

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CHULA VISTA APPROVING AN AMENDED AND
RESTATED JOINT COMMUNITY FACILITIES AGREEMENT
BY AND BETWEEN THE CITY OF CHULA VISTA AND THE
SAN DIEGO UNIFIED PORT DISTRICT FOR THE CHULA
VISTA BAYFRONT PROJECT SPECIAL TAX FINANCING
DISTRICT

WHEREAS, the City of Chula Vista, California (the “City”) is a municipal corporation and charter city duly organized and existing under a charter pursuant to which the City has the right and power to make and enforce all laws and regulations with respect to municipal affairs and certain other matters in accordance with and as more particularly provided in Sections 3, 5, and 7 of Article XI of the Constitution of the State of California and the Charter of the City; and

WHEREAS, Chapter 3.61 of the Chula Vista Municipal Code (Chapter 3.61) was enacted for the purpose of establishing a procedure for financing certain public and private improvements and maintenance and services to serve the Chula Vista Bayfront Project through the establishment of the Bayfront Project Special Tax Financing District (the “Bayfront District”), the levy and collection of special taxes within the District and the issuance of bonds of the District secured by such special taxes for the purpose of financing a Convention Center Facility (as defined in Chapter 3.61) and certain other public and/or private improvements; and

WHEREAS, pursuant to Government Code Section 53316.2, in order for the District to finance facilities to be owned or operated by the San Diego Unified Port District (the “Port District”), a joint community facilities agreement or joint exercise of powers agreement must be adopted prior to the adoption of the resolution of formation creating the District; and

WHEREAS, the City and Port District therefore entered into a Joint Community Facilities Agreement (the “JCFA”) dated February 24, 2020; and

WHEREAS, the City undertook and completed proceedings to form the Bayfront District, including adopting Ordinance No. 3481, authorizing the levy of a special tax in the Bayfront District; and

WHEREAS, the City and Port District have negotiated an Amended and Restated Joint Community Facilities Agreement (the “Amended and Restated JCFA”), in the form presented in Exhibit 1 to this resolution; and

WHEREAS, the Board of Commissioners of the Port District did approve the Amended and Restated JCFA at its February 11, 2021 Board meeting.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it hereby declares that the Amended and Restated JCFA would be beneficial to the

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residents and tenants of, and visitors to, the territory within the boundaries of the Bayfront District.

BE IT FURTHER RESOLVED by the City Council of the City of Chula Vista, that it hereby approves the Amended and Restated Joint Community Facilities Agreement by and Between the City of Chula Vista and the San Diego Unified Port District for the Chula Vista Bayfront Project Special Tax Financing 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, and authorizes and directs the Mayor to execute the same.

Presented by:

Approved as to form by:

Tiffany Allen
Director of Development Services

Glen R. Googins
City Attorney