

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CHULA VISTA APPROVING A LICENSE AGREEMENT
WITH THE COUNTY OF SAN DIEGO FOR THE OTAY
LAKES COUNTY PARK PROJECT

WHEREAS, on September 25, 2018, the City Council adopted Resolution 2018-198 where it approved the Sewer Service Agreement Between City of Chula Vista and The County of San Diego For Otay Lakes County Park (“Original Agreement”) for the City to provide sewer service to the property located at 2270 Wueste Road, Chula Vista where it houses the Otay Lakes County Park (“Park”). Currently, the Park is serviced by a septic tank that is ineffective in meeting current and future demands;

WHEREAS, in the Original Agreement, it was stated that the County is going to be responsible for the design, construction, and maintenance of a sewer lateral and all other sewer infrastructure to convey sewer flows from the Park to the point of connection to the existing Salt Creek Trunk Sewer. In addition, two alternatives with a slight variation on one of them to the sewer lateral were proposed, all within the Salt Creek Basin Otay Ranch Preserve open space areas;

WHEREAS, the Sewer Service Agreement for the Otay Lakes County Park is being amended as a request from the County of San Diego to reflect a revised alignment to the sewer main that will serve the park site. The two alignment alternatives in the Original Agreement were determined to be infeasible by consultant evaluations;

WHEREAS, the revised sewer alignment will consist of offsite force main alignment coupled with common collection system and lift station improvements and onsite force main to allow the collection and conveyance of sanitary flows from the Park site northerly along Wueste Road to a sewer main located in the Chula Vista Elite Athlete Training Center (CVEATC) owned by the City. This alternative to provide dual 2-1/2 – inch diameter force mains which provides a redundant parallel one was found to have minimal environmental impact;

WHEREAS, the County of San Diego will be required to obtain a no-fee encroachment permit for the use of and access to the City’s right-of-way through a portion of Wueste Road in order to construct and maintain the proposed sewer force mains and appurtenances that will be privately owned by the County;

WHEREAS, the County of San Diego will be required to enter into a License Agreement with the City to allow the County to construct and maintain the last segment of the proposed sewer infrastructure within the City-owned CVEATC to connect to the public sewer system; and

WHEREAS, the County has not finished the engineering design for the sewer lateral but has requested to the City to expedite the approval of permits to facilitate the County meeting their aggressive construction schedule;

WHEREAS, to accommodate the County's request, City staff recommends that the City Council approve the proposed License Agreement with the County of San Diego; and

WHEREAS, under the License Agreement, the County of San Diego would be solely responsible for all costs associated with the installation and maintenance of their sewer facilities.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista that it approves the License Agreement between the City of Chula Vista and the County of San Diego, in the form presented, with such modifications as may be required or approved by the City Attorney, authorizes the City Manager or designee to negotiate such further minor modifications as necessary to finalize the agreement, authorizes the City Manager or designee to execute the final agreement on a form approved by the City Attorney, and authorizes and directs a copy of the final agreement to be kept on file in the Office of the City Clerk.

Presented by

Approved as to form by

William S. Valle
Director of Engineering & Capital Projects

Glen R. Googins
City Attorney