



**City of Santa Ana**  
**20 Civic Center Plaza, Santa Ana, CA 92701**  
**Staff Report**  
**May 7, 2024**

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**TOPIC:** Amendments to Consultant Agreements for Council Aide Services

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**AGENDA TITLE**

Approve Amendments to Consultant Agreements with Claudia Perez (Mayor Amezcua), Andrew Linares (Councilmember Bacerra), and Valerie Magdaleno (Councilmember Lopez) for Council Aide Services (General Fund)

**RECOMMENDED ACTION**

1. Authorize the City Manager to execute second amendments to consultant agreements with Claudia Perez, Andrew Linares, and Valerie Magdaleno for Council Aide Services, to increase the not-to-exceed amount of each agreement by \$10,000, for a total amount not to exceed \$60,000 per agreement, and to extend the term of the agreements to June 30, 2024. (Agreement Nos. A-2024-XXX, A-2024-XXX, A-2024-XXX)
2. Provide input for future Council Aide Services agreements regarding not to exceed amounts by selecting one of the following options:
  - a. **Option 1:** Invoicing not to exceed \$5,000 per month per agreement, with monthly invoicing of hourly rates, material, and other reimbursable items; or
  - b. **Option 2:** Invoicing not to exceed \$60,000 per year per agreement, with monthly invoicing of hourly rates, material, and other reimbursable items

**GOVERNMENT CODE §84308 APPLIES:** Yes

**DISCUSSION**

Starting in Fiscal Year 2022-23, the City Council allocated \$420,000 annually to provide Council Aide Services for each member of the council. Under this program, each councilmember may direct the City Manager's Office to engage one or more independent contractors to provide services to that councilmember. These direct services augment general City Council staff support provided by the City Manager's Office and include one or more of the following: (1) data collection and analysis, program evaluation, and public policy; (2) community engagement; and (3) constituent services. As directed by the City Council, the City Manager's Office allocates \$60,000 each Fiscal Year for these services for each of the seven members of the City Council, totaling \$420,000.

# Amendments to Consultant Agreements for Council Aide Services

May 7, 2024

Page 2

Currently, there are seventeen (17) agreements to support elected officials. The agreements have been executed by the City Manager in accordance with the City Manager's annual award authority of \$50,000. Each agreement has been negotiated and the term, maximum payment, hourly rates, and details have been different for each agreement. The table below provides information concerning each of the agreements:

<b><u>Aide/Assigned</u></b>		<b><u>Date</u></b>	<b><u>Term</u></b>	<b><u>Amount</u></b>	<b><u>Payment Terms</u></b>
<b>Claudia Perez (Amezcu)</b>	Original Agreement	12-22-22	Missing Term	\$32,500	Monthly Payments \$5,000
	New Agreement	07-1-23	12-31-23	\$30,000	Hourly Rate of \$55.00
	1 <sup>st</sup> Amendment	11-07-23	04-30-24	\$50,000	Hourly Rate of \$50.00
<b>Andrew Linares (Bacerra)</b>	Original Agreement	07-19-23	12-31-23	\$30,000	Hourly Rate of \$57.69
	1 <sup>st</sup> Amendment	11-07-23	04-30-24	\$50,000	Same Rate
<b>Fatima Avalos (Hernandez)</b>	Original Agreement	07-12-23	06-30-24	\$30,000	Hourly Rate of \$22.00
<b>Terry Tucker (Hernandez)</b>	Original Agreement	09-01-23	06-30-24	\$30,000	Hourly Rate of \$27.00
<b>Valerie Magdaleno (Lopez)</b>	Original Agreement	05-01-23	06-30-23	\$30,000	Hourly Rate of \$35.00
	New Agreement	07-01-23	12-31-23	\$30,000	Hourly Rate of \$35.00
	1 <sup>st</sup> Amendment	11-07-23	04-30-24	\$50,000	Hourly Rate of \$40.00
<b>Elizabeth Alvarado (Lopez)</b>	Original Agreement	05-24-22	06-30-23	\$30,000	Hourly Rate of \$30.00
<b>Frida Ramirez (Penaloza)</b>	Original Agreement	10-19-23	06-30-24	\$40,000	Hourly Rate of \$38.00
<b>Ricardo Cuica (Penaloza)</b>	Original Agreement	11-17-23	06-30-24	\$20,000	Hourly Rate of \$59.00
<b>Amanda Tran (Phan)</b>	Original Agreement	10-05-23	12-31-23	\$5,000	Hourly Rate of \$30.00
	1 <sup>st</sup> Amendment	12-07-23	12-10-24	\$20,000	Same Rate
<b>Dustin Lam (Phan)</b>	Original Agreement	06-30-22	12-22	\$15,000	Hourly Rate \$30.00 + pay travel
	1 <sup>st</sup> Amendment	12-28-22	12-31-24	No Increase	Same Rate
<b>Lisbeth Rosales (Phan)</b>	Original Agreement	08-30-22	12-31-22	\$15,000	Hourly Rate \$30.00
	1 <sup>st</sup> Amendment	12-28-22	12-31-24	No Increase	Same Rate

