

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CHULA VISTA APPROVING A LEGAL SERVICES
AGREEMENT TO PROVIDE LEGAL SERVICES FOR
COMMUNITY FACILITIES DISTRICT FORMATION, BOND
COUNSEL, AND BOND DISCLOSURE SERVICES BETWEEN
THE CITY AND BEST, BEST & KRIEGER FOR COMMUNITY
FACILITIES DISTRICT 2024-1 (CITRUS BAY)

WHEREAS, CWC BROADWAY CV 256 LLC, (“Developer”) is the owner of the Citrus Bay project at the Chula Vista Center (former Sears Site). Developer has requested that the City of Chula Vista (City”) form a Community Facilities District (“CFD”) to finance public improvements and development impact fees which are a requirement to develop the Citrus Bay project; and

WHEREAS, the City of Chula Vista (“City”) requires legal services, independent bond counsel, and bond disclosure services to be performed in connection with formation of this CFD 2024-1 (Citrus Bay); and

WHEREAS, in accordance with Chula Vista Municipal Code (“CMVC”) Section 2.56.110(A)(1) and (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 City’s bond financings, and has also determined that their fees are fair and reasonable; and

WHEREAS, the City Attorney’s Office in consultation with the Purchasing Agent, has determined that pursuant to CVMC Section 2.56.110(F), the award of the contract to Best, Best & Krieger is based on their unique qualifications and performance qualifications providing legal services for CFD formation, bond, and disclosure services in the City of Chula Vista; and

WHEREAS, staff recommends that the City enter into an agreement with Best, Best & Krieger to provide necessary legal services, bond counsel, and bond disclosure services for the formation of CFD 2024-1 (Citrus Bay); and

WHEREAS, Best, Best & Krieger warrants and represents that it is experienced and staffed in a manner such that it can deliver the services required to City in accordance with the time frames and the terms and conditions of the Legal Services Agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it approves the Legal Services Agreement for Legal Services, Bond Counsel, and Bond Disclosure Services, between the City and Best, Best and Krieger 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 City Attorney to execute same.

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Presented by

Approved as to form by

Laura C. Black, AICP
Director of Development Services

Marco A. Verdugo
City Attorney