

REPORT TO CITY COUNCIL

DATE: MAY 22, 2024

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: NATHAN HAMBURGER, CITY MANAGER

BY: JOHN TREICHLER, ADMINISTRATIVE ANALYST
LOUIS CELAYA, DEPUTY CITY MANAGER

SUBJECT: APPROVAL OF FIRST AMENDMENT TO AGREEMENT FOR CONTRACTOR SERVICES WITH SOLID WASTE SOLUTIONS, INC. FOR FILM PERMITTING SERVICES

On April 28, 2021, the City Council approved a contract with Solid Waste Solutions, Inc. (SWS) to continue providing film permitting services for the City. SWS has been Agoura Hills full-service film permit contractor since October of 2015 and has served the City well. The current contract is set to expire on June 30, 2024, and has a provision allowing for a one-year extension.

SWS would continue to serve as the City's full-service film permit office and their website allows applications to be completed and submitted, electronically or in person, through their office in Thousand Oaks. In addition, the coordination of any special requests related to parking, filming or photography on public right-of-way, and monitoring will be managed through SWS and the City Manager's Department staff, as necessary.

The terms for payment between SWS and the City will continue with the revenue-sharing formula that currently is in place. The full-service film office, and all associated activities conducted by SWS, would be compensated for 75% of the permit revenue, and the remaining 25% would be paid to the City for oversight.

The proposed amendment to the contract is for a not-to-exceed amount of \$21,000 for one year and raises the overall contract to 84,000.00.

The proposed agreement has been reviewed by the City Attorney and approved as to form.

FISCAL IMPACT

There is no fiscal impact. Funds were appropriated in the FY 2024-25 Budget.

RECOMMENDATION

Staff respectfully recommends the City Council approve the First Amendment to Agreement for Contractor Services with Solid Waste Solutions, Inc. for film permitting services.

Attachment: First Amendment to Agreement for Contractor Services

FIRST AMENDMENT TO AGREEMENT FOR CONTRACTOR SERVICES
WITH THE CITY OF AGOURA HILLS

NAME OF CONTRACTOR: Solid Waste Solutions, Inc

RESPONSIBLE PRINCIPAL OF CONTRACTOR: Attn: Kimberly C. Nilsson

CONTRACTOR'S ADDRESS: 25 W. Rolling Oaks Dr. Ste. 201
Thousand Oaks, CA 91361

CITY'S ADDRESS: City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301
Attn: City Manager

PREPARED BY: John Treichler

COMMENCEMENT DATE: July 1, 2024

TERMINATION DATE: June 30, 2025

CONSIDERATION: Amendment Amount: \$21,000
Total Contract Price
Not to Exceed: \$84,000

**FIRST AMENDMENT TO AGREEMENT BETWEEN
CITY OF AGOURA HILLS AND SOLID WASTE SOLUTIONS, INC.**

FILM PERMITTING CONTRACTOR

THIS FIRST AMENDMENT is made and entered into as of July 1, 2024, by and between the City of Agoura Hills, a municipal corporation (hereinafter referred to as "City"), and Solid Waste Solutions, Inc., a corporation, (hereinafter referred to as "Contractor"). In consideration of the mutual covenants and conditions set forth herein, the parties agree as follows:

1. This Amendment is made with the respect to the following facts and purposes:

a. On July 1, 2021, the City and Contractor entered into that certain Agreement entitled "Agreement for Contractor Services", in the amount of not to exceed Sixty-Three Thousand Dollars and Zero Cents (\$63,000.00).

b. The parties now desire to extend the term of the agreement to June 30, 2025, increase the payment in the amount of Twenty-One Thousand Dollars and Zero Cents (\$21,000.00), increase the "Not to Exceed" amount to Eighty-Four Thousand Dollars and Zero Cents (\$84,000.00), and to amend the Agreement as set forth in this Amendment.

2. Section 1 of the Agreement entitled "**TERM**" is hereby amended to read as follows:

"This Agreement shall remain and continue in effect until tasks herein are completed, but in no event later than June 30, 2025, unless sooner terminated pursuant to the provisions of this Agreement."

3. Section 4 of the Agreement entitled "**PAYMENT**" at paragraph "a" is hereby amended to read as follows:

"The City agrees to pay Contractor monthly, in accordance with the payment rates and schedules and terms set forth in Exhibit B, Payment Rates and Schedule, attached hereto and incorporated herein by this reference as though set forth in full, based upon actual time spent on the above tasks. Any terms in Exhibit B, other than the payment rates and schedule of payment, are null and void. The FIRST Amendment amount shall not exceed Twenty-One Thousand Dollars and Zero Cents (\$21,000.00), for an additional one year for a total Agreement amount of Eighty-Four Thousand Dollars and Zero Cents (\$84,000.00)."

4. Exhibit B to the Agreement is hereby amended by adding thereto the items set forth on Attachment "A" to this Amendment, which is attached hereto and incorporated herein as though set forth in full.

5. Except for the changes specifically set forth herein, all other terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this FIRST Amendment to Agreement to be executed the day and year first above written.

CITY OF AGOURA HILLS

Illece Buckley Weber,
Mayor

ATTEST:

Kimberly M. Rodrigues, MMC
City Clerk
Date Approved by City
Council _____

APPROVED AS TO FORM:

Candice K. Lee,
City Attorney

CONTRACTOR

Solid Waste Solutions, Inc.
25 W. Rolling Oaks Dr. Ste. 201
Thousand Oaks, CA 91361
Contact Name: Kimberly C. Nilsson
Office: 805-495-7521
Fax: 805-597-7621

By: 

Print Name: Kimberly Nilsson

Title: President

By: 

Print Name: Lars Nilsson

Title: Vice President

[Signatures of Two Corporate Officers Required]

ATTACHMENT B

Attached hereto and incorporated herein is the additional scope of work and associated cost as provided by the Contractor.

PAYMENT RATES AND SCHEDULE

Monthly Revenue

All film permit fees (excluding monitoring) collected on behalf of the City of Agoura Hills are divided as follows:

- SWS 75% - of total monthly intake.
- Agoura Hills 25% - of total monthly intake.

Monitoring Services shall be charged per the attached Film Permit Fee Schedule on an hourly basis to be paid by the applicant and only as required by City policies, municipal code, or City of Agoura Hills, City Manager, or his/her designee. This particular fee will be excluded from the 75% criteria and Solid Waste Solutions, Inc. / City Permit Services (SWS) will retain 100% of all monitoring services.