



# AGENDA REPORT

SAN CLEMENTE CITY COUNCIL MEETING  
Meeting Date: March 21, 2017

Agenda Item 6th

**Approvals:**

City Manager [Signature]  
Dept. Head [Signature]  
Attorney [Signature]  
Finance [Signature]

**Department:** Community Development Department, Planning Division  
**Prepared By:** Clifford Jones, Associate Planner

**Subject:** *FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH LILLEY PLANNING GROUP, INC. AND SECOND AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT FOR CIVIC SOLUTIONS FOR TEMPORARY STAFF AUGMENTATION IN THE PLANNING DIVISION OF THE COMMUNITY DEVELOPMENT DEPARTMENT.*

**Fiscal Impact:** Yes, the cost of \$22,000 for the Civic Solutions Contract for temporary contract Planners is offset by salary savings from the vacant positions in the Planning Division. There are no additional funds being added to the Lilley Planning Group contract; therefore, there is not fiscal impact related to this contract.

**Summary:** Staff recommends the City Council approve the Second Amendment to the Professional Services Agreement with Civic Solutions for \$22,000 and to extend the terms of the contract through June 30, 2017, or until services are deemed no longer necessary. Staff also recommends approving the First Amendment to the Professional Services Agreement with Lilley Planning Group, Inc. to extend the terms of the contract through August 31, 2017. The purpose of the contract amendments are to continue providing temporary planning services until vacant positions have been filled.

**Discussion:** On July 13, 2016, the City Council approved the Professional Services Agreement for contract services with Civic Solutions for a temporary part-time Associate Planner. The contract Planner is currently assisting the Planning Division with processing minor discretionary permits, plan checks, providing counter and phone back up, and other similar tasks. The Second Amendment to the Professional Services Agreement with Civic Solutions would increase the not-to-exceed amount from \$59,986 to \$81,986 and extend the term of the contract to June 30, 2017.

The Planning Division also has a contract with Lilley Planning Group to assist the Planning Division with temporary staffing as a result of vacant planning positions within the division. Currently, the temporary contract Planner from Lilley Planning Group is assisting the division with: processing complex discretionary permits, preparation of planning projects, research and technical analysis, attendance at public meetings when necessary, and other similar tasks. The First Amendment to the Professional Services Agreement with Lilley Planning would extend the contract term to August 31, 2017; however, no additional funds are being added to this contract.

The Planning Division is currently in the process of filling the open vacancies within the division; however, during this process, it is necessary to continue utilizing contract

services in order to maintain customer service levels. Without temporary staff support, plan check, permit and entitlement processing, and counter and phone response times would be negatively affected. The proposed contract amendments to the Professional Services Agreements would allow temporary staffing until vacancies are filled.

**Recommended**

**Actions:** STAFF RECOMMENDS THAT the City Council:

1. Approve and authorize the mayor to execute a Second Amendment with Civic Solutions increasing the Professional Services Agreement for the Part-Time Planning Associate total compensation from \$59,986 to \$81,986 and extending the contract terms through June 30, 2017, or until services are no longer needed.
2. Approve and authorize the mayor to execute a First Amendment with Lilley Planning Group, Inc. to extend the contract terms to August 31, 2017, or until services are no longer needed.

**Attachments:**

1. First Amendment to the Professional Services Agreement with Lilley Planning for temporary contract services for an Associate Level Planner.
2. Second Amendment to the Professional Services Agreement with Civic Solutions for temporary contract services to assist the Planning Division.

**Notification:** Not Applicable

## ATTACHMENT 1

### FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT FOR A TEMPORARY CONTRACT PLANNER FOR THE PLANNING DIVISION

This First Amendment to Professional Services Agreement for temporary planning staffing services (this "First Amendment") is made and entered into on this \_\_\_\_\_ day of March, 2017, by and between the CITY OF SAN CLEMENTE, a California municipal corporation ("City"), and Lilley Planning Group, Inc. ("Contractor").

#### RECITALS:

- A. City and Contractor entered into that certain Professional Services Agreement for temporary planning staff services (the "Agreement") on December 6, 2016.
- B. City and Contractor desire to amend the Agreement in the manner provided herein.

#### COVENANTS:

Section 1: Article 1.1 of the Agreement is hereby amended by extending the term of the Agreement until August 31, 2017. In addition to the services to be performed by Consultant as referenced in Exhibit A to the Agreement, Consultant shall also perform those services described in Exhibit "A" to this First Amendment, which exhibit is attached hereto and incorporated herein by this reference.

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

IN WITNESS WHEREOF, the parties hereto have caused this First 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"

document | There will be no changes to the Scope of Work with this First Amendment

**SECOND AMENDMENT TO  
PROFESSIONAL SERVICES AGREEMENT FOR  
TEMPORARY CONTRACT PLANNER FOR THE PLANNING DIVISION**

This Second Amendment to Professional Services Agreement for temporary planning staffing services, (this "Second Amendment") is made and entered into on this \_\_\_\_\_ day of \_\_\_\_\_, 2017, by and between the CITY OF SAN CLEMENTE, a California municipal corporation ("City"), and Civic Solutions\_ ("Contractor").

RECITALS:

- A. City and Contractor entered into that certain Professional Services Agreement for temporary planning staffing services (the "Original Agreement") on July 13, 2016.
- B. City and Contractor entered into that certain First Amendment to Professional Services Agreement for temporary planning staffing services ("First Amendment") on November 1, 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: Article 3.1 of the Agreement is hereby amended by increasing the total compensation amount from Fifty Nine Thousand Nine Hundred and Eighty Six dollars (\$59,986) to Eighty One Thousand Nine Hundred and Eighty Six dollars \$(81,986). 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 1.1 of the Agreement is hereby amended by extending the term of the Agreement to June 30, 2017 unless terminated earlier pursuant to the terms hereof

Section 3: 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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