

**AMENDMENT NUMBER TWO TO  
AGREEMENT FOR DRIVER SERVICES  
FOR SENIOR MOBILITY PROGRAM**

This Amendment is made and entered into this \_\_\_ day of \_\_\_\_\_, 2006, by and between Western Transit Systems, a California corporation (“Western”) and the City of Costa Mesa, a municipal corporation (“City”).

WHEREAS, Western and City entered into an agreement dated October 1, 2002 (“Effective Date”), for driver services for the City’s Senior Mobility Program; and

WHEREAS, Western and City’s original proposal contained a provision for two (2) additional one (1) year extensions at City’s option; and

WHEREAS, at the regular City Council Meeting on September 3, 2002, City Council approved the original three (3) year contract with two optional one-year extensions (Exhibit “A”), however, the provision for the extensions was inadvertently omitted in the original Agreement between the parties; and

WHEREAS, Western and City now wish to amend the Agreement to exercise the second one-year extension and change the compensation amount.

NOW, THEREFOR, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. Exhibit “C,” referred to in Section 2.1, Compensation, the Fee Schedule, is hereby replaced with Exhibit “B,” dated August 11, 2005, reflecting the increase in rate from \$26.97 to \$27.97. Exhibit “B” is attached hereto and made a part of this Amendment. The total annual amount for the Agreement shall not exceed Sixty-Three Thousand Nine Hundred Thirty-Nine Dollars (\$63,939.00).
2. Section 4.1, Term, shall be changed to read, “This Agreement shall commence on the Effective Date and continue for a period of three (3) years with two (2) additional one (1) year extensions at City’s option, ending on September 30, 2007, unless previously terminated as provided herein or as otherwise agreed to in writing by the parties.
3. All terms not herein defined shall have the same meaning and use as set forth in the Agreement.
4. All other terms, conditions, and provisions of the Agreement not in conflict with this Amendment, shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties hereto have set their hand by their duly authorized representatives as of the day and year first above written.

CITY OF COSTA MESA,  
A municipal corporation

\_\_\_\_\_  
Mayor of the City of Costa Mesa Date: \_\_\_\_\_

WESTERN TRANSIT SYSTEMS

\_\_\_\_\_  
Signature Date: \_\_\_\_\_

\_\_\_\_\_  
Name and Title

\_\_\_\_\_  
Social Security or Taxpayer ID Number

ATTEST:

\_\_\_\_\_  
City Clerk and ex-officio Clerk  
of the City of Costa Mesa

APPROVED AS TO FORM:

*Kimberly Hall Barlow*  
\_\_\_\_\_  
City Attorney Date: 8/14/06

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Project Manager Date: \_\_\_\_\_

EXHIBIT A  
CITY COUNCIL MINUTES

The image shows a large, faint, and mostly illegible table or document, possibly representing a list of items or minutes. It appears to have multiple columns and rows of text, but the content is too light to read accurately. The text is very faded and difficult to discern.

Unofficial Until Approved

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF COSTA MESA

SEPTEMBER 16, 2002

The City Council of the City of Costa Mesa, California, met in regular session September 16, 2002, at 6:30 p.m., in the Council Chambers of City Hall, 77 Fair Drive, Costa Mesa. The meeting was called to order by the Mayor, followed by the Pledge of Allegiance to the Flag led by Boy Scout Troop No. 106, and Invocation by Robert Krattli, First Church of Christ Scientist.

ROLL CALL	<p>Council Members Present: Mayor Linda Dixon Mayor Pro Tem Gary Monahan Council Member Libby Cowan Council Member Karen Robinson (arrived at 9:35 p.m.) Council Member Chris Steel</p> <p>Council Members Absent: None</p> <p>Officials Present: City Manager Allan Roeder Development Services Director Donald Lamm Public Services Director William Morris Police Administrative Services Commander Scherree Ford Police Lieutenant Karl Schuler Recreation Manager Stacia Mancini Building Official Rick Brown Assistant Planner Wendy Shih Deputy City Clerk Julie Folok</p>
MINUTES September 3, 2002	On motion by Mayor Pro Tem Monahan, seconded by Council Member Cowan, and carried 4-0, Council Member Robinson absent, the minutes of the regular meeting of September 3, 2002, were approved as distributed.
ORDINANCES AND RESOLUTIONS	A motion was made by Mayor Pro Tem Monahan, seconded by Council Member Cowan, and carried 4-0, to read all ordinances and resolutions by title only.
PRESENTATION Breast Cancer Awareness Proclamation	Mayor Dixon announced that a proclamation has been prepared for the American Cancer Society declaring October as Breast Cancer Awareness Month.
ANNOUNCEMENT Planning Application ZA-01-63	Mayor Dixon announced Old Business No. 1, request for a rehearing of Planning Application ZA-01-63, would not be heard this evening, as the applicants had withdrawn their application.
PUBLIC COMMENTS Gang Problems	Martin Millard, 2973 Harbor Boulevard, No. 264, Costa Mesa, recounted the continuous problems with illegal aliens in the City, and gang problems in his neighborhood.
Segerstrom Educational Foundation Skateboard Park	Doug Sutton, 2739 Canary Drive, Costa Mesa, discussed the Segerstrom Educational Foundation's need to agree on a purpose. Regarding the skateboard park he asked that the skateboard community make a commitment to collaborate with the City in the creation and operation of the skateboard park. He stated his support for the City Attorneys.

