



## CITY COUNCIL AGENDA REPORT

**MEETING DATE:** Tuesday, March 11, 2025  
**TO:** CITY COUNCIL  
**WRITTEN BY:** PUBLIC WORKS & UTILITIES ASSISTANT DIRECTOR GREEN  
**RECOMMENDED BY:** PUBLIC WORKS & UTILITIES DIRECTOR LINDBERG  
**APPROVED BY:** TAMARA VIDES, CITY MANAGER

**SUBJECT:** FIRST CONTRACT AMENDMENT WITH MICHAEL K. NUNLEY AND ASSOCIATES, INC. (MKN) IN AN AMOUNT NOT TO EXCEED \$250,000 AND FOR ADDITIONAL ON-CALL AND AS-NEEDED WASTEWATER DIVISION ENGINEERING SUPPORT SERVICES FOR A TOTAL REVISED CONTRACT AMOUNT OF \$500,000 AND CO

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### RECOMMENDATION:

Adopt a resolution approving a First Amendment to the contract with Michael K. Nunley & Associates, Inc. (MKN), (1) amending the compensation to increase the contract amount by \$250,000 for a revised total amount not to exceed \$500,000, for the continuation of on-call and as-needed Wastewater Division Professional Engineering Support; (2) extending the contract term to June 30, 2026; (3) authorizing and directing the City Manager to execute the First Amendment; and (4) authorizing budget transfer within the Sewer Enterprise Fund to cover the cost of the amendment.

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### BACKGROUND:

MKN has been providing professional engineering support services to the Wastewater Division on an as-needed basis for the past year. As a utility engineering position remains unfilled, staff recommend extending the contract for an additional year and adding an additional \$250,000 to the contract, requiring Council action.

### DISCUSSION:

MKN was selected from the list of qualified On-Call Water and Wastewater Design Services firms selected from the RFP issued by the City in July 2023. At the July 9, 2024, Council Meeting, Resolution No. 148-24 (CM) was adopted authorizing the execution of a contract with MKN in an amount not to exceed \$250,000 to provide as-needed services based on their expertise in wastewater-specific engineering and their experience in providing engineering support services to the City.

The City continues to be unable to fill the full-time Principal Engineer position allocated to support Wastewater Division projects. MKN has successfully provided professional engineering support services to the Wastewater Division, and several ongoing and upcoming projects that require continuation of this engineering support.

Staff therefore recommend that a first amendment be executed with MKN in an amount not to exceed \$250,000 for as-needed engineering support services for the Wastewater Division for a total contract amount of \$500,000, and that the contract completion date be extended an additional year to June 30, 2026.

## **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) DETERMINATION:**

Approval of the professional services agreement is not a project pursuant to the California Environmental Quality Act (CEQA) because it can be seen with certainty based on substantial evidence in the record that the approval constitutes a government fiscal activity that does not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment. (CEQA guidelines section 15378(b)(4).) Further, the approval is an administrative activity that would not have the potential to either (1) cause a direct Physical change in the environment or (2) cause a reasonably foreseeable indirect physical change in the environment. Therefore, any CEQA analysis would be speculative at this time.

Even if approval of the professional services agreement were to be considered a project under CEQA, it would be exempt pursuant to CEQA guidelines section 15061(b)(3). The agreement amendment approval is an administrative action involving no physical change in the environment, and does not enable or otherwise effect development. Therefore, no CEQA action is required at this time.

## **STRATEGIC PLAN:**

This action is consistent with Strategic Plan goal:

### **02 - Infrastructure & Environment**

## **FINANCIAL IMPACT:**

This professional engineering services amendment in the amount of \$250,000 will be funded in whole by the Sewer Enterprise Fund budget account 0710-530-7307 as follows: \$80,000 in Fiscal Year 24/25, remaining balance of \$170,000 in Fiscal Year 25/26.

## **ALTERNATIVE ACTION:**

No reasonable alternatives are known at this time.

## **ATTACHMENTS AND/OR REFERENCES (IF ANY):**

None.