

Commission on Community Investment and Infrastructure

RESOLUTION NO. 47-2013  
Adopted September 17, 2013

**AUTHORIZING A PERSONAL SERVICES CONTRACT WITH JONES HALL, A PROFESSIONAL LAW CORPORATION, FOR BOND COUNSEL SERVICES IN AN AMOUNT NOT TO EXCEED \$105,000 RELATED TO PROPOSED MISSION BAY SOUTH BOND SALES, PURSUANT TO THE MISSION BAY SOUTH OWNER PARTICIPATION AGREEMENT.**

WHEREAS, Subject to Commission, Oversight Board and DOF approval, OCII is planning to issue bonds backed by tax increment to repay the Mission Bay South developer for infrastructure costs and to pay for affordable housing development, as required by the Mission Bay South Owner Participation Agreement; and

WHEREAS, Section IX.C.5 of OCII's purchasing policy authorizes OCII staff to select a Contractor from a City panel that was established using the City's competitive selection process, to the same extent that Agency staff may select a Contractor from an Agency panel authorized under the Purchasing policy; and

WHEREAS, On July 10, 2013, at the request of OCII staff, the City Attorney issued a Request for Proposals (RFP) for Bond Counsel services for both a Mission Bay South bond issuance and a City general obligation bond issuance that was circulated to an existing list of qualified firms; and

WHEREAS, On July 12, 2013, a supplement to the RFP was distributed to the list to clarify that OCII would be making the selection of bond counsel selection for the Mission Bay South issuance, and

WHEREAS, Six firms responded to the RFP by the submission deadline; and

WHEREAS, An OCII panel reviewed the proposals according to objective scoring criteria and determined that Jones Hall was the highest scoring respondent;

WHEREAS, OCII staff recommend entering into a professional services contract with Jones Hall to provide bond counsel services associated with a Mission Bay South bond issuance; and

WHEREAS, Under the Redevelopment Dissolution Law Successor Agencies only have the authority to enter into new contracts in compliance with enforceable obligation that existed prior to June 28, 2011 and in accordance with Health and Safety Code 34177.3 (a). The Successor Agency has determined that the proposed personal services contract complies with existing enforceable obligations created by the Mission Bay South Owner Participation Agreement; and

WHEREAS, Payments under this contract will be provided from proceeds of any potential bond issuance; and will be included on the Successor Agency's Recognized Obligation Payment Schedule ROPS" 13-14B,

WHEREAS, Authorization of the personal services contract is not a project, as defined by the California Environmental Quality Act ("CEQA") in CEQA Guidelines Section 15378(b)(5), will not independently result in a physical change in the environment and is not subject to environmental review under CEQA; now, therefore, be it

RESOLVED, That the Commission approves, and authorizes the Executive Director to execute a personal services contract with Jones Hall, a professional law corporation, substantially in the form of the draft contract lodged with the Successor Agency for an amount not to exceed \$105,000.

I hereby certify that the foregoing resolution was adopted by the Commission at its meeting of September 17, 2013.

  
Commission Secretary