

**AGENDA**  
**REDONDO BEACH HARBOR COMMISSION**  
*Monday, December 14, 2015, 6:30pm*  
**REDONDO BEACH CITY COUNCIL CHAMBERS**  
**415 DIAMOND STREET**

**OPENING SESSION**

- 1. CALL MEETING TO ORDER**
- 2. ROLL CALL**
- 3. SALUTE TO THE FLAG**

**I. APPROVAL OF ORDER OF AGENDA**

**II. BLUE FOLDER ITEMS**

*Blue folder items are additional backup material to administrative reports and/or public comments received after the printing and distribution of the agenda packet for receive and file.*

**III. CONSENT CALENDAR**

*Business items, except those formally noticed for public hearing, or those pulled for discussion are assigned to the Consent Calendar. The Commission Members may request that any Consent Calendar item(s) be removed, discussed, and acted upon separately. Items removed from the Consent Calendar will be taken up under the "Excluded Consent Calendar" section below. Those items remaining on the Consent Calendar will be approved in one motion following Oral Communications.*

**4. APPROVAL OF AFFIDAVIT OF POSTING FOR THE HARBOR COMMISSION MEETING OF DECEMBER 14, 2015**

**5. APPROVAL OF THE FOLLOWING MINUTES: NOVEMBER 9, 2015**

**6. ADOPT RESOLUTION NO. CC-1512-098, APPROVING FREE PARKING WITHIN THE PIER AND PLAZA PARKING STRUCTURES FOR THE 2015 HOLIDAY SEASON – DURING THE HOURS OF 8AM TO 10PM FROM DECEMBER 12, 2015 - JANUARY 2, 2016.  
(FROM PREVIOUS CITY COUNCIL MEETING ON 12/1/15, ITEM H.7)**

**7. APPROVE CONTRACT WITH ROCKY POST DBA ON THE WING FALCONRY SERVICE FOR PROJECT SERVICES IN THE AMOUNT NOT TO EXCEED \$70,000 FOR THE TERM OF DECEMBER 1, 2015 - NOVEMBER 30, 2016.  
(FROM PREVIOUS CITY COUNCIL MEETING ON 12/1/15, ITEM H.8)**

**8. APPROVE AMENDMENT NO. 1 WITH KOSMONT & ASSOCIATES, INC. FOR REAL ESTATE CONSULTING SERVICES TO INCREASE AMOUNT OF CONTRACT TO \$250,000 AND EXTEND THE TERM TO DECEMBER 31, 2016  
(FROM PREVIOUS CITY COUNCIL MEETING ON 12/1/15, ITEM H.9)**

**IV. EXCLUDED CONSENT CALENDAR ITEMS**

**V. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS**

*This section is intended to provide members of the public with the opportunity to comment on any subject that does not appear on this agenda for action. This section is limited to 30 minutes. Each speaker will be afforded three minutes to address the Commission. Each speaker will be permitted to speak only once. Written requests, if any, will be considered first under this section.*

**VI. EX PARTE COMMUNICATIONS**

**VII. PUBLIC HEARINGS**

**VIII. ITEMS FOR DISCUSSION PRIOR TO ACTION**

**9. DIRECTOR'S REPORT**

Staff recommendation: Receive and file

**XII. ITEMS CONTINUED FROM PREVIOUS AGENDAS**

**XIII. MEMBERS ITEMS AND REFERRALS TO STAFF**

**XIV. ADJOURNMENT**

The next meeting of the Harbor Commission of the City of Redondo Beach will be a regular meeting to be held January 11, 2016, in the Redondo Beach Council Chambers, 415 Diamond Street, Redondo Beach, California.

*It is the intention of the City of Redondo Beach to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting you will need special assistance beyond what is normally provided, the City will attempt to accommodate you in every reasonable manner. Please contact the City Clerk's Office at (310) 318-0656 at least forty-eight (48) hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible. Please advise us at that time if you will need accommodations to attend or participate in meetings on a regular basis.*

*An Agenda Packet is available at [www.redondo.org](http://www.redondo.org) under the City Clerk. Agenda packets are available at the Redondo Beach Main Library during Library Hours, at the Reference Desk and during City Hall hours in the Office of the City Clerk. Any writings or documents provided to a majority of the Harbor Commission regarding any item on this agenda will be made available for public inspection at the City Clerk's Counter at City Hall located at 415 Diamond Street, Door C, Redondo Beach, CA during normal business hours.*

