

City of Culver City, California Agenda Item Report

Meeting Date: 06/25/2012		Item Number: C-1	
CITY COUNCIL AGENDA ITEM: Approval of a Memorandum of Understanding with the Downtown Business Association for Maintenance Services in Downtown Culver City for Fiscal Year 2012/2013.			
Contact Person/Dept.: Glenn Heald/CDD Todd Tipton/CDD		Phone Number: 310.253.5752 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, Telephone, and In-Person Meeting) Downtown Business Association (04/27/12, 04/30/12, and 05/07/12); (E-Mail) Meetings and Agendas – City Council (06/21/12).			
Department Approval: Sol Blumenfeld (06/13/12)		City Attorney Approval: Carol Schwab (by H. Baker) (06/25/12)	
Chief Financial Officer Approval: Jeff Muir (by M. Noller) (06/21/12)		City Manager Approval: John M. Nachbar (06/21/12)	

RECOMMENDATION:

Staff recommends the City Council approve a Memorandum of Understanding (MOU) with the Downtown Business Association (DBA) for general maintenance services in downtown Culver City (Downtown) for fiscal year July 1, 2012 through June 30, 2013.

BACKGROUND:

In 2008 the City Council and the Redevelopment Agency Board approved a one-year MOU with the DBA whereby the DBA would provide certain maintenance services in Downtown. Amendments were subsequently approved for fiscal years 2009/2010, 2010/2011 and 2011/2012. The City Council is now asked to approve the proposed MOU for fiscal year 2012/2013.

In past years, the Redevelopment Agency contributed a significant portion of funding as part of the MOU. Due to the passage of ABx1 26 (AB 26) and the resulting dissolution of redevelopment agencies throughout the State of California, Agency funds are no longer available for this purpose. The scope of the MOU has been revised due to the loss of Agency funding. The amount of City funding remains unchanged.

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DISCUSSION:

The MOU with the DBA is advantageous to the City because it shifts oversight and accountability for the management of downtown maintenance services to the businesses directly affected by those services while also allowing for the potential of additional services at no cost to the City. The DBA sub-contracts with a maintenance provider for services previously performed in-house or contracted out by the City. The City reimburses the DBA using funds budgeted to perform those maintenance services (Attachment No. 1). Funding appropriated by the City Council under Sections B(3) and B(4) of the MOU is transferred to the DBA on a monthly basis. Upon satisfaction of all maintenance requirements of the MOU, the DBA uses any remaining funds to enhance existing services and to fund additional maintenance and beautification efforts. Maintenance services in the proposed 2012/2013 MOU include, but are not limited to:

- Sidewalk trash receptacles to be emptied once per day Monday through Friday and twice per day every Saturday and Sunday, at a minimum;
- Weekly maintenance and weed control of planting beds, medians, tree wells, flower pots, and sidewalk cracks;
- Annual replacement of plants and flowers as needed; and,
- Bi-monthly pressure washing of Town Plaza and downtown sidewalks, alleys and paseos.

In addition to those services required by the MOU, the DBA works with downtown businesses and property owners to provide the following additional services at no cost to the City, as funding permits:

- Additional pressure washing of Town Plaza and downtown sidewalks and paseos;
- Daily sidewalk sweeping and litter pick up including street curbs, gutters, alleys, tree wells and planters; and,
- Daily cleaning of all benches, bicycle racks, parking meters and mailboxes.

In prior years, the Culver City Redevelopment Agency contributed \$67,560 to fully fund pressure washing of the downtown parking garages and partially fund pressure washing of Town Plaza and downtown sidewalks and paseos. With this funding stream no longer available, the DBA has requested the City reassume responsibility for the parking garages and to revise the frequency of pressure washing Town Plaza and downtown sidewalks and paseos from monthly service to a minimum of bi-monthly service with additional cleaning as funding permits. The DBA and staff anticipate that by adjusting landscaping and pressure washing services to seasonal demands, adequate levels of service may be performed such

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that the current appearance and ambience of the downtown area will be maintained. The City will contract a service provider for pressure washing of the garages using a separate funding source identified by the Finance Department.

Staff believes it is in the best interest of the City and the DBA to continue the MOU for Fiscal Year 2012/2013. In the event the MOU becomes disadvantageous to either of the parties, it may be terminated upon 30 days' written notice. If the MOU is terminated for any reason, the DBA is required to return funds for any unperformed duties.

If the MOU is terminated, it will be necessary for the City to reinstate those maintenance services it wishes to continue. This would likely occur through a Request for Proposal (RFP) process. The RFP process would likely take 60-90 days to complete. While undertaking the RFP process, the City may enter into a temporary contract with a maintenance service provider to prevent an interruption of services.

FISCAL ANALYSIS:

If the City Council approves the proposed Amended MOU, the City will transfer to the DBA a total of \$54,540 during fiscal year 2012/2013. This amount has been appropriated as part of the City Council Adopted Budget for Fiscal Year 2012/2013.

ATTACHMENTS:

1. Matrix of maintenance services in proposed MOU for Fiscal Year 2012/2013.

MOTION:

That the City Council:

1. Approve a Memorandum of Understanding with the Downtown Business Association for maintenance services in downtown Culver City at a cost not to exceed \$54,540 for fiscal year 2012/2013; and,
2. Authorize the City Attorney to review/prepare the necessary documents; and,
3. Authorize the City Manager to execute such documents on behalf of the City.