



# CITY COUNCIL STAFF REPORT



May 17, 2022

## ITEM TITLE

Initiating Proceedings, Approving the Engineer's Report, Declaring the Intention to Levy the Open Space Districts for Fiscal Year 2022-23.

**Report Number:** 22-0142

**Location:** No specific geographic location

**Department:** Finance

**Environmental Notice:** The activity is not a "Project" as defined under Section 15378 of the California Environmental Quality Act State Guidelines; therefore, pursuant to State Guidelines Section 15060(c)(3) no environmental review is required.

## Recommended Action

Council adopt the following resolutions and set the public hearing for June 21, 2022:

- A. Resolution of the City Council of the City of Chula Vista, California, Initiating Proceedings for the levy and collection of Assessments for Fiscal Year 2022-23 for Open Space Districts 1 thru 11, 14, 15, 17, 18, 20, 23, 24, 26, 31, 33, Eastlake, Town Center and Bay Boulevard of the City of Chula Vista pursuant to the Landscaping and Lighting Act of 1972
- B. Resolution of the City Council of the City of Chula Vista approving the Engineer's Report, declaring the intention to levy and collect assessments; and setting a Public Hearing regarding the Fiscal Year 2022-23 assessments for Open Space districts 2 through 8, 11, 14, 15, 17, 18, 20 (Zones 1 through 6, 8 and 9), 23, 24, 26, 31, 33, Eastlake Maintenance District No. 1 (Zones A, B, and D), and Bay Boulevard Maintenance District
- C. Resolution of the City Council of the City of Chula Vista approving the Engineer's Report, declaring the intention to levy and collect assessments; and setting a public hearing regarding the fiscal year 2022-23 assessments for Open Space District 9, Open Space District 10, Eastlake Maintenance District No. 1 (Zone E), and Town Center Maintenance District
- D. Resolution of the City Council of the City of Chula Vista approving the Engineer's Report, declaring the intention to levy and collect assessments; and setting a public hearing regarding the fiscal year 2022-23 assessments for Open Space District 1
- E. Resolution of the City Council of the City of Chula Vista approving the Engineer's Report, declaring the intention to levy and collect assessments; and setting a public hearing regarding fiscal year 2022-23 assessments for Open Space District Eastlake Maintenance District No. 1 (Zone C)

- F. Resolution of the City Council of the City of Chula Vista approving the Engineer's Report, declaring the intention to levy and collect assessments; and setting a public hearing regarding the fiscal year 2022-23 assessments for Open Space District 20, Zone 7

## **SUMMARY**

The City administers and maintains 36 Open Space Districts and associated zones that have been established over the last 30 years. The Open Space Districts provide a financing mechanism to maintain the public open space areas associated with each specific development. The City Council's approval of the levy is required by the first week of August in order to meet the annual deadline established by the San Diego County Auditor-Controller. This item represents the initial step in an annual two-step process. Specifically, it declares the intention to levy and collect assessments, approves the Fiscal Year 2022-23 Engineer's Report, and sets the date of the public hearing, which is step two in the annual process. These efforts provide for the levy of assessments to provide maintenance services, as detailed below and ensures that the County Auditor-Controller deadlines are met for all of the City's Open Space Districts and their associated zones.

## **ENVIRONMENTAL REVIEW**

The Director of Development Services has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that the activity is not a "Project" as defined under Section 15378 of the State CEQA Guidelines because the proposed activity consists of reporting and creating governmental fiscal/funding mechanism which does not result in a physical change in the environment; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines, the activity is not subject to CEQA. Thus, no environmental review is required.

## **BOARD/COMMISSION/COMMITTEE RECOMMENDATION**

Not applicable.

## **DISCUSSION**

Open Space Districts (OSDs) were established in conjunction with each development to ensure a financing mechanism was available for the funding of perpetual maintenance of common open space areas. The City levies annual assessments within each OSD to cover the costs of maintenance associated with each OSD area of maintenance. Once City Council approves the annual assessments, they are sent to the County for inclusion on the secured property tax bills of each affected parcel.

Each year the City Council must take two actions before levying the annual assessments. Tonight's item is the first step and includes Council approval of the Engineer's Report on Open Space Districts, declaration of the City's intention to levy the annual assessments and setting of the date and time for a public hearing. The second action, scheduled for June 21, 2022, is conducting the public hearing, consideration of public testimony, authorization to levy annual assessments and confirmation of the amount to be collected.

