

RESOLUTION 2013-179

**RESOLUTION WAIVING BPC POLICY NO. 360
AND AUTHORIZING NEGOTIATIONS WITH CHULA
VISTA MARINA/RV PARK, LTD., FOR AN OPTION
TO LEASE AND DEVELOP AN RV PARK ON A
SITE LOCATED WITHIN THE CHULA VISTA
BAYFRONT NORTHWEST OF BAY BOULEVARD
AND E STREET**

WHEREAS, the San Diego Unified Port District (District) is a public corporation created by the Legislature in 1962 pursuant to Harbors and Navigation Code Appendix I (Port Act); and

WHEREAS, section 87(b) of the Port Act grants authority to the District to lease the tidelands or submerged lands, or parts thereof, for limited periods, not exceeding 66 years, for purposes consistent with the trusts upon which those lands are held, by the State of California; and

WHEREAS, Chula Vista Marina/RV Park, Ltd., (Tenant) has a lease with the District to operate Chula Vista RV Park (RV Park) expiring in 2021 on file in the Office of the District Clerk as Document No. 14243; and

WHEREAS, the RV Park leasehold is located within a portion of the Chula Vista Bayfront which is the future location of the Harbor District Park and Resort Conference Center; and

WHEREAS, the Chula Vista Bayfront Master Plan (CVBMP) development policy requires all 237 RV stalls be replaced prior to the existing RV Park closing or the site being redeveloped; and

WHEREAS, in order to move forward prior to the expiration of its lease, the RV Park will have to be acquired or relocated to allow for the development of the Harbor District Park and Resort Conference Center; and

WHEREAS, in 2007, in conjunction with the previously proposed development on the site, the Board of Port Commissioners (BPC) approved an amendment to the RV Park lease which included a buyout provision which expired on January 12, 2012; and

WHEREAS, District staff met with the Tenant to determine its interest in relocating at its own expense instead of extending the buyout provision and the Tenant acknowledged its desire to pursue relocation; and

WHEREAS, relocation presents an opportunity for the Tenant to continue its successful operation in the newly envisioned Chula Vista Bayfront; and

WHEREAS, if an agreement for relocation of the RV Park can be reached with the Tenant, the District will reduce the infrastructure costs for the development of the Chula Vista Bayfront, preserve a tenant in good standing and ensure the development objectives for the Chula Vista Bayfront are met; and

WHEREAS, in order to enter into direct negotiations with the RV Park, the BPC must waive the provisions of BPC Policy No. 360 and authorize District staff to enter into negotiations with the RV Park to relocate and develop a new facility.

NOW, THEREFORE, BE IT RESOLVED by the Board of Port Commissioners of the San Diego Unified Port District, as follows:

The provisions of BPC Policy No. 360 are hereby waived and the Executive Director or his designated representative is hereby authorized on behalf of the San Diego Unified Port District to enter into negotiations with Chula Vista Marina/RV Park, Ltd., for an option to lease and develop an RV Park on a site located within the Chula Vista Bayfront northwest of Bay Boulevard and "E" Street.

APPROVED AS TO FORM AND LEGALITY:



PORT ATTORNEY
K.A.M. Deputy

2013-179

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 19th day of November, 2013, by the following vote:

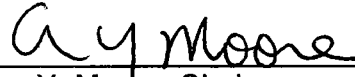
AYES: Castellanos, Merrifield, Moore, Nelson, Smith,

NAYS: None.

EXCUSED: Malcolm, Valderrama

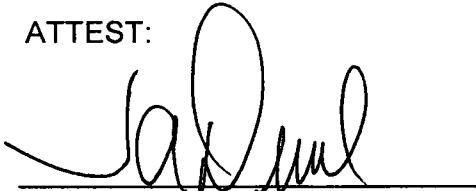
ABSENT: None.

ABSTAIN: None.



Ann Y. Moore, Chair
Board of Port Commissioners

ATTEST:



Timothy A. Deuel
District Clerk

(Seal)