

CITY OF PASADENA  
City Council Minutes  
July 21, 2008 – 5:00 P.M.  
City Hall Council Chamber

SPECIAL MEETING

**OPENING:**

Mayor Bogaard called the special meeting to order at 5:08 p.m.  
(Absent: Councilmembers Holden, Madison, Robinson)

On order of the Mayor, the special meeting recessed at 5:08 p.m., to discuss the following closed sessions:

Councilmember Robinson  
arrived at 5:10 p.m.

Councilmember Madison  
arrived at 5:15 p.m.

**CITY COUNCIL CONFERENCE REGARDING PUBLIC EMPLOYMENT pursuant to Government Code Section 54957 and with Labor Negotiators pursuant to Government Code Section 54957.6**  
**City Representative: Bill Bogaard**  
**Employee Title: City Clerk**

**CITY COUNCIL CONFERENCE REGARDING PUBLIC EMPLOYMENT pursuant to Government Code Section 54957**  
**Employee Title: City Manager**

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL TO DISCUSS PENDING LITIGATION pursuant to Government Code Section 54956.9(a)**  
**Case Name: Ceniza, Inc., v. City of Pasadena**  
**Case No.: Los Angeles Superior Court Case No. BS 107875**

The above three closed session items were discussed, with no reportable action at this time.

On order of the Mayor, the special meeting reconvened at 7:00 p.m. The Pledge of Allegiance was led by members of the Pasadena Success basketball team.

**ROLL CALL:**

Councilmembers:

Mayor Bill Bogaard  
Vice Mayor Steve Haderlein  
Councilmember Victor Gordo  
Councilmember Chris Holden (Absent)  
Councilmember Steve Madison  
Councilmember Margaret McAustin  
Councilmember Jacque Robinson  
Councilmember Sidney F. Tyler

Staff:

City Manager Bernard K. Melekian  
City Attorney Michele Beal Bagneris  
City Clerk Jane L. Rodriguez

**CEREMONIAL MATTERS**

Councilmember Madison praised the Pasadena Success (club) basketball team, and introduced Coach James Every.

Coach Every thanked the Pasadena Success team members for the support they had given him during his time of injury and illness; acknowledged the team for its tournament play and 36-0 record; and introduced the members of the team who were present. Coach Every thanked Councilmember Madison for his support of the team.

The Mayor and Council recognized City Clerk Jane Rodriguez for her 35 years of service to the City and her impending retirement. They were joined by the City Manager and City Attorney in acknowledging Ms. Rodriguez's accomplishments and professionalism during her service to the Council and the City.

Ms. Rodriguez thanked everyone for their comments, and stated that it had been a pleasure to be a public servant to the Council and community and that she was looking forward to her retirement. She complimented her staff, and said she looked forward to seeing everyone at community events.

**PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA**

The following persons acknowledged Dennis Crowley's contributions to bicycling in the City, and urged the Council to support bicycling and the Dobbins Cycleway:

- Chris Ziegler, Pasadena resident
- Roger Gray, Pasadena resident

Antonio Castaneda, Pasadena resident, expressed concerns regarding the condition of Edison-owned land, and asked Council for assistance in ensuring that this land is maintained.

Vice Mayor Haderlein indicated that the District 4 Field Representative had been working on maintenance issues related to the Edison lots, and asked Mr. Castaneda to email his concerns to the District 4 address.

Fritz Puelicher, Urgent Care Now representative, expressed ongoing concerns regarding conduct by Vice Mayor Haderlein, and asked for a public apology from Vice Mayor Haderlein.

**CONSENT CALENDAR**

CLAIMS RECEIVED AND FILED

Claim No. 10,629	Lauren Liston	\$ 650.56
Claim No. 10,630	Ruthie Hopkins	304.27
Claim No. 10,631	Dennis A. Murray	1,044.59
Claim No. 10,632	Judith Ryan	1,000.00+
Claim No. 10,633	Gloria Killian	25,000.00+
Claim No. 10,634	Karen Combs	189.44
Claim No. 10,635	Anh Vuong	1,183.69
Claim No. 10,636	Antonio and Ann Miguel	Not stated

Claim No. 10,637 Nazelie Alexanian Not stated  
Claim No. 10,638 Tiffany Whittington 9,000.00

**PUBLIC HEARINGS SET**

August 11, 2008, 7:30 p.m. - Designation of 1299 Hillcrest Avenue as a Historic Landmark

September 15, 2008, 7:30 p.m. - Zoning Code Amendments - (Series III) Including Bicycle Shower and Locker Facilities, Regulations for Donation Collection Facilities, Wall Signs in the Central District, Boarding Houses, a Series of Minor Amendments, Corrections and Codification of Interpretations and Practices

It was moved by Councilmember McAustin, seconded by Councilmember Tyler, to approve all items on the Consent Calendar. (Motion unanimously carried) (Absent: Councilmember Holden)

**REPORTS AND COMMENTS FROM COUNCIL COMMITTEES**

**MUNICIPAL SERVICES COMMITTEE**

Councilmember McAustin, Chair of the Municipal Services Committee, reported on the process to develop an Integrated Resource Plan (IRP) for power that will result in a strategic plan for the next 20 years (scope of work, consultant services, project timeframe, establishment of advisory group, and community outreach). She encouraged the public to participate in the future community meetings that will be scheduled.

**RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS**

Councilmember Robinson recused herself at 7:41 p.m., due to a conflict of interest.

**ONE-YEAR CONTRACT WITH INTER-CON FOR CITYWIDE PARKING ENFORCEMENT