PROOF OF POSTING

I, Holly Short, hereby declare, under penalty of perjury, that I am over the age of 18 years and am employed by the City of Redondo Beach, Harbor Department, and that the following document was posted by me at the following location(s) on the date the time noted below:

Agenda – Redondo Beach Harbor Commission

Regular Meeting of December 14, 2015

Posted on: December 9, 2015 at 2:00 pm

Posted at: DOOR "A" BULLETIN BOARD

and CITY CLERK'S OFFICE

  
Signature

12/9/15  
Date

**MINUTES OF THE  
REDONDO BEACH HARBOR COMMISSION MEETING  
NOVEMBER 9, 2015**

**CALL TO ORDER**

A regular meeting of the Harbor Commission was called to order at 6:30 p.m. in the City Council Chambers, 415 Diamond Street, by Chairperson D. Jackson.

**ROLL CALL**

Commissioners Present: Bloss, Callahan, Dalton, D. Jackson, M. Jackson  
Commissioners Absent: Keidser, Shaer  
Officials Present: Mike Klein, Deputy Public Works Director  
Laurie Koike, Waterfront/Economic Development  
Manager  
Robert Metzger, Fire Chief  
Stephen Proud, Waterfront/Economic Development  
Director  
Margareet Wood, Recording Secretary

**SALUTE TO THE FLAG**

The Commissioners joined in the salute to the flag.

**APPROVAL OF ORDER OF AGENDA**

The motion by Commissioner M. Jackson and seconded by Commissioner D. Jackson to advance agenda Item 6, Presentation by the Falconer, to the beginning of the agenda was unanimously approved.

**ITEMS FOR DISCUSSION PRIOR TO ACTION**

Presentation by the Falconer

Director Proud explained that removal of nuisance birds from the harbor has been an ongoing topic of research. As a result, he said commitments have been made from the City and 3 private entities to fund a contract for the services of the business *On the Wing*. He introduced owner Rocky Post to discuss his service.

Mr. Post explained his profession as master falconer and displayed a live bird used in his business. He said his service relies on the predator/prey concept and his birds are fast, intimidating, and therefore effective in chasing seagulls away. He said by flying in an area 3-4 days per week his birds take control of the air space so other birds won't enter. He said the large number of seagulls on the pier contribute to the bacteria levels in the harbor and should be encouraged to migrate. He said pigeons are a problem on the pier, especially at Kinkaid's restaurant. He said they are diseased and must be thinned out prior to introducing the falcons. He explained the process by which the pigeons are trapped, treated, and transferred to pigeon fanciers.

Director Proud answered the contract for Mr. Post's services is scheduled for City Council consideration on December 1 and does include pigeon trapping.

Mr. Post expected a significant decline in the seagull population after the pigeons are thinned out and the falcons are introduced; however he said local seagulls are always problematic. He said cormorants, pelicans, and herons are not intimidated by the falcons. He said he flies 1 bird at a time; and the species he chooses depends on the environment. He said his birds are maintained at the optimal weight to be most effective; and they remain airborne for 20 minutes at a time.

In response to Commissioner D. Jackson, Mr. Post said when the seagulls leave the area, they may fly offshore to feed off bait fish or possibly move to Wilmington.

In response to Commissioner Bloss, Mr. Post said his birds are bred in captivity.

In response to Commissioner Dalton, Mr. Post said some of his birds fly up to 1,000 ft., and some birds fly low. He said he has heard of incidents with pets; however he personally has not had a problem, adding that he carries insurance.

In response to Commissioner M. Jackson, Mr. Post advised that ongoing abatement will be necessary – otherwise the nuisance birds will return in 2 weeks'. Mr. Post also explained he works with an assistant and has been providing professional bird abatement for the past 7-8 years.

Director Proud explained the funding for Mr. Post's services will be divided 50/50 between City and private sources.

Commissioner D. Jackson supported the proposed bird abatement contract.

The motion by Commissioner D. Jackson and seconded by Commissioner Callahan to receive and file the presentation was unanimously approved.

#### **CONSENT CALENDAR**

4. Approval of Affidavit of Posting for the Harbor Commission Meeting of November 9, 2015
5. Approval of the following minutes: October 12, 2015

Chairperson Bloss corrected the spelling of the restaurant Basq Kitchen on page 5 of the minutes.

