



# CITY COUNCIL AGENDA REPORT

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MEETING DATE: November 15, 2016

ITEM NUMBER: **CC-8**

**SUBJECT:** KIMLEY-HORN AND ASSOCIATES PROFESSIONAL SERVICES CONTRACT AMENDMENT

**DATE:** NOVEMBER 3, 2016

**FROM:** OFFICE OF THE CEO

**PRESENTATION BY:** THOMAS R. HATCH, CHIEF EXECUTIVE OFFICER

**FOR FURTHER INFORMATION CONTACT:** ASHLEY M. GARCIA AT (714) 754-5249

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## **RECOMMENDATION:**

Staff recommends that the City Council:

1. Approve Amendment Two to the existing Professional Services Agreement (Attachment 2) with Kimley-Horn and Associates to perform community improvement consulting services in an additional amount not to exceed \$250,000 and extend the term of the agreement through June 30, 2017; and
2. Authorize the CEO and City Clerk to execute the agreement; and
3. Authorize the CEO and City Clerk to accept and execute future amendments to the agreement.

## **BACKGROUND:**

On October 18, 2015, the City of Costa Mesa issued a request for proposal for a Planning Consultant to work under the direction of the Development Services Director to plan, organize, direct, review, and coordinate the work of the Community Improvement Division within the Development Services Department; to assist in the coordination, implementation and monitoring of community improvement programs; to report to management, governing bodies and community groups; and to do other work as required. Current ongoing programs include the Group Home Enforcement Program, Hotel/Motel Enforcement Program, and Neighborhood Stabilization Program.

In May 2016, the City entered into a Professional Services Agreement (PSA) with Kimley-Horn and Associates to retain Ms. Sherri Vander Dussen to provide community improvement consulting services. In July 2016, Amendment One to the PSA was approved by City Council to add funds and further define the scope to include the duties and responsibilities of the Interim Assistant Director of Community Improvement Programs in Development Services. Ms. Vander Dussen continues to oversee the City's activities regarding group homes and is instrumental in processing all conditional use permits, special use permits and related appeals for group homes, including preparation of notices, staff reports, presentations, and resolutions. This work requires additional hours for preparation and attendance at public hearings for all CUPs and appeals to make presentations and respond to questions from the Planning Commission and City Council.

Due to the increase in expected hours to complete these tasks, the amount allocated to the current contract is set to run out soon. In order to fund the rest of the term, we are asking for the Council to authorize \$250,000 of additional funds. Extending the PSA will allow the City to address the workload in the Development Services Department while searching for a permanent replacement for the Assistant Director position.

**ANALYSIS:**

Key components of the Interim Assistant Director's scope of work include the supervision and preparation of a variety of comprehensive plans, complex research studies, statistics, and reports for written and verbal presentation necessary for Planning Commission hearings of CUP application requests and appeals of Reasonable Accommodation determinations.

Additional components of the Interim Director's scope of work include:

Community Improvement Division

- Oversee City's activities regarding group homes
- Process all conditional use permits and special use permits and related appeals filed for group homes, including preparation of notices, staff reports, presentations, and resolutions
- Attend public hearings for all CUPs and appeals; make presentations and respond to questions from the Commission and Council
- Draft responses for Director's signature regarding applications for reasonable accommodation and denial of special use permits
- Identify desired organizational structure
- Oversee handling of personnel issues
- Prepare appropriate division policies and procedures

Building Division

- Determine appropriate staffing levels and contingency plans to deal with workload peaks
- Assist the City in recruiting a Building Official and possibly an Assistant Building Official
- Arrange for assistance from contract inspectors as needed to address workload
- Implement a pilot program to allow field inspectors to FaceTime with support staff in office to resolve issues on job sites
- Review existing contracts with plan check firms to ensure financial and business terms are solid
- Oversee preparation of appropriate division policies and procedures
- Present Code adoption to City Council

Planning Division

- Provide support as requested in the development of systems, procedures and policies
- Help process development cases if needed

Based on current staffing needs, workload, and increase in projects, staff believes that planning consultant assistance is essential to functions of the Development Services Department. The City intends to fill the role of Assistant Director of Community Improvement Programs with a full-time staff person. Attached is Amendment Two to the

Professional Services Agreement (PSA) with Kimley-Horn for Ms. Vander Dussen to continue to carry out the duties and responsibilities of interim Assistant Development Services Director and for additional staff support until the permanent position is filled.

**ALTERNATIVES CONSIDERED:**

The alternative to the proposed City Council action would be to not move forward with the contract for the stated community improvement consulting. Due to the volume of work and large number of projects currently being handled by the Community Improvement Division, a significant lack of supervision/implementation of current projects would be experienced.

**FISCAL REVIEW:**

Funding for this amendment is to come from the remainder of salary savings from the vacant Assistant Director of Community Improvement Programs position and the balance from city-wide salary savings.

**LEGAL REVIEW:**

The City Attorney's Office has reviewed the attached Professional Services Agreement Amendment and approved it as to form.

**CONCLUSION:**

Staff recommends that the City Council authorize the CEO to execute an amendment to the Professional Services Agreement with Kimley-Horn and Associates to perform community improvement consulting services and for the CEO to augment the scope of work as necessary, in an amount not to exceed \$250,000.

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ASHLEY M. GARCIA  
Management Analyst

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THOMAS R. HATCH  
Chief Executive Officer

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THOMAS DUARTE  
City Attorney

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STEPHEN DUNIVENT  
Interim Finance Director

ATTACHMENTS:            1    [Amendment number two to Professional Services Agreement with Kimley-Horn and Associates](#)