

DRAFT

RESOLUTION 20xx-xxx

**RESOLUTION RESUMING COLLECTION OF
PREVIOUSLY ADOPTED USER FEE TO BE
COLLECTED BY TRANSPORTATION VENDORS
DOING BUSINESS ON TIDELANDS**

WHEREAS, the San Diego Unified Port District (District) is a public corporation created by the legislature in 1962 pursuant to Harbors and Navigation Code Appendix 1, (Port Act); and

WHEREAS, on December 15, 1998, the Board of Port Commissioners (Board) adopted Ordinance 2030, An Ordinance Adopting a User Fee to be Collected by Transportation Vendors Doing Business on Tidelands to be used to fund parking structures on District property intended to serve convention centers (User Fee); and

WHEREAS, between 1999 and 2006, collected User Fees paid for 100% of the construction of the parking facility built adjacent to the San Diego Convention Center (SDCC) and collection was suspended once all recoverable costs for that project were collected; and

WHEREAS, the District adopted and collected the User Fee during the time it operated the San Diego International Airport, and continued collection after operation of the San Diego International Airport was transferred by the California legislature to the newly-created San Diego County Regional Airport Authority (SDCRAA); and

WHEREAS, the District's Chula Vista Bayfront project represents one of the last truly significant large-scale waterfront development opportunities in Southern California. It seeks to transform a largely vacant and underutilized industrial landscape into a thriving destination including convention center facilities, a resort hotel, marinas, restaurants, and public spaces on the Chula Vista waterfront; and

WHEREAS, in 2012, the California Coastal Commission approved the Chula Vista Bayfront Master Plan (CVBMP), a joint planning effort between the District, the City of Chula Vista, and Pacifica Companies. The purpose of developing a master plan, which included certification of the CVBMP Final Environmental Impact Report (FEIR) and Port Master Plan Amendment (PMPA), was to create a blueprint for the transformation of the Chula Vista waterfront into a world-class destination for local residents and visitors; and

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WHEREAS, a significant aspect of the Chula Vista Bayfront is the construction of an approximately 275,000 square foot convention center, including a 1,600-space parking garage primarily intended to serve the convention center; and

WHEREAS, a significant number of cars rented from rental car companies conducting business on District tidelands will have the Chula Vista Bayfront convention center facilities on District-owned land as a destination and, therefore, will have a significant impact on the requirement for parking facilities; and

WHEREAS, an analysis conducted by Keyser Marston & Associates, Inc., evidences the connection between cars rented from rental car companies conducting business on District tidelands and the requirements for parking at the Chula Vista Bayfront convention center facilities, that the Chula Vista Bayfront convention center facilities will increase the demand for rental cars on District tidelands, that collection of the previously adopted User Fee will not negatively impact the demand for rental cars from rental car companies conducting business on District tidelands, and, finally, that the overall project will have significant economic benefits to the entire region; and

WHEREAS, District staff recommends resuming collection of the previously adopted User Fee to fund one or more parking structures located on District-owned property and adjacent to and intended principally to serve the convention center facilities on District-owned land in Chula Vista. Use of this fee is consistent with the principle that users of District facilities who enjoy the opportunities and benefits that such facilities create, pay for such opportunities and benefits – including, in this case, car renters utilizing District property related to rental car transactions and, additionally, a portion of these car renters utilizing the parking facilities to be funded by the fee and the adjacent convention center.

NOW, THEREFORE, BE IT RESOLVED that the Board of Port Commissioners of the San Diego Unified Port District, as follows:

Section 1. The Board finds that a significant number of cars rented from rental car companies conducting business on District tidelands will have the Chula Vista Bayfront convention center facilities on District-owned land as a destination and, therefore, will have a significant impact on the requirement for parking facilities, and that the previously-adopted user fee amount is a reasonable amount to charge for the benefit of using District tidelands related to rental car transactions and, additionally, the availability of the parking facilities to be funded by the fee.

Section 2. Beginning May 10, 2018, in accordance with Ordinance 2030, each rental car company conducting business on District tidelands shall commence collection of the User Fee previously adopted by Ordinance 2030 on behalf of the District and pay collected User Fees to the District.

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Section 3. Collected User Fees shall be used to fund one or more parking structures located on District-owned property and adjacent to and intended principally to serve the Chula Vista Bayfront convention center facilities on District-owned land.

APPROVED AS TO FORM AND LEGALITY:
GENERAL COUNSEL

By: Assistant/Deputy

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 10th day of April, 2018, by the following vote: