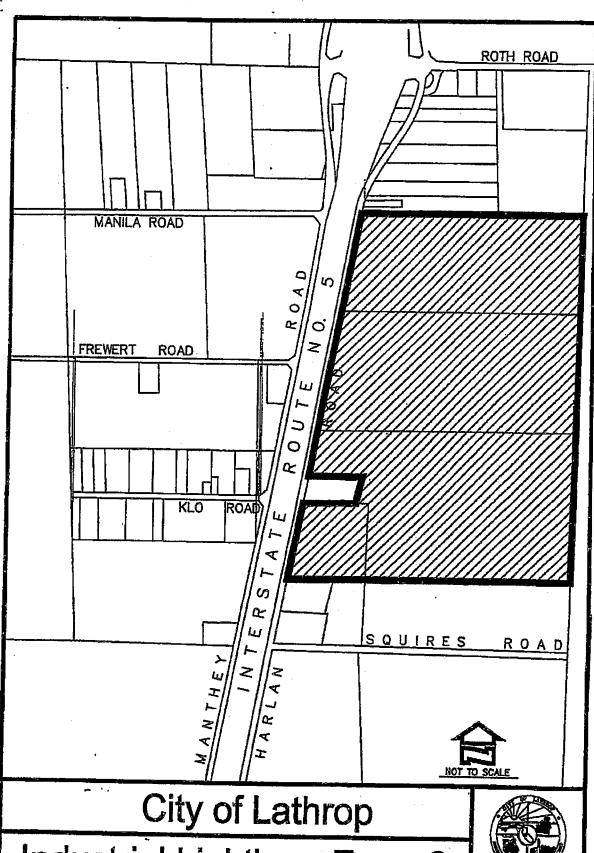
#### **FISCAL YEAR**

Section 8. The assessments as above authorized and levied for these proceedings will provide revenue and relate to the fiscal year commencing July 1, 2018 and ending June 30, 2019.

The foregoing resolution the following vote of the			is 11th d	ay of June	2018, by
AYES:		•			
NOES:	•				
ABSENT:	•				
ABSTAIN:					
		Sonny	Dhaliwal,	Mayor	
ATTEST:		 APPRO	VED AS T	O FORM:	7
		3	n	/	
Teresa Vargas, City Clerk	<	 Salvad	or Navarr	ete, City A	ttorney



