



OFFICE OF THE CITY MANAGER

MEMORANDUM

March 18, 2001

TO: City Council

FROM: City Manager

SUBJECT: Review of Commissions including:

- Functions of the Utility Advisory Commission
- Merger of the Affirmative Action and Human Relations Commissions
- Assignment of youth and family issues to an advisory commission
- Streamlining of Advisory Bodies With Review Authority in Northwest Pasadena
- Code Enforcement Commission Terms of Office

At a special meeting in January, 2000, City Council directed the Council committees to review the necessity, mission, parameters and processes of the city's advisory commissions. Each advisory commission was reviewed in a process that included a survey of all commission members and a meeting with the chair of the commission.

When a summary of this process was reviewed earlier this year, City Council asked for more information on several issues that were discussed in the summary including those listed above. Further analysis of the issues is attached.

Should the Council wish to take action to change the focus, responsibilities or configuration of these advisory bodies, the motion should include language that directs the City Attorney to prepare an ordinance to amend the code as such.

Respectfully submitted:

Cynthia J. Kurtz
City Manager

3/18/02
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Role of the Utility Advisory Commission

Purpose and Functions

The purpose of the commission is to advise the board on policy matters related to the operation of the city's water and power utilities, excluding daily operations.

Issues

The role of the UAC appears to have diminished with the establishment of the Municipal Services Committee (formerly the Deregulation Committee) in the late 1990's. The Committee now serves as the primary advisory body to Council in this area. This is due, in part, to the timing and infrequency of the UAC meetings. The UAC schedule, meeting the second Wednesday of each month, sometimes precludes it from hearing an issue prior to review by the MSC on the first and third Wednesdays. Members of the UAC, including the current and former chairperson, have expressed their desire to have their input be of greater significance to the Council.

Options

A. Maintain Current Configuration

The UAC will not be able to review everything going to the Municipal Services Committee because of the incongruent schedules. However, the UAC provides important citizen input on utility policies and provides a valuable forum to explore public sentiment on utility issues.

B. Adjust UAC Meeting Schedule

The role of the UAC could be increased by changing their schedule of meetings to coincide with the MSC review schedule. For example, if the UAC met on Tuesday of the first or third weeks, their recommendations could be forwarded through the MSC without causing a delay in the review process.

C. Assign Areas of Emphasis

Individual areas of emphasis could be assigned to the UAC. For example, the UAC could focus on major policy issues, such as future water deregulation, but be removed from short term issues that are reviewed by the MSC.

D. Elimination of the UAC

Eliminating the UAC makes sense only if it is perceived as being repetitive with the functions of the Municipal Service Committee. If the Council eliminates the UAC, however, citizen interaction in the affairs of the utility would be reduced. Another mechanism for citizen input, beyond the public comment provided during MSC and Council meetings, may need to be created.

Merger of the Affirmative Action and Human Relations Commissions

Purposes and Functions

The primary function of the Affirmative Action Commission is to prepare and adopt a comprehensive Affirmative Action in Employment Plan and an Affirmative Action in Contracting Plan.

The Human Relations Commission is charged with assisting the City Council by formulating or recommending programs or policies for the purpose of lessening prejudice, intolerance, and discrimination in employment, housing and education. The Commission is specifically tasked with maintaining a close relationship with the Pasadena Police Department to promote understanding and cooperation between law enforcement and members of the community.

Issues

The term "Affirmative Action Plan," as it is used in this instance, required the creation of goals and timetables for the contracting and employment of individuals based on race and gender. Since adoption of this Code Section, however, State Proposition 209, and subsequent court decisions have resulted in the prohibition of the consideration of race or gender in employment or contracting by public agencies. The Affirmative Action Commission therefore, has been left without a primary function, and has not met nor had a quorum in approximately 18 months.

Options

Although the Human Relations Commission has traditionally addressed community-wide issues, and the Affirmative Action Commission addressed organization-wide issues, it appears that their focus and purposes are consistent with one another. Both Commissions serve to provide the City Council with recommendations on the issue of equal opportunity and access to governmental services and benefits by all individuals without regard to race, sex, religion, age, or other protected status. A merger of the Affirmative Action Commission and the Human Relations Commission would appear to create minimal, if any, disruption to the work of the Human Relations Commission.

Streamlining of Advisory Bodies With Review Authority in Northwest Pasadena

Purposes and Functions

Northwest Commission

The purpose of the commission is to serve as a monitoring body for the northwest community; work with the city manager and staff on updating and revising the northwest community plan; provide ongoing oversight of the implementation of the plan; provide periodic advice to Council on northwest issues; and, present a review of the implementation of the plan's projects and programs to the Council and the community.

Community Development Committee

The purpose of the committee is to review and make recommendations to the Community Development Commission (Council) regarding projects in redevelopment areas and affordable housing programs, except emergency matters, and matters which the commission, by resolution, excludes from committee review and recommendation.

As a note of reference, the purpose of the Commission (Council), as a housing authority, is to help provide safe and sanitary housing accommodations for citizens with low income and to administer any federal housing assistance payment program. The Commission (Council) has delegated certain responsibilities to the CDC that are required by California Redevelopment law. If the Council were to delegate these responsibilities to another advisory body, the membership would have to include two low and moderate income tenant members and must take on legal redevelopment responsibilities related to housing and relocation appeals.

Project Area Committees

The intent of the project area committees, as required by State law, is to provide citizen input on the implementation of redevelopment projects by promoting and encouraging participation in the redevelopment process by owners and occupants of properties in the Project Area. Redevelopment law requires that a PAC remain in place for at least three years and that membership be composed of residential owner occupants, residential tenants, property owners, business owners, and organizations within the project area.

