

RESOLUTION 2014-109

RESOLUTION AUTHORIZING EXECUTION OF A JOINT EXERCISE OF POWERS AGREEMENT BETWEEN THE SAN DIEGO UNIFIED PORT DISTRICT AND THE CITY OF CHULA VISTA TO CREATE THE CHULA VISTA BAYFRONT FACILITIES FINANCING AUTHORITY

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 1, (Port Act); and

WHEREAS, Section 21 of the Port Act authorizes the Board of Port Commissioners (BPC) to pass all necessary ordinances and resolutions for the regulation of the District; and

WHEREAS, the Chula Vista Bayfront Master Plan (CVBMP) is the result of a decade long joint planning effort the District, the City of Chula Vista, Pacifica Companies and a broad coalition of stakeholders; and

WHEREAS, the master plan was collaboratively planned through an extensive public participation program that included over 100 community meetings and resulted in a comprehensive Environmental Impact Report and Port Master Plan Amendment, which was certified by the BPC in May of 2010; and

WHEREAS, on February 12, 2013, the BPC authorized agreements with Jones Lang LaSalle (JLL) and CCI Partners (CCI) to assist with the advancement of the overall implementation program and with making the Chula Vista Bayfront (CVB) vision a reality; and

WHEREAS, JLL's contribution to the implementation effort included an initial analysis identifying the financing options available to fund the vertical development and required infrastructure, a phase I infrastructure cost estimate, and a market demand and feasibility analysis for hotel, convention center and retail, with CCI preparing the marketing and branding study and design guidelines; and

WHEREAS, the analysis concludes that initial development in the CVB can support at least a 1,500 room hotel and 400,000 square feet of convention center space; and

WHEREAS, the next step in advancing the CVB development vision is a two stage developer solicitation process that includes issuance of a Request for Qualifications (RFQ) and a subsequent Request for Proposals (RFP), which will be issued to RFQ respondents who advance to the RFP stage based on their qualifications and concepts set forth in the RFQ; and

WHEREAS, the RFQ is intended to act both as a marketing piece and qualifications document and will describe the project and principal objectives and require respondents to present project teams, statements of experience and financial qualifications; and

WHEREAS, the three fundamental goals of the RFQ are to establish qualifications requirements, provide development teams with the opportunity to respond creatively with an approach to meet the goals of the project, including a narrative, supported by past examples of a very preliminary business case and also, very preliminary, conceptual and aesthetic values, and use the qualifications of the respondents and the quality of their responses as a mechanism to determine a short list of respondents to move onto the RFP stage; and

WHEREAS, an additional benefit of this first stage in the solicitation process is that submissions often provide innovative concepts that can help further refine the vision, concepts and supporting structures requested and evaluated in the next-stage RFP; and

WHEREAS, to encourage responses at this stage, the RFQ is crafted to generate sufficient response information for the selection, but imposing the least burdensome costs possible; and

WHEREAS, District staff will return to request BPC authorization to issue an RFP to teams shortlisted from the RFQ process; and

WHEREAS, the District and the City of Chula Vista entered into a Chula Vista Bayfront Master Financing Agreement dated May 8, 2012, on file in the Office of the District Clerk as Document No. 59001, and outlines the financing of the required public improvements and infrastructure with the CVB and requires the formation of a Joint Exercise of Powers Authority which will create the Chula Vista Bayfront Facilities Financing Authority (Financing Authority); and

WHEREAS, the Financing Authority will finance the construction of required public improvements through the issuance of revenue bonds or similar bonding mechanism, with revenues generated solely within the CVB being utilized to pay down the infrastructure bonds and associated debt service issued by the Financing Authority; and

WHEREAS, the Financing Authority will be responsible for the issuance of revenue bonds to fund the required public improvements and infrastructure; and


WHEREAS, four primary sources of funds will be utilized to pay down the infrastructure bonds and associated debt service, CVBMP Ground Lease Revenues from the District, CVBMP Transient Occupancy Tax and development impact fees from the City of Chula Vista, as well as Chula Vista Tourism Marketing District Assessment from the City of Chula Vista, if available; and

WHEREAS, the funds will be utilized for debt service and for operation and maintenance costs resulting from the development of the CVB which include: maintenance of parks, open spaces, parking lots and right of way, public safety, administrative support and maintenance.

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

That the Executive Director or his designated representative is hereby authorized and directed to enter into a Joint Exercise of Powers Agreement on behalf of the San Diego Unified Port District, with the City of Chula Vista to create the Chula Vista Bayfront Facilities Financing Authority.

APPROVED AS TO FORM AND LEGALITY:
PORT ATTORNEY


By: Assistant/Deputy

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PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 6th day of May 2014, by the following vote:

AYES: Bonelli, Castellanos, Malcolm, Merrifield, Moore, Nelson, and Valderrama

NAYS: None.

EXCUSED: None.

ABSENT: None.

ABSTAIN: None.



Robert E. Nelson, Chairman
Board of Port Commissioners

ATTEST:



Laura Nicholson
Deputy District Clerk

(Seal)