Notice of a Special Meeting of the
FINANCE COMMITTEE and/or CITY COUNCIL
4:00 p.m. - Monday, June 3, 2013
Council Chambers, Room S249

NOTICE IS HEREBY GIVEN that a special meeting of the Finance Committee and/or City Council will be held **Monday, June 3rd** at **4:00 p.m.** in the Council Chambers, Room S249, at the City of Pasadena City Hall, 100 N. Garfield Ave., Pasadena, California.

A. CALL TO ORDER

B. PUBLIC COMMENT (Limited to items on the agenda.)

C. NEW BUSINESS
1. Authorization to enter into a Contract with Impact Sciences, Inc. to Provide Environmental Consulting Services for the Reuse of the Desiderio Army Reserve Center at 655 Westminster Drive for a Neighborhood Park and 9-Unit Affordable Housing Project
2. Continuation of City Manager's Recommended Fiscal Year 2014 Operating Budget Public Hearing

Affiliated Agencies:
- Successor Agency to the PCDC
- Pasadena Community Access Corporation
- Rose Bowl Operating Company
- Pasadena Center Operating Company

D. INFORMATION ONLY
1. Follow-up from May 13, 2013 Special Joint Finance Committee/City Council Meeting

E. ADJOURN SPECIAL MEETING OF FINANCE COMMITTEE AND CITY COUNCIL

Terry Tornek, Chair
Finance Committee

This notice, in its entirety, was posted at City Hall and distributed as indicated below by 5:30 p.m. on Thursday, May 30, 2013.

Lori Eubanks, Recording Secretary

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Agenda Report

June 3, 2013

TO: Honorable Mayor and City Council

THROUGH: Finance Committee

FROM: Planning & Community Development Department

SUBJECT: **AUTHORIZATION TO ENTER INTO A CONTRACT WITH IMPACT SCIENCES, INC.TO PROVIDE ENVIRONMENTAL CONSULTING SERVICES FOR THE REUSE OF THE DESIDERIO ARMY RESERVE CENTER AT 655 WESTMINSTER DRIVE FOR A NEIGHBORHOOD PARK AND 9-UNIT AFFORDABLE HOUSING PROJECT**

RECOMMENDATION:

It is recommended that the City Council:

1. Find that entering into the proposed contract with Impact Sciences, Inc. is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) (General Rule), and
2. Recognize revenues of $24,500 and increase appropriations totaling $24,500 in the Housing Department FY 2013 operating budget for the preparation of an Environmental Impact Report for the Habitat for Humanity affordable housing component of the Desiderio Army Reserve Center reuse development. The increase of $24,500 in revenues will be funded through the use of the Inclusionary Housing fund balance. The appropriations of the same amount will be increased under the Inclusionary Housing Fund (8114-619-684130).
3. Authorize the City Manager to enter into a contract, without competitive bidding pursuant to City Charter Section 1002(F) contracts for professional or unique services, with Impact Sciences, Inc. in an amount not to exceed $98,000 for the preparation of the Environmental Impact Report (EIR) for the proposed Desiderio Park and Habitat for Humanity 9-unit affordable housing project.
4. It is further recommended that the City Council grant the proposed contract an exemption from the Competitive Selection Process pursuant to Pasadena Municipal Code Section 4.08.049(B), contracts for which the City's best interests are served.

BACKGROUND:

On June 4, 2007, the City Council approved a Concept Plan for the reuse of the Desiderio Army Reserve Center after a lengthy public participation process. The Plan requires 25 percent of the land to be transferred through a public benefit conveyance to Habitat for Humanity to build nine affordable single-family residences in a bungalow court format and the remaining 75 percent to be transferred to the City through a public benefit conveyance for use as City parkland.

The City currently has "constructive possession" of 75 percent of the former Desiderio Army Reserve property and the National Park Service is working on a deed to transfer the property to City ownership for use as parkland. Habitat for Humanity continues to work with HUD on the transfer of the remaining 25 percent of property for a nine-unit affordable single-family bungalow project.

A Planned Development (PD) is the preferred entitlement for the combined park/ housing project. An Environmental Impact Report (EIR) will be required. Consistent with CEQA requirements, the EIR will include an analysis of the proposed project as well as several project alternatives. The project schedule anticipates releasing a draft EIR in October 2013. The City has agreed to cover all costs associated with demolition of the buildings, including the necessary environmental analysis.

Impact Sciences, Inc. is being recommended to prepare the EIR for this project based on the firm's demonstrated abilities with historic properties and their familiarity with the Federal Government's environmental process which will come into play with this project. Additionally, Impact Sciences prepared the EIR for the "Temporary Use of the Rose Bowl Stadium by the NFL" and a portion of that work will benefit this project thus reducing time and cost. Based on these facts, staff is recommending approval of a best interest exemption from the competitive selection process.

Impact Sciences will prepare an Initial Study for the project to discuss each topic area and present preliminary analysis on the topics to be discussed in the EIR. The EIR will include a comprehensive analysis of all potential environmental impact areas. Upon completion of the Initial Study, public scoping meetings will be conducted to receive input from the public and the Planning Commission regarding environmental topics that should be analyzed in the EIR.

ENVIRONMENTAL REVIEW:

The proposed action is an authorization to enter into a contract with Impact Sciences, Inc. for the preparation of an EIR for a Planned Development at the former Desiderio Army Reserve Center site. This action will authorize the preparation of a technical study only and is therefore exempt from CEQA per Section 15061(b)(3) (General Rule).