Although State law requires that a PAC be in place for three years, the Lincoln Avenue Redevelopment Plan requires the continuation of the Lincoln Avenue PAC beyond the statutory three years. The Plan could be amended to remove this requirement.

Issues

The City is encouraging reinvestment in Northwest Pasadena. Typically in areas where reinvestment is encouraged, the City streamlines the development approval processes. In Northwest Pasadena the development review process includes review by the Northwest Commission and, potentially, a Project Area Committee in addition to the City's typical process. For example, a project may require review by the PAC, Northwest Commission

and CDC in addition to the Design, Cultural Heritage, Transportation and Planning Commissions.

Options

A. Merger of PACs and Northwest Commission with CDC

This option would provide the cleanest review process for projects in the Northwest, reducing the process by two steps. Both the Fair Oaks Avenue and the Lincoln Avenue could be eliminated or merged with another advisory body. The CDC would not have the same unilateral focus that the project areas and the commissions now provide. However, adjustments to the membership of the CDC could provide some special focus in these areas. As another alternative, this option could be phased by merging the PACs and the Northwest Commission first, and merging the Northwest Commission with the CDC after a specified transition period.

B. Merger of PACs and Northwest Commission

Merging the PACs with the Northwest Commission would reduce the process by only one step, but would maintain an advisory body with specific focus in the northwest.

C. Merger of PACs and Northwest Commission into New PAC

The five existing redevelopment areas could be merged into one redevelopment area with one PAC. Currently two of the five redevelopment projects in Northwest Pasadena have PACs (Fair Oaks Avenue and Lincoln Avenue) and both of those could be dissolved into one new PAC, that would include representation from all five project areas. Since this body would include much of the Northwest, it could also absorb the current responsibilities of the Northwest Commission.

PAC formation procedures should provide that representation for areas not directly covered by redevelopment project areas be provided by including representation from community groups (e.g. neighborhood associations, business improvement associations, etc.) that indirectly provide services to or are impacted by redevelopment project areas.

The size of the new entity might be substantially larger than the current bodies, and therefore could create a more complicated decision making process. Also, where the Northwest Commission was created to be objective and representative of the entire Northwest, this new PAC would include representatives with interests in specific areas.

To maintain the responsibilities of the Northwest Commission , the new PAC would have to include representatives of non-profits.

D. Expand Role of CDC in Housing

While the Committee's role contemplates an involvement in housing development, the annual workplan for the CDC has not emphasized housing. Affordable housing production is a major issue in Pasadena and the work of the committee could be expanded in this area.

E. Maintain Current Configuration

Maintaining the current configuration would retain the objective, big picture focus of the Northwest Commission as well as the project area focus of the PACs, but will also maintain a more complex review process for projects in the Northwest.

Assignment of youth and families issues to an advisory commission

Issue

The well-being of children, youth and families is an established priority of the City. Despite concentrated efforts in this area, it has not been specifically identified within the scope of responsibility of an advisory commission.

Options

This issue could fall easily within the existing scope of the Human Services Commission.

The purpose of the commission is to advise and make recommendations to the council regarding the human service needs of people of all ages in this community. As stated in the code, this commission will aid the city in facilitating collaborative efforts and a coordinated approach to improve and expand the delivery of quality human services in Pasadena. This commission is established to respond to significant unmet human service needs and gaps as identified in such documents as the Policy on Children, Youth and Families; Quality of Life Index; Child Care Policy; Needs Assessment; Children's Scorecard, and related materials.

"Human services" is defined as a broad range of programs and activities designed to protect, improve and restore the personal welfare and well-being of residents of all ages. As stated, typical human services would include, but not be limited to: social services, shelter, economic support, employment and training, education, health and protective services.

Code Enforcement Commission Terms of Office

Purpose and Functions

The purpose of the commission is to hear and rule on cases and appeals regarding enforcement of particular provisions in Titles 6 (Animals), 14 (Building and Construction), 17 (Zoning) and Chapter 9.58 (Abandoned Vehicle Abatement) of the PMC and to order action on cases of noncompliance presented by city staff.

Issue

Because this is a quasi-judicial body, rather than an advisory body, commissioners are required to learn the complete detail of the zoning and property maintenance codes in order to render appropriate decisions. The nature of the cases also require commissioners to be adept at sorting through large amounts of superfluous information in order to understand the issues at hand. It can take considerable time and experience to acquire the necessary knowledge and skills to successfully perform this function.

The Code Enforcement Commission is comprised of nine commissioners who are divided into three panels. The panels alternate hearing cases, with each panel convening approximately four times per year. Appointees are limited to three two-year terms, for a total of 6 years, and therefore participate in only about 24 hearings before being dismissed. Commission members believe this is not long enough to make efficient use of their investment in the process and believe that it is just when they have mastered the entire process that they must leave.

Options

A. Extension of Term Limits

An extension of each term to four years would allow a commissioner to serve for a total of eight years, rather than six. The longer terms would retain experienced commissioners who learned the codes, processes, and unique hearing skills. This would reduce, however, the rate at which new commissioners, and therefore new perspectives, are introduced into the process.

B. Increase in Use of Commission Through Reduction of Total Number

A reduction in the total number of commissioners by three would increase the frequency of rotation of the remaining six. Rotating only two panels, rather than three, would result in a commissioner serving on 36 hearings rather than 24. The commission hears appeals as a full group, which under this option would be only six members. An even number of commissioners could result in a tie vote.

C. Maintain Current Status

Maintenance of the current status will result in the loss of experienced commissioners who desire to continue to serve the City, but will maintain a turnover rate to ensure new perspectives.
