

RESOLUTION NO. 2014 ____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A TWO-PARTY AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND RECON ENVIRONMENTAL, INC. TO SERVE AS THE OTAY RANCH PRESERVE STEWARD/BIOLOGIST, AND AUTHORIZING THE CITY MANAGER TO EXECUTE UP TO FOUR 1-YEAR EXTENSIONS, AND ANY RELATED DOCUMENTS IN CONJUNCTION WITH IMPLEMENTING THE AGREEMENT

WHEREAS, the City of Chula Vista (City) and the County of San Diego (County) jointly adopted the Otay Ranch General Development Plan/Subregional Plan (GDP/SRP) in 1993, which sets forth the plans for development and open space within Otay Ranch; and,

WHEREAS, the GDP/SRP delineates an approximately 11,000 acre area as the Otay Ranch Preserve system (Preserve) and includes the Otay Ranch Resource Management Plan (RMP) Phase 1, which identifies major policies and implementation measures to guide development and the protection of the biological and cultural resources within Otay Ranch; and,

WHEREAS, pursuant to provisions of the RMP Phase 1 a Preserve Owner/Manager (POM) for the Preserve must be selected and an RMP Phase 2 must be completed, which would serve as the implementation plan providing the framework for the protection, management, and monitoring requirements of the Preserve; and,

WHEREAS, in 1996, the RMP Phase 2 was completed and the City and the County designated themselves as the Otay Ranch POM and executed a Joint Powers Agreement to delineate their respective roles and responsibilities; and,

WHEREAS, the City and County continue to serve as the Otay Ranch POM and are responsible for implementing the RMP by actively managing and monitoring preserve lands conveyed to the Otay Ranch Preserve system; and,

WHEREAS, in March 2009, the Otay Ranch POM Preserve Management Team and Policy Committee directed POM staff to retain a Preserve Steward/Biologist to provide the technical expertise to advise the POM on the status of the Preserve, monitor the sensitive biological resources existing within the Preserve, and implement basic stewardship in accordance with the RMP; and,

WHEREAS, on May 6, 2009, a Request for Qualifications was distributed to qualified biological consultants in order to solicit candidates interested in serving as the Otay Ranch Preserve Steward/Biologist; and,

WHEREAS, through a Request for Qualifications solicitation and a subsequent competitive bid process, the Consultant (RECON) was selected based upon its proposed approach and demonstrated qualifications to perform the services outlined in the detailed scope of work; and,

WHEREAS, in 2009, City Council approved a two-party Agreement with the Consultant (“2009 Agreement”) that authorized the City to renew the 2009 Agreement on an annual basis, at the City’s sole discretion, for four additional one-year terms; and,

WHEREAS, the 2009 Agreement contains a provision that allows the City Council to authorize subsequent renewals, at its discretion, beyond the five-year term of the 2009 Agreement; and,

WHEREAS, the 2009 Agreement will terminate August 4, 2014, and an amendment to the 2009 Agreement is necessary to authorize continuation of the Consultant’s biological management and monitoring services for an additional five years and to amend the per annum budget; and,

WHEREAS, the Otay Ranch Preserve Management Team and Otay Ranch Policy Committee held duly noticed public meetings on April 21, 2014 and May 12, 2014, respectively, at which they noted their continued support of the Consultant and directed staff to extend the Consultant’s biological consulting services associated with the Otay Ranch Preserve Steward/Biologist for an additional five years; and,

WHEREAS, in accordance with CVMC 2.56.070, Consultant was solely selected to continue biological consulting services associated with the Otay Ranch Preserve Steward/Biologist based upon their experience and unique understanding of the Otay Ranch Preserve, and have consistently demonstrated that they possesses the qualifications required to continue the services outlined in the detailed scope of work; and,

WHEREAS, in accordance with Council Policy 102-05, the scope of services to be provided by Consultant is not similar in scope to those of separate contracts under which Consultant currently provides services to the City.

NOW THEREFORE BE IT RESOLVED NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it approves the Agreement between the City of Chula Vista and Recon Environmental, Inc. to serve as the Otay Ranch Preserve Steward/Biologist, 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, authorizes and directs the Mayor to execute the Agreement, and authorizes the City Manager to execute up to four 1-year extensions

to the Agreement, and any related documents, in conjunction with implementing the Agreement on behalf of the City.

Presented by

Approved as to form by

Gary Halbert, P.E., AICP
City Manager

Glen Googins
City Attorney

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