



CITY COUNCIL STAFF REPORT



April 14, 2026

ITEM TITLE

Agreement: Approve a Legal Services Agreement with Best, Best & Krieger LLP for Community Facilities Districts and Public Financing Legal Services

Report Number: 26-0127

Location: No specific geographic location

Department: Development Services

G.C. § 84308 Regulations Apply: Yes

Environmental Notice: The activity is not a “Project” as defined under Section 15378 of the California Environmental Quality Act State Guidelines. Therefore, pursuant to State Guidelines Section 15060(c)(3) no environmental review is required.

Recommended Action

Adopt a resolution approving a legal services agreement with Best, Best & Krieger LLP for community facilities districts and public financing legal services.

SUMMARY

The proposed legal services agreement (LSA) with Best, Best & Krieger LLP establishes an on-call contract, not to exceed \$300,000 over a three-year term with two (2) optional one-year extensions, to provide specialized legal services in support of the formation and administration of Community Facilities Districts (CFDs) and related public financing mechanisms. The agreement allows the City to issue task orders for specific projects as needed, ensuring timely access to specialized expertise to support development-related infrastructure financing. All costs associated with this agreement are funded by developers.

ENVIRONMENTAL REVIEW

The proposed activity has been reviewed for compliance with the California Environmental Quality Act (“CEQA”), and it has been determined that the activity is not a “Project” as defined under Section 15378 of the State CEQA Guidelines because it will not result in a physical change in the environment. Therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines, the activity is not subject to CEQA. Thus, no environmental review is required.

BOARD/COMMISSION/COMMITTEE RECOMMENDATION

Not applicable.

DISCUSSION

The Development Services Department facilitates the formation of CFDs to enable developers to finance public infrastructure and associated development-related costs. These financing mechanisms are complex and require specialized legal expertise in public finance, bond issuance, and compliance with the Mello-Roos Community Facilities Act.

The proposed LSA with Best, Best & Krieger LLP provides a flexible, on-call structure that allows the City of Chula Vista to authorize services on a project-by-project basis through task orders or purchase orders. This approach improves efficiency by eliminating the need to bring separate agreements to City Council for each CFD formation or financing action, while maintaining cost control through task-specific scopes and not-to-exceed amounts.

In order to procure the legal services with Best, Best & Krieger the department in consultation with the City Attorney's office and the Purchasing Agent and accordance with Chula Vista Municipal Code ("CMVC") Section 2.56.110 (F), staff has determined that Best, Best & Krieger has the demonstrated competence and qualifications for the services required, including their knowledge and experience with the CFD public financing legal services, including formation and bond financings, and has also determined that their fees are fair and reasonable.

Pursuant to CVMC Section 2.56.110(H)(3) and 2.56.070(B)(3), the City Council may waive the competitive bidding requirements if determined by resolution of the City Council that the competitive bidding requirements as applied to that contract are impractical, impossible or that City interests would be materially better served by applying a different purchasing procedure approved by the Purchasing Agent as being consistent with good purchasing practices.

Services under this agreement may include CFD formation, preparation of financing documents, bond counsel and disclosure counsel services, and related legal support. The agreement ensures continuity and consistency in legal services across multiple development projects while allowing the City Attorney to direct and approve all work.

DECISION-MAKER CONFLICT

Staff reviewed the decision contemplated by this action and determined that it is not site-specific and consequently, the real property holdings of the City Council members do not create a disqualifying real property-related financial conflict of interest under the Political Reform Act (Cal. Gov't Code § 87100, et seq.). Staff is not independently aware and has not been informed by any City Council member of any other fact that may constitute a basis for a decision-maker conflict of interest in this matter.

CURRENT-YEAR FISCAL IMPACT

If approved, the proposed agreement with Best, Best & Krieger LLP would authorize professional services in the amount not-to-exceed \$300,000 over the initial three-year term, with two (2), one-year options to

extension, unless amended by the City Council. Services will be authorized on a project-by-project basis through individual purchase orders, each with its own scope of work and as determined by the City.

There is no current-year fiscal impact to the General Fund as a result of this action. All costs for legal services provided under this LSA will be fully recovered from developers through established cost recovery mechanisms.

ONGOING FISCAL IMPACT

There is no ongoing fiscal impact to the General Fund as a result of this action. Legal service costs under this agreement will continue to be funded by developers on a project-specific basis as CFD and related financing mechanisms are formed.

ATTACHMENTS

1. Legal Services Agreement City of Chula Vista and Best, Best & Krieger LLP

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