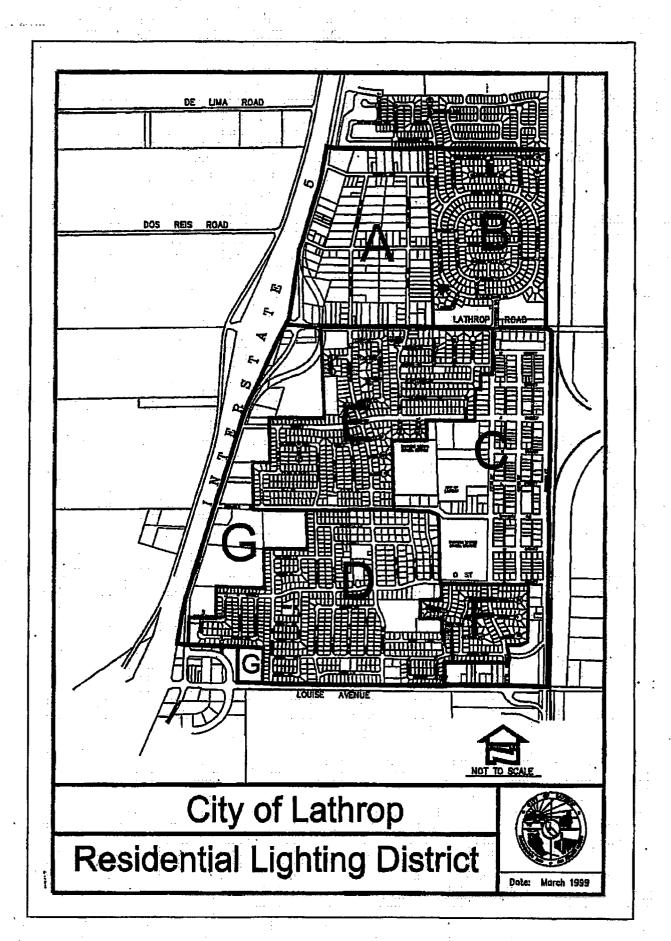


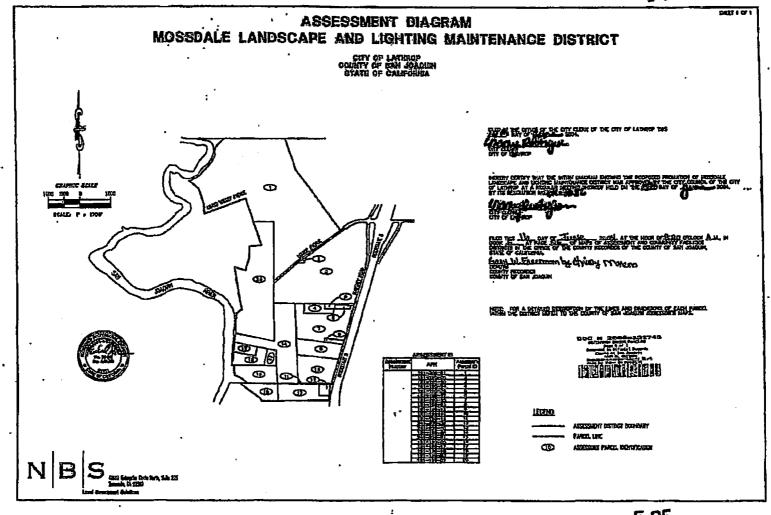


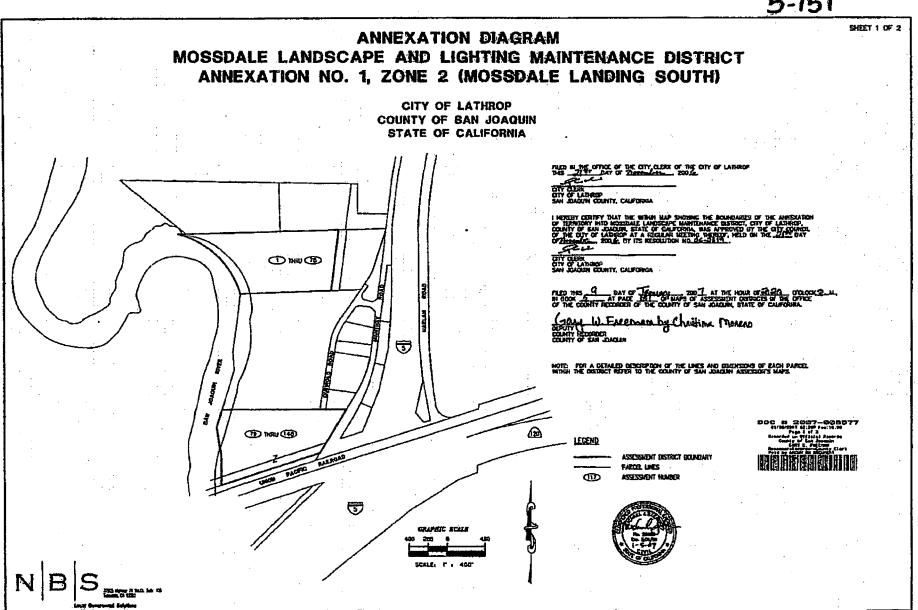
Industrial Lighting - Zone C

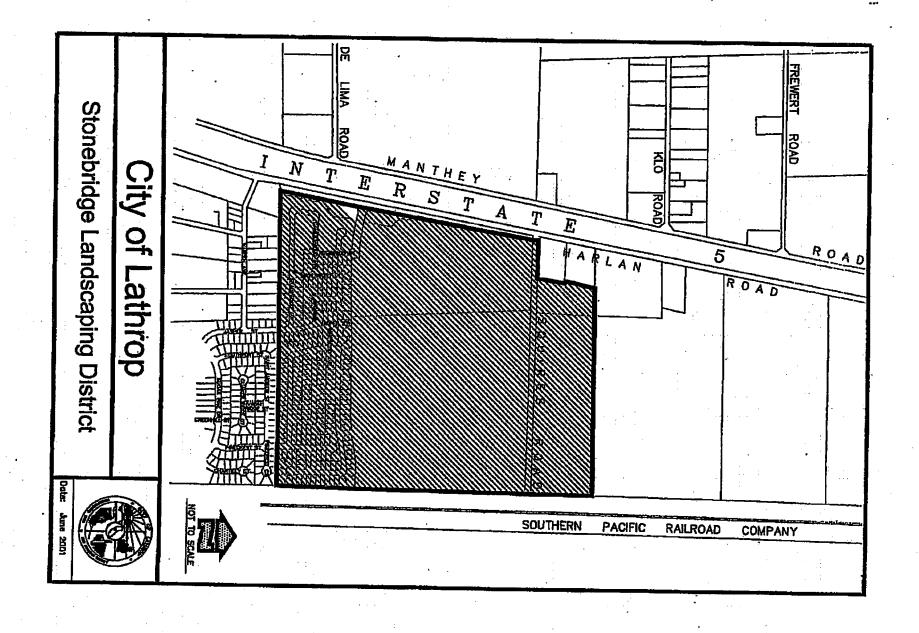


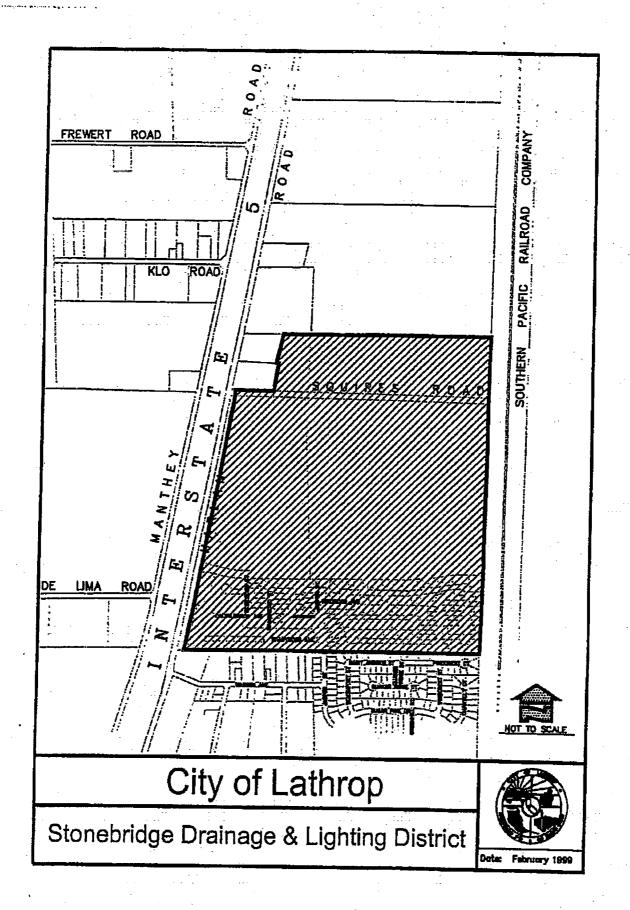
Dote: February 1989

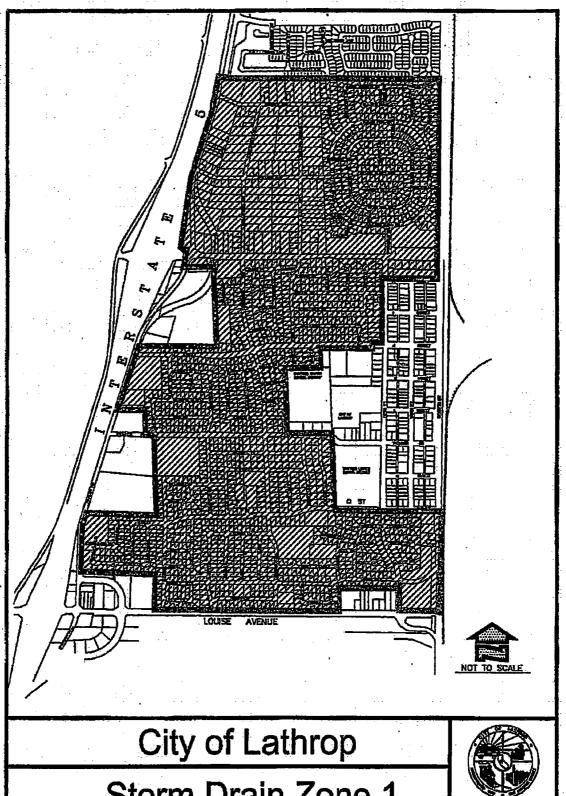






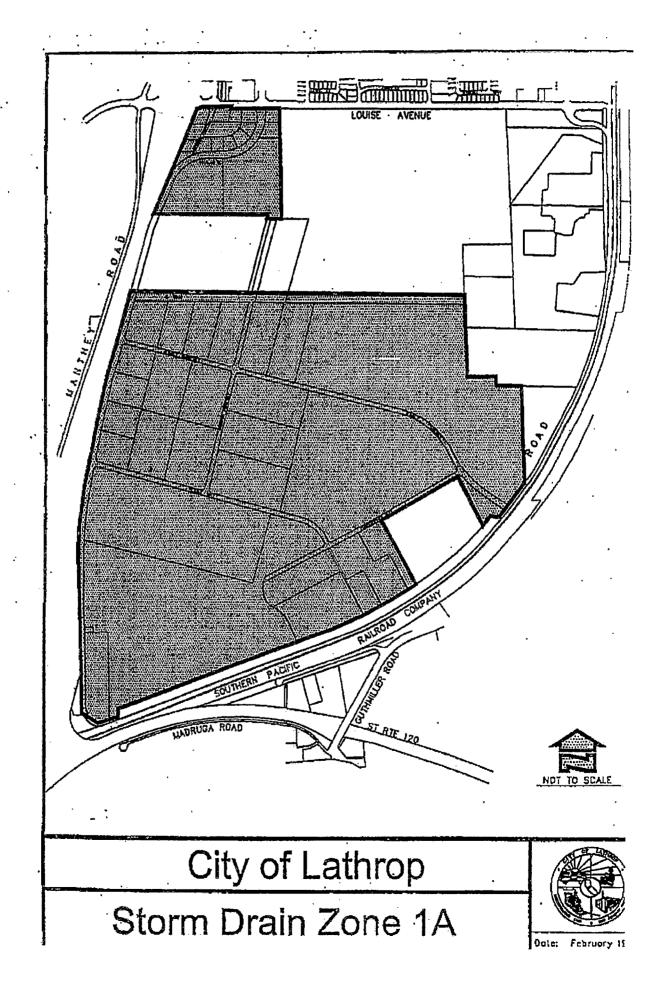






Storm Drain Zone 1





#### CERTIFICATION OF ASSESSMENT

The City of Lathrop (the "City") hereby certifies that the special assessment(s), fee(s) or charge(s) listed below to be placed on the 2018-2019 Secured Property Tax bill by the City meets the requirements of Proposition 218 that added Articles XIIIC and XIIID to the California State Constitution.

Sonny Dhaliwal, Mayor City of Lathrop

X
Salvador Navarrete, City Attorney City of Lathrop