Pursuant to California State law and Municipal Code, the City Engineer has prepared and filed the annual report for all existing OSDs. Attachment 1 lists the names and locations of the OSDs. The annual report provides Council the opportunity to review the history of the OSDs. The report includes information regarding:

- The proposed budgets
- Funds remaining in the account
- The proposed assessment (based upon prior year assessment plus an inflation factor)
- The collectible (the amount needed from each property owner to provide sufficient funds for the following fiscal year’s maintenance)

**Improvements and Services**

The facilities and items to be maintained by the Open Space Districts currently exist and will remain, in general, of the following:

- |  |   |
|--|---|
| ▪ Irrigation                                     | ▪ Fertilization                         |
| ▪ Aerification                                   | ▪ Pest Control                          |
| ▪ Insect infestation control                     | ▪ Removal of weeds, trash and litter    |
| ▪ Removal of noxious plant material              | ▪ Trail maintenance                     |
| ▪ Public walkway cleaning                        | ▪ Low flow and brow channel maintenance |
| ▪ Weed abatement                                 | ▪ Slopes and Canyons                    |
| ▪ Pedestrian light maintenance                   | ▪ Signage within trails/canyons         |
| ▪ Pruning of trees and shrubs                    | ▪ Repair of irrigation equipment        |
| ▪ Irrigation equipment upgrades                  | ▪ Brush clearance                       |
| ▪ Encroachment trims                             | ▪ Fencing maintenance                   |
| ▪ Replacement of dead or diseased plant material | ▪ Retaining walls                       |

**Assessments & Collectibles**

The City of Chula Vista Municipal Code makes the distinction between the assessment and the amount that the City may collect against the assessment (i.e., the collectible). Each year, the prior year’s maximum assessment amount is adjusted by an inflation factor, pursuant to the Municipal Code. This inflation factor is based upon the lower of two inflation factors: 1) the San Diego Metropolitan Consumer Price Index (CPI), and 2) the Governor’s California 4th Quarter per Capita Personal Income Index. In the mid-1990’s (and for all Open Space Districts established after that date), Council approved the assessments with an inflation factor. Since that date, Council may annually adjust the assessment by this inflation factor without this adjustment being construed as an increase, and thus being subject to an OSD balloting, per Proposition 218.

The assessments for FY 2022-23 are proposed at the FY 2021-22 amounts adjusted by the inflation factor of 0.79% pursuant to the Municipal Code. This index is the lower of the two inflation factors mentioned above and represents the percentage change in the Governor’s California 4th Quarter per Capita Personal Income Index.

The collectible is the amount to be actually collected from the property owner and is equal to, or lower than, the proposed assessment. The collectible is based on the budget, the reserve requirement for operating and asset replacement activities, prior year’s savings and fund balance, and interest income.

Illustrated in Attachment 2 are the proposed Assessments and Collectibles for FY 2022-23. The proposed FY 2022-23 Collectibles per EDU are preliminary and will be updated with actual amounts at the public hearing on June 21, 2022. The current amounts in the table are based upon estimated fund balances and EDUs at this

time. The Collectibles per EDU are set at the Assessment per EDU to allow for the collection of up to the maximum amount allowable.

Town Centre LMD: A downtown Property and Business Improvement District (PBID) replaced Town Centre Landscape Maintenance District (LMD) in 2001. At that time, it was anticipated that the Town Centre LMD would be dissolved. However, the City determined that there was some potential long-term exposure for the City based on the remote possibility that the current PBID might not receive sufficient support for re-approval in the future. If the PBID was not re-approved at some future date, and if the Town Centre LMD was dissolved, there would no longer be a funding mechanism for downtown landscape maintenance.

Based on this possibility, the Town Centre LMD remains open as a “contingent” district. This means that the City will set the maximum assessment amount for the District on an annual basis, even though property owners will not be billed any sum on the tax roll. Should the PBID not be re-approved, the Town Centre LMD will be in place to provide the necessary funding mechanism for downtown landscape maintenance.

The current PBID was renewed with the adoption of Council Resolution No. 2016-122, for a period of ten (10) years. Given this, the Town Centre LMD will remain a “contingent” district.

### **Standard Notice Process for Annual Levy**

Upon approval by City Council, the public hearing will be noticed pursuant to Government Code 6061, which requires that a notice be published in a newspaper of general circulation at least 10 days before the public hearing. Tonight’s resolution approves this report and sets the date and time for a public hearing to consider the levy of assessments and the collection of the funds.

### **DECISION-MAKER CONFLICT**

Staff has reviewed the property holdings of the City Council and has found that potential conflict exists; in that members have property holdings within 500 feet of the Open Space District listed below by City Council member. Consequently, pursuant to California Code of Regulations Title 2, sections 18700 and 18702.2(a)(7), this item presents a disqualifying real property-related financial conflict of interest under the Political Reform Act (Cal. Gov’t Code § 87100, et seq.) for the member identified below:

Mayor Salas: For Open Space District 9, Open Space District 10, Eastlake Maintenance District No. 1 (ELMD#1) Zone E, and Towne Center Maintenance District which is the subject of Resolution C of this action.

