



Meeting Date: 11/27/2012

ACTION	TYPE OF ITEM
<input type="checkbox"/> Approved Recommendation	<input checked="" type="checkbox"/> Info/Consent
<input type="checkbox"/> Ord. No(s). _____	<input type="checkbox"/> Report
<input type="checkbox"/> Res. No(s). _____	<input type="checkbox"/> Public Hearing (Info/consent)
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____

Prepared By: Susan L. Martin, AICP, Planning Manager *SM* Agenda Item No. I-8
 Reviewed By: City Manager *YRB* City Attorney *SMF* Finance *JL* Other _____

DATE: October 29, 2012

TO: City Council

FROM: Matthew G. Winegar, AICP, Director *MGW*
Development Services Department

SUBJECT: Second Amendment to Agreement with Kathleen Mallory for Planning Services and Energy Consulting Project Management Services.

RECOMMENDATION

That the City Council approve and authorize the Mayor to execute the second amendment to the agreement with Kathleen Mallory, Planning and Entitlement Services, to increase the amount by \$150,000 (for a total of \$400,000) for planning services and energy consulting project management services (Agreement No. 4950-09-DS).

DISCUSSION

Agreement No. 4950-09-DS was approved in December 2009 with Kathleen Mallory to assist both the Planning Division and the Public Works Department with processing of discretionary development projects, environmental analysis, and project management services for energy efficiency grant programs, studies, and capital improvement projects associated with the U.S. Department of Energy (DOE) American Recovery and Reinvestment Act of 2009 Energy Efficiency Conservation Block Grant (EECBG) program. The first amendment extended the term of the agreement to December 31, 2012.

The second amendment will increase the cost and extend the term of the agreement to December 31, 2013. Within the scope of services, the primary focus is Ms. Mallory's role as project manager for the completion of the energy efficiency improvement projects, which are part of the City's plan for the Energy Resource Alternatives Program under the DOE's EECBG program, as approved by City Council on June 16, 2009.

The cost for project management services related to the energy programs is funded by Southern California Edison (SCE) on a reimbursement basis. Much of the costs for planning services related to development projects are funded by developer deposits and planning fees.

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Project Management Services

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FINANCIAL IMPACT

The cost of the agreement is increased by \$150,000 for a total of \$400,000. The additional work will be funded by a combination of developer deposits and fees, SCE energy programs, and the general fund.

MGW/sm

Attachment #1 - Second Amendment to Agreement No. 4950-09-DS

SECOND AMENDMENT TO AGREEMENT FOR CONSULTING SERVICES

This Second Amendment ("Second Amendment") to the Agreement for Consulting Services ("Agreement") is made and entered into in the County of Ventura, State of California, this 29th day of October, 2012, by and between the City of Oxnard, a municipal corporation ("City"), and Kathleen M. Mallory, Planning and Environmental Services ("Consultant"). This Second Amendment amends the Agreement entered into on December 8, 2009, by City and Consultant. The Agreement previously has been amended on December 12, 2011, by a First Amendment.

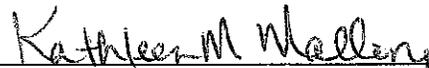
City and Consultant agree as follows:

1. Section 1 of the Agreement, Scope of Services, is amended to include the services set forth in Exhibit A1, attached hereto and incorporated in full herein by this reference.
2. In Section 12 of the Agreement, the date "December 31, 2012" shall be deleted and replaced with the date "December 31, 2013".
3. Subsection a of section 14 of the Agreement is amended as follows:
 - a. The figure "\$250,000.00" is replaced by the figure "\$400,000.00".
 - b. Exhibit C is supplemented by Exhibit C1, attached hereto and incorporated herein by this reference.
4. As so amended, the Agreement remains in full force and effect.

CITY OF OXNARD

CONSULTANT

Dr. Thomas E. Holden, Mayor



Kathleen M. Mallory, AICP

ATTEST:

APPROVED AS TO INSURANCE:

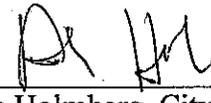
Daniel Martinez, City Clerk



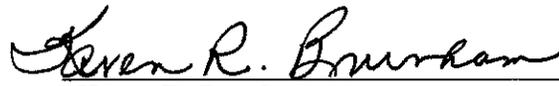
James Cameron, Risk Manager

APPROVED AS TO FORM:

APPROVED AS TO AMOUNT:



Alan Holmberg, City Attorney



Karen R. Burnham
Interim City Manager

APPROVED AS TO CONTENT:



Matthew Winegar
Development Services Director

APPROVED AS TO CONTENT:



Susan L. Martin, AICP
Planning Manager

EXHIBIT A1
Scope of Services

Consultant, Kathleen Mallory, as the Project Manager, shall assist the City of Oxnard on the following tasks:

Planning Services:

- Processing of discretionary and ministerial development projects, including but not limited to: General Plan Amendments, Local Coastal Program Amendments, Specific Plans and Amendments, Zone Changes, Zone Text and Map Amendments, Special Use Permits, and Coastal Development Permits.
- Analysis and updating of City ordinances.
- Environmental analysis and assignments, including but not limited to: Initial Studies and Mitigated Negative Declarations; and management of consultant's selected to prepare Environmental Impact Reports (EIR's) and/or Environmental Impact Statements (EIS's).
- Function as the project manager or staff planner on development projects.
- Prepare Planning Commission, City Council, Development Advisory Committee, and Development Design Review reports.
- Preparation of grants and grant management.
- Project manager for energy related planning studies and analysis.
- Perform other services as assigned and directed by the Planning Manager and/or Development Services Director related to other City activities or departments.

Energy Consulting Project Management Services:

- Project Manager for Southern California Edison (SCE) Flight 5.6 Strategic Planning Grant.
 - Management of the City and Community Energy Action Plan, via the Planning Division;
 - Management of the Utility Management Software system, via the Planning Division; and
 - Related tasks to support these work efforts
- Energy Project Manager to:
 - Determine building energy efficiency;
 - Develop and assist in the implementation of programs to enhance

- City and community energy efficiency;
 - Research concerning incentives available to support City and community energy efficiency;
 - Project management providing research, analysis, and completion of applications for funding opportunities pertaining to City and community energy reduction; and
- Project Manager for the Energy Efficiency Conservation Block Grant (EECBG) project;
 - Waste-to-energy research and project management;
 - Project Manager for Power Purchase Agreement (PPA) for energy contracting associated with installation of photovoltaic equipment on city facilities and properties;
 - Energy efficiency, project management, and coordination for the City's Wastewater Treatment Facility;
 - Preparation of grants and grant management;
 - Project Manager for energy efficiency studies and analysis;
 - Perform other services as assigned and directed by the Planning Manager and/or Development Services Director related to other City activities or departments.

**EXHIBIT C1
Rates**

Consultant, Kathleen Mallory (Project Manager) and associated sub-consultants shall perform professional planning and grant management services for the City of Oxnard Planning Division at the following hourly rates, on an as needed basis:

Project Manager/Principal Planner	\$82.00	
Project Manager/Principal Planner – grant funded projects as stipulated in the grant contract	\$105.00	or
Associate Planner	\$78.00	