Niko Niko Sushi, 2300 Harbor Boulevard, Suite N5 (Harbor Shopping Center), for a person-to-person transfer of an existing Type 41 ABC license (on-sale beer and wine for a bona fide eating place).

Dish Cooking School, 435 East 17<sup>th</sup> Street, Suite B, for an original Type 41 ABC license (on-sale beer and wine for a bona fide eating place).

Scampi Restaurant, 1576 Newport Boulevard, for a person-to-person transfer of a Type 47 ABC license (on-sale general for a bona fide eating place).

**WARRANTS**

The following warrants were approved:

Approved Warrant 1917/Payroll 218

Warrant Resolution 1917, funding Payroll 218 for \$1,965,061.12, and City operating expenses for \$403,978.68.

Approved Warrant 1918

Warrant Resolution 1916, funding City operating expenses for \$503,329.41.

**ADMINISTRATIVE ACTIONS/Approved Agreement with O.C. Humane Society**

An agreement was approved to extend the contract with Nabil Nasre, D.V.M., Orange County Humane Society, 21382 Newland Street, Huntington Beach, to provide animal shelter and related services for a three-year period, for an amount not to exceed \$147,000.00, and the Mayor and Deputy City Clerk were authorized to sign on behalf of the City.

Awarded Contract for Completion of Upgrade Requirements on Underground Storage Tanks, Project No. 02-10, to Hy-Serco, Inc.

Bids received for Completion of Upgrade Requirements on Underground Storage Tanks at Various Locations, Project No. 02-10, are on file in the City Clerk's office. The contract was awarded to Hy-Serco, Inc., 16233 Minnesota Avenue, Paramount, for \$95,500.00, the Mayor and Deputy City Clerk were authorized to sign on behalf of the City, and Budget Adjustment No. 03-024 was approved for \$105,050.00.

**NOTE**



Approved Sole Source Purchase of Video System from Ocean Systems

The Sole Source Purchase was approved of One Forensic Video Enhancement System from Ocean Systems, 4018 Blackburn Lane, Burtonsville, Maryland, for \$29,857.00, using 2001-2002 California Law Enforcement Equipment Program grant funds.

Adopted Resolution 02-69, Revising Pay Ranges for CMPA

Resolution 02-69 was adopted: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, REVISING THE PAY RANGES FOR TWO JOB CLASSIFICATIONS REPRESENTED BY THE COSTA MESA POLICE ASSOCIATION (CMPA).

Agreement with Western Transit System for Senior Mobility Program

Item No. 6 on the Consent Calendar was presented: Agreement with Western Transit System, 1619 East Lincoln Avenue, Anaheim, for a Senior Mobility Program – Driver Services, for a three-year period with two optional one-year extensions, with \$51,203.00 funded by the Orange County Transportation Authority Senior Mobility Program for the first year, with annual inflation adjustments, and Budget Adjustment No. 03-025 for \$51,203.00. The Recreation Manager gave a brief presentation. On motion by Council Member Cowan, seconded by Mayor Pro Tom Monahan, and carried 4-0, the agreement was approved, the Mayor and Deputy City Clerk were authorized to sign on behalf of the City, and Budget Adjustment No. 03-025 was approved for \$51,203.00.

**MOTION/Approved Agreement and Budget Adjustment No. 02-035**



# Western Transit Systems

Passenger Transportation System Operators



August 11, 2005

Mr. Mark Taylor  
City of Costa Mesa  
77 Fair Drive  
Costa Mesa, CA 92626

Dear Mr. Taylor,

We have enjoyed working with you these past years and wish to thank you for the opportunity to provide transportation services for your Program.

As per our conversation, I have included the proposed rates for continuing to provide the following components for this transportation program. As you know, the routes are comprehensive and our employee drivers are scheduled for at least ten (10) hours of "on the job time" (this allows for travel time to first pickup, last drop off and vehicle inspection), to cover the nine (9) plus hours of passenger transportation incurred. Also, we provide employee driver training, worker compensation insurance, employee benefits, holiday pay, and backup drivers, as well as, liability insurance coverage for the vehicle utilized in this transportation program.

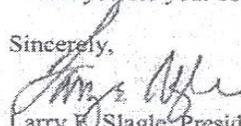
The proposed rate for year one (1) is \$26.97 and for year two (2) \$27.97.

The "special events" or other trips can be accommodated and arrangements made through Steve Lupica or Victor Tablas.

We appreciate the opportunity to make this proposal and look forward to a favorable recommendation and two more years of providing quality transportation for this program.

Thank you for your consideration.

Sincerely,

  
Larry E. Slagle, President  
/dc