FISCAL IMPACT:

The total budget for consultant services is $98,000, including all labor and direct expenses and a 10 percent contingency. Consistent with the 75 percent park/25 percent affordable housing split of the project, $73,500 of the total cost will be funded from residential impact fees and an amount not to exceed $24,500 from Housing funds. The 75 percent park funds are available in CIP #78054 "Desiderio Park - Development of New Park" and the 25 percent (not to exceed $24,500) would be funded by the Inclusionary Housing Fund (8114-619-684130.)

Respectfully submitted,

VINCENT P. BERTONI, AICP
Director of Planning & Community
Development Department

Prepared by:

Laura Fitch Dahl
Senior Planner

Approved by:

MICHAEL J. BECK
City Manager

DEPARTMENT OF FINANCE

June 3, 2013

TO: The Honorable Mayor and City Council

FROM: Andrew Green, Director of Finance

SUBJECT: Follow-up from May 13, 2013 Special Joint Finance Committee/City Council Meeting

This memo is a follow up to questions posed by City Councilmembers on the Fiscal Year (FY) 2014 Recommended Budget at the May 13, 2013 special joint meeting of the City Council and the Finance Committee. This memo does not include questions posed by City Council where complete answers were provided at the meeting. Please contact me or Richard Davis if you have any additional questions or if you would like additional information related to any of the questions responded to at the meeting and not included in this memo.

City Manager's Transmittal Letter

1. ***Break out PERS expenses from Personnel category for projected years FY 2015 – FY 2018 (see Table 1.3 in Section 1 page 5 of FY 2014 Recommended Budget).***

Response:

PERS Cost and Rate Projections Included in 5-Year General Fund Forecast					
	FY 2014 Recommended	FY 2015 Estimated	FY 2016 Estimated	FY 2017 Estimated	FY 2018 Estimated
PERS - Micellaneous					
Employer portion	6,407,809	6,569,064	7,417,071	8,296,370	9,207,874
Employee portion (paid by City)	27,330	33,372	34,040	34,720	35,415
Total	**6,435,139**	**6,602,437**	**7,451,111**	**8,331,090**	**9,243,289**
SPERS - Saftey					
Employer portion	10,458,240	10,526,982	11,859,911	13,241,946	15,842,252
Employee portion (paid by City)	3,457,142	3,301,144	3,367,167	3,434,510	3,503,201
Total	**13,915,382**	**13,828,127**	**15,227,078**	**16,676,456**	**19,345,453**
Current 5-Year PERS Rate Assumptions					
Employer portion - Misc	17.38%	18.70%	20.70%	22.70%	24.70%
Employer portion - Safety	27.23%	28.70%	31.70%	34.70%	40.70%

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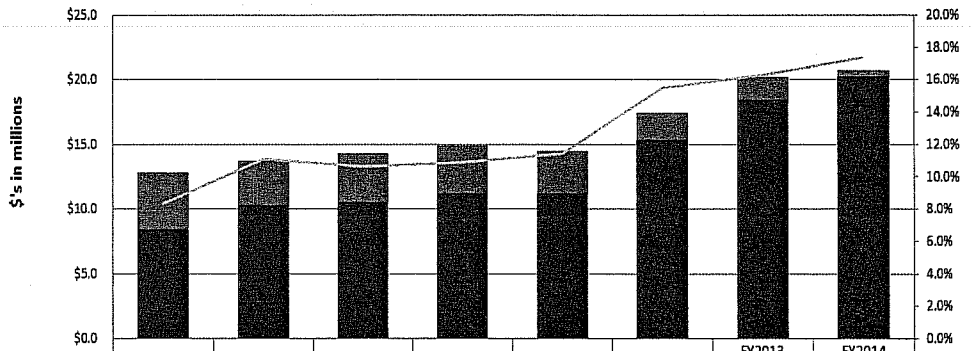
2. *Explain PERS increases and fiscal impact; is there a date for the increases yet?*

Response:

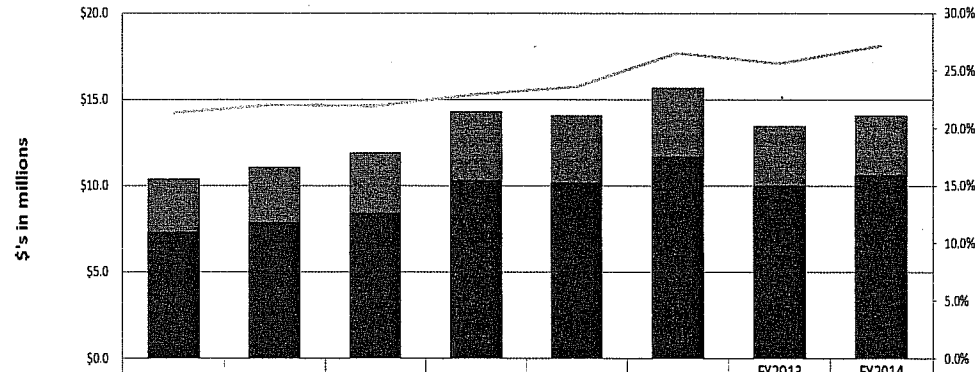
CalPERS rates are adjusted annually. The City receives the new rate for the upcoming fiscal year from CalPERS in October/November of each year. The rate is based on the financial activity from the previous two fiscal years and goes into effect on July 1st of the applicable fiscal year. Additionally, CalPERS provides estimates for two additional fiscal years. The charts below show the City's CalPERS pension costs from FY 2007 through the recommended FY 2014 budget for both safety (sworn) and miscellaneous (non-sworn) employees. The rates that were in effect during each fiscal year are also included in the two charts below.

