

Agenda Report

July 22, 2024

TO: Honorable Mayor and City Council

THROUGH: Finance Committee

FROM: Parks, Recreation and Community Services

SUBJECT: **AUTHORIZE THE CITY MANAGER TO AMEND CONTRACT NO. 9706-3 WITH NORTON SIMON MUSEUM TO INCREASE THE ANNUAL LANDSCAPE MAINTENANCE CONTRACT BUDGET BY \$171,144 THEREBY INCREASING THE GRAND TOTAL TO \$337,104, SUBJECT TO ANNUAL CONSUMER PRICE INDEX INCREASE**

RECOMMENDATION:

It is recommended that the City Council:

1. Find that the proposed action is not a project subject to the California Environmental Quality Act (CEQA) pursuant to Section 21065 of CEQA and Sections 15060(c)(2), 15060(c)(3), and 15378 of the State CEQA Guidelines and, as such, no environmental document pursuant to CEQA is required;
2. Authorize the City Manager to amend contract No.9706-3 with Norton Simon Museum, to increase the contract amount by \$171,144 thereby increasing the grand total to \$337,104, subject to annual Consumer Price Index; and
3. Amend the Parks, Recreation and Community Services Department FY2025 Operating Budget by appropriating \$171,144 from the unappropriated fund balance of the General Fund (101) to cover increased expenses related to landscape maintenance at Norton Simon Museum.

BACKGROUND:

In 1975, the City of Pasadena entered into a 75-year ground lease agreement with Norton Simon Museum (NSM). As part of the agreement, NSM was responsible for all building improvements and structural maintenance, while the City was responsible for the upkeep of trees, shrubs, ground covers, planters, walkways, and the service, replacement and repair of irrigation systems. In 1978, the agreement was amended to allow NSM to undertake the contractual responsibility for landscape maintenance and required the City

to reimburse NSM for payments made to the landscape contractor of their choice. In 1990, the lease was again amended to extend the term from 75 to 99 years and to incorporate an annual Consumer Price Index escalator for landscape maintenance expenses. Finally, in 2003, the City Council approved an amendment to the contract to increase the annual landscape maintenance costs due to significant improvements and renovations on the museum grounds. The lease agreement is set to expire in 2075.

The landscape needs at NSM have increased over time due to maturing trees, landscape improvements, and deferred pond maintenance. Through an evaluation of landscaping needs, NSM identified that the vendor contract was insufficient to meet the landscape needs of the museum and that the contractor did not maintain the grounds “reasonably satisfactory condition” as outlined in the lease agreement.

In April 2022, NSM issued a request for proposals for a new landscape contractor and received three bids. City staff assisted NSM with the preparation of the bid specifications to ensure the scope of work was consistent with the lease agreement provision and met NSM landscape needs. NSM selected Meier Brothers Landscape to provide landscaping, pest control, and pond maintenance services and Brightview Tree Care Services to provide tree trimming service.

The \$171,144 increase in the annual maintenance cost is attributed to:

- 1) Increase in staffing levels- from 80 hours per week to 128 hours per week;
- 2) Increase in frequency - from five days a week services to seven days a week; and
- 3) Added a dedicated account manager to hold bi-weekly meetings with the NSM facility director.

These service elements are crucial to adequately meet NSM's growing maintenance needs and align with the lease agreement provisions. As the selected bidders, Meier Brothers Landscape and Brightview Tree Care Services have entered into agreements with NSM.

The following table represents the annual cost summary.

Service	Annual Amount
Maintenance activities (landscaping, pest control and pond maintenance)	\$304,692
Tree trimming	\$32,412
Total Annual Cost	\$337,104

In addition to the annual landscape maintenance reimbursement, the City provides in-kind support for trash disposal, water for landscape maintenance, and capital projects such as the recently completed parking lot improvement.

Please note, NSM is embarking on a large upgrade to their campus. Part of the project includes upgrades to the landscaping and irrigation. Installation of moderate and low

water use plants as well as upgrades from spray to drip irrigation are estimated to save approximately 33,000 gallons of water annually.

Public Benefits

Since its inception, NSM has offered various public benefits to Pasadena and non-Pasadena residents and children through education programs. Public benefits from July 1, 2022 - June 30, 2023 included:

- 70 free school tours for approximately 2,300 students in fifth through twelfth grade (50% from Pasadena schools with 1,070 being PUSD fifth graders);
- Over 2,200 students (K-college) participated in the free, self-guided tour program (14% from Pasadena schools);
- Four virtual tours reaching 145 students for schools unable to visit the site in person;
- Three virtual lectures related to special exhibitions reached 495 attendees (35% Pasadena residents); and
- Hosted 86 free public events (e.g. lectures with curators and scholars, performances, and educator-led talks) that reached 4,000 participants.

**Please note in-person school tours were re-introduced beginning November 2022*

Free Admission

The Museum's admission policy provided for free admission to 44,750 people in 2022-2023 and this accounted for 35% of the total attendance during this period. The policy specifically allows:

- Free admission for all students with a school identification card (26,000 in 2022-2023);
- Children 18 and younger (10,000);
- Active military members and family and Pasadena Police and Fire Department employees (3,000); and
- EBT/Golden State card holders (1,400).

Please see Attachment A for additional information on public benefits provided by NSM.

COUNCIL POLICY CONSIDERATION:

This action 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 the local economy.

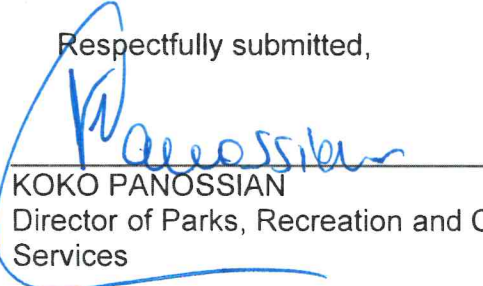
ENVIRONMENTAL ANALYSIS:

The action proposed herein is not subject to the California Environmental Quality Act (CEQA) in accordance with Section 21065 of CEQA and State CEQA Guidelines Sections 15060 (c)(2), 15060 (c)(3), and 15378. The authorization to amend a contract for continued landscape maintenance is a continuing administrative and maintenance activity. Therefore, the proposed action is not a "project" subject to CEQA, as defined in Section 21065 of CEQA and Section 15378 of the State CEQA Guidelines.

FISCAL IMPACT:

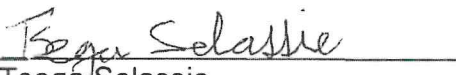
Approval of the recommended actions will amend the Parks, Recreation and Community Services (PRCS) Department's FY 2025 Operating Budget by appropriating \$171,144 from the unappropriated fund balance of the General Fund (101).

Respectfully submitted,




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Services

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Approved by:



MIGUEL MARQUEZ
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