## Amendments to Consultant Agreements for Council Aide Services

May 7, 2024

Page 3

<b>Elizabeth Alvarado (Vazquez)</b>	Original Agreement	07-12-23	06-30-24	\$30,000	Hourly Rate \$30.00
<b>Lynn Ygual (Vazquez)</b>	Original Agreement	07-01-23	06-30-24	\$30,000	Hourly Rate of \$50.00
<b>Yenni Diaz (Vazquez)</b>	Original Agreement	11-01-23	06-30-24	\$25,000	Hourly Rate of \$35.00

In the past two years, City Manager's Office staff has administered 22 agreements including amendments. The administration of these agreements require invoice processing, renewal of expired agreements, amendments of current agreements, and the tracking of time, involving City Manager's Office, City Attorney's Office, and Finance and Management Services staff time. Staff is proposing to streamline the agreement process and seeks City Council input. Provided feedback will allow Staff to formulate standardized policies and procedures for this program. Input requested includes the maximum allowable invoicing at \$5,000 per month or the option of \$60,000 annually with invoicing of hourly rates, material, and other reimbursable items.

A new administrative policy will be developed to ensure uniformity for new agreements and will provide direction outlining City Council Aides approved parameters. These parameters will include language that includes but is not limited to prohibiting political campaigning, participation in City internal confidential meetings, limitations of hours and use of City equipment and services, and appropriate invoicing and accounting for the consultant services. Additionally, to streamline the agreement process, new agreements will be standardized to end in alignment with the City's fiscal year (June 30).

The approval of this item will allow the extension of the agreements referenced in the exhibits to end with the fiscal year, June 30, 2024. The amendment will not exceed the allotted \$60,000 per City Councilmember. New agreements will be prepared for the term of July 1, 2024 through June 30, 2025, and those agreements that exceed the \$50,000 City Manager authority will be brought to City Council for consideration and approval.

### **FISCAL IMPACT**

This item includes three proposed amendments that, if approved by the City Council, will increase City Council aide consultancy services-related expenditures by \$30,000 for the remainder of FY 2023-24. Funds in the amount of \$30,000 are available for expenditure in the City Council Service Enhancement – Contracted Vendor Personnel Services account (no. 01104012-62302).

### **EXHIBIT(S)**

1. Second Amendment to Agreement with Claudia Perez
2. Second Amendment to Agreement with Andrew Linares
3. Second Amendment to Agreement with Valerie Magdaleno

Amendments to Consultant Agreements for Council Aide Services  
May 7, 2024  
Page 4

Submitted By: Steven Mendoza, Assistant City Manager

Approved By: Alvaro Nuñez, Acting City Manager