

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CHULA VISTA APPROVING THE THIRD AMENDMENT TO
THE LEGAL SERVICES AGREEMENT FOR ON-CALL LEGAL
SERVICES TO ASSIST THE DEVELOPMENT SERVICES
DEPARTMENT BETWEEN THE CITY AND GATZKE DILLON
& BALLANCE LLP, AMENDING THE FISCAL YEAR 2023-24
BUDGET, AND APPROPRIATING FUNDS THEREFOR

WHEREAS, the City previously entered into a legal services agreement with Gatzke Dillon & Ballance LLP, to provide on-call legal services to assist the Development Services Department (“Agreement”); and

WHEREAS, Section 3.1 of the Legal Services Agreement provides that Gatzke Dillon & Ballance LLP’s compensation shall not exceed \$50,000; and

WHEREAS, the term of the Agreement was previously extended via an executed Notice of Exercise of Option to Extend Agreement from October 28, 2022 to October 28, 2023 on the same terms and conditions provided for in the Agreement; and

WHEREAS, a First Amendment to the Agreement was previously executed amending Section 3.1 of the Agreement to change the not to exceed amount from \$50,000 to \$412,500 for the October 28, 2022 to October 28, 2023 extension term; and

WHEREAS, a Second Amendment to the Agreement was previously executed in October 2023 amending Section 3.1 of the Agreement to extend the agreement for an additional term running from October 29, 2023 through October 28, 2024, and to carry forward any unspent balance from the 2022-2023 term into the new term 2023-2024 term; and

WHEREAS, the Development Services Department continues to utilize the services by Attorney at a high volume to ensure the delivery of development-related services throughout the City, most of which services are reimbursed by developer fees; and

WHEREAS, additional service costs are estimated to be incurred in the current 2023-2024 term in the amount of \$250,000 through the end of this fiscal year on June 30, 2024.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it approves the Third Amendment to the Agreement for on-call legal services to assist the Development Services Department between the City and Gatzke Dillon & Ballance LLP, 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 Mayor to execute same.

Resolution No.

Page 2

BE IT FURTHER RESOLVED by the City Council of the City of Chula Vista that it does hereby amend the Fiscal Year 2023-24 budget to appropriate \$250,000.00 in revenues and expenditures to the Development Services Fund.

Presented by

Approved as to form

Laura C. Black, AICP
Director of Development Services

By:

Jill D.S. Maland
Lounsbery Ferguson Altona & Peak
Acting City Attorney