PERS - Non-Safety Employees



	FY2007	FY2008	FY2009	FY2010	FY2011	FY2012	FY2013 Revised	FY2014 Recommended
PERS - City Share of Employee Contribution	$4.4	$3.4	$3.8	$3.7	$3.3	$2.1	$1.8	$0.5
PERS - City Contribution	$8.4	$10.3	$10.5	$11.2	$11.2	$15.3	$18.4	$20.2
PERS Rate	8.331%	11.072%	10.644%	10.855%	11.422%	15.484%	16.277%	17.377%

SPERS - Safety Employees



	FY2007	FY2008	FY2009	FY2010	FY2011	FY2012	FY2013 Revised	FY2014 Recommended
SPERS - City Share of Employee Contribution	$3.1	$3.2	$3.5	$4.0	$3.9	$4.0	$3.5	$3.5
SPERS - City Contribution	$7.3	$7.9	$8.4	$10.3	$10.2	$11.7	$10.0	$10.6
SPERS Rate	21.321%	22.048%	21.898%	22.977%	23.599%	26.559%	25.621%	27.226%

How many employees are paying the employee share of PERS?

Labor Group	Number of FY 2014 FTEs	Portion of Employee PERS Rate Paid by City
PERS - Miscellaneous (Employee PERS Rate = 8%)		
IBEW	130.00	3.400%
IUOE	25.00	
SEIU	27.00	
AFSCME	307.60	Employee pays full 8% No City Contribution
PACTE	343.15	
COUNCIL	8.00	
CONFIDENTIAL CLERICAL	19.00	
EXECUTIVE	16.00	
PMA	514.93	
MGMT-NR	74.75	
NON-REP	84.58	
TECH ADMIN	9.00	
SPERS - Safety (Employee PERS Rate = 9%)		
EXECUTIVE	2.00	9.000%
MGMT-NR	20.00	
PFMA	6.00	
PFFA	146.00	
PPOA	187.00	
PPSA	33.00	
Hourly	54.88	Do Not Particpate in PERS
Total	2,007.89	

3. ***Clarify that the City is already achieving the 10% reserve policy for the General Fund.***

Response:

As of April 30, 2013 the policy required reserve totaled $21.6 million. This represents 10% of budgeted FY 2013 expenses. The "build-up" initiative reflected in FY 2014 of the General Fund 5-year Financial Plan (Plan), which is estimated to be approximately $5.3 million, is above-and-beyond the 10 percent policy reserve, with the ultimate goal of building back a reserve of at least 20 percent. The City manager's final transmittal letter will be revised in the published FY 2014 Adopted Budget to more clearly describe the General Fund policy reserve.

4. ***Is the projected $1.9 million surplus in the General Fund for FY 2013 reflected in the $5.3 million ending fund balance for FY 2014 of the Plan reflected on Table 1.3?***

Response:

The projected surplus forecast for FY 2013 is based on actual data through March 2013. While we have confidence in the forecast it was not reflected in the Plan because other issues could arise in the final months of the fiscal year and to be conservative we did not reflect the higher estimate. The Plan will be updated with actual financial data after FY 2013 is closed.

5. ***What are the EMS collections and write-off amounts?***

Response:

Fiscal Year	EMS Responses	Billable Tickets	Net Billable	Cash Collected	Net Per Ticket	Collection Rate of Net
2007	11,491	7,623	8,089,783	3,886,733	510	48.04%
2008	11,884	8,147	8,928,460	4,207,998	517	47.13%
2009	11,758	8,517	7,268,663	4,510,867	530	62.06%
2010	11,746	8,757	8,896,341	2,960,343	338	33.28%
2011	11,360	7,580	8,711,831	4,538,132	599	52.09%
2012	12,263	9,009	7,383,900	4,175,932	464	56.55%
Est. 2013	12,660	8,791	6,987,067	4,802,930	546	68.74%

Before November 2009 the City handled billing for emergency medical services (EMS) in-house. Beginning in November 2009 EMS billing was contracted out to ACS. ACS billed November 2009 through mid-November 2011. As has been previous reported to the City Council, ACS experienced issues billing and collecting EMS-related fees. These contractor performance issues resulted in a significant fall off of collections in 2010. ACS was not able to satisfactorily resolve their performance issues and the City terminated the ACS contract. Wittman Enterprises replaced ACS and began EMS billing in November 2011.

City Attorney/City Prosecutor Department

6. ***Is there some sort of measure that captures the cost savings per diversionary unit? This came out of the discussion about cost savings associated with alternative rehabilitative approaches (i.e. alternate sentencing).***

   Response:

   We are not able to calculate a budget unit savings for prosecutor time if someone has alternative sentencing (i.e. diversion to something other than jail), since prosecutors are salaried employees and there is no difference in pay whether they are in trial or not in trial. Although more work hours are spent in trial preparation, there is no dollar difference for their time. Also, it would not be a realistic comparison to compare a diversion case to other types of cases, since many cases are handled without going to trial (such as a plea at some point during the process, from arraignment to even perhaps the day of trial when all trial preparation has already taken place). If a comparison is made between having a trial and having diversion before trial preparation takes place, the only savings may be for trial support costs such as: transcription of audio recordings, enlarging photos, having charts made and mileage and parking (those costs average approximately $300 per trial, with wide variations depending on the type of case involved). Prosecutors will still have to appear in court at "progress reports" to monitor defendants who are granted diversion and take action when they fail to complete the diversion program. As such, each case would require multiple appearances by the prosecution, even if handled as an alternative sentence or diversion. There may be more identifiable savings in the Police Department because they will not have to pay officers overtime for appearances in court.

