



Agenda Report

October 16, 2023

TO: Honorable Mayor and City Council

FROM: City Clerk

SUBJECT: AUTHORIZATION TO ENTER INTO A PURCHASE ORDER WITH BAKER TILLY US, LLP, FOR PROFESSIONAL CONSULTANT SERVICES TO SUPPORT THE CHARTER STUDY TASK FORCE IN ITS REVIEW OF CITY GOVERNANCE ISSUES IN AN AMOUNT NOT-TO-EXCEED \$95,000

RECOMMENDATION:

It is recommended that the City Council:

- (1) Find that the proposed action is exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3), the Common-Sense Exemption, which states that CEQA only applies to projects that may have an effect on the environment; and
- (2) Authorize the City Clerk to enter into a purchase order with Baker Tilly US, LLP, as a result of a competitive selection process as specified by Pasadena Municipal Code, Section 4.08.047, to provide professional consultant services to the Charter Study Task Force in its review of City Governance issues for an amount not-to-exceed \$95,000. Competitive Bidding is not required pursuant to City Charter Section 1002(F), contracts for professional or unique services.

BACKGROUND:

The proposed purchase order with Baker Tilly is for professional consulting services to support a Charter Study Task Force that was recently formed by the City Council on September 18, 2023. The Task Force's scope and charge is to study specific City Governance issues for possible amendment/additions to the City Charter, and to provide a Final Report of their work and recommendations for City Council consideration in May/June 2024. Baker Tilly's consulting team will support this effort by attending Task Force meetings, facilitate meeting discussions, provide research support, prepare written materials, and prepare a Final Report, and will work at the direction of the Task Force. City staff from the City Attorney, City Clerk, and City Manager's Offices will also assist the Task Force in this effort, and provide administrative support to the process.

Approved Scope of City Governance Topics to be Reviewed

- Vacancy Appointment Process for Mayor and City Council - Consider options for allowing Special Elections, and review the Charter requirements pertaining to a vacancy in the office of the Mayor as it relates to the Vice Mayor position (City Charter Section 404)
- Mayor and City Council Term Limits
- Review of Timing of Mayoral Election (City Charter Sections 401 and 406)
- Review of Vice Mayor Appointment Process, Timing, and/or Length of Term (City Charter Sections 401 and 407)
- City Council compensation, broadly, as well as dedicated childcare and eldercare allowances for members of the City Council (City Charter Section 405)
- Campaign contribution limits

Any topics the Task Force wishes to add to the list above would require City Council authorization. The Task Force, working with the consultant, will have opportunities to reconnect with the City Council during the process to provide updates and information on the Charter Study process and progress.

Approved Task Force Charge for City Governance Review

- Study and fully examine topics submitted by City Council to Task Force
- Provide recommendations on those topics, including whether or not to amend the Charter in each instance, as part of a Final Report submitted to the City Council by May/June 2024
- Provide recommended amendments in a priority topics list, keeping in mind the number of ballot measures that might create voter fatigue issues
- Provide recommended ballot question(s) for Charter amendment(s)
- Provide recommended changes/amendments/additions to City Charter text

Baker Tilly Project Proposal and Team

A request for proposals for professional consulting services to support a Charter Study Task Force was prepared and released by City staff on April 10, 2023. In April, May, and June, staff contacted prospective consultant groups and individuals that were viewed as qualified to participate in the proposal process to encourage greater participation. Despite a series of deadline extensions and extensive outreach, only one written response was submitted to the City on July 13, 2023, which was from Baker Tilly.

In staff's review of the Baker Tilly's proposal, the scope of work, professional qualifications of the firm, and proposed approach to support the Task Force, sufficiently responds to the City's solicitation and demonstrates the necessary competence to complete the project. Their consultant team is comprised of three primary members: Jay Trevino, Director, Andrea Miller, Project Manager, and Shauna Clark, Special Advisor.

Each team member has management and executive experience in City government, including prior work in the area of Charter Reform.

City staff has met with Mr. Trevino to clarify the scope of services proposed, roles of key team members, expected workload/work product, and anticipated project schedule.

FISCAL IMPACT:

The total cost for supporting the work of a Charter Study Task Force is estimated by City staff to be approximately \$150,000. This amount includes expenditures for meeting support, video broadcasting, and translation services, as well as funds to cover the proposed purchase order with Baker Tilly for a not-to-exceed amount of \$95,000 for consulting services.

Funds to cover anticipated expenses for the proposed action currently exist within the City Clerk's FY 2024 adopted Elections Budget, Account 10113002. However, due to outside factors impacting unknown overall and final elections costs for the City's upcoming Primary Municipal Election, it may become necessary for City staff to return to the City Council and request additional funds to cover final invoices from the Los Angeles County Registrar-Recorder/County Clerk (RRCC). Factors that may impact the City Clerk's Election Budget include changes to the Los Angeles County election cost estimator and related formula for cities, added expenses to cover the City's special election (Council District 3), and potential Charter Amendment ballot measures anticipated for the March 2024 Primary election ballot.

Staff has been in discussions with RRCC staff to get a better sense and understanding of the County's costing model for the 2024 March Primary Municipal Election. In response to a request by City staff, the County is preparing a specific and more detailed estimate for the Pasadena Primary election. When the revised estimate for Pasadena is presented, staff will return to the City Council at a future meeting should it be apparent that additional funding is needed.

Respectfully submitted,



Mark Jomsky
City Clerk, CMC