



Council Agenda Report

To: Mayor Uhring and the Honorable Members of the City Council

Prepared by: Brandie Ayala, Administrative Analyst

Reviewed by: Rob DuBoux, Public Works Director/City Engineer

Approved by: Steve McClary, City Manager

Date prepared: October 2, 2023 Meeting date: October 23, 2023

Subject: Amendment to Agreement with Fox Weather, LLC

RECOMMENDED ACTION: Authorize the Mayor to execute Amendment No. 2 to Professional Services Agreement with Fox Weather, LLC to allow for a two-year extension for quantitative weather forecasting services.

FISCAL IMPACT: No additional appropriation is required. Funding for this agreement is included in the Adopted Budget for FY 2023-24 in Account No. 100-3001-5100 (Professional Services).

STRATEGIC PRIORITY: This item is part of the day-to-day operations identified in the Adopted FY 2023-24 Strategic Priority Project List.

DISCUSSION: On November 1, 2019, the City entered into an agreement with Fox Weather, LLC to supply accurate and timely weather forecast to the City. Fox Weather uses a combination of scientific analysis, data interpretation, and computerized weather models to provide valuable information to the Public Works Department.

Fox Weather has provided staff with up-to-date data regarding severe weather events, heavy rainfall, and recently, tropical storm events. Their expertise is essential for helping the City prepare for and respond to various weather-related challenges.

On November 1, 2021, the City extended the agreement with Fox Weather, LLC for two years expiring on November 1, 2023. Fox Weather has performed very well throughout the duration of their agreement with City providing invaluable services, including providing the Public Works department data to schedule the maintenance crews during storm

events. Staff recommends the Mayor execute Amendment No. 2 extending the term of the agreement for an additional two years, expiring on November 1, 2025. Staff will be preparing a request for qualifications in the year 2025 for these services.

ATTACHMENTS: Amendment No. 2 to Agreement with Fox Weather, LLC

AMENDMENT NO. 2 TO AGREEMENT

THIS AMENDMENT NO. 2 TO AGREEMENT is made and entered in the City of Malibu on October 23, 2023, by and between the CITY OF MALIBU, hereinafter referred to as City, and Fox Weather, LLC., hereinafter referred to as Consultant.

The City and the Consultant agree as follows:

RECITALS

- A. On November 1, 2019, the City entered into an Agreement with Consultant for quantitative precipitation services (the "Agreement").
- B. On November 1, 2021, the City extended the Agreement through November 1, 2023.
- C. The City desires to amend the Agreement to extend the term of the Agreement to November 1, 2025.

NOW THEREFORE, in consideration of their mutual promises, obligations and covenants hereinafter contained, the parties hereto agree as follows:

- 1. Section 2.0 – Term of Agreement, of the Agreement, is hereby extended to November 1, 2025.
- 2. The Parties agree that this Amendment will be considered signed when the signature of a party is delivered physically or by facsimile transmission or scanned and delivered via electronic mail. Such facsimile or electronic mail copies will be treated in all respects as having the same effect as an original signature.
- 3. All terms and conditions of the Agreement not amended by this Amendment No. 2 remain in full force and effect.

This Agreement is executed on _____, at Malibu, California, and effective as of November 1, 2023.

CITY OF MALIBU:

PAUL GRISANTI, Mayor

ATTEST:

KELSEY PETTIJOHN, City Clerk
(seal)

APPROVED AS TO FORM:

THIS DOCUMENT HAS BEEN REVIEWED
BY THE CITY ATTORNEY'S OFFICE

TREVOR RUSIN, Interim City Attorney

CONSULTANT:

Alan D. Fox

By: Alan D. Fox
Title: Director