City Council Department

7. ***Is it possible to incorporate Field Representatives as part of the City's payroll with full benefits eligibility, beginning in FY 2014? How do other cities (similar in size to Pasadena) treat their Field Representatives? In the event that they are treated the same as regular city staff (with full benefits), how is their autonomy preserved within the organizational structure?***

   Response:

   Human Resources reviewed the practices of other public agency practices related to the employment of Field Representative (or something of a similar nature). The results of the survey are as follows:

   The following agencies do not have a classification similar to a field representative nor do they employ specified staff to support Councilmembers:

- Arcadia
- Burbank
- Glendale
- Santa Monica
- Torrance

The following agencies do utilize a classification similar to a field representative to support Councilmembers:

- City of Irvine – Has part-time, at-will, non-benefitted Council Assistants who work through the City Manager's office and are assigned to councilmembers and the Mayor.
- City of Long Beach - Has one position, a Chief of Staff – Council. This is an at-will position.
- City of Riverside - Has a Council Assistant position. This is an at-will position.

City Manager Department, Economic Development

8. ***What is the expenditure of public funds regarding the parking garage at the Paseo?***

Response:

Bonds were issued to:

- Finance certain improvements to the parking facilities and public property beneath the Plaza Pasadena shopping center;
- Finance the acquisition of the right, title and interest of H-CHH associates (the developer) under a prior parking lease between the Commission and the Developer dated December 19, 1979, as amended;
- Fund a portion of the Bond Reserve Fund;
- Pay capitalized interest on the bonds; and,
- Pay the cost of issuance of the bonds.

Finance Department

9. ***Are there any other internal City services that should be utilized first by departments before going out for procurement?***

Response:

This is being researched. It is believed that these types of internal service use procedures are administrative in nature and could be implemented through an administrative policy rather than a formal Council policy.

Fire Department

10. What is the recovery rate on your collections for the field maintenance inspections of offices, public buildings, public assembly buildings, new construction etc.? Can we have the claims become property liens?

Response:

Over the last three full fiscal years (FY 2010, FY 2011, and FY 2012) a total of $843,623.55 was billed, of which, 85% or $717,835.36 was collected.

Staff is researching the issue of property liens for unpaid collections. We hope to have a response at the joint City Council/Finance Committee meeting on Monday, June 3, 2013.

11. Do we record Gold Line delays in the dispatch system?

Response:

Verdugo dispatchers manually encode "delays by train" whenever first responders transmit such a status. Although the information is typically recorded by dispatchers, Verdugo does not have a formal tracking system in place. Any entries currently in the CAD system are anecdotal at best. The Fire Department will work through the Verdugo Executive Committee to establish a tracking procedure and implement a system.

Housing Department

12. Provide status on Palmer case solution back to City Council soon.

Response:

The Housing Department will bring forward proposed changes as an information item to EDTech in August.

Human Services and Recreation Department

13. Provide comprehensive analysis of Field Allocation program to understand field usage between public versus private leagues/clubs.

- Compare contributions (dedicated to capital improvements) made by public versus private groups as it relates to the amount of field time used.
- Provide field usage by gender.
- How is the "need" for field usage by public groups determined?
- What is the overall capacity of field usage?
- Are there a total number of field usage hours needed by public groups, after which the remaining hours can be allotted for private groups?

- How many more fields need to be created?

Response:

The Department is adding the review of the field allocation process in relation to capital improvement projects to the 2013-14 Work Plan. Human Services and Recreation will collaborate with Public Works on this effort. As part of the policy review, staff will study:

- AB2404 requirements to ensure gender equity;
- Allocation priority by user group and season
- Report on in-kind donations and other financial support provided by groups over the last 5 years;
- Overview of current field rental program Review allocation ; and
- Present a full review of the current allocation practices in place in Fall 2013 and provide a set of recommendations for further study to assist in directing the development of a Field Allocation Policy and future CIP Projects.

Revisions to Fee Policies and Rates for Use of Recreation and Park Facilities and Recreation Programs to Take Effect on July 1, 2007

The following policy and program guidelines were developed in a coordinated effort between staff and the Recreation and Parks Commission, to simplify and clarify City fees and policies for use of park and recreation facilities and recreation programs. The recommendations are based on findings from the City's 2005 Cost of Service Study along with a market survey and review of local fee policies and rates for recreation and parks facilities and recreation programs.

Definition of Resident or Local – Individual or Group

- A "Resident" is defined as (1) an adult living, working, or attending school in Pasadena, and (2) a youth living in Pasadena or attending a PUSD school. Resident groups must consist of at least 60% residents. Acceptable documentation to verify residency includes a driver's license, a state- or school-issued Identification Card, an employer-issued Identification Card, or utility bill.

- A "Local Group" or "Resident Group" is defined as a commercial or nonprofit organization located in Pasadena for which 60% or more of its members / participants are Pasadena residents (as defined above). Verification of residency would include Pasadena business license (or verification of City license waiver for nonprofits) with a Pasadena business address or similar documentation showing the organization's Pasadena address. A sports team or club is eligible for resident rates only upon submission and verification of a team roster or membership

list that documents meeting the minimum 60% Pasadena resident membership requirement.

- Local youth sports clubs must also meet a minimum 5% scholarship requirement.

