

## **NOTICE OF PUBLIC HEARING**

### **ANNEXATION TO COMMUNITY FACILITIES DISTRICT NO. 18M (OTAY RANCH VILLAGE 3)**

#### **ANNEXATION NO. 1**

NOTICE IS HEREBY GIVEN that the CITY COUNCIL of the CITY OF CHULA VISTA, CALIFORNIA, (the "City Council"), desires to authorize the annexation of certain territory to a Community Facilities District pursuant to the provisions of the "Mello-Roos Community Facilities Act of 1982" (the "Act") and the City of Chula Vista Community Facilities District Ordinance enacted pursuant to the powers reserved by the City of Chula Vista under Sections 3, 5 and 7 of Article XI of the Constitution of the State of California (the "Ordinance") (the Act and the Ordinance may be referred to collectively as the "Community Facilities District Law"), such Community Facilities District having been designated as COMMUNITY FACILITIES DISTRICT NO. 18M (OTAY RANCH VILLAGE 3) (the "District"). The territory proposed to be annexed shall be known and designated as COMMUNITY FACILITIES DISTRICT NO. 18M (OTAY RANCH VILLAGE 3), ANNEXATION NO. 1 (the "Territory").

#### DESCRIPTION OF TERRITORY

All that property and territory in the Territory, as such property is shown on a map as previously approved by this legislative body, such map entitled "Annexation Map No. 1 of Community Facilities District No. 18M (Otay Ranch Village 3), City of Chula Vista, County of San Diego, State of California," a copy of which is on file in the Office of the City Clerk located at 276 Fourth Avenue, Chula Vista and which is open for public inspection during normal business hours of such office.

#### DESCRIPTION OF SERVICES

The services that are authorized to be financed from the proceeds of special taxes levied within the District are certain services which are in addition to those provided in or required for the territory within the District and will not be replacing services already available. A general description of the services authorized to be financed by the District is as follows:

The maintenance and replacement of (a) landscaping, including without limitation trees, slopes, parkways, and medians; (b) facilities that are directly related to storm water quality control; (c) walls and fencing; and (d) trails within Otay Ranch Village 3 master planned community., in addition to certain administrative expenses.

The District shall finance all direct, administrative and incidental annual costs and expenses necessary to provide such monitoring, maintenance, operation and management of such public property.

The same types of services which are authorized to be financed by the District from the proceeds of special taxes levied within the District are the types of services to be financed from the proceeds of

special taxes levied within the Territory. If and to the extent possible such services shall be provided in common with the District and the Territory.

### SPECIAL TAX

Except where funds are otherwise available, a special tax sufficient to pay for such services and related incidental expenses, secured by recordation of a continuing lien against all non-exempt real property in the Territory, will be levied annually within the boundaries of such Territory. For further particulars as to the rate and method of apportionment of the special tax (the "Rate and Method"), reference is made to the proceedings and specifically Resolution No. 2022-2022-066 of the City Council of the City of Chula Vista declaring its intention to authorize the annexation of the Territory to the District (the "Resolution of Intention"). A copy of the Resolution of Intention is on file in the Office of the City Clerk and is open for public inspection during normal business hours of such office.

The special tax proposed to be levied within the Territory shall be equal to the special tax levied to pay for the same services in the District, except that a higher or lower special tax may be levied within the Territory to the extent that the actual cost of providing the services in the Territory is higher or lower than the cost of providing those services in the District. Notwithstanding the foregoing, the special tax may not be levied at a rate which is higher than the maximum special tax authorized to be levied pursuant to the Rate and Method.

### PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING HAS BEEN SCHEDULED TO BE HELD ON APRIL 26, 2022, AT THE HOUR OF 5:00 O'CLOCK P.M., IN THE REGULAR MEETING PLACE OF THE LEGISLATIVE BODY, BEING THE COUNCIL CHAMBERS, 276 FOURTH AVENUE, CHULA VISTA, CALIFORNIA, AT WHICH TIME THE CITY COUNCIL OF THE CITY OF CHULA VISTA, CALIFORNIA, WILL CONSIDER THE AUTHORIZATION FOR THE ANNEXATION OF THE TERRITORY TO THE DISTRICT, THE PROPOSED RATE AND METHOD OF APPORTIONMENT OF THE SPECIAL TAX TO BE LEVIED WITHIN THE TERRITORY AND ALL OTHER MATTERS SET FORTH IN THE RESOLUTION OF INTENTION.

AT SUCH PUBLIC HEARING, THE TESTIMONY OF ALL INTERESTED PERSONS FOR OR AGAINST THE ANNEXATION OF THE TERRITORY OR THE LEVYING OF SPECIAL TAXES WITHIN THE TERRITORY WILL BE HEARD.

AT SUCH PUBLIC HEARING, PROTESTS AGAINST THE PROPOSED ANNEXATION OF THE TERRITORY OR ANY OTHER PROPOSALS CONTAINED IN THE RESOLUTION OF INTENTION MAY BE MADE ORALLY BY ANY INTERESTED PERSON. ANY PROTESTS PERTAINING TO THE REGULARITY OR SUFFICIENCY OF THE PROCEEDINGS SHALL BE IN WRITING AND SHALL CLEARLY SET FORTH THE IRREGULARITIES OR DEFECTS TO WHICH OBJECTION IS MADE. ALL WRITTEN PROTESTS SHALL BE FILED WITH THE CITY CLERK PRIOR TO THE TIME FIXED FOR THE PUBLIC HEARING. WRITTEN PROTESTS MAY BE WITHDRAWN AT ANY TIME BEFORE THE CONCLUSION OF THE PUBLIC HEARING.

IF 50 PERCENT OR MORE OF THE REGISTERED VOTERS, OR SIX REGISTERED VOTERS, WHICHEVER IS MORE, RESIDING WITHIN THE DISTRICT, OR IF 50 PERCENT OR MORE OF THE REGISTERED VOTERS OR SIX REGISTERED VOTERS, WHICH IS MORE, RESIDING WITHIN THE TERRITORY, OR IF THE OWNERS OF ONE-HALF OR MORE OF THE AREA OF LAND INCLUDED IN THE DISTRICT, OR IF THE OWNERS OF ONE-HALF OR MORE OF THE AREA OF LAND IN THE TERRITORY, FILE WRITTEN PROTESTS AGAINST THE PROPOSED ANNEXATION OF THE TERRITORY TO THE DISTRICT, AND SUCH PROTESTS ARE NOT WITHDRAWN SO AS TO REDUCE THE PROTESTS TO LESS THAN A MAJORITY, NO FURTHER PROCEEDINGS SHALL BE UNDERTAKEN FOR A PERIOD OF ONE YEAR FROM THE DATE OF THE DECISION BY THE CITY COUNCIL ON THE ISSUE DISCUSSED AT THE PUBLIC HEARING.

ELECTION

Upon conclusion of the public hearing, if the City Council determines to proceed with the annexation of the Territory, a proposition to authorize the levy of the special tax within the Territory shall be submitted to the qualified electors of the Territory. The vote shall be by registered voters within the Territory; however, if there are less than 12 registered voters, the vote shall be by landowners, with each landowner having one vote per acre or portion thereof within the Territory. The special tax shall be authorized to be levied within the Territory if at least two-thirds of the votes cast on the proposition are in favor of the levy of the special tax.

INQUIRIES

For any questions relating to the proceedings, or any particulars, please contact the following designated person:

Kerry K. Bigelow  
276 Fourth Avenue  
Chula Vista, CA 91910  
(619) 691-5041

For further particulars, reference is made to the Resolution of Intention, a copy of which is on file in the office of the City Clerk and is open for public inspection.

DATED: April 6<sup>th</sup>, 2022

  
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for CITY CLERK  
CITY OF CHULA VISTA  
STATE OF CALIFORNIA