

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF THE BAYFRONT PROJECT SPECIAL TAX FINANCING DISTRICT, RECITING THE FACT OF THE SPECIAL MAIL BALLOT ELECTION HELD ON FEBRUARY 18, 2020 IN SUCH DISTRICT, DECLARING THE RESULTS THEREOF, AND OTHER MATTERS AS ARE PROVIDED BY LAW

WHEREAS, the City Council (the “City Council”) of the City of Chula Vista (the “City”), has previously undertaken proceedings to create and did establish the Bayfront Project Special Tax Financing District (the “District”) pursuant to Chapter 3.61 of the Chula Vista Municipal Code (Chapter 3.61); and

WHEREAS, on November 19, 2019, the City Council, acting as the legislative body of the District, duly adopted its Resolution No. 2019-222 calling a special mail ballot election (the “Election”) to be held on February 18, 2020 for the purpose of submitting three separate propositions (each a “Proposition” and collectively, the “Propositions”) to the qualified electors of the District; and

WHEREAS, the measures, as stated in the resolution placing them on the ballot, were:

<p>Proposition A. Shall the measure to authorize the Bayfront Project Special Tax Financing District (the “District”) to levy special taxes at rates not to exceed 5% of Rent annually charged on Hotel Property and Campsite Property (as such terms are defined in Resolution No. 2019-220 accompanying this ballot) within the District, until ended by the legislative body or voters, raising an estimated \$30,000,000 annually to finance Improvements and Services described in such resolution, be approved?</p>	YES
	NO
<p>Proposition B. Shall the measure to authorize the Bayfront Project Special Tax Financing District (the “District”) to incur a bonded indebtedness of the District in an amount not to exceed \$175,000,000, to be secured by special taxes subject to the approval of Proposition A above, be approved?</p>	YES
	NO
<p>Proposition C. Shall the measure to establish an Article XIIB appropriations limit equal to \$125,000,000 for the Bayfront Project Special Tax Financing District be approved?</p>	YES
	NO

WHEREAS, notice of said election was duly and regularly given in the time, form, and manner as provided by law; and in all respects the election was held and conducted, and the

votes cast at the election received and canvassed, and the returns made and declared, in the time, form, and manner as required by the provisions of the Elections Code of the State of California for the holding of elections in charter cities; and

WHEREAS, pursuant to Chapter 3.61 the vote in the Election shall be by Landowners (as such term is defined in Chapter 3.61) as the qualified electors of the District and each Landowner, or authorized representative thereof, shall have one (1) vote for each acre or portion of an acre of land owned within the District; and

WHEREAS, the City Clerk canvassed the returns of the election and has certified the results to this City Council, the results are received, attached and made part hereof as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED, DECLARED, AND DETERMINED BY THE CITY COUNCIL OF THE CITY OF CHULA VISTA, ACTING AS THE LEGISLATIVE BODY OF THE BAYFRONT PROJECT SPECIAL TAX FINANCING DISTRICT, AS FOLLOWS:

SECTION 1. Recitals. The above recitals are all true and correct.

SECTION 2. Approval of Results of the Election. This City Council hereby receives and approves the Certificate of Election Official and Statement of Votes Cast (Certificate of Election Official), as submitted by the City Clerk, acting in her capacity as the Election Official, said Certificate of Election Official setting forth the number of votes cast in the Election, the Propositions voted upon, and the number of votes given for and/or against the Propositions voted upon. A copy of said Certificate of Election Official is attached hereto, marked as Exhibit A, referenced and so incorporated.

SECTION 3. Declaration and Determination of Results. The City Council does declare and determine that, as a result of the election, two-thirds of the voters voting on Propositions A, B, and C did vote in favor of them, and that the measures were carried and shall be deemed adopted and ratified.

SECTION 4. Entry of the Election Results in the Minutes. The City Clerk is hereby directed, pursuant to the provisions of the Elections Code of the State of California, to enter in the minutes the results of the Election as set forth in said Certificate of Election Official.

SECTION 5. Certification and Entry of Resolution. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

Presented by:

Approved as to form by:

Kerry K. Bigelow, MMC
City Clerk

Glen R. Googins
City Attorney