Council Member McCann: For Open Space District 1 which is the subject of Resolution D of this action.

Council Member Padilla: For Eastlake Maintenance District No. 1 (ELMD#1) Zone C, which is the subject of Resolution E of this action.

Mayor Salas and Council Member McCann: For Open Space District 20, Zone 7 which is the subject of Resolution F of this action.

Staff is not independently aware and has not been informed by any City Council member, of any other fact that may constitute a basis for a decision-maker conflict of interest in this matter.

## **CURRENT-YEAR FISCAL IMPACT**

For Fiscal Year 2022-23, the full cost of providing landscape maintenance services in the Open Space Districts totals \$3,707,151. In addition to the landscape maintenance services costs, \$368,200 in planned projects will be included in Fiscal Year 2022-23. All landscape maintenance costs and planned project expenditures are recovered through the OSD collectibles and reserves of each Open Space District. Given this, there is no direct impact to the General Fund.

## **ONGOING FISCAL IMPACT**

There are no direct ongoing fiscal impacts to the General Fund.

## **ATTACHMENTS**

1. City of Chula Vista Open Space Districts
2. Historical and Proposed FY 2022-23 Assessments/Collectibles
3. Open Space Districts Annual Administration Report

*Staff Contact: Sarah Schoen, Director of Finance*

RESOLUTION NO. 2022-\_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA, CALIFORNIA, INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2022-23 FOR OPEN SPACE DISTRICTS 1 THRU 11, 14, 15, 17, 18, 20, 23, 24, 26, 31, 33 EASTLAKE, TOWN CENTER AND BAY BOULEVARD OF THE CITY OF CHULA VISTA PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972

WHEREAS, the City Council has by previous Resolutions formed and levied annual assessments within the Chula Vista Open Space Districts 1 thru 11, 14, 15, 17, 18, 20, 23, 24, 26, 31, 33, Eastlake, Town Center and Bay Boulevard (hereafter referred to as the “Districts”), pursuant to the provisions of the Landscape and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22500) (hereafter referred to as the “Act”) and the Chula Vista Municipal Code Chapter 17.07 to pay for the maintenance and servicing of all improvements and facilities related thereto; and

WHEREAS, all District and Zones of the Open Space District are attached hereto as Attachment A; and

WHEREAS, Section 22622 of the Streets and Highways Code requires the City Council to adopt a resolution that: (a) generally describes any proposed new improvements or any substantial changes in existing improvements within the Open Space Districts; and (b) orders the preparation and filing of an Engineer’s Report (hereinafter the “Report”) prepared in accordance with Article 4 (commencing with Section 22565) of the Streets and Highways Code for the assessments which are proposed to be levied on assessable lots and parcels of land within the Open Space Districts for the 2022-23 Fiscal Year; and,

WHEREAS, the City Council has retained Spicer Consulting Group LLC, for the purpose of assisting with the Annual Levy of the District, and to prepare and file a report with the City Clerk in accordance with the Act.

NOW, THEREFORE BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE CITY OF CHULA VISTA AS FOLLOWS:

Section 1. Recitals

The Recitals set forth above are true and correct.

Section 2. Annual Levy Report

The City Council hereby orders Spicer Consulting Group LLC, to prepare and file with the City Clerk the Engineer’s Annual Levy Report concerning the levy and collection of assessments for the District for the Fiscal Year commencing July 1, 2022 and ending June 30, 2023 in accordance with Article 4 (commencing with Section 22565) of Chapter 1 of the Act.

Section 3. District Improvements

The facilities and items to be maintained by the Open Space Districts currently consist and will remain, in general, of the following: irrigation, Aerification, Insect infestation control, removal of noxious plant material, public walkway cleaning, weed abatement, pedestrian light maintenance, pruning of trees and shrubs, irrigation equipment upgrades, encroachment trims, replacement of dead or diseased plant material, fertilization, pest control, removal of weeds, trash and liter, trail maintenance, low flow and brow channel maintenance, slopes and canyons, signage within trails/canyons, repair of irrigation equipment, brush clearance, fencing maintenance, and retaining walls, pursuant to Sections 22565 through 22574 of the Streets and Highways Code. Services provided include all necessary service, operations, administration and maintenance required to keep the above-mentioned improvements in a healthy, vigorous and satisfactory working condition.

There are no proposed new improvements or substantial changes to existing improvements within the Open Space Districts.

Section 4. Severability

That the City Council declares that, should any provision, section, paragraph, sentence or word of this Resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of the Resolution as hereby adopted shall remain in full force and effect.

