



Council Agenda Report

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

Prepared by: Mark Johnson, Environmental Programs Coordinator

Reviewed by: Yolanda Bundy, Environmental Sustainability Director

Approved by: Steve McClary, Interim City Manager

Date prepared: November 17, 2021 Meeting date: December 13, 2021

Subject: Amendment to Research Agreement with University of California Santa Barbara (UCSB) for the Ocean Health Study

RECOMMENDED ACTION: Authorize the Mayor to execute Amendment No. 1 to Research Agreement with University of California, Santa Barbara (UCSB) to allow for a one-year extension of the existing agreement through December 31, 2022.

FISCAL IMPACT: Funding for this agreement was included in the Adopted Budget for Fiscal Year 2021-2022 in Account No. 101-3003-5100 (Clean Water - Professional Services). The source of funds for the project is the General Fund Designated Reserve for Water Quality Settlement.

WORK PLAN: This project was included as item 5.d. in the Adopted Work Plan for Fiscal Year 2021-2022.

DISCUSSION: On August 13, 2012, City Council established a Water Quality Settlement Designated Reserve to pay for a supplemental environmental project as required by the Settlement Agreement with the Natural Resources Defense Council (NRDC) and Santa Monica Baykeeper. Since 2012, the City has been participating in various environmental monitoring groups and related activities.

On August 26, 2019, City Council authorized the City Manager to execute a professional services agreement with UCSB to provide research work for the Nearshore Ocean Health Assessment Project. This contract will expire on December 31, 2021.

Due to the COVID-19 global pandemic and the Regional Stay at Home Orders in 2020, UCSB was required to temporarily stop work on the research activities for the project.

At this time, staff is requesting Council extend the term of the original Agreement for one additional year, such that the agreement will expire on December 31, 2022. Extending the current amendment will ensure completion of the ocean health study.

ATTACHMENTS:

1. Amendment No. 1 to Agreement with University of California, Santa Barbara

AMENDMENT NO. 1 TO AGREEMENT

THIS AMENDMENT NO. 1 TO AGREEMENT is made and entered in the City of Malibu on this 13th day of December 2021, by and between the CITY OF MALIBU, herein after referred to as City, and THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, a California Constitutional corporation, on behalf of its Santa Barbara campus (University), hereinafter referred to as University.

The City and the University agree as follows:

RECITALS

On August 26, 2019, the City entered into an Agreement with the University, for Professional Consulting Services for an Ocean Health Near Shore Water Quality Assessment Research Project to increase the current state of knowledge regarding potential anthropogenic impacts to Malibu area water quality by performing a survey of human-related pathogen occurrence in nearshore waters, and to provide a comparative analysis of local water quality based on published studies and/or, depending on funding and time resources, comparison to other regional sites by sampling and analysis (the "Agreement").

A. The City desires to amend the Agreement to extend the Term of the Agreement, such that the contract will now expire on December 31, 2022.

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, is hereby amended to expire on December 31, 2022.
2. All terms and conditions of the Agreement not amended by this Amendment No. 1 remain in full force and effect.

This Agreement is executed on this ____ day of _____, 2021, at Malibu, California, and effective as of January 1, 2022.

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

JOHN COTTI, Interim City Attorney

CONTRACTOR

DocuSigned by:

Hilda Vasquez

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10/18/2021

By: Hilda Vasquez
Title: Sponsored Projects Officer