

RESOLUTION OMPFA-23

RESOLUTION OF THE OTAY MESA ENHANCED
INFRASTRUCTURE FINANCING DISTRICT PUBLIC
FINANCING AUTHORITY AUTHORIZING THE EXECUTION
OF A CONSULTANT SERVICES AGREEMENT WITH
STRADLING YOCCA CARLSON & RAUTH IN AN AMOUNT
NOT TO EXCEED \$138,000 TO PERFORM BOND AND
DISCLOSURE COUNSEL SERVICES.

WHEREAS, the California Legislature enacted California Government Code (Code) sections 53398.50 through 53398.88 (EIFD Law) authorizing cities and counties to establish enhanced infrastructure financing districts and use specified property tax increment revenue generated within such districts to finance certain infrastructure and community benefit projects; and

WHEREAS, the Council of the City of San Diego (Council) adopted Resolution R-310937, effective February 13, 2017, as amended by Council Resolution R-310971, effective March 15, 2017, determining that it will be beneficial to the City of San Diego (City) to establish, and stating the Council's intent to establish, the Otay Mesa Enhanced Infrastructure Financing District (District) with boundaries coterminous with the Otay Mesa Community Planning Area; and

WHEREAS, the Council adopted Resolution R-310938, effective February 13, 2017, establishing the Otay Mesa Enhanced Infrastructure Financing District Public Financing Authority (Authority) to act as the governing board of the District; and

WHEREAS, the Authority adopted an Infrastructure Financing Plan for the District and formed the District by Resolution OMPFA-2, effective July 24, 2017; and

WHEREAS, the District is permitted under California Government Code section 53398.77 to issue tax increment revenue bonds by a majority vote of the Authority; and

WHEREAS, the City's Debt Management (DM) staff, on behalf of the District, is preparing to present a resolution to the Authority in July to approve a financing plan that includes an initial issuance of tax increment bonds (Bonds) in an estimated amount of \$35 million; and

WHEREAS, the District is required by the bond markets to retain bond and disclosure counsel to issue the Bonds; and

WHEREAS, on April 8, 2022, the Office of the City Attorney (OCA) issued a Request for Proposal (RFP) for bond and disclosure counsel services to related to the proposed issuance of the Bonds; and

WHEREAS, after a comprehensive review of the proposals received pursuant to the RFP, the OCA selected Stradling Yocca Carlson & Rauth's proposals as the best overall value to the District; and

WHEREAS, the District now seeks authority to enter into an Agreement for Legal Services with Stradling Yocca Carlson & Rauth in an amount not to exceed \$138,000 to provide bond and disclosure services to the District for the proposed issuance of the Bonds; NOW,

THEREFORE,

BE IT RESOLVED, by the Authority, that any of the authorized officers of the Authority are authorized and directed to execute that certain Agreement for Legal Services between the Authority and Stradling Yocca Carlson & Rauth, as set forth in Attachment 1 submitted with the docket materials accompanying this Resolution.

PASSED AND ADOPTED by the Otay Mesa Enhanced Infrastructure Financing
District Public Financing Authority at a duly noticed meeting held on June 13, 2022.

Vivian Moreno
Chair