Summary of Key Policy Modifications and Rationale for Recommended Rate Changes

The recommended action does the following:

- defines such terms as "resident" and "local group" as they apply to facility reservations and recreation program participation, and defines the acceptable documentation to verify residency for individuals and groups;

- establishes two rate categories (resident/local and non-resident/non-local) that each include graduated fees for three user types (individual, non-profit group and commercial group)

Tiers	Resident / Local Rate	Non-Resident Rate
Nonprofit Group	33% of Full Rate	50% of Full Rate
Private Individual	33% of Full Rate	66% of Full Rate
Commercial Group	66% of Full Rate	Full Rate*

- Implements systematic rate differentials among the categories and user types that are consistent, applying a percentage-based graduated scale that offers the lowest rate to resident/local individuals and resident/local non-profit groups, and the highest rate to non-local commercial groups;

- Lists the fees for each user type and category in a manner that clearly showcases the discounts provided to residents and local groups using recreation facilities and programs;

- Standardizes rates for rental of comparable facilities and amenities (e.g. kitchens, meeting rooms, gymnasiums, picnic areas), replacing the former rate system based on square footage;

- Simplifies the fee schedule by establishing one consolidated fee that covers the various cost factors (e.g. rental, maintenance, application processing, etc.) rather than the former system which required adding together an extended series of fees to determine the overall charge;

- Coordinates fee schedule information with site maps illustrating facility names and specific areas (e.g. Picnic Area B in Park X), so that customers are clear on exactly which facility or area is reserved;

- Establishes a fee system and rate schedule that works more effectively and efficiently with the CLASS Permit and Reservation Software program currently used by City staff to process and manage facility applications, permits and program registration; and,

- Continues to provide field space to local non-profit youth organizations at no rental cost, with a scholarship requirement of no less than 5% for local youth sports clubs.

14. Do a little more work with Ed Tech regarding the field allocation study. Provide an allocation schedule.

Response:

The results of the field allocation process review noted in the response to question 13 above will be brought to EdTech for their review.

15. What is the $15,000 amount in account #8186 Discounts Lost for?

Response:

The Human Services & Recreation Department incorrectly requested a budget of $15,000 in account #8186 – Discounts Lost. The intent of the $15,000 expenditure was to fund scholarships for the Villa-Parke Youth Soccer Program (VPYSP). The scholarships provided do not result in an expenditure of funds; rather, they result in a reduction of revenues. The budget proposed for adoption has been revised to eliminate the $15,000 expenditure (account #8186) and reduce the program revenue (account #6707) by the same amount. This change has no impact on the bottom-line budget.

16. What is the fee recovery for use of the field at Jackie Robinson Park by non-Pasadena based agencies (for-profit and non-profit)? Explain it as a component of the $1.6 million in revenue budgeted for FY14.

Response:

The fee recovery for Robinson Park is 1.3% of the $1.6 million in revenue budgeted for FY 14 (it is estimated that $20k will be generated from sports permits and light fees by user groups). Based on the current information, there is approximately $4,000 generated in light fees with the remaining $16k generated in permit fees. More accurate figures can be conveyed in Fall 2013 when the Department conducts its sports field allocation program.

17. What percent of Human Services programs is used for enforcement and what percent is used for intervention/prevention for the early release realignment program?

Response:

The Human Services and Recreation Department oversees the agreement with the Flintridge Center, who partners actively with the Police and Health Departments in providing reintegration services.

The Department provides a wide array of recreational services after school, weekday evenings and on weekends that target high risk youth and their families. These activities range from Parks after Dark, youth and adult sports, and drop-in fitness facilities.to a Teen Education Center, which is nearing capacity in just over 2-years of operation. Human Services provides leadership workshops for those adults formerly impacted by gangs to transform their lives, and that of their community, by serving as a positive influence. Case management and resource and referral services are offered at Villa-Parke and the Jackie Robinson Community Center. Neighborhood Connections places emphasis on empowering residents to organize and influence positive change within their neighborhood. Approximately 17% ($1.5M) of the Department budget is utilized for intervention-related services.

Police Department

18. Assessment of the department's needs with respect to parolee re-integration (AB-109).

- What percent of Police Department programs is used for enforcement and what percent is used for intervention/prevention for the early release realignment program?

Response:

Staff is researching this issue and should have a response at the joint City Council/Finance Committee meeting on Monday, June 3, 2013.

19. What does department plan to do regarding staffing issues if early release of prisoners continues to grow?

Response:

Los Angeles County Probation reports that as of May 1, 2013, 14,891 people have been released to Los Angeles County under AB109. Los Angeles County Probation report also reflects that as of May 20, 2013 105 people have been released to Pasadena under AB 109.

To assist with mitigating crime issues associated with AB109 (Early Prisoner Release) the Pasadena Police Department has collaborated with Community Based Organizations and For Profit Organizations to assist returning individuals who wish to re-enter society. Currently, there is no funding by either the State of California or the County of Los Angeles for this initiative. The Pasadena/Altadena Parole Re-Integration Council co-founded by the Pasadena Police Department and the Flintridge Center has been diligently working on this unfunded issue.

Funding would allow for:

Full-time Police Officer to assist with management of the Pasadena/Altadena Program.	$193,420
Full cost with vehicle & equipment	
Full-time Case Managers to monitor, follow-up and connect released people with network of providers and job developers.	$110,000
Full-time Outreach workers to work in the community to mentor and assist recently released persons	$40,000
Materials and Supply/Contract Services to assist service providers and recently released persons with transportation, copy services, information material.	$80,000
1 year funding	**$423,420**
3 year funding- optimal	**$1,196,622**

20. Are there any funds available in COPS, COPS Ahead, or other federal funding?

Response:

Staff is researching this issue and should have a response at the joint City Council/Finance Committee meeting on Monday, June 3, 2013.

Public Works Department

21. Due to the fact that sidewalk repair is a significant issue, has the city studied the cost of taking over the responsibility of sidewalk repairs?

Response:

Between 1988 and 1991, the City completed a three-year, $9 million project to repair sidewalks throughout the City. In 1991, the City passed an Ordinance (No. 6414, Section 12.04.031) entitled "Inspection required for permit clearance," which indicates that the City will inspect the condition of perimeter sidewalk of any parcel prior to the issuance of any single-family or multi-family occupancy permit or building permit in excess of $5,000 in value of the improvement.