Section 5. Effective Date

That this Resolution shall take effect upon its adoption.

Section 6. Certification

That the City Clerk shall certify as to the adoption of this Resolution and shall cause the same to be processed in the manner required by law.

PASSED, APPROVED, AND ADOPTED this 17th day of May, 2022.

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Mary Casillas Salas  
Mayor

APPROVED AS TO FORM:

ATTEST:

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Glen Googins  
City Attorney

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Kerry K. Bigelow  
City Clerk

## ATTACHMENT A

| Open Space District | Name  |
|---------------------|---|
| 1                   | El Rancho del Rey<br>Units 1-4                |
| 2                   | Lark haven                                    |
| 3                   | Rancho Robinhood<br>Units 1 & 2               |
| 4                   | Bonita Ridge                                  |
| 5                   | Southbay Villas                               |
| 6                   | Hilltop Vista                                 |
| 7                   | Zenith Units 2, 3, & 4                        |
| 8                   | Rancho Robinhood<br>Unit 3                    |
| 9                   | El Rancho del Rey                             |
| 10                  | El Rancho del Rey 6,<br>Casa Del Rey          |
| 11                  | Hidden Vista Village                          |
| 14                  | Bonita Long Canyon                            |
| 15                  | Bonita Haciendas                              |
| 17                  | Bel Air Ridge                                 |
| 18                  | Rancho del Sur                                |
| 20 Zone 1           | Desilting Basin                               |
| 20 Zone 2           | Rice Canyon                                   |
| 20 Zone 3           | H Street                                      |
| 20 Zone 4           | Business Center                               |
| 20 Zone 5           | SPA I   |
| 20 Zone 6           | SPA II  |
| 20 Zone 7           | SPA III                                       |
| 20 Zone 8           | N Desilting Basin                             |
| 20 Zone 9           | Telegraph Canyon<br>Channel                   |
| 23                  | Otay Rio<br>Business Park                     |
| 24                  | Canyon View Homes                             |
| 26                  | Park Bonita                                   |
| 31                  | Telegraph<br>Canyon Estates                   |
| 33                  | Broadway Business<br>Home Village             |
| -                   | Eastlake Maintenance<br>District No. 1 Zone A |
| -                   | Eastlake Maintenance<br>District No. 1 Zone B |
| -                   | Eastlake Maintenance<br>District No. 1 Zone C |
| -                   | Eastlake Maintenance<br>District No. 1 Zone D |
| -                   | Eastlake Maintenance<br>District No. 1 Zone E |
| -                   | Bay Blvd<br>Maintenance District              |

| <b>Open Space District</b> | <b>Name</b>                         |
|----------------------------|-------------------------------------|
| -                          | Town Center<br>Maintenance District |

RESOLUTION NO. 2022 - \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE ENGINEER'S REPORT, DECLARING THE INTENTION TO LEVY AND COLLECT ASSESSMENTS; AND SETTING A PUBLIC HEARING REGARDING THE FISCAL YEAR 2022-23 ASSESSMENTS FOR OPEN SPACE DISTRICTS 2 THROUGH 8, 11, 14, 15, 17, 18, 20 (ZONES 1 THROUGH 6, 8 AND 9), 23, 24, 26, 31, 33, EASTLAKE MAINTENANCE DISTRICT NO 1 (ZONES A, B, AND D), AND BAY BOULEVARD MAINTENANCE DISTRICT

WHEREAS, pursuant to Article 4, Chapter 1, part 2 of Division 15 of the California Streets and Highways Code, also known as "Landscaping and Lighting Act of 1972" and Chula Vista Municipal Code Chapter 17.07, Spicer Consulting Group, LLC, has prepared and filed, on behalf of and under the direction of the City Engineer, the annual report (Engineer's Report) for all existing Open Space Maintenance Districts in the City of Chula Vista (City); and

WHEREAS, the Engineer's Report is presented to the Council for approval in order to proceed with the public hearing set for June 21, 2022, in accordance with the Landscaping and Lighting Act of 1972. The Report covers Open Space Districts 2 through 8, 11, 14, 15, 17, 18, 20 (Zones 1 through 6, 8 and 9), 23, 24, 26, 31 33, Eastlake Maintenance District No 1 (Zones A, B, and D), and Bay Boulevard Maintenance District; and

