

Agenda Report

February 24, 2020

TO: Honorable Mayor and City Council
FROM: Department of Public Works
SUBJECT: APPROVAL OF THE SECOND AMENDMENT TO MEMORANDUM OF UNDERSTANDING WITH ARLINGTON GARDEN IN PASADENA

RECOMMENDATION:

It is recommended that the City Council:

1. Find that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines in accordance with Article 19, Class 1, Section 15301, Existing Facilities, Subsection (h) which exempts maintenance of existing landscaping; and
2. Authorize the City Manager to amend the Memorandum of Understanding (MOU) between the City of Pasadena and Arlington Garden in Pasadena to extend the term from December 14, 2019 to the date of expiration of the California Department of Transportation Lease for the property located at 275 Arlington Drive, including any subsequent renewals thereof, and beginning in Fiscal Year (FY) 2021 to increase the annual maintenance payment to an amount not to exceed \$50,000, subject to annual Consumer Price Index.

BACKGROUND:

On December 15, 2003, the City of Pasadena entered into a five year lease agreement with the California Department of Transportation (Caltrans) for the property located at 275 Arlington Drive, on the northwest corner of Pasadena Avenue and Arlington Drive, known as Arlington Gardens. The agreement authorized the City to develop and maintain the property as a drought-tolerant demonstration garden for an annual lease payment of \$100. The lease with Caltrans was extended by City Council on November 24, 2008 and again on October 29, 2018. The current lease with Caltrans is set to expire on December 14, 2021.

Concurrent with the Caltrans lease, the City of Pasadena worked with a small group of community members to design a plan for the property to be developed into a Mediterranean garden. The volunteers raised funds and participated in the planning, planting, and maintenance of Arlington Gardens. Over the first five years of the lease,

the Departments of Water and Power and Public Works provided funding for the purchase of drought tolerant plants, the installation of water service to help establish the plants, and various improvements to the garden.

Arlington Garden in Pasadena (Garden), a non-profit organization, has with consent from the City maintained the property and expanded on the educational and sustainable components of the garden. The City formally entered into a MOU with the Garden on January 8, 2016 to continue their maintenance and passive recreational use of the property. To coincide with the Caltrans lease, staff is requesting that the current MOU with the Garden be extended from December 14, 2019 to the date of expiration of the Caltrans lease (currently December 14, 2021), including any renewals thereof.

Per the terms of the MOU, the Garden is responsible for the ongoing management of the garden and receives assistance from the City through a combination of financial support and in-kind services. Pursuant to the MOU between the City and Garden, the City contributes \$21,100 annually for landscape maintenance services, provides trash disposal services, utilities at the site and pest control services. Under the MOU, the annual allotment increases each year by an amount equal to the change in the Consumer Price Index (CPI). In recognition that the cost to maintain a fully mature garden has increased over time, staff intends to recommend an increase in the level of City support to \$50,000 annually with the annual CPI adjustments as part of the FY 2021 operating budget.

Arlington Gardens is located on one of the Caltrans SR-710 surplus properties. If the property becomes available for sale, the City, as its current tenant, will be given first priority to purchase the parcel. In 2017, the City Manager sent a letter to Caltrans expressing the City's interest in acquiring the property. Caltrans has not yet initiated any negotiation with the City regarding the property.

COUNCIL POLICY CONSIDERATION:

This project is consistent with the City Council's goals to improve, maintain, and enhance public facilities and infrastructure, and to support and promote the quality of life and local economy.


ENVIRONMENTAL ANALYSIS:

The project is categorically exempt under CEQA pursuant to State CEQA Guidelines in accordance with Title 14, Division 6, Chapter 3, Article 19, Class 1, Section 15301, Existing Facilities, Subsection (h), which provides exemptions for the maintenance of existing landscaping.

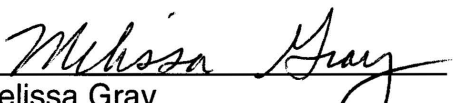
FISCAL IMPACT:

The City calculated the cumulative CPI from FY 2016 to FY 2020 and increased the annual allotment to \$23,214 in FY 2020. The City will increase the annual allotment to an amount not to exceed \$50,000 in FY 2021 to cover increased maintenance costs of the property. Funding for this action will be addressed by the utilization of existing budgeted appropriations in the Department of Public Works, Parks and Natural Resources Division budget account 10122037-811400. Future funding will be addressed annually in the operating budget of the Department of Public Works.

Respectfully submitted,


for ARA MALOYAN, P.E.
Director of Public Works

Prepared by:


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Approved by:


STEVE MERMELL
City Manager