The motion by Commissioner D. Jackson and seconded by Commissioner Dalton to approve the Consent Calendar including the amended minutes was unanimously approved.

## **EXCLUDED CONSENT CALENDAR ITEMS**

None.

## **PUBLIC PARTICIPATION ON NON-AGENDA ITEMS**

Mark Hansen, King Harbor Boaters Advisory Panel, recalled the process for looking into the boat ramp was approved by City Council in 2014. He said the upcoming EIR will name 9 proposed locations without input from the boaters or Harbor Commission.

The motion by Commissioner D. Jackson and seconded by Commissioner Callahan to extend Mr. Hansen's speaking time was unanimously approved.

Mr. Hansen also recalled the process for the Mole B and mooring projects. He said consultants were hired for those projects prior to seeking input from the experts and he believed the same thing is happening with the boat ramp.

In response to Commissioner Dalton, Director Proud confirmed the upcoming EIR will include options for the boat ramp facility. He then explained the scheduled public comment process which he said will be followed by focused conversations relative to the boat ramp facility.

## **ITEMS FOR DISCUSSION PRIOR TO ACTION**

### Presentation by the Public Works Department Regarding Preparations for the Expected Upcoming El Nino Storm Season

Highlights of the presentation by Deputy Director Klein include:

- Background – weather predictions for this winter include a 95% chance of El Nino with heavy rain, wind, and waves.
- Impacts – flooding, structure damage, landslides, coastal erosion.
- Proactive preparation and response plan:
  1. Street/Storm Drain – identify potential flood areas, clean/test sump pumps, clean storm water pump wells and basins, clean catch basins.
  2. Streets - stock mix for pothole repair, order temporary stop signs/delineators, arrange for rental of mud removal and water diversion equipment, open 3 sand bag pickup stations.
  3. Parks - inspect trees to identify hazards, stabilize embankment at Dominguez Park, provide proactive tree trimming, service pumps and generators, purchase additional water pumps.
  4. Pier, Harbor and Buildings - inspect roofs and complete repairs and spot patching, service emergency generators and transfer switches, remove small boat launch, install sand bags at key flooding locations, coordinate response plan with marinas.
  5. Engineering – execute RBPAC roof repair, establish on-call contract with pier repair contractor, notify contractors to implement BMPs, assist crews with infrastructure evaluations.
  6. Administration - track costs for potential reimbursement, provide crews with necessary rain gear and protective equipment, update emergency

- contact lists, prepare managers and supervisors, identify chain of command for EOC response, post information on City website.
- Estimated Costs, proactive tree trimming \$40,000, Dominguez Park stabilization \$50,000, additional equipment \$20,000, additional materials \$10,000.

In response to Commissioner M. Jackson, Deputy Director Klein said that locations especially susceptible to flood damage are low-lying areas and the wood pier. He also said flooding of the sewer system is a potential problem. He said the beaches are overseen by LA County.

Chief Metzger said the Fire Department and Harbor Patrol are in the process of assembling equipment and preparing to respond. He said diligence by marinas and boat owners will be important i.e. preparing top decks; maintaining bilge pumps, batteries, and dock lines in good condition; and securing loose equipment. He said an informational handout will be distributed to boaters.

In response to Commissioner Dalton, Chief Metzger said Harbor Patrol is equipped with fire pumps and also that LA County is available to assist.

Mr. Hansen mentioned the small boat launch, the mooring buoys, the outriggers and the advent of SUPs and stressed the importance of coordinating efforts to prepare. He also said he often sees people on the break wall and those people must be evacuated in the event of a storm. He recommended CERT training.

Deputy Director Klein answered the City website will be regularly updated with current conditions.

The motion by Commissioner D. Jackson and seconded by Commissioner Callahan to receive and file Mr. Klein's report was unanimously approved.

#### Director's Report

Director Proud reported the following:

- Repairs - Pier Plaza roof repairs moving forward - main dock as well as smaller fingers will undergo repair; pier repair completed in August; work on small boat launch facility began in October, temporary location at boat hoist facility is overloaded, small boat launch to be returned after repairs complete, weather permitting.
- Signage – working with Public Works on general directional signage contract/process, SUP map and signage is separate and will be accelerated.