WHEREAS, the proposed assessments for Fiscal Year 2022-23 are as follows:

| Open Space District or Zone     | Assessment per EDU |                   | Collectible per EDU |                   | Variance (\$) | Variance (%) | Projected Revenue <sup>(5)</sup> |
|---------------------------------|--------------------|-------------------|---------------------|-------------------|---------------|--------------|----------------------------------|
|                                 | FY 21-22           | Proposed FY 22-23 | FY 21-22            | Proposed FY 22-23 |               |              |                                  |
| 2                               | \$66.86            | \$67.40           | \$66.87             | \$67.40           | \$0.53        | 0.79%        | \$16,715.20                      |
| 3                               | \$457.88           | \$461.50          | \$457.89            | \$461.51          | \$3.62        | 0.79%        | \$58,610.50                      |
| 4                               | \$483.62           | \$487.44          | \$483.63            | \$487.45          | \$3.82        | 0.79%        | \$101,387.52                     |
| 5                               | \$471.60           | \$475.32          | \$471.61            | \$475.34          | \$3.73        | 0.79%        | \$57,989.04                      |
| 6                               | \$233.22           | \$235.06          | \$233.24            | \$235.08          | \$1.84        | 0.79%        | \$38,079.72                      |
| 7                               | \$162.90           | \$164.18          | \$162.91            | \$164.20          | \$1.29        | 0.79%        | \$16,418.00                      |
| 8                               | \$744.30           | \$750.18          | \$744.30            | \$750.18          | \$5.88        | 0.79%        | \$82,519.80                      |
| 11                              | \$144.05           | \$145.19          | \$144.05            | \$145.19          | \$1.14        | 0.79%        | \$191,801.23                     |
| 14                              | \$463.04           | \$466.70          | \$463.04            | \$466.70          | \$3.66        | 0.79%        | \$402,295.40                     |
| 15                              | \$444.24           | \$447.74          | \$444.25            | \$447.76          | \$3.51        | 0.79%        | \$25,521.18                      |
| 17                              | \$212.64           | \$214.32          | \$212.65            | \$214.33          | \$1.68        | 0.79%        | \$9,858.72                       |
| 18                              | \$430.00           | \$430.00          | \$502.49            | \$506.46          | \$3.97        | 0.79%        | \$187,480.00                     |
| 20                              |                    |                   |                     |                   |               |              |                                  |
| Zone 1 - Desilting basin        | \$77.64            | \$78.26           | \$77.64             | \$78.26           | \$0.61        | 0.79%        | \$69,017.61                      |
| Zone 2 - Rice Canyon            | \$5.88             | \$5.93            | \$5.88              | \$5.93            | \$0.05        | 0.79%        | \$23,461.68                      |
| Zone 3 - H Street               | \$8.39             | \$8.46            | \$8.39              | \$8.46            | \$0.07        | 0.79%        | \$51,968.49                      |
| Zone 4 - Business Center        | \$64.56            | \$65.07           | \$64.56             | \$65.07           | \$0.51        | 0.79%        | \$169,177.40                     |
| Zone 5 - SPA I                  | \$471.88           | \$475.60          | \$471.88            | \$475.60          | \$3.73        | 0.79%        | \$853,710.06                     |
| Zone 6 - SPA II                 | \$362.56           | \$365.43          | \$362.56            | \$365.43          | \$2.86        | 0.79%        | \$209,461.80                     |
| Zone 8 - N Desilting Basin      | \$51.58            | \$51.99           | \$51.58             | \$51.99           | \$0.41        | 0.79%        | \$6,177.68                       |
| Zone 9 - Tel Cyn Channel        | \$40.96            | \$41.28           | \$40.96             | \$41.28           | \$0.32        | 0.79%        | \$2,064.60                       |
| 23                              | \$507.32           | \$511.33          | \$574.53            | \$579.06          | \$4.54        | 0.79%        | \$58,792.21                      |
| 24                              | \$860.92           | \$867.72          | \$860.94            | \$867.74          | \$6.80        | 0.79%        | \$34,708.80                      |
| 26                              | \$675.70           | \$681.04          | \$675.70            | \$681.04          | \$5.34        | 0.79%        | \$12,939.76                      |
| 31                              | \$580.00           | \$580.00          | \$698.00            | \$703.52          | \$5.51        | 0.79%        | \$199,520.00                     |
| 33 <sup>(1)</sup>               | \$0.00             | \$0.00            | \$1,705.90          | \$1,719.38        | \$13.48       | 0.79%        | \$0.00                           |
| ELMD 1                          |                    |                   |                     |                   |               |              |                                  |
| Otay Lakes Rd <sup>(2)</sup>    |                    |                   |                     |                   |               |              |                                  |
| Zone A - Eastlake I             | \$15.95            | \$16.08           | \$15.95             | \$16.08           | \$0.13        | 0.79%        | \$139,869.99                     |
| Zone B - Eastlake Greens        | \$26.13            | \$26.34           | \$26.13             | \$26.34           | \$0.21        | 0.79%        | \$88,906.89                      |
| Zone D - Salt Creek I           | \$288.64           | \$290.93          | \$288.64            | \$290.93          | \$2.28        | 0.79%        | \$123,294.07                     |
| Bay Boulevard <sup>(4)</sup>    | \$1,995.30         | \$1,995.30        | \$3,723.85          | \$3,753.27        | \$29.42       | 0.79%        | \$12,749.97                      |
| <b>Total Projected Revenues</b> |                    |                   |                     |                   |               |              | <b>\$3,244,497.32</b>            |