In 2005, the City completed a field survey of sidewalk conditions throughout the City. The survey identified 13,000 properties with sidewalk damages with an estimated repair cost of $15 million. The Department of Public Works implemented a computer database to track the location of the sidewalk damages including the quantified area of damages. The City expends approximately $150,000 annually on sidewalk claims.

On August 1, 2006, the City began implementing the Ordinance to enhance sidewalk safety and mitigate potential liability. Whenever a property owner submits any occupancy or building permit application with a valuation of $20,000 or more, City staff looks up the location in the sidewalk damages database and identifies the sidewalk damages associated with a parcel.

While the Department of Public Works does provide temporary sidewalk repairs, Pasadena Municipal Code (PMC) Chapter 12.04.030 – Notice to Abutting Property Owner makes sidewalk repair the responsibility of the abutting property owner even if a City street tree causes the damage. Property owners must repair damaged sidewalks or pay the City to make repairs before selling the property. Currently property owners must also repair damaged sidewalks before the City will issue a building permit with a valuation of $20,000 or more.

When a condominium is sold, the City calculates the total damaged sidewalk assessment for that parcel and divides it by the number of units on the parcel. Each unit is responsible for its share of the assessment.

A unit applying for an occupancy or building permit is similarly required to pay its proportional share of the sidewalk assessment. When the total damaged sidewalk assessment for that parcel is collected, the City will proceed with sidewalk repairs. Any time the City assesses a unit for its share of damages, the Department of Public Works contacts the condominium association to ascertain the association's interest in repairing damaged sidewalk along the parcel's entire frontage. In many instances, the condominium associations have elected to collaborate with the City to repair all damaged sidewalk right away.

The City currently charges $10/SF to repair damaged sidewalk. Once the fee is collected, the City includes the repair work in the annual concrete repair project. Contracting with the City is financially advantageous for the property owner because the City receives a lower unit cost for large quantities and waives the permit fee for sidewalk repair.

Since 2007, quotes the property owners receive from contractors have typically been three times higher than the amount the City charges. Due to this financial incentive, property owners have funded the City's repair of approximately 139,000 SF of sidewalk since 2007.

To further incentivize property owners to complete sidewalk repairs caused by City street trees, the Department of Public Works included funding in the FY 2014 Capital Improvement Program (CIP) for a pilot Sidewalk Repair Partnership Program modeled upon programs in other jurisdictions. At the March 7, 2013 Municipal Services Committee the Department of Public Works presented a report outlining the pilot program which will launch on July 1, 2013 (See Attachment 1).

During the summer of 2014, the Department of Public Works will update the field survey of sidewalk conditions. Summer engineering interns will complete this work.

Transportation Department

22. Two-hour parking zones – neighbors/residents need to park longer than two hours. How can the department address this issue?

Response:

In recognition of this need, in last year's fee schedule (FY 2013), the Transportation Department requested (and received approval for) a daily daytime exemption for parking in residential areas that allows individuals to obtain a daily permit for $6 to park for longer than the posted time limit.

Alternatives to this daily exemption approach are the following:

- Eliminate time-limited parking in residential areas – this would allow residents free access to on-street parking but would also allow any vehicle to be parked for long time periods in residential areas. The time limits were initially installed to limit the intrusion of employees and visitors of adjacent commercial or institutional areas. This approach would have an impact on revenue as fewer citations would be issued. There would be a cost to remove the existing parking signage.

- Retain the time limits, but increase the duration to four hours or more – this approach would address the need for residents and visitors to park for longer than two hours and would allow longer term parking intrusion to be managed, but not as effectively as a two-hour limit would be. Maintaining the effectiveness of enforcement under a four-hour limit would require substantial changes in parking enforcement. This approach would have an impact on revenue as fewer citations would be issued. There would be a cost to remove the existing parking signage and additional cost to install new signs.

- Retain the exemption, but charge a lower fee - the fee amount was determined on the basis of the value of an overnight exemption and of

the cost for an employee of an adjacent commercial area to park all day in an off-street facility so as to keep the intent of the time-limited parking effective. Lowering the fee would make it less expensive for residents and visitors to park for longer times, but would similarly make it less expensive for long term parking intrusion that the time-limits are designed to control. The fiscal impact of this approach is not clear. At best, it could be neutral with respect to cost.

- Replace all time-limited parking in residential areas with preferential parking districts – a modification of section 10.41 of the Pasadena Municipal Code would be necessary to relax the requirements that need to be met for an area to be designated a preferential parking district. With this approach, residents are provided guest passes for visitors to use and only vehicles with resident permits or visitor passes may park on-street in these areas. This approach has a substantial financial impact as there is an unrecovered cost to administer the existing preferential parking program which would be greatly expanded. Citation revenue would be expected to drop and there would be a cost to remove the existing parking signage and additional cost to install new signs.

- If the concern is solely for residents' parking (and not visitors), another approach would be to modify PMC 10.42 (Daytime Parking) to relax the rules by which residents qualify for an annual daytime permit (by delinking the daytime and nighttime permits or by simply allowing each address to purchase two permits without having to demonstrate need). This would allow more residents to obtain an annual daytime permit at the current price of $69.40; however, visitors/guests would not be covered by the residents' daytime permits. The fiscal impacts of this approach are not clear.

While not mentioned in the fiscal impacts noted above, a large number of public meetings would be needed to communicate the potential changes and what effect the changes would have on the control of long-term parking intrusion in residential areas and how residents would be affected.

