RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CHULA VISTA APPROVING THE FIRST AMENDMENT TO
THE TWO-PARTY AGREEMENT BETWEEN THE CITY AND
KTUA FOR DESIGN, PRE-CONSTRUCTION, AND
CONSTRUCTION ADMINISTRATION SERVICES FOR
EUCALYPTUS PARK RENOVATIONS

WHEREAS, Eucalyptus Park is a 19.69-acre community park located at 436 C Street,
stretching along C Street between Fourth and Fifth Avenues; and

WHEREAS, the City of Chula Vista ("City") applied to the California Department of Parks
and Recreation for grant funds available pursuant to the California Drought, Water, Parks,
Climate, Coastal Protection, and Outdoor Access for All of 2018 Parks Bond Act, Statewide Park
Development and Community Revitalization Program to improve Eucalyptus Park; and

WHEREAS, on February 22, 2022, the City entered into Grant Contract SW-37-015 for
Eucalyptus Park improvements; and

WHEREAS, funding was appropriated via Resolution No. 2022-100, which amended the
fiscal year 2021-22 capital improvement program budget to establish a new capital improvement
project, Eucalyptus Park (PRK0340); and

WHEREAS, the City entered into a Consultant Services Agreement with KTUA
("Consultant") to provide Design, Pre-construction, and Construction Administration for
Eucalyptus Park Renovations (City Agreement No. 2022-174), "Original Agreement", on October
25, 2022; and

WHEREAS, the Parks and Recreation Commission recommended approval of the
Eucalyptus Park Master Plan at its meeting on April 25, 2023, by a vote of 5-0; and

WHEREAS, City Council approved the Eucalyptus Park Master Plan and a reallocation of
$3.5 million in ARPA funding at its meeting on June 6, 2023 via Resolution No. 2023-074; and

WHEREAS, City Council approved the reallocation of $4,287,725 in previously
appropriated ARPA funds towards the Eucalyptus Park Renovations to upgrade existing park
amenities and amending the American Rescue Act Spending Plan accordingly, by reallocating
$4,287,725 from the Telegraph Canyon Culvert Repair Project to the Eucalyptus Park
Improvement Project at its meeting on December 12, 2023 via Resolution No. 2023-211; and

WHEREAS, City and Consultant desire to amend the Original Agreement to update the
Scope of Work to include updates to the Park Master Plan, preparing construction drawings to
reflect the approved Park Master Plan as presented to City Council on June 6, 2023, and adding

additional design and scope of work related to improvements of existing park facilities as presented to City Council on December 12, 2023; and

WHEREAS, the new contract amount increases by $532,675 to a new total of $1,049,108; and

WHEREAS, the City Council desires to authorize the City Manager to enter into future amendments to the Original Agreement, as amended, in the case of necessary, unforeseen changes, up to $100,000; and

WHEREAS, the Director of Development Services has reviewed the proposed project for compliance with the California Environmental Quality Act ("CEQA") and has determined that the activity is not a "Project" as defined under Section 15378 of the California Environmental Quality Act ("CEQA") State Guidelines; therefore, pursuant to State Guidelines Section 15060(c)(3) no environmental review is required.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it hereby approves the First Amendment to the Original Agreement between the City and KTUA for design, pre-construction, and construction administration services in substantially 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 Manager to execute same.

BE IT FURTHER RESOLVED that the City Council authorizes the City Manager to amend the Original Agreement, as amended, as deemed necessary in her discretion, up to total additional expenditures of $100,000.

Presented by   Approved as to form by

_____   _____
Laura C. Black, AICP   Jill D.S. Maland
Director of Development Services   Lounsbery Ferguson Altona & Peak
                                                          Acting City Attorney