



AGENDA REPORT

SAN CLEMENTE CITY COUNCIL MEETING
Meeting Date: December 6, 2016

Agenda Item 60

Approvals:

City Manager GM

Dept. Head 60

Attorney

Finance JV

Department: Community Development / Code Compliance
Prepared By: Adam Atamian, Interim Code Compliance Supervisor

Subject: **SECOND AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT FOR TEMPORARY CONTRACT SERVICES IN THE CODE COMPLIANCE DIVISION WITH ANDERSON PENNA.**

Fiscal Impact: Yes, a supplemental appropriation of \$96,880 is being requested to fund the additional cost of the contract.

Summary: Staff recommends the City Council approve the Second Amendment to the Professional Service Agreement with Anderson Penna for a total of \$96,880. The term of the contract will be until June 30, 2017 or until services are deemed no longer necessary. The purpose of the Second Amendment is to continue providing temporary code compliance services to assist the division with increased demand for services and while staffing needs are currently being accessed.

Discussion: On July 5, 2016, the City Council approved the First Amendment to the Professional Services Agreement for contract services with Anderson Penna to assist with staffing in the Code Compliance Division. There has been a continuous need for addressing complaints related to code violations, nuisance calls, and additional demands that often require immediate attention. Demand for services for the division are over 20% higher than the previous year. This increase is due, in large part, to new ordinances adopted by the City Council in 2016 to regulate boarding houses, specialty hospitals, and short-term lodging units. In order to meet all the service demands and provide continuous customer service, it is necessary to continue the contract for additional staff to assist with the ongoing workload. Without additional staff support, response times to complaints will be negatively affected.

Code Compliance has been utilizing services from Anderson Penna's contractual services and has been satisfied with the services provided. The additional staffing has allowed the Code Compliance Division to better handle complaints, investigations, and processing of citations. This second contract amendment will increase the contract amount from \$161,481 to \$258,361 and it will allow contractual staff to remain until June 30, 2017.

Recommended Action: STAFF RECOMMENDS THAT the City Council:

1. Authorize a supplemental appropriation in the amount of \$96,880 to the Other Contractual Services Account 001-451-43890 from the General Fund Unassigned Fund balance.

2. Approve and authorize the mayor to execute a Second Amendment with Anderson Penna increasing the First Amendment to the Professional Services Agreement for the Code Compliance contractual staff from \$161,481 to \$258,361, and extending the contract terms through June 30, 2017, or until services are no longer needed.

Attachments: 1. Second Amendment to Anderson Penna Contractual Staffing for staffing services provided to the Code Compliance Division.

Notification: None.

ATTACHMENT 1

SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT FOR

This Second Amendment to Professional Services Agreement for the Code Compliance Division, (this "Second Amendment") is made and entered into on this ____ day of _____, 2016, by and between the CITY OF SAN CLEMENTE, a California municipal corporation ("City"), and Anderson Penna ("Contractor").

RECITALS:

- A. City and Contractor entered into that certain Professional Services Agreement for Contract Staffing For The Code Compliance Division (the "Original Agreement") on March 1, 2016.
- B. City and Contractor entered into that certain First Amendment to Professional Services Agreement for Contract Staffing For The Code Compliance Division ("First Amendment") on July 5, 2016]. the Original Agreement, as modified by the First Amendment, is hereinafter referred to as the "Agreement."
- C. City and Contractor desire to amend the Agreement in the manner provided hereinbelow.

COVENANTS:

Section 1: 1.1 of the Agreement is hereby amended by altering the Term of the contract to remain in effect until June 30, 2017. In addition to the services to be performed by Contractor as referenced in Exhibit A to the Original Agreement and Exhibit A to the First Amendment, Contractor shall also perform those services described in Exhibit A of this Second Amendment, which exhibit is attached hereto and incorporated herein by this reference.

Section 2: Section 3.1 of the Agreement is hereby amended by altering the compensation of the contract to \$258,361

Section : Except as expressly amended by this Second Amendment, the remaining portions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to be duly executed on the respective dates set forth opposite their signatures.

CITY OF SAN CLEMENTE

By: _____

Its: _____

Dated: _____, 20__

ATTEST:

CITY CLERK of the City of
San Clemente, California

Approved as to form:
BEST BEST & KRIEGER

City Attorney

Finance Authorization

("CONTRACTOR")

By: _____

Its: _____

Dated: _____, 20__

EXHIBIT "A"

There will be no changes to the Scope of Work with this Second Amendment.

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