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it approves this Engineer's Report for City Open Space Districts 2 through 8, 11, 14, 15, 17, 18, 20 (Zones 1 through 6, 8 and 9), 23, 24, 26, 31 33, Eastlake Maintenance District No 1 (Zones A, B, and D), and Bay Boulevard Maintenance District, in the form presented, with such minor modifications as may be required or approved by the City Attorney, a copy of which shall be kept on file in the Office of the City Clerk.

BE IT FURTHER RESOLVED, that the City Council of the City of Chula Vista declares its intention to levy and collect the assessments for City Open Space Districts 2 through 8, 11, 14, 15, 17, 18, 20 (Zones 1 through 6, 8 and 9), 23, 24, 26, 31 33, Eastlake Maintenance District No 1 (Zones A, B, and D), and Bay Boulevard Maintenance District, as identified in the Engineer's Report, for the Fiscal Year 2022-23.

BE IT FURTHER RESOLVED that the City Council sets June 21, 2022, at 5:00 p.m. in the City Council Chambers, City of Chula Vista, 276 Fourth Avenue, Chula Vista, California as the date and time for the public hearing on the assessments.

Presented by:

Approved as to form by:

\_\_\_\_\_  
Sarah Schoen  
Director of Finance

\_\_\_\_\_  
Glen R. Googins  
City Attorney

RESOLUTION NO. 2022 - \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE ENGINEER’S REPORT, DECLARING THE INTENTION TO LEVY AND COLLECT ASSESSMENTS; AND SETTING A PUBLIC HEARING REGARDING THE FISCAL YEAR 2022-23 ASSESSMENTS FOR OPEN SPACE DISTRICT 9, OPEN SPACE DISTRICT 10, EASTLAKE MAINTENANCE DISTRICT NO 1 (ZONE E) AND TOWN CENTRE MAINTENANCE DISTRICT

WHEREAS, pursuant to Article 4, Chapter 1, part 2 of Division 15 of the California Streets and Highways Code, also known as “Landscaping and Lighting Act of 1972” and Chula Vista Municipal Code Chapter 17.07, Spicer Consulting Group, LLC, has prepared and filed, on behalf of and under the direction of the City Engineer, the annual report (Engineer’s Report) for all existing Open Space Maintenance Districts in the City of Chula Vista (City); and

WHEREAS, the Engineer’s Report is presented to the Council for approval in order to proceed with the public hearing set for June 21, 2022, in accordance with the Landscaping and Lighting Act of 1972. The Report covers Open Space District 9, Open Space District 10, Eastlake Maintenance District No. 1 (Zone E) and Town Centre Maintenance District; and

WHEREAS, the proposed assessments for Fiscal Year 2022-23 are as follows:

| Open Space District or Zone     | Assessment per EDU |                   | Collectible per EDU |                   | Variance (\$) | Variance (%) | Projected Revenue <sup>(2)</sup> |
|---------------------------------|--------------------|-------------------|---------------------|-------------------|---------------|--------------|----------------------------------|
|                                 | FY 21-22           | Proposed FY 22-23 | FY 21-22            | Proposed FY 22-23 |               |              |                                  |
| 9                               | \$210.92           | \$212.60          | \$210.94            | \$212.60          | \$1.67        | 0.79%        | \$81,851.00                      |
| 10                              | \$142.34           | \$143.46          | \$142.34            | \$143.46          | \$1.12        | 0.79%        | \$94,220.40                      |
| Zone E - Tel Cyn Channel (3)    | \$20.00            | \$20.00           | \$41.15             | \$41.47           | \$0.33        | 0.79%        | \$13,360.60                      |
| Town Centre <sup>(1)</sup>      | \$0.00             | \$0.00            | \$0.13266           | \$0.13371         | \$0.00105     | 0.79%        | \$0.00                           |
| <b>Total Projected Revenues</b> |                    |                   |                     |                   |               |              | <b>\$189,432.00</b>              |

<sup>(1)</sup> Town Centre rates have been based on parcel square footage since FY 2001-02. However, a Downtown PBID replaced this District in 2001, but the City determined that there was some potential long-term exposure for the City based on the remote potential that the current PBID might not receive sufficient support for renewal processes.