In response to Commissioner M. Jackson regarding the small boat launch repair, Deputy Director Klein explained that constant movement of the docks and heavy use causes wear that must be repaired in the interest of ongoing safety. He added that the repair has been postponed for the past year.

- CenterCal EIR – Director Proud distributed the Notice of Availability/Notice of Public Meetings and said the EIR will be released on November 17 at 6 pm. Extensive public outreach will include newspapers, cable TV, mailings to property owners, and several public workshops during the comment period which extends to January 19. The EIR will come before the Harbor Commission for certification in March or April. The tidelands trust exchange falls into the category of real estate transaction and therefore not a Harbor Commission action - but rather a City Council action; and the actual trust exchange agreement will not be included with the EIR certification packet. The trust exchange can occur after the entitlements are approved; however will be necessary prior to project implementation.
- Lease updates – Pia restaurant on the pier operates Tuesday-Sunday evenings – different from the lease agreement, 3 tables only, good reviews; King Harbor Brewing Company has received no complaints.
- Leases in progress – 2 leases for Cinco de Mayo and Shrimp Lovers, lease assignment for Captain Kidd's, lease for dentist on pier plaza, Samba's lease up for renewal.

In response to Commissioner M. Jackson, Director Proud said he will find out when the Commissioners will receive their copy of the EIR.

Also in response to Commissioner M. Jackson regarding the Harbor Commission's role in the upcoming public workshops, Director Proud said the Commissioners are free to attend and ask questions; however he advised limiting comments prior to the public hearing. He planned to consult the City Attorney for further guidance.

Chairperson Bloss requested Director Proud to email the Harbor Commissioners with instructions for conduct at the public workshops i.e. demeanor, etc.

Commissioner Dalton commented that a recent *Daily Breeze* newspaper article failed to provide the address for submitting written comments.

In response to Chairperson Bloss regarding a prior request from Commissioner M. Jackson to consider expanding the harbor infrastructure objective on the strategic plan, Director Proud said the topic was raised at the recent workshop. He said participants agreed that areas outside the waterfront project need to be addressed as part of the sea level rise analysis; therefore the topic is included on the upcoming strategic plan.

Commissioner M. Jackson recommended that in addition to sea level rise, other topics related to infrastructure such as out-of-code railings, etc. are considered for the areas south of Portofino Way.

Director Proud specified that the report on the status of analysis of sea level rise and potential impact on the Redondo Beach waterfront is due by March 1.

Manager Koike clarified the Harbor/Herondo Gateway Project was recently named the American Public Works Association project of the year.

Mr. Hansen submitted information on a recent successful fundraising event at King Harbor Yacht Club and the upcoming boat parade sponsored by King Harbor Yacht Club.

The motion by Commissioner D. Jackson and seconded by Commissioner Callahan to receive and file the information from Mr. Hansen was unanimously approved.

Mr. Hansen mentioned the removal of the small boat ramp and suggested that empty slips may be available for use by mooring guests. He suggested installing a ladder at the pump out station.

Director Proud clarified the Harbor Commission meeting to certify the EIR is a public hearing and the public will have the opportunity to comment. He also said that other options for directing mooring guests to tie up can be considered.

The motion by Commissioner D. Jackson and seconded by Commissioner M. Jackson to receive and file the Director's Report was unanimously approved.

#### **ITEMS CONTINUED FROM PREVIOUS AGENDAS**

None.

#### **MEMBERS ITEMS AND REFERRALS TO STAFF**

Commissioner Dalton expressed concern regarding traffic hazards at the boat hoist site; and he recommended restoration of the permanent boat launch dock operation as soon as possible.

Commissioner D. Jackson recalled mentioning the issue of uncovered trash cans on George Freeth Way several months ago. She said birds pull out the trash and she requested to have the cans covered.

Commissioner Bloss also recommended more frequent trash collection there.

The motion by Commissioner D. Jackson and seconded by Commissioner Dalton to adjourn the meeting at 8:40 p.m. was unanimously approved.

