

**City of Culver City, California
Agenda Item Report**

Meeting Date: 06/08/2015		Item Number: JC-4	
JOINT CITY COUNCIL AND SUCCESSOR AGENCY BOARD AGENDA ITEM: (1) Waiver of Formal Bidding Procedures; and (2) Approval of a Fourth Amendment to the Agreement with Modern Parking, Inc. for Parking Management Services Extending the Term of the Agreement to January 31, 2016 at the Cardiff, Ince, and Watseka Parking Structures and at the Venice and Virginia Parking Lots in an Amount Not-to-Exceed \$415,656.			
Contact Person/Dept.: Todd Tipton/ CDD		Phone Number: (310) 253-5783	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☒ No ☐	
Public Hearing: ☐		Action Item: ☐ Attachments: ☐	
Commission Action Required: Yes ☐ No ☒ Date: _____			
Public Notification: (E-Mail) Meetings and Agendas – City Council (06/03/15); Meetings and Agendas – Successor Agency (06/03/15); (E-Mail) Modern Parking Inc., Downtown Business Association, and Chamber of Commerce on (05/28/15).			
Department Approval: Sol Blumenfeld (06/02/15)		City Attorney/Authority Counsel Approval: Carol Schwab (by H. Baker) (06/02/15)	
Chief Financial Officer Approval: Jeff Muir: (06/03/15)		City Manager/Executive Director Approval: John M. Nachbar (06/03/15)	
<u>RECOMMENDATION:</u> Staff recommends the City Council and the Successor Agency to the Culver City Redevelopment Agency Board (Successor Agency Board) (1) waive formal bidding procedures; and (2) approve a Fourth Amendment to the existing Agreement with Modern Parking, Inc. (Modern) for parking management services extending the term of the Agreement to January 31, 2016 at the Cardiff, Ince, and Watseka parking structures and the Venice and Virginia parking lots in an amount not-to-exceed \$415,656. <u>BACKGROUND/ DISCUSSION:</u> On August 1, 2006, the former Culver City Redevelopment Agency (former CCRA) Board approved an original agreement with Modern for parking management services related to the Cardiff, Ince, and Watseka parking structures (Original Agreement). In subsequent actions, the former CCRA Board and the City Council extended the term of the Original Agreement and added additional management and maintenance services to Modern’s scope of work.¹ On January 12, 2015, the City Council and the Successor Agency Board extended the Agreement until July 31, 2015² due to the uncertainty surrounding the future ownership of the Successor Agency’s parking facilities. The uncertainty of the			

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parking facilities ownership also delayed implementation of recommendations made by Walker Parking regarding the operation of the parking facilities.

On March 18, 2014, the State Department of Finance approved the Successor Agency's Long Range Property Management Plan, which authorized transfer of ownership of the parking facilities from the Successor Agency to the City of Culver City.

In order to revisit the recommendations of Walker Parking and provide sufficient time to issue a Request for Proposals (RFP) to qualified parking companies, staff recommends approval of a six-month extension to the existing Modern Agreement from July 31, 2015 to January 31, 2016 under the existing terms, conditions, and cost.

In general, the Culver City Municipal Code (CCMC) § 3.07.085 exempts professional services from the formal competitive bid process. However, pursuant to CCMC Section 3.07.050, where the same consultant has been utilized for a period of five years, the formal bidding procedures shall apply unless waived by the City Council. In this case, City staff is requesting that the City Council waive this requirement for the reasons stated above, in accordance with CCMC § 3.07.075.E.3.

FISCAL ANALYSIS:

The cost to extend Modern's Agreement for a six month term is a maximum of \$415,656. Sufficient funds have been requested in the City Manager's Proposed Budget for Fiscal Year 2015/2016 to cover the proposed expenditure.

MOTION:

That the City Council and Successor Agency Board:

1. Pursuant to Section 3.07.075.E.3, waive the formal bidding procedures set forth in Section 3.07.075; and,
2. Approve a fourth amendment to the Modern Parking Inc. agreement extending its term for six months for parking management services extending the term of the Agreement to January 31, 2016 at the Cardiff, Ince, and Watseka Parking Structures and the Venice and Virginia Parking Lots in an amount not-to-exceed \$415,656; and
3. Authorize the City Attorney/Successor Agency General Counsel to prepare the necessary documents; and

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4. Authorize the City Manager/Executive Director to execute such documents on behalf of the City and the Successor Agency.

NOTES:

¹The Modern contract was initially executed on August 1, 2006 and extended on June 18, 2009, January 10, 2010, January 26, 2011, December 13, 2011, January 31, 2012, August 5, 2013, December 9, 2013 and January 12, 2015.

²In 2014, the Successor Agency was notified by the State Department of Finance that its request to transfer ownership of the Successor Agency's parking facilities to the City was conditionally approved. The condition requires that prior to the transfer of ownership of the Virginia Avenue Parking Lot from the Successor Agency to the City, a property tax sharing agreement be executed with the affected taxing entities. The sharing agreement is to be based on remitting to the taxing entities their pro rata share of what the property taxes would have been if the parking lot were sold for its fair market value to a private party.