

RESOLUTION NO. CC-1109-511

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, ESTABLISHING GUIDELINES FOR PUBLIC-PRIVATE PARTNERSHIPS

WHEREAS, public-private partnerships are cooperative arrangements between governments and private organizations to jointly fund or operate a program, project, or service;

WHEREAS, public-private partnerships typically involve concerned local stakeholders or community leadership groups helping to provide a program, project, or service of value to the local community or neighborhood;

WHEREAS, such arrangements benefit both the government and the private organizations involved by undertaking a valuable service, project, or program that could not be carried out independently by either entity;

WHEREAS, these partnerships have been used to advance a number of civic projects which have enhanced Redondo Beach parks, facilities and cultural heritage and fostered community pride;

WHEREAS, the City Council's adopted Financial Principles state that "the City will continue to explore options in delivering services in the most cost-effective method, including public-private partnerships and partnerships with other governmental agencies" (Section 4.c);

WHEREAS, a set of guidelines for public-private partnerships will provide a foundation for the successful planning, development and implementation of future public-private partnerships in a manner that is consistent with local, state and federal laws.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1: The City hereby adopts the following guidelines for public-private partnerships:

GUIDELINES FOR PUBLIC-PRIVATE PARTNERSHIPS

1. The Initial Concept for a proposed public-private partnership project may be submitted for consideration by the City Council through the City Manager's Office.
2. A City Council approved Initial Concept will be evaluated by appropriate City staff (as determined by the City Manager) for general consistency with City Council's adopted strategic objectives, park, streetscape and area master plans, City design guidelines, planning guidelines and all applicable local, state and federal laws. The project will also be evaluated by City staff for ongoing maintenance requirements. Further review and input from stakeholders may be recommended by City staff.
3. A fully developed conceptual design (Full Concept), including renderings, proposed materials, preliminary cost estimates and a project schedule will be presented to

appropriate commissions for review and input, and to the City Council for approval and authorization to proceed.

4. A funding plan and funding commitment (in the form of a Memorandum of Understanding (MOU) between the private partner and the City) will be prepared by City staff as part of the Full Concept. The MOU will include evidence of the private partner's financial ability to complete the project (e.g., funding commitments from sponsors; detailed fund raising plan; details/qualifications of in-kind contributors) which will be provided by the private partner. The MOU will require that 100% of funding be secured prior to the start of the project. The MOU will clearly describe the responsibilities of the private partner and the City and it will state that all projects become the exclusive property of the City.
5. Projects that are jointly funded by the City, or where funding will be administered by the City, are required to follow all City contract and purchasing policies, including formal and informal bidding requirements according to the nature and cost of the project. For such projects, a specific project account will be established for receipt and disbursement of funds.
6. Plans and specifications will be developed by the private partner with input and review by City staff. Project plans and specifications must include all landscaping, irrigation, lighting, electrical, paint and incidental elements required by the City. Plans and specifications may only be submitted for City Council consideration once funding is secured (as required by the MOU) and must include an updated cost estimate and project schedule.
7. The private partner and its consultants and contractors must comply with all City insurance requirements.
8. The private partner shall procure and provide the City with appropriate performance and/or maintenance bonds as required by Risk Manager and City Engineer.
9. The project schedule and schedule of costs will be provided to, and approved by, the City Engineer prior to issuance of permits for the project.
10. The project contractor is responsible for arranging all inspections required by the project specifications and City permits.
11. City staff and the private partner will establish a regular project meeting schedule, along with a communication plan to keep stakeholders informed of the project's progress. Updates will be provided to the City Council on, at least, a quarterly basis.
12. Any changes to the project's design, scope or cost increase of more than 5% of approved project cost must be approved by the City Council prior to implementation of the change.
13. The City will provide recognition of private partner, donor and volunteer roles in the public-private project consistent with the City's commemorative donation program and applicable design guidelines.
14. Donations to the City of Redondo Beach may be tax-deductible under the City of Redondo Beach 170 (c) designation (Tax ID: 95-6000767). Donors should consult their tax advisors for details.

SECTION 2. This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify the vote adopting this resolution.

SECTION 3. The City Clerk shall certify to the passage and adoption of this resolution and shall enter the same in the Book of Original Resolutions of said City and shall cause the action of the City Council in adopting the same to be entered in the official minutes of said City Council.

PASSED, APPROVED AND ADOPTED this 6th day of September, 2011.



Mike Gin, Mayor

ATTEST:
STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF REDONDO BEACH)

I, Eleanor Manzano, City Clerk of the City of Redondo Beach, California, do hereby certify that the foregoing Resolution No. CC-1109-511 was duly passed, approved and adopted by the City Council of the City of Redondo Beach, California, at a regular meeting of said City Council held on the 6th day of September 2011, by the following vote:

AYES: ASPEL, BRAND, AUST, DIELS, KILROY

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE


Eleanor Manzano, City Clerk

APPROVED AS TO FORM:


Michael W. Webb, City Attorney