<sup>(2)</sup> The Projected Revenue are preliminary figures based upon the prior year's EDU assignments and the Proposed Rates for Fiscal Year 2022-23.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it approves this Engineer’s Report for City Open Space District 9, Open Space District 10, Eastlake Maintenance District No. 1 (Zone E) and Town Centre Maintenance District, in the form presented, with such minor modifications as may be required or approved by the City Attorney, a copy of which shall be kept on file in the Office of the City Clerk.

BE IT FURTHER RESOLVED, that the City Council of the City of Chula Vista declares its intention to levy and collect the assessments for City Open Space District 9, Open Space District 10, Eastlake Maintenance District No. 1 (Zone E) and Town Centre Maintenance District, as identified in the Engineer’s Report, for the Fiscal Year 2022-23.

BE IT FURTHER RESOLVED that the City Council sets June 21, 2022, at 5:00 p.m. in the City Council Chambers, City of Chula Vista, 276 Fourth Avenue, Chula Vista, California as the date and time for the public hearing on the assessments.

Presented by:

Approved as to form by:

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Sarah Schoen  
Director of Finance

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Glen R. Googins  
City Attorney

RESOLUTION NO. 2022 - \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE ENGINEER’S REPORT, DECLARING THE INTENTION TO LEVY AND COLLECT ASSESSMENTS; AND SETTING A PUBLIC HEARING REGARDING THE FISCAL YEAR 2022-23 ASSESSMENTS FOR OPEN SPACE DISTRICT 1

WHEREAS, pursuant to Article 4, Chapter 1, part 2 of Division 15 of the California Streets and Highways Code, also known as “Landscaping and Lighting Act of 1972” and Chula Vista Municipal Code Chapter 17.07, Spicer Consulting Group, LLC, has prepared and filed, on behalf of and under the direction of the City Engineer, the annual report (Engineer’s Report) for all existing Open Space Maintenance Districts in the City of Chula Vista (City); and

WHEREAS, the Engineer’s Report is presented to the Council for approval in order to proceed with the public hearing set for June 21, 2022, in accordance with the Landscaping and Lighting Act of 1972. The Report covers Open Space District 1; and

WHEREAS, the proposed assessments for Fiscal Year 2022-23 are as follows:

| Open Space District or Zone     | Assessment per EDU |                   | Collectible per EDU |                   | Variance (\$) | Variance (%) | Projected Revenue <sup>(1)</sup> |
|---------------------------------|--------------------|-------------------|---------------------|-------------------|---------------|--------------|----------------------------------|
|                                 | FY 21-22           | Proposed FY 22-23 | FY 21-22            | Proposed FY 22-23 |               |              |                                  |
| 1                               | \$144.16           | \$145.30          | \$144.16            | \$145.30          | \$1.14        | 0.79%        | \$95,201.21                      |
| <b>Total Projected Revenues</b> |                    |                   |                     |                   |               |              | <b>\$95,201.21</b>               |

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it approves this Engineer’s Report for City Open Space District 1, in the form presented, with such minor modifications as may be required or approved by the City Attorney, a copy of which shall be kept on file in the Office of the City Clerk.

BE IT FURTHER RESOLVED, that the City Council of the City of Chula Vista declares its intention to levy and collect the assessments for City Open Space Districts 1, as identified in the Engineer’s Report, for the Fiscal Year 2022-23.

BE IT FURTHER RESOLVED that the City Council sets June 21, 2022, at 5:00 p.m. in the City Council Chambers, City of Chula Vista, 276 Fourth Avenue, Chula Vista, California as the date and time for the public hearing on the assessments.

Presented by:

Approved as to form by:

\_\_\_\_\_  
Sarah Schoen  
Director of Finance

\_\_\_\_\_  
Glen R. Googins  
City Attorney

RESOLUTION NO. 2022 - \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE ENGINEER’S REPORT, DECLARING THE INTENTION TO LEVY AND COLLECT ASSESSMENTS; AND SETTING A PUBLIC HEARING REGARDING THE FISCAL YEAR 2022-23 ASSESSMENTS FOR OPEN SPACE DISTRICT EASTLAKE MAINTENANCE DISTRICT NO 1 (ZONE C)

WHEREAS, pursuant to Article 4, Chapter 1, part 2 of Division 15 of the California Streets and Highways Code, also known as “Landscaping and Lighting Act of 1972” and Chula Vista Municipal Code Chapter 17.07, Spicer Consulting Group, LLC, has prepared and filed, on behalf of and under the direction of the City Engineer, the annual report (Engineer’s Report) for all existing Open Space Maintenance Districts in the City of Chula Vista (City); and