#### 2018-2019 Special Assessments and/or Fixed Charges

District Name	SJ County Tax Code		
A.D. 1 Sanitary Sewer District	65461		
Zone 1 Storm Drain	72500		
Industrial LMD	81940		
Residential LMD	81960		
Zone 1A Storm Drain	81980		
Stonebridge Drain & Light	82440		
Stonebridge Landscape	82460		
Mossdale LLMD	82465		
N Harlan 99-1	82480		
Reassessment District No. 2013-1 (Mossdale Village)	82482		
Reassessment District No. 2015-1 Mossdale Village	82468		
Lathrop - CFD 2003-1	82484		
Lathrop - CFD 2003-2	82486		

District Name	SJ County Tax Code
Lathrop - CFD 2004-1	82488
CFD No. 2005-1	82490
CFD No. 2006-1	82491
CFD No. 2006-2	82493
CFD No. 2006-2 (PUBLIC SAFETY)	82494
CFD No. 2005-1 Annexation 1, Zone 2	82495
Lathrop DLQ Code Compliance	82496
Lathrop – CFD 2013-1	82498
Lathrop Crossroads 2015 (B)	82499

### SAN JOAQUIN COUNTY SPECIAL ASSESSMENT CHARGE AGREEMENT WITH

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DATE: June 11, 2018		
PARTIES:	COUNTY:	COUNTY OF SAN JOAQUIN
		Auditor-Controller 44 North San Joaquin Street
		Suite 550 Stockton, CA 95202
•	AGENCY:	
		City of Lathrop 390 Towne Centre Drive Lathrop, CA 95330
	eren eren eren eren eren eren eren eren	
AGREEMENT:		
one percent (1%) of the	assessment amou whichever is less,	9304, the City agrees to pay the Count nt levied or three dollars (\$3.00) per each , for the collection of special assessment
IN WITNESS WHEREO	F the parties have	e executed this agreement the year and
date first written above.	<del></del>	
COUNTY OF SAN JOAQ	UIN	CITY OF LATHROP
By		By
Adrian J. Van H Auditor-Contro		Sonny Dhaliwal Mayor