Water and Power Department

23. Provide breakdown of positions from FY2001 through FY2014. Bring to the Municipal Services Committee (MSC) meeting. Department will compare it to the deregulation years.

Response:

The Department is preparing the requested staffing level review and will coordinate with the MSC calendar to present this information to the Committee as soon as possible.

Attachment 1

MEMORANDUM - CITY OF PASADENA
DEPARTMENT OF PUBLIC WORKS

DATE: March 7, 2013

TO: Municipal Services Committee

FROM: Siobhan Foster, Public Works Director

RE: Department of Public Works – Pilot Sidewalk Repair Partnership Program

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This item is for information only.

Executive Summary

The proposed Pilot Sidewalk Repair Partnership Program would provide property owners with an economical and efficient means of replacing existing sidewalks when a City street tree(s) causes the damage. The Department of Public Works would manage the design, construction, and inspection necessary to repair qualifying sidewalks and provide property owners with a maximum incentive equivalent to 50% of the actual cost of sidewalk repair subject to a cap of $1,000 per parcel. The maximum grant incentive for income-qualified residents would be 70% of the actual cost of sidewalk repair subject to a cap of $1,000 per application.

Background

In 1991, the City passed an Ordinance (No. 6414, Section 12.04.031) entitled "Inspection required for permit clearance," which indicates that the City will inspect the condition of perimeter sidewalk of any parcel prior to the issuance of any single-family or multi-family occupancy permit or building permit in excess of $5,000 in value of the improvement.

In 2005, the City completed a field survey of sidewalk conditions throughout the City. The survey identified 13,000 properties with sidewalk damages with an estimated repair cost of $15 million. The Department of Public Works implemented a computer database to track the location of the sidewalk damages including the quantified area of damages. The City expends approximately $150,000 annually on sidewalk claims.

On August 1, 2006, the City began implementing the Ordinance to enhance sidewalk safety and mitigate potential liability. Whenever a property owner submits any occupancy or building permit application with a valuation of $20,000 or more, City staff looks up the location in the sidewalk damages database and identifies the sidewalk damages associated with a parcel.

While the Department of Public Works does provide temporary sidewalk repairs, Pasadena Municipal Code (PMC) Chapter 12.04.030 – Notice to Abutting Property Owner makes

sidewalk repair the responsibility of the abutting property owner even if a City street tree causes the damage. Property owners must repair damaged sidewalks or pay the City to make repairs before selling the property. Currently property owners must also repair damaged sidewalks before the City will issue a building permit with a valuation of $20,000 or more.

When a condominium is sold, the City calculates the total damaged sidewalk assessment for that parcel and divides it by the number of units on the parcel. Each unit is responsible for its share of the assessment.

A unit applying for an occupancy or building permit is similarly required to pay its proportional share of the sidewalk assessment. When the total damaged sidewalk assessment for that parcel is collected, the City will proceed with sidewalk repairs. Any time the City assesses a unit for its share of damages, the Department of Public Works contacts the condominium association to ascertain the association's interest in repairing damaged sidewalk along the parcel's entire frontage. In many instances, the condominium associations have elected to collaborate with the City to repair all damaged sidewalk right away.

The City currently charges $10/SF to repair damaged sidewalk. Once the fee is collected, the City includes the repair work in the annual concrete repair project. Contracting with the City is financially advantageous for the property owner because the City receives a lower unit cost for large quantities and waives the permit fee for sidewalk repair. The following illustrates the current options for repair of 200 SF of sidewalk.

Table 1 – Current Sidewalk Repair Program

Component	City Contract ($10/SF)	Resident Contract ($15/SF)	Resident Contract ($20/SF)
Permit Fee	---	263.72	263.72
Construction Cost	2,000.00	3,000.00	4,000.00
Total	2,000.00	3,263.72	4,263.72
Cost Difference	---	+63%	+113%

Therefore contracting with the City for sidewalk repair provides property owners with a cost effective means of complying with PMC requirements. Since 2007, quotes the property owners receive from contractors have typically been three times higher than the amount the City charges. Due to this financial incentive, property owners have funded the City's repair of approximately 139,000 SF of sidewalk since 2007. To further incentivize property owners to complete sidewalk repairs caused by City street trees, the Department of Public Works proposes to pilot a Sidewalk Repair Partnership Program modeled upon programs in other jurisdictions.

Sidewalk Grant Programs - Other Jurisdictions

The Department of Public Works surveyed other jurisdictions to identify sidewalk incentive program best practices. The survey showed that while sidewalks repairs are usually the responsibility of the abutting property owner, only a few jurisdictions have implemented financial assistance programs to assist residents in making necessary repairs.

The survey results contained in Exhibit 1 indicate the surveyed jurisdictions typically split repair costs with residents on a 50/50 basis up to a specified level. Some jurisdictions restrict the financial incentives to fund only those repairs associated with damage from public street trees. Some jurisdictions also offer enhanced incentives for income qualified property owners. Responsibility for constructing the repairs varies among the jurisdictions.

Pilot Sidewalk Repair Partnership Program

The City of Pasadena recognizes that sidewalk maintenance and repair within the City is necessary to protect the health, safety, and welfare of residents and visitors. The City receives many calls about uplifted sidewalks in need of repair each year. Frequently City tree roots have caused the sidewalk damage. Since Pasadena places high value on street trees, the City's policy is to protect street trees.

The Pilot Sidewalk Repair Partnership Program would provide property owners who are not engaged in the sale of or building permit process for the subject property with an economical and efficient means of replacing existing sidewalks when a City street tree(s) causes the damage. The City would manage the design, construction, and inspection necessary to repair qualifying sidewalks.