Respectfully submitted,

Stephen Proud  
Waterfront and Economic  
Development Director



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# Administrative Report

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Council Action Date: December 1, 2015

**To: MAYOR AND CITY COUNCIL**

**From: STEPHEN PROUD, WATERFRONT & ECONOMIC DEVELOPMENT DIRECTOR**

**Subject: ADOPT RESOLUTION NO. CC-XXXX-XXX, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, APPROVING FREE PARKING WITHIN THE PIER AND PLAZA PARKING STRUCTURES FOR THE 2015 HOLIDAY SEASON -- DURING THE HOURS OF 8AM TO 10PM FROM DECEMBER 12, 2015 THROUGH JANUARY 2, 2016**

## **RECOMMENDATION**

Adopt Resolution No. CC-xxxx-xxx to allow for free holiday parking at the City's Pier and Plaza Parking Structures (Parking Structures) between the hours of 8am and 10pm daily from Saturday, December 12, 2015 through Saturday, January 2, 2016.

## **EXECUTIVE SUMMARY**

Offering limited free holiday parking at the Parking Structures began in 1992 as a way to promote and encourage business during the holiday season. The Pier and Boardwalk merchants have relied on the City to continue this goodwill gesture. If approved, free holiday parking at the Parking Structures would commence Saturday, December 12, 2015 and continue through Saturday, January 2, 2016 between the hours of 8am and 10pm.

## **BACKGROUND**

From 1992 to 2005 the City suspended the parking fees in the Parking Structures between 8 am and 7 pm over a two week period during weekdays only. In 2005, the hours were amended to 11 am to 8 pm and added weekend days. In 2012, hours were expanded to include those between 8am and 8pm. The purpose of suspended parking fees was to attract holiday gatherings and shopping to Waterfront restaurants and shops during daytime and early evening hours.

Last year, free holiday parking was offered between 8am and 8pm from Friday, December 12, 2014, through Friday, January 2, 2015. This year, staff proposes to offer free parking to visitors for the period of 8am to 10pm from December 12 through January 2. The free parking period has been extended by two hours until 10pm, which will serve to accommodate guests visiting the new waterfront dining establishments. In 2015, it is estimated that the waiver of parking fees will forfeit approximately \$30,000 in visitor revenue over the 22-day period. Total revenue for the month outside of free periods is expected to approach \$36,000.

**Administrative Report**

December 1, 2015

Resolution No. CC-XXXX-XXX, Allowing Free Parking at the Pier and Plaza Parking Structures During the 2015 Holiday Season  
Page 2

The Pier and Boardwalk merchants have expressed appreciation in the past, and support the City's waiving of parking fees for the Parking Structures. The period was selected to coincide with the proposed free parking period for the Riviera Village, then expanded to include the weekend of 'Santa on the Pier' and 'Holiday Boat Parade' events.

City Council approval is requested to waive the parking fees from Saturday, December 12, 2015, through Saturday, January 2, 2016, between the hours of 8am and 10pm.

**COORDINATION**

Staff will implement the free holiday parking period via the pay-by-space software system, and will notify the Pier and Boardwalk merchants to allow for promotional opportunities. Additionally, free parking information will be distributed via the City's website. The City Attorney's Office has approved the Resolution as to form.

**FISCAL IMPACT**

It is estimated that the 22-day free holiday parking period will reduce total parking revenue by approximately \$30,000. The free parking is expected to increase sales at Pier area businesses during this time, resulting in a corresponding increase in rent paid to the City. Nevertheless, total revenue for the month outside of free periods is expected to amount to \$36,000.

Submitted by:

Approved for forwarding by:

*Stephen Proud, Waterfront & Economic Development Director*

*Joe Hoefgen, City Manager*

Attachment:

RESOLUTION NO. CC-XXXX-XXX, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, APPROVING FREE PARKING WITHIN THE PIER AND PLAZA PARKING STRUCTURES FOR THE 2015 HOLIDAY SEASON - - DURING THE HOURS OF 8AM TO 10PM FROM DECEMBER 12, 2015 THROUGH JANUARY 2, 2016.

**RESOLUTION NO. CC-1512-098**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, APPROVING FREE PARKING WITHIN THE PIER AND PLAZA PARKING STRUCTURES FOR THE 2015 HOLIDAY SEASON – DURING THE HOURS OF 8AM TO 10PM FROM DECEMBER 12, 2015 THROUGH JANUARY 2, 2016**

WHEREAS, the City owns and operates two (2) parking structures along its Waterfront; and

WHEREAS, the Pier and Plaza Parking Structures have approximately 1,450 parking spaces, supplying parking for visitors of the Waterfront and nearby businesses; and

WHEREAS, visitors are charged a fee to park in each parking structure; and

WHEREAS, the City has traditionally provided free parking during certain hours for two weeks within this area during the holiday season; and

WHEREAS, the purpose of allowing free parking is to express holiday goodwill and to encourage the public to shop and dine in the Waterfront area during the holiday season.

