

Ordinance Fact Sheet

TO: CITY COUNCIL

DATE: August 14, 2006

FROM: CITY ATTORNEY

SUBJECT: AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTER 4.04 OF THE PASADENA MUNICIPAL CODE (DISPOSITION OF SALVAGE AND SCRAP PROPERTY) BY AMENDING SECTION 4.04.075 (TRANSFER OF SALVAGE PROPERTY TO PASADENA UNIFIED SCHOOL DISTRICT) TO STREAMLINE THE TRANSFER OF SAID SALVAGE PROPERTY BY GIVING FIRST PRIORITY TO THE PASADENA UNIFIED SCHOOL DISTRICT.

TITLE OF PROPOSED ORDINANCE:

AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTER 4.04 OF THE PASADENA MUNICIPAL CODE (DISPOSITION OF SALVAGE AND SCRAP PROPERTY) BY AMENDING SECTION 4.04.075 (TRANSFER OF SALVAGE PROPERTY TO PASADENA UNIFIED SCHOOL DISTRICT) TO STREAMLINE THE TRANSFER OF SAID SALVAGE PROPERTY BY GIVING FIRST PRIORITY TO THE PASADENA UNIFIED SCHOOL DISTRICT.

BACKGROUND:

In April 1998 the City Council amended the Surplus Equipment and Goods Ordinance to authorize the Finance Director to transfer salvage property to the Pasadena Unified School District without having to seek the approval of City Council in each instance. Such alternate methods of disposal, including donation of salvage property to public schools in the City, have been deemed to be serving a valid public interest.

At its Joint Meeting of June 5, 2006 with the Pasadena Unified School District, the City Council directed the City Attorney to prepare an amendment to the Salvage Ordinance to give first priority to the PUSD. City surplus property not transferred to PUSD will be sold in compliance with the City's procedures.

PURPOSE OF ORDINANCE:

The proposed ordinance will require the Finance Director to give first priority in the transfer of salvage property to the Pasadena Unified School District.

The proposed amendment is in accordance with the City's stated goal of Organizational Effectiveness and in keeping with the City's stated goal of supporting the Pasadena Unified School District.

REASON WHY LEGISLATION IS NEEDED:

The Pasadena Municipal Code may only be amended by ordinance.

PROGRAMS, DEPARTMENTS OR GROUPS AFFECTED:

The Purchasing Division will be primarily affected by this proposed amendment of the ordinance. However, each department within the City will be potentially affected by this proposed ordinance if they have salvage property that can be utilized by the Pasadena Unified School District.


ENVIRONMENTAL IMPACT:

The Environmental Administrator has determined that the proposed ordinance is exempt from the California Environmental Quality Act (CEQA) under the General Rule that CEQA applies only to activities which may have a significant effect on the environment (section 15061(b)(3)). The proposed ordinance changes a process in order to expedite the transfer in ownership of existing surplus City equipment and goods; it can have no physical impact on the environment.

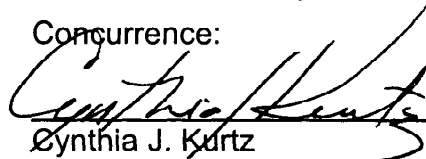
FISCAL IMPACT:

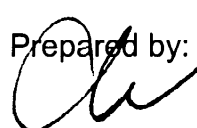
This represents a direct subsidy to the Pasadena Unified School District by transferring assets which might otherwise be sold.

Respectfully submitted,


Michele Beal Bagneris
City Attorney

Concurrence:


Cynthia J. Kurtz
City Manager

Prepared by: 8/7/06


Nicholas George Rodriguez
Sr. Assistant City Attorney

Introduced by

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTER 4.04 OF THE PASADENA MUNICIPAL CODE (DISPOSITION OF SALVAGE AND SCRAP PROPERTY) BY AMENDING SECTION 4.04.075 (TRANSFER OF SALVAGE PROPERTY TO PASADENA UNIFIED SCHOOL DISTRICT) TO STREAMLINE THE TRANSFER OF SAID SALVAGE PROPERTY BY GIVING FIRST PRIORITY TO THE PASADENA UNIFIED SCHOOL DISTRICT.

The People of the City of Pasadena ordain as follows:

SECTION 1. Section 4.04.075 of the Pasadena Municipal Code is hereby amended to read as follows:

“4.04.075 Transfers of salvage property to Pasadena Unified School District.

The director of finance, with the written approval of the city manager, ~~may~~ shall give first priority for transfer of salvage property to the Pasadena Unified School District, which may be without city council authorization and of any dollar value~~-. Such transfer may be accomplished by~~ upon written acceptance by the superintendent of schools of the Pasadena Unified School District certifying that the salvage property specifically described in the written acceptance will further the programs of the District and will not be sold.”

SECTION 2. The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published in full text.

SECTION 3. This ordinance shall take effect upon publication.

Signed and approved this _____ day of _____, 2006.

Bill Bogaard
Mayor of the City of Pasadena

I HEREBY CERTIFY that the foregoing ordinance was adopted by the City Council of the City of Pasadena at its meeting regular held the _____ day of _____, 2006 by the following vote:

AYES:


NOES:

ABSENT:

ABSTAIN:

Date Published:

JANE L. RODRIGUEZ, CMC
CITY CLERK

APPROVED AS TO FORM: 8/7/06


Nicholas George Rodriguez
Assistant City Attorney

Introduced by

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SECTION 1. Section 4.04.075 of the Pasadena Municipal Code is hereby amended to read as follows:

“4.04.075 Transfers of salvage property to Pasadena Unified School District.

The director of finance, with the written approval of the city manager, shall give first priority for transfer of salvage property to the Pasadena Unified School District, which may be without city council authorization and of any dollar value. Such transfer may be accomplished by written acceptance by the superintendent of schools of the Pasadena Unified School District certifying that the salvage property specifically described in the written acceptance will further the programs of the District and will not be sold.”

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Nicholas George Rodriguez
Assistant City Attorney