

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA 1) AMENDING RESOLUTION NO. 2022-150 CALLING A SPECIAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 8, 2022; 2) ORDERING SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY A MEASURE TO COMPREHENSIVELY AMEND THE CHARTER OF THE CITY OF CHULA VISTA; 3) AUTHORIZING THE CITY COUNCIL'S DESIGNEE TO SUBMIT BALLOT ARGUMENTS IN FAVOR OF THE MEASURE; 4) DIRECTING THE CITY ATTORNEY, WITH ASSISTANCE FROM THE CITY CLERK, AS APPROPRIATE, TO PREPARE AN IMPARTIAL ANALYSIS OF THE MEASURE; AND 5) APPROPRIATING FUNDS THEREFOR

WHEREAS, Resolution No. 2022-150 calling a Special Municipal Election to be held on Tuesday, November 8, 2022 was adopted on July 12, 2022; and

WHEREAS, by adoption of Resolution No. 2022-150, the City requested that the County of San Diego Board of Supervisors consolidate Chula Vista's election with the statewide election and permit the Registrar of Voters to perform certain services in conjunction with the City's election; and

WHEREAS, since 2021, the City Attorney's office has been working with the Charter Review Commission and with City departments whose activities are governed by the City Charter, to identify areas of the Charter that may warrant modification; and

WHEREAS, the amendments were drafted in consultation with the City's Finance Department, Clerk's Department, Human Resources Department, and City Manager's Department, among others; and

WHEREAS, the modifications address legal changes, codify standard practices, establish formatting consistencies, reorganize sections, remove provisions that are no longer applicable, and add headings and subheadings; and

WHEREAS, the modifications also require City residency and increased experience for the elected City Attorney, remove the requirement that most board and commission members be qualified electors, and allow the City Council to take action at special Council meetings, to use mail ballot elections to fill vacancies, and to approve bonded debt under State general laws; and

WHEREAS, the changes are intended to better organize, clarify, and modernize the City's Charter; and

WHEREAS, all proposed changes are supported by the Charter Review Commission and City staff, and presented to the City Council for its consideration; and

WHEREAS, the proposed changes were presented in draft form to the City Council on July 12, 2022 and July 26, 2022; and

WHEREAS, the proposed language in final form and all required ballot measure materials were presented to the City Council at its August 9, 2022 meeting, the City Council considered such items, and made changes, if any, that it deemed necessary and appropriate.

NOW, THEREFORE, BE IT RESOLVED, DECLARED, DETERMINED, AND ORDERED by the City Council of the City of Chula Vista, that:

SECTION 1. That the City Council, pursuant to its right and authority, does hereby place a measure comprehensively amending the Chula Vista City Charter, a copy of which is attached hereto as Exhibit A, on the ballot for the special municipal election to be held on November 8, 2022, and orders submitted to the qualified electors of the City the following question:

Shall the measure modifying the City Charter to conform with State laws, eliminate outdated provisions, clarify ambiguous terms, reorganize and reformat to improve usability, require residency and increased experience for the elected City Attorney, remove the requirement that most board and commission members be qualified electors, and to allow City Council to take action at special Council meetings, use mail ballot elections to fill vacancies, and approve bonded debt under State general laws be adopted?	YES	
	NO	

SECTION 2. Should the question be approved by the requisite vote, the measure attached hereto as Exhibit A, and incorporated by this reference shall be enacted.

SECTION 3. The City Attorney, with assistance from the City Clerk as appropriate, shall cause the preparation of an impartial analysis of the measure, which shall be due by **August 19, 2022**, and the 10-day public review period for the impartial analysis will be **August 20, 2022 to August 29, 2022**.

SECTION 4. The City Clerk is directed to prepare and publish a notice of the measures to be voted on. Direct Arguments shall be due by **August 18, 2022** in the City Clerk's office, and the 10-day public review period for the arguments will be **August 19, 2022 to August 28, 2022**.

SECTION 5. The City Council hereby acknowledges its authority, pursuant to California Elections Code section 9282 and Chula Vista Municipal Code section 2.50.150, to submit a written argument not to exceed 300 words in length and authorizes the Charter Review Commission Chair, as the City Council's designee, to submit arguments in favor of the measure, on behalf of the City Council. Arguments must be submitted to the City Clerk, and may be changed until and including

the date fixed by the City Clerk, after which no arguments for or against the measure may be submitted, withdrawn, or changed.

SECTION 6. Pursuant to a resolution previously adopted by the City Council allowing rebuttal arguments, rebuttal arguments will be allowed in accordance with Elections Code 9285. Rebuttal arguments may not exceed 250 words. The deadline for rebuttal arguments will be **August 23, 2022** in the City Clerks' office, and the 10-day public review period for the arguments shall be **August 24, 2022 to September 2, 2022**.

SECTION 7. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 8. The City Clerk is hereby directed to forthwith file a certified copy of this resolution with the Board of Supervisors and Registrar of Voters of the County of San Diego and to issue instructions to the Registrar of Voters to take any and all necessary steps for the holding of the elections, including instruction not to print the full text of the measure on the ballot, nor in the voter information guide, and instead print instructions to obtain a copy of the measure, as provided in Elections Code section 9280.

SECTION 9. The City Clerk shall certify the passage and adoption of this resolution and file it with the City's original resolutions.

BE IT FURTHER RESOLVED that the City Council of the City of Chula Vista appropriate \$195,000 from General Fund reserve to the City Clerk's supplies and services expenditure category to fund the costs of such measure.

Presented by

Approved as to form by

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Glen R. Googins  
City Attorney

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