


City of Calistoga

Staff Report

TO: Honorable Mayor and City Council
FROM: Richard Spitler, City Manager 
DATE: October 18, 2011
SUBJECT: Authorization of a time extension and \$15,000 budget increase to the existing the Professional Services Agreement with David Spilman for Financial and Accounting Services in his capacity as Acting Administrative Services Director

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ISSUE: Consideration of a Resolution authorizing the City Manager to amend the professional services agreement with David Spilman of Spilman & Associates for financial and accounting services to extend the time period for the agreement to December 31, 2012 and to increase the compensation by \$15,000.

RECOMMENDATION: Adopt Resolution.

BACKGROUND/DISCUSSION: The City Council approved a professional services agreement with David Spilman, the former Administrative Services Director, to assume this position on a temporary consulting basis from July through September, at a cost of \$30,000 (\$90 per hour). The recruitment process is almost complete, but it is likely that the position will not be filled until the end of October. Mr. Spilman is needed until this position is filled and to provide transition services to the new director. He may also assist with the on-going audit, as he is familiar with the details. For this reason, the request is to extend the agreement to the end of December.

FISCAL IMPACT:
 The cost of retaining Mr. Spilman for the estimated to be an additional \$15,000 over the initial \$30,000 (or an estimated 136 service hours, and 40 hours of transitional services and one way transportation costs). The hourly cost is \$90 per hour. The cost of retaining Mr. Spilman is similar, on a monthly basis, than the budgeted amount for the vacant Administrative Services Director position.

ATTACHMENTS:

1. Draft Resolution and amended professional services agreement

**AMENDMENT NO. 1 TO AGREEMENT BETWEEN THE CITY OF CALISTOGA
AND DAVID W. SPILMAN OF SPILMAN & ASSOCIATES**

Authorizing Agreement No. 468-01

This AMENDMENT NO. 1 to the Agreement dated July 19, 2011 between the City of Calistoga ("City") and Spilman & Associates ("Consultant") to provide financial and accounting assistance services in connection with administration of the Administrative Services Department.

RECITALS

WHEREAS, City and Consultant have previously entered into an Agreement to provide financial and accounting assistance services in connection with administration of the Administrative Services Department, said Agreement being dated July 19, 2011 (hereinafter referred to as "Agreement") and

WHEREAS, the original Agreement had a maximum compensation of \$30,000;

NOW, THEREFORE, the parties do hereby mutually agree to amend the Agreement as follows:

1. Paragraph 3 B Time of Performance shall be extended to December 31, 2011.
2. Paragraph 4 A Compensation shall be increased to not exceed Forty Thousand Dollars (\$45,000).
3. Exhibit B Schedule of Performance shall be amended to extend the contract completion date to December 31, 2011.

Except as specifically modified by this Amendment No. 1 all the terms and conditions in the Agreement shall remain in full force an effect.

IN WITNESS WHEREOF, the City and Consultant have executed this Amendment No. 1 as of the date first above written.

CITY OF CALISTOGA

CONSULTANT

By: _____

Richard Spitler

Title: City Manager

By: _____

David W. Spilman

Title: Spilman & Associates

APPROVED AS TO FORM:

Michelle Marchetta Kenyon
City Attorney