

RESOLUTION NO. 2022-279

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA MAKING REQUISITE FINDINGS PURSUANT TO GOVERNMENT CODE SECTION 66001(d) FOR DEVELOPMENT PROJECT FEES COLLECTED AND REMAINING UNEXPENDED FOR FIVE OR MORE YEARS (POGGI CANYON SEWER DEVELOPMENT IMPACT FEE; OTAY RANCH VILLAGES 1, 2, 5, & 6 PEDESTRIAN BRIDGE DEVELOPMENT IMPACT FEE; AND OTAY RANCH VILLAGE 11 DEVELOPMENT IMPACT FEE)

WHEREAS, California Government Code section 66001(d) requires local agencies to make findings with respect to any portion of Development Impact Fees (“DIFs”) remaining unexpended five or more years after deposit of the fee; and

WHEREAS, such findings must identify the purpose to which the fee is to be put, demonstrate a reasonable relationship between the fee and the purpose for which it is charged, identify all the sources and amounts of funding anticipated to complete financing of incomplete projects and designate the approximate dates on which the anticipated funding will be deposited into the appropriate account or fund; and

WHEREAS, the City has identified unexpended fees on deposit for five or more years and has elected to make the required findings pursuant to Section 66001(d) of the Government Code for the Poggi Canyon Sewer Development Impact Fee (“Poggi DIF”); Otay Ranch Villages 1, 2, 5, & 6 Pedestrian Bridge Development Impact Fee (“Otay Ranch Pedestrian Bridge DIF”); and the Otay Ranch Village 11 Pedestrian Bridge Development Impact Fee (“Village 11 Pedestrian Bridge DIF”); and

WHEREAS, for each fee listed above, the purpose of the fee and the demonstration of the reasonable relationship between the fee and the purpose for which it is charged are contained in the “Poggi Canyon Sewer Basin Plan,” dated April 2009; the “City of Chula Vista Pedestrian Bridge Development Impact Fee Report for Otay Ranch Village 2,” dated June 2015; and the “City of Chula Vista Pedestrian Bridge Development Impact Fee Report for Otay Ranch Village 11,” dated February 2003, which are incorporated by reference; and

WHEREAS, each incomplete project being funded by the fees listed above will continue to receive funding from the fee(s) as development subject to the respective fees occurs, the funds will be deposited into the appropriate account or fund as they become available and will be appropriated through the City’s budget, as adopted and amended from time to time, and there is no additional funding source anticipated at this time.

Resolution No. 2022-279

Page No. 2


NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it does hereby find that the purpose for the Poggi Canyon Sewer Development Impact Fee and the demonstration of the reasonable relationship between the Poggi DIF and the purpose for which it is charged is as set forth in the “Poggi Canyon Sewer Basin Plan,” dated April 2009, a copy of which is on file in the office of the City Clerk; and that the purpose for the Otay Ranch Villages 1, 2, 5, & 6 Pedestrian Bridge Development Impact Fee and the demonstration of the reasonable relationship between the Otay Ranch Pedestrian Bridge DIF and the purpose for which it is charged is as set forth in the “City of Chula Vista Pedestrian Bridge Development Impact Fee Report for Otay Ranch Village 2,” dated June 2015, a copy of which is on file in the office of the City Clerk; and that the purpose for the Otay Ranch Village 11 Pedestrian Bridge Development Impact Fee and the demonstration of the reasonable relationship between the Village 11 Pedestrian Bridge DIF and the purpose for which it is charged is as set forth in the “City of Chula Vista Pedestrian Bridge Development Impact Fee Report for Otay Ranch Village 11,” dated February 2003, a copy of which is on file in the office of the City Clerk; and

BE IT FURTHER RESOLVED by the City Council of the City of Chula Vista, that it does hereby find that each incomplete project being funded by the Poggi DIF, Otay Ranch Pedestrian Bridge DIF, and the Village 11 Pedestrian Bridge DIF will continue to receive funding from the fees as development subject to the respective fees occurs, that the funds will be deposited into the appropriate account or fund when received and will be appropriated through the City’s budget, as adopted and amended from time to time, and that there is no additional funding source anticipated at this time.

[SIGNATURES ON THE FOLLOWING PAGE]

Presented by

Approved as to form by

DocuSigned by:

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 Laura C. Black, AICP
 Director of Development Services

DocuSigned by:

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 Glen R. Googins
 City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 20th day of December 2022 by the following vote:

AYES: Councilmembers: Cardenas, Chavez, Preciado, and McCann
 NAYS: Councilmembers: None
 ABSENT: Councilmembers: None

DocuSigned by:

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 John McCann, Mayor

ATTEST:

DocuSigned by:

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 Kerry K. Bigelow, MMC, City Clerk

STATE OF CALIFORNIA)
 COUNTY OF SAN DIEGO)
 CITY OF CHULA VISTA)

I, Kerry K. Bigelow, City Clerk of Chula Vista, California, do hereby certify that the foregoing Resolution No. 2022-279 was duly passed, approved, and adopted by the City Council at a regular meeting of the Chula Vista City Council held on the 20th day of December 2022.

Executed this 20th day of December 2022.

DocuSigned by:

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 Kerry K. Bigelow, MMC, City Clerk