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

SECTION 1. That the parking fees in the Pier and Plaza Parking Structures shall be waived from 8am to 10pm for the period of December 12, 2015 through January 2, 2016.

SECTION 2. The City Clerk shall certify to the passage and adoption of this resolution and shall enter the same in the Book of Original Resolutions.

PASSED, APPROVED AND ADOPTED this 1<sup>st</sup> day of December, 2015.

\_\_\_\_\_  
Steve Aspel, 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-1512-098 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 1<sup>st</sup> day of December, 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Eleanor Manzano, City Clerk

APPROVED AS TO FORM:

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Michael W. Webb, City Attorney



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# Administrative Report

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Council Action Date: December 1, 2015

**To: MAYOR AND CITY COUNCIL**

**From: STEPHEN PROUD, WATERFRONT AND ECONOMIC DEVELOPMENT DIRECTOR**

**Subject: AGREEMENT FOR PROJECT SERVICES BETWEEN THE CITY OF REDONDO BEACH AND ROCKY POST dba ON THE WING FALCONRY SERVICES**

## **RECOMMENDATION**

Approve the Agreement for Project Services between the City of Redondo Beach and Rocky Post dba On the Wing Falconry Services for a not to exceed amount of \$70,000 and authorize the Mayor to execute the Agreement.

## **EXECUTIVE SUMMARY**

Pest birds are the source several problems within the Redondo Beach Waterfront. They create maintenance issues for the City and local businesses; they are a public health concern based on the bacteria they carry; they are aggressive and affect the quality of the visitor experience; and they can have a negative impact on the quality of the water within the Harbor. As a sustainable means to address the pest bird population, a contract is attached for the services of a Falconer who will use various raptors to fly over the waterfront and intimidate these pest birds into leaving.

The contract with Rocky Post dba as On the Wing Falconry will provide for removal of the pest birds by flying raptors over the waterfront for specified periods of time. The total value of the contract is not to exceed \$70,000 and will be paid for 50% by the City and 50% by a consortium of business within the Harbor. The term of the contract is one year.

## **BACKGROUND**

For many years, seagulls and pigeons have created a mess along the Waterfront - specifically at the Pier and on the Boardwalk. Moreover, these birds often rest and fly in close proximity to outdoor restaurant patrons, and nest in areas that create maintenance issues for businesses within the waterfront. Because of the public health risk (carrying and transmitting bacteria), the birds can cause illness to patrons on the Pier or swimmers in the ocean in addition to the nuisance created by the droppings.

In response to these concerns, City staff have been working with various entities throughout the waterfront for a few years to craft a sustainable solution and initiate a contract for bird abatement via the services of a local "falconer". Falcons and other

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raptors have been successfully used in several areas, including local resorts such as Terranea and in Avalon Bay, to shoo away pigeons, gulls and other pest birds, through controlled flight and by simply showing themselves. The non-desired birds are intimidated by the presence of the falcons and raptors and will continue their normal migratory patterns or relocate to other areas.

The program includes an initial process of working with the local businesses to secure access to remove the pigeon population and assess the health of the birds. Once that work is complete, which is estimated to take approximately two (2) months, the falconer will begin to fly the raptors to create an area free of pest birds. Initially the raptors are expected to fly approximately four (4) days per week, but as the program matures and takes effect, the number of days the raptors will fly will be decreased to as few as two (2) days per week.

Over a matter of months, it is expected that the abatement of pigeons and seagulls will: a) save the City and Waterfront businesses significant costs in maintenance; b) protect the public from possible illness; and c) potentially improve the City's water quality within the Harbor.

It is important to note that the raptors used as part of this program are highly trained animals and are specifically trained not to attack any of the pest bird populations.

### **COORDINATION**

The Waterfront and Economic Development Department collaborated with the City Attorney's Office to develop the agreement. The City Attorney's Office has approved the agreement as to form. Funding for the Agreement was coordinated with the King Harbor Association, the Pier Association, and Kincaids.