WHEREAS, the Engineer’s Report is presented to the Council for approval in order to proceed with the public hearing set for June 21, 2022, in accordance with the Landscaping and Lighting Act of 1972. The Report covers Eastlake Maintenance District No 1 (Zone C); and

WHEREAS, the proposed assessments for Fiscal Year 2022-23 are as follows:

| Open Space District or Zone           | Assessment per EDU |                   | Collectible per EDU |                   | Variance (\$) | Variance (%) | Projected Revenue <sup>(1)</sup> |
|---------------------------------------|--------------------|-------------------|---------------------|-------------------|---------------|--------------|----------------------------------|
|                                       | FY 21-22           | Proposed FY 22-23 | FY 21-22            | Proposed FY 22-23 |               |              |                                  |
| ELMD No. 1 Zone C - Otay Training Ctr | \$3.34             | \$3.34            | \$216.42            | \$218.13          | \$1.71        | 0.79%        | \$31,279.71                      |
| <b>Total Projected Revenues</b>       |                    |                   |                     |                   |               |              | <b>\$31,279.71</b>               |

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it approves this Engineer’s Report for Eastlake Maintenance District No 1 (Zone C), in the form presented, with such minor modifications as may be required or approved by the City Attorney, a copy of which shall be kept on file in the Office of the City Clerk.

BE IT FURTHER RESOLVED, that the City Council of the City of Chula Vista declares its intention to levy and collect the assessments for Eastlake Maintenance District No 1 (Zone C), as identified in the Engineer’s Report, for the Fiscal Year 2022-23.

BE IT FURTHER RESOLVED that the City Council sets June 21, 2022, at 5:00 p.m. in the City Council Chambers, City of Chula Vista, 276 Fourth Avenue, Chula Vista, California as the date and time for the public hearing on the assessments.

Presented by:

Approved as to form by:

\_\_\_\_\_  
Sarah Schoen  
Director of Finance

\_\_\_\_\_  
Glen R. Googins  
City Attorney

RESOLUTION NO. 2022 - \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE ENGINEER’S REPORT, DECLARING THE INTENTION TO LEVY AND COLLECT ASSESSMENTS; AND SETTING A PUBLIC HEARING REGARDING THE FISCAL YEAR 2022-23 ASSESSMENTS FOR OPEN SPACE DISTRICT 20, ZONE 7

WHEREAS, pursuant to Article 4, Chapter 1, part 2 of Division 15 of the California Streets and Highways Code, also known as “Landscaping and Lighting Act of 1972” and Chula Vista Municipal Code Chapter 17.07, Spicer Consulting Group, LLC, has prepared and filed, on behalf of and under the direction of the City Engineer, the annual report (Engineer’s Report) for all existing Open Space Maintenance Districts in the City of Chula Vista (City); and

WHEREAS, the Engineer’s Report is presented to the Council for approval in order to proceed with the public hearing set for June 21, 2022, in accordance with the Landscaping and Lighting Act of 1972. The Report covers Open Space District 20, Zone 7; and

WHEREAS, the proposed assessments for Fiscal Year 2022-23 are as follows:

| Open Space District or Zone     | Assessment per EDU |                   | Collectible per EDU |                   | Variance (\$) | Variance (%) | Projected Revenue <sup>(1)</sup> |
|---------------------------------|--------------------|-------------------|---------------------|-------------------|---------------|--------------|----------------------------------|
|                                 | FY 21-22           | Proposed FY 22-23 | FY 21-22            | Proposed FY 22-23 |               |              |                                  |
| 20, Zone 7 SPA III              | \$223.79           | \$225.56          | \$223.79            | \$225.56          | \$1.77        | 0.79%        | \$263,634.58                     |
| <b>Total Projected Revenues</b> |                    |                   |                     |                   |               |              | <b>\$263,634.58</b>              |

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it approves this Engineer’s Report for City Open Space District 20, Zone 7, in the form presented, with such minor modifications as may be required or approved by the City Attorney, a copy of which shall be kept on file in the Office of the City Clerk.

BE IT FURTHER RESOLVED, that the City Council of the City of Chula Vista declares its intention to levy and collect the assessments for City Open Space Districts 20, Zone 7, as identified in the Engineer’s Report, for the Fiscal Year 2022-23.

BE IT FURTHER RESOLVED that the City Council sets June 21, 2022, at 5:00 p.m. in the City Council Chambers, City of Chula Vista, 276 Fourth Avenue, Chula Vista, California as the date and time for the public hearing on the assessments.

Presented by:

Approved as to form by:

\_\_\_\_\_  
Sarah Schoen  
Director of Finance

\_\_\_\_\_  
Glen R. Googins  
City Attorney