



## Legislation Text

---

**File #:** 21-0193, **Version:** 1

---

**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Bruce Moe, City Manager

**FROM:**

Carrie Tai, AICP, Community Development Director  
Nhung Huynh, Senior Management Analyst

**SUBJECT:**

Consideration of a Resolution Approving the Professional Services Agreement with Willdan Engineering for Calendar Year 2021 for Building and Safety Support Services, Including Code Enforcement, for the Community Development Department at a Cost Not-to-Exceed \$343,200 (Community Development Director Tai).

**ADOPT RESOLUTION NO. 21-0054**

---

**RECOMMENDATION:**

Staff recommends that the City Council approve the Professional Services Agreement with Willdan Engineering for Building and Safety support services, including Code Enforcement, in the Community Development Department at a cost not-to-exceed \$343,200.

**FISCAL IMPLICATIONS:**

The proposed Professional Services Agreement is for a not-to-exceed amount of \$343,200. This agreement is not budgeted in the Fiscal Year (FY) 2021-2022 adopted budget. However, expenditures will be offset by salary savings, given the current vacancies of three Code Enforcement Officers and a Plan Check Engineer.

**BACKGROUND:**

The Building and Safety Division within the Community Development Department is responsible for building code regulation and code enforcement. Code Enforcement Officers ensure compliance with the City's construction rules, Municipal Codes, and applicable health and safety codes to protect the welfare of the community. Specifically, their duties include a combination of field investigative work, working with the involved parties to resolve issues, and most importantly, educating involved parties to ensure future compliance.

On February 16, 2021, the City Council directed staff to improve the City's code enforcement function by supplementing the program with two full-time Code Enforcement Officers. In April, program staff was further reduced through the retirement of a seasoned Code Enforcement Officer, leaving a total of three vacancies in the program. The City has been working on the process to recruit and fill these vacancies, however, there are immediate needs as the community enters the summer season, including enforcement of the outdoor dining facilities extended through Labor Day and increased

construction activity.

In addition to the vacancies in the Code Enforcement program, the Building and Safety Division is anticipating service impacts resulting from the recent retirement of a Plan Check Engineer. The Plan Check Engineer is responsible for inspecting building plans for compliance with various codes, servicing customers at the permit counter, conferring with residents and the building community on methods of design and construction, and explaining codes and ordinance provisions to guide customers through the building process.

To address the immediate need for Building and Safety staffing, staff is requesting to utilize contract staff while recruitments are underway and the vacancies are filled permanently. Willdan Engineering provides contract services for these positions to be managed under a single agreement. Using contract staff in the interim allows the City to be flexible in that hours for contract staff can be managed based on demand and can be increased or decreased at any given time without needing to meet any minimum hourly requirements. Once the City hires the new Code Enforcement Officers and a Plan Check Engineer, interim services will terminate, even if the not-to-exceed contract amount has not been expended. It is currently anticipated that the vacancies will be filled by December 2021.

Section 2.36.130 of the Manhattan Beach Municipal Code indicates that contracts for services of specially-trained and professional persons shall be exempt from bidding. All contracts exceeding fifty thousand dollars (\$50,000) must be approved by the City Council.

**DISCUSSION:**

For the reasons described in the section above, the Code Enforcement Officer and Plan Check Engineer positions are critical to the daily operations of the Community Development Department. In order for operations to proceed uninterrupted, the department is seeking contract staff to temporarily fill vacancies associated with these positions. Staff anticipates the need for three Code Enforcement Officers to provide daily coverage for Code Enforcement services. Each Officer would work 40 hours per week, with one Officer working regular business hours, the second Officer working weeknights and weekends, and the third Officer working a hybrid shift. At the quoted hourly rate of \$65, these services would require a budget of approximately \$202,800. Staff anticipates that a contract Plan Check Engineer will be needed for 40 hours per week, which would necessitate a budget of approximately \$140,400. Therefore, staff is requesting a contract for support services for a not-to-exceed amount of \$343,200.

**PUBLIC OUTREACH:**

After analysis, staff determined that public outreach was not required for this issue.

**ENVIRONMENTAL REVIEW:**

The subject request is not a “project” as defined under Section 15378 of the State California Environmental Quality Act (CEQA) Guidelines; therefore, pursuant to Section 16050(c)(3) of the State CEQA Guidelines, the activity is not subject to CEQA. Thus, no environmental review is necessary.

**LEGAL REVIEW:**

The City Attorney has approved the agreement as to form.

**ATTACHMENTS:**

1. Resolution No. 21-0054

## 2. Agreement - Willdan Engineering