

**AMENDMENT NUMBER TWO
TO PROFESSIONAL SERVICES AGREEMENT
WITH KIMLEY-HORN AND ASSOCIATES, INC.**

This Amendment is made and entered into this 15th day of November, 2016 ("Effective Date"), by and between the CITY OF COSTA MESA, a municipal corporation ("City"), and KIMLEY-HORN AND ASSOCIATES, INC., a North Carolina corporation registered to do business in California ("Consultant").

WHEREAS, City and Consultant entered into an agreement on April 22, 2016 for Consultant to provide community improvement consulting services (the "Agreement"); and

WHEREAS, City and Consultant desire to extend the initial term through June 30, 2017; and

WHEREAS, City and Consultant also desire to amend the Scope of Services to include the additional services set forth in Exhibit "A," attached hereto and incorporated herein by this reference; and

WHEREAS, City desires to increase Consultant's maximum compensation accordingly to Four Hundred Forty-Nine Thousand Nine Hundred Ninety-Nine Dollars (\$499,999.00).

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

1. The term of the Agreement shall be extended through June 30, 2017.
2. Section 2.1 of the Agreement shall be amended to reflect that Consultant's total compensation shall not exceed Four Hundred Forty-Nine Thousand Nine Hundred Ninety-Nine Dollars (\$499,999.00). Consultant shall be paid according to the fee schedule set forth in the Agreement and Exhibit A of this Amendment.
3. The Scope of Services shall be amended to include the additional services set forth in Exhibit A.
4. All terms not defined herein shall have the same meaning and use as set forth in the Agreement.
5. All other terms, conditions, and provisions of the Agreement shall remain in full force and effect.

[Signatures on following page.]

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed by and through their respective authorized officers, as of the date first written above.

CITY OF COSTA MESA

Thomas R. Hately
Chief Executive Officer

Date: 12/2/16

CONSULTANT

Serine Ciandella
Signature

Date: 11/17/16

Serine Ciandella Sr. V.P.
Name and Title

56-0885615
Taxpayer ID Number

ATTEST:

Brenda Green
City Clerk



APPROVED AS TO FORM:

[Signature]
City Attorney

Date: 11/30/16

DEPARTMENTAL APPROVAL

Samara S. Bourbonnais
Assistant Chief Executive Officer

Date: 12/2/16

APPROVED AS TO PURCHASING:

Stephen Burnett
Interim Finance Director

Date: 12.2.16

EXHIBIT A
ADDITIONAL SERVICES

- 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
- Other responsibilities that may be assigned by the Interim Director

Costs:

Staff	Hourly rate	Hours per week	No. weeks	Total cost
S. Vander Dussen	\$267	40	19	\$202,920
Accounting	\$110	0.5	19	1,045
Local Mileage				100
Total Cost				204,065