### **FISCAL IMPACT**

Reducing the number of pest birds, and the waste they generate, will help lower overall maintenance costs within the greater waterfront area. The total value of the Contract is \$70,000. The Harbor Enterprise will fund 50% of the costs - split evenly between Tidelands and Uplands - and the remaining 50% of the costs will be paid by the King Harbor Association, Kincaids, and the Pier Association.

Submitted by:

*Stephen Proud, Waterfront and Economic Development  
Director*

Approved for forwarding by:

*Joe Hoefgen, City Manager*

Attachments:

- Agreement for Project Services between the City of Redondo Beach and Rocky Post dba On the Wing Falconry Services

All supporting documentation for **Consent Items**  
can be found online at the City's website

[www.redondo.org](http://www.redondo.org)

under the corresponding City Council Meeting

city offices/city clerk/agenda & minutes

**City Council Meeting**

**December 1, 2015**

**Item H8**



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# Administrative Report

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Council Action Date: December 1, 2015

**To: MAYOR AND CITY COUNCIL**

**From: STEPHEN PROUD, WATERFRONT AND ECONOMIC DEVELOPMENT DIRECTOR**

**Subject: FIRST AMENDMENT TO THE AGREEMENT FOR REAL ESTATE CONSULTING SERVICES BETWEEN THE CITY OF REDONDO BEACH AND KOSMONT & ASSOCIATES, INC.**

**AGREEMENT FOR FINANCIAL ADVISORY SERVICES BETWEEN THE CITY OF REDONDO BEACH AND KOSMONT TRANSACTION SERVICES**

## **RECOMMENDATION**

Approve the First Amendment to the Agreement for Consulting Services between the City of Redondo Beach and Kosmont & Associates, Inc. to increase the amount of the contract to \$250,000 and extend the term to December 31, 2016 and authorize the Mayor to execute the Amendment.

Approve an Agreement for Consulting Services between the City of Redondo Beach and Kosmont Transaction Services for financial advisory services.

## **EXECUTIVE SUMMARY**

Real estate consultant Kosmont & Associates, Inc. has assisted the City on a variety of real estate matters in recent years. The attached contract amendment provides a continuation of these services for projects that include the waterfront revitalization, financial strategies associated with the disposition and reuse of the AES site, lease negotiations, analyses associated with restructuring agreements to improve the City's financial position, and other real property matters. The amendment increases the compensation on the existing contract by \$75,000 from \$175,000 to an amount not to exceed \$250,000. In addition, it extends the term of the contract to December 31, 2016. Kosmont brings over 25 years of experience in public / private and economic development transactions. The firm's broad professional perspective is crucial given the scope and complexity of the ongoing economic development activities occurring within the City.

In addition to the Amendment to the base contract with Kosmont and Associates, a new contract is attached for financial advisory services with Kosmont Transaction Services ("KTS") to assist the City in the analysis of various public financing options and

Agreement for Financial Advisory Services Between  
the City of Redondo Beach and Kosmont Transaction Services

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strategies associated with the provision of public infrastructure projects. The existing contract with Kosmont and Associates requires the creation of a separate contract and approval by the City Council for this scope of work. In addition, as a registered "Municipal Advisor" with the SEC and MSRB, Kosmont is required to contract separately for any work that may be deemed financial advisory services. This contract is set at a not to exceed value of \$35,000 and the term of the agreement runs through December 31, 2016.

The cost of the contract amendment and the contract with KTS, a total of \$110,000, will be funded by the Harbor Uplands and Tidelands Funds.

**BACKGROUND**

In 2007, the City entered into a contract with Kosmont & Associates to explore the potential for revitalization of the City's Pier and Harbor area. Kosmont developed the Pier & Harbor Asset Management Plan and the Harbor Enterprise Business Plan which continue to serve as the basis for much of the waterfront revitalization underway today. Kosmont's experience and expertise has also been crucial to support property acquisitions, lease negotiations, and in setting broader strategies for City-wide economic development efforts.

With regard to the Waterfront, many years of hard work and significant City resources have been dedicated to advancing the revitalization effort. One of the primary focuses of this work has been the pier area through a private sector partnership with CenterCal Properties. With the recent release of the Waterfront EIR, the upcoming work effort will focus on the significant and complex real estate transaction work necessary to develop the framework for this public-private partnership. While much of Kosmont's work will be dedicated to the Waterfront project, including lease documentation and infrastructure and entitlement planning, this contract amendment provides the funding necessary to support other real estate and planning efforts within the City, including the strategies associated with disposition and reuse of the AES property, negotiations with master leaseholders, asset management, and restructuring existing agreements to advance the financial and economic interests of the City.

