



Agenda Report

TO: CITY COUNCIL

DATE: October 6, 2003

THROUGH: PUBLIC SAFETY COMMITTEE

FROM: CITY MANAGER

SUBJECT: AUTHORIZATION TO CONTRACT WITH ALL CITY MANAGEMENT SERVICES, INC. FOR CROSSING GUARD SERVICES, SUBJECT TO REVISION OF THE LIVING WAGE ORDINANCE TO EXEMPT CITY PURCHASES OF SEASONAL, PART-TIME AND TRAINEE CONTRACT SERVICES

RECOMMENDATION

It is recommended that the City Council:

- 1) authorize the City Manager to enter into a contract, without competitive bidding pursuant to City Charter Section 1002(H) *Contracts with other governmental entities or their contractors*, not to exceed \$155,000 with All City Management Services, Inc., to provide Crossing Guard Services during Fiscal Year 2004 when PUSD is in session, with an option to extend the contract for two additional years; and,
- 2) direct the City Attorney to prepare an amendment to the Living Wage Ordinance to exempt contracts where the City is purchasing the services of part-time, seasonal, or trainee workers, to be consistent with current wages for similarly situated City Workers in Salary Resolutions.

BACKGROUND

School Crossing Guard Contract

Since 1998, the City provided funding to Pasadena Unified School District (PUSD) for crossing guard services to promote safety on streets near designated elementary school locations throughout Pasadena. Through a competitive bid process, PUSD selected All City Management Services, Inc., for delivery of crossing guard services. PUSD has continued to contract for crossing guard services with All City through the 2002-2003 school year, and 2002-2003 represented the second year of an annually renewable five-year term. The City allocation to PUSD for this service in 2003-2003 was \$155,000.

At the City Council meeting of June 30, 2003, Council voted to return the crossing guard funding and contract management responsibilities to the City, effective for the 2003-2004 school year. The current annual funding of \$155,000, along with administrative responsibilities for the crossing guard services, was assigned to the Human Services and Recreation Department for Fiscal Year 2004. All City has agreed to assignment of this responsibility from PUSD to the City of Pasadena.

Following Council action, City staff reviewed the existing PUSD contract with All-City, the basic crossing guard needs and service delivery, rates and costs. All-City has agreed to continue to provide crossing guard services at 15 locations identified by PUSD and, in some locations, by the City Transportation Department as priority sites. However, the City Transportation Department is currently conducting a review of the 15 sites to confirm that these are the highest priority locations for crossing guard services, including a review of such factors as volume of traffic, pedestrians, etc. at the key times when children are coming to and from the designated elementary schools. Should this review result in recommendations for changes in the designated crossing guard locations, All-City has agreed to work with staff to make such modifications or reassignments in a timely manner.

Crossing guard services at the designated 15 locations and hours during the school year (including summer school operations at 6 locations) will be delivered within the \$155,000 allocation, as follows:

- Summer school: Not to exceed 3 hours per school day x 24 days
x 6 sites x \$10.86 per hour = \$4,692
- School year: Not to exceed 5 hours per day x 183 days
x 15 sites x \$10.86 per hour = \$ 149,054
- Projected Total for FY2004 = \$153,746

Staff will work with All City to assure the effective, efficient provision of crossing guard services at designated local elementary schools.

Amendment to Living Wage Ordinance

The Pasadena Living Wage Ordinance, adopted in 1998, directed that "firms receiving City labor or service contracts in excess of \$25,000 per year", must pay their employees no less than an established base hourly wage (adjusted for a wage with benefits or without benefits). The Ordinance did not include exemptions for part-time, seasonal and trainee workers due to perceived difficulties in monitoring compliance and the concern that a potential contractor may use such classifications to avoid compliance with the Ordinance. However, with regard to part-time, seasonal and trainee employees of the City, the adopted Salary Resolution does exempt such categories of workers. This inconsistency between the Living Wage Ordinance as it impacts labor or service contracts vs. City employees creates a potential inequity, which became evident with a review

of the proposed crossing guard contract. In this case, the City is specifically contracting for a part-time, seasonal form of work, running concurrent with the school calendar and for only a few hours of service per day. Under the present Ordinance and Salary Resolution, such a service would be exempt from the Living Wage provision if provided by employees, but not if provided by a contractor.

To prevent any such inequity, it is recommended that City Council direct the City Attorney to prepare an amendment to the Living Wage Ordinance to exempt labor or service contracts where the City is specifically purchasing services provided by part-time, seasonal or trainee workers.

Final authorization of the All City Management Services contract will be held until completion of such an amendment.

FISCAL IMPACT

The required \$155,000 was allocated in the FY04 budget to the Human Services and Recreation Department, Account # 644500, specifically for the purchase of school crossing guard services.

Respectfully submitted,



Cynthia J. Kurtz
City Manager

Approved by:



Patricia A. Lane, Director
Human Services and Recreation Department