Incentive

1. Maximum incentive equivalent to 50% of the actual cost of sidewalk repair subject to a cap of $1,000 per parcel; and
2. Maximum incentive for income-qualified residents would be 70% of the actual cost of sidewalk repair subject to a cap of $1,000 per application. Income qualifications would be based on Pasadena Water & Power Electric Assistance Program (EUAP) income qualifications as shown below and available at http://www.ci.pasadena.ca.us/waterandpower/CARE/.

Table 2 - Income Qualifications - Maximum Annual Gross Household Income

Household Size	1	2	3	4	5	6	7	8
EUAP Income Level	$29,000	$33,150	$37,300	$41,400	$44,750	$48,050	$51,350	$54,650

Eligibility

1. City will accept applications for any property located within City of Pasadena with existing sidewalks. Applications for condominiums/townhouses should be made by the association; and
2. Property owners engaged in sale of property and/or building permit process are not eligible.

Application

1. Acceptance is contingent upon availability of funds;
2. Funds may only be used for repair of existing sidewalks in public right-of-way damaged by City street tree(s) roots; and
3. Lack of sufficient funds to cover number of applications received by City during pilot program will not excuse any property owner from responsibility of maintaining abutting sidewalk in a safe condition.

Inspection of Site

1. City will inspect sidewalk location sites to determine qualifications, condition, and project limits; and
2. City Arborist, City Engineer or designee will determine whether sidewalk damage is due to City street tree(s) roots. This determination is final.

Estimate of Costs

1. City will prepare cost estimate for sidewalk repair and provide to property owner; and
2. Property owner can agree with estimate (to be included in program and proceed to next steps) or not accept estimate (to withdraw from program.)

Approval

1. City will make final determination for approval of each sidewalk location after completion of application process above based on:
    a. Fund availability;
    b. Condition of sidewalk; and
    c. Damage caused by City street tree(s) roots.

Agreement

1. After property owner agrees to estimate, City will send agreement to property owner with actual cost and invoice.

Invoice

1. Property owner must pay invoice in full within 30 calendar days of invoice date to schedule work; and
2. City will terminate application if property owner does not pay invoice in full within 30 calendar days.

Schedule of Work

1. City will schedule work once property owner pays invoice;
2. City will issue NTP to contractor when necessary amount of sidewalk work has been amassed by City to mobilize contractor;
3. Work progress is subject to weather, holiday moratorium, or other construction interferences; and
4. City will inspect project from start to finish.

Final Inspection

1. City will provide final inspection of work.

Quantity of Sidewalk Repair

The maximum quantity of sidewalk repair the Pilot Sidewalk Repair Partnership Program would generate depends on several factors including level of property owner participation, size of sidewalk repair projects, and income level of participants. Based on review of sidewalk grant programs in other communities, the Department of Public Works recommends the City pay 50% of repair costs and property owners 50%. There would be a $1,000 cap on the City's contribution per application. Table 4 illustrates the maximum

sidewalk repair based on the 50% incentive rate assuming each sidewalk project uses the full amount of the incentive at a regular income level.

Table 3 – Estimated Sidewalk Repair Quantity @ City Contract Cost of $10/sf

City/Property Owner Cost Share (%)	City Share ($)	Property Owner Share ($)	Total Project Budget ($)	Output/ Project (SF)	Maximum Grants (#)	Total Output (SF)
50/50	1,000	1,000	2,000	200	200	40,000

Based on historical data since 2006, the average residential sidewalk repair area per property is approximately 100 SF. Therefore, the City's share and cap is a sufficient incentive ratio for residential properties and based on programs in other communities, is at a level to incentivize other property owner participation as well. This level of incentive should stimulate property owner participation while maximizing one-time program funding. The Department of Public Works will end the pilot program when the one-time funding is exhausted and provide updates to the Municipal Services Committee at six-month intervals.

Implementation

The Department of Public Works proposes to launch the Pilot Sidewalk Repair Partnership Program on July 1, 2013 in conjunction with a public education campaign outlining property owner responsibility for sidewalk repair. Additionally, the Department of Public Works would need to enter into an on-call sidewalk construction contract to facilitate the timely completion of sidewalk repairs.

Fiscal Impact

The Recommended FY 2014 – 2018 Capital Improvement Program includes $250,000 for the Pilot Sidewalk Repair Partnership Program. Gas Tax monies will provide the one-time funding. The Department of Public Works will use the funding for the repair incentives, public education campaign, and program administration and expects to have approximately $200,000 in funding available for the incentive program.

Exhibit 1: Sidewalk Grant Programs in Other Jurisdictions

Exhibit 1 – Sidewalk Grant Programs in Other Jurisdictions

Jurisdiction	Program description	Only city tree damage?	Income qualified owner's provision?	Responsible for repairs
Alameda County CA	– 50/50 cost share with $750 cap	---	---	Property owner
Augusta KS	– 50/50 cost share with $500 cap	---	---	Property owner
Beaverton OR	– 50/50 cost share with $1,500 cap	Yes	---	Property owner
Cape May NJ	– 50/50 cost share	Yes	---	City
Cedar Rapids IA	– When city hires contractor, city assesses property owner 50% of construction, administration & assessment costs – When property owner hires contractor, city reimburses property owner 50% of contractor's invoiced cost of repair less permit fees up to current bid price for annual city sidewalk repair program (current reimbursement rate is $2.50/SF or $5/SF if damaged due to city tree	Either	---	Either
Chicago IL	– Property owner pays below market rate of $3/SF	---	50% discount	City
Dallas TX	– 50/50 cost share	---	---	City
Enid OK	– 50/50 cost share	---	Lien & loan option	City
St. Louis MO	– 50/50 cost with $5,000 cap	---	---	Property owner