

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CHULA VISTA APPROVING A JOINT EXERCISE OF
POWERS AGREEMENT BETWEEN THE CITY AND THE
SAN DIEGO UNIFIED PORT DISTRICT

WHEREAS, the City of Chula Vista (the “City”), is a chartered city organized and existing under the laws of the State of California; and

WHEREAS, the City, acting pursuant to Article I (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code of the State of California (the “JPA Act”) may enter into a joint exercise of powers agreement with one or more other public agencies pursuant to which such contracting parties may jointly exercise any power common to them and, pursuant to Government Code Section 6588, exercise certain additional powers; and

WHEREAS, the City and the San Diego Unified Port District (the “Port District”) desire to create and establish the Chula Vista Bayfront Facilities Financing Authority (the “Authority”) pursuant to the JPA Act to implement common objectives of the parties related to the approximately 535-acre Chula Vista Bayfront; and

WHEREAS, there has been presented at this meeting a proposed form of Joint Exercise of Powers Agreement, dated as of May 6, 2014 (the “Joint Exercise Powers Agreement”), by and between the City and the Port District, which Joint Exercise of Powers Agreement creates and establishes the Authority; and

WHEREAS, under California law and the Joint Exercise of Powers Agreement, the Authority will be a public entity separate and apart from the parties to the Joint Exercise of Powers Agreement, and the debts, liabilities and obligations of the Authority will not be the debts, liabilities or obligations of the City, the Port District or any representative of the City or the Port District serving on the governing body of the Authority; and

WHEREAS, approval of the Joint Exercise of Powers Agreement and formation of the Authority are not projects as defined under Section 15378(b)(5) of the California Environmental Quality Act (CEQA) Guidelines because these actions involve only an organizational or administrative activity of government that will not result in a direct or indirect physical change in the environment; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines the activity is not subject to CEQA.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it approves the Joint Exercise of Powers Agreement between the City of Chula Vista and the San Diego Unified Port District in the form presented, with such minor modifications as may be required or approved by the City Attorney, a copy of which shall be kept on file in the Office of the City Clerk.

BE IT FURTHER RESOLVED, that the City Council of the City of Chula does hereby

Resolution No.

Page 2

authorize and recommend that the Mayor execute the subject Joint Exercise of Powers Agreement.

Presented by

Approved as to form by

Kelly Broughton, FASLA
Director of Development Services

Glen R. Googins
City Attorney