

RESOLUTION 2015-101

**RESOLUTION SELECTING AND AUTHORIZING
NEGOTIATIONS WITH SUNROAD ENTERPRISES
THE BRIGANTINE, INC. AND FISH MARKET
RESTAURANTS, INC. FOR REDEVELOPMENT
AND OPERATION OF ICONIC WATERFRONT
RESTAURANT LOCATION**

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 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, Board of Port Commissioners (BPC) Policy No. 360 requires that development proposals for District tidelands that have been previously underdeveloped or which have been recently razed shall be subject to the competitive process utilizing a Request for Proposals (RFP); and

WHEREAS, at the May 12, 2015 BPC meeting, staff was directed to issue a RFP for the redevelopment and operation of 1360 North Harbor Drive (Location); and

WHEREAS, the Location is currently leased to Anthony's Fish Grotto of La Mesa (Anthony's), which has a 52-year lease with the District that commenced in 1965 and expires on January 31, 2017; and

WHEREAS, the Location includes an approximately 16,580 square foot building, surrounded by an outdoor deck area, constructed on an over-water platform; and

WHEREAS, on May 20, 2015, staff issued the "Iconic Waterfront Restaurant Location - Opportunity for Redevelopment and Operation" RFP and received proposals from the following six respondents: Fish Market Restaurants, Inc., HEG Enterprises, Landry's Inc., P & J North County Enterprises, Sunroad Enterprises and The Brigantine, Inc.; and

WHEREAS, all six proposals were deemed complete and all six respondents were interviewed on July 9, 2015 by a selection panel; and

WHEREAS, the selection panel conducted a decision analysis based on the evaluation criteria in the RFP and recommended that staff move forward with the top two proposers, Sunroad Enterprises (Sunroad) and The Brigantine, Inc. (Brigantine); and

WHEREAS, at the BPC meeting on August 11, 2015, the BPC directed staff to add the Fish Market Restaurants, Inc. (Fish Market) as a top respondent to continue negotiations with the District; and


WHEREAS, based solely on the RFP responses, staff's decision analysis, and BPC input, staff recommends that the BPC select and authorize negotiations with Brigantine, Sunroad and Fish Market; and

WHEREAS, by negotiating with all three parties on a parallel track, the District could maximize the opportunity to enter into a lease for the best concept with the most qualified respondent at the most rent.

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

That the Executive Director or her designated representative is hereby authorized on behalf of the San Diego Unified Port District to select and enter into negotiations with Sunroad Enterprises, The Brigantine, Inc. and Fish Market Restaurants, Inc. for Redevelopment and Operation of Iconic Waterfront Restaurant Location.

APPROVED AS TO FORM AND LEGALITY:
GENERAL COUNSEL


By: Assistant Deputy

2015-101

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 11th day of August, 2015, by the following vote:

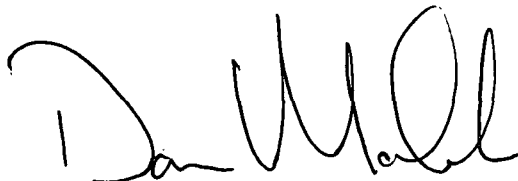
AYES: Malcolm, Merrifield, Nelson, and Valderrama.

NAYS: None.

EXCUSED: Bonelli and Moore.

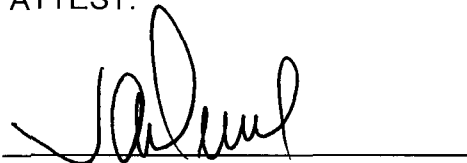
ABSENT: None.

ABSTAIN: Castellanos.



Dan Malcolm, Chairman
Board of Port Commissioners

ATTEST:



Timothy A. Deuel
District Clerk