The initial contract approved in December 2014 was for a not to exceed amount of \$175,000 and expires on December 1, 2015. To date, approximately \$85,000 of the contract has been expended, leaving a balance of approximately \$90,000. The proposed contract amendment would add \$75,000 to the value of the contract, for a not to exceed amount of \$250,000 – which would increase the remaining balance of the contract to \$165,000. In addition, the contract amendment would extend the term of the contract to December 31, 2016.

Agreement for Financial Advisory Services Between  
the City of Redondo Beach and Kosmont Transaction Services

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When the City Council approved the Kosmont Contract in December 2014, a provision was included in the contract to address work related to financial advisory services. Based on concerns expressed by the City Council, at the time, that provision requires specific authorization from the City Council before a Kosmont & Associates related entity could perform any financial advisory services for the City.

Consequently, a separate contract has been prepared with Kosmont Transaction Services ("KTS") for Financial Advisory services. This contract will allow KTS to collaborate with KNN, the financial advisor recently selected by the City, on collateral financial advice as redevelopment efforts shift to the resolution of tax-exempt and/or taxable bond financing for various waterfront and infrastructure improvements. This work may include:

- Advising the City on financial evaluations completed to date and proposed transaction terms;
- Assisting the City with the evaluation and structuring of potential financing structures;
- Assisting the City with evaluation of various financing districts including but not limited to Enhanced Infrastructure Financing Districts (EIFDs), parking and tourism districts, and other such potential financing alternatives to fund public infrastructure and amenities as may be appropriate;
- Assisting the City with the preparation of credit rating packages and participating in meetings with rating agencies;
- Advising on the attainability and/or desirability of credit enhancements, such as bond insurance, letters of credit, etc.;
- Reviewing the text of official statements and disclosure documents for proposed financing(s); and
- Participating in public meetings to discuss the financing process and potential issuance of debt.

The contract with KTS is for a not to exceed amount of \$35,000 and has a term that lasts until December 31, 2016.

Agreement for Financial Advisory Services Between  
the City of Redondo Beach and Kosmont Transaction Services

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**COORDINATION**

The Waterfront and Economic Development Department collaborated with the City Attorney's Office to develop the agreement. The City Attorney's Office has approved the agreement as to form.

**FISCAL IMPACT**

The revitalization efforts at the waterfront and economic development efforts within the City have been instrumental in bringing new private sector investment to Redondo Beach. Kosmont Companies has been crucial in assisting the City in facilitating this investment and the contract amendment with Kosmont Associates and contract with KTS – a Kosmont affiliate - will provide for an additional \$110,000 to continue this work. Funding for this effort will be provided via Uplands and Tidelands proceeds as follows:

Funding	Expenditures
Contract Amendment w/Kosmont Associates	
\$37,500 Harbor Uplands Fund	\$37,500 Kosmont & Associates, Inc.
<u>\$37,500 Harbor Tidelands Fund</u>	<u>\$37,500 Kosmont &amp; Associates, Inc.</u>
\$75,000 Total	\$75,000 Total
Contract with Kosmont Transaction Services	
\$17,500 Harbor Uplands Fund	\$17,500 Kosmont Transaction Services
<u>\$17,500 Harbor Tidelands Fund</u>	<u>\$17,500 Kosmont Transaction Services</u>
\$35,000 Total	\$35,000 Total

Submitted by: *Stephen Proud, Waterfront and Economic Development Director*  
Approved for forwarding by: *Joe Hoefgen, City Manager*

Attachments:

- Agreement for Consulting Services between the City of Redondo Beach and Kosmont & Associates, Inc.
- First Amendment to Agreement for Consulting Services between the City of Redondo Beach and Kosmont & Associates, Inc.
- Agreement for Consulting Services between the City of Redondo Beach and Kosmont Transaction Services

All supporting documentation for **Consent Items**

can be found online at the City's website

[www.redondo.org](http://www.redondo.org)

under the corresponding City Council Meeting

city offices/city clerk/agenda & minutes

**City Council Meeting**

**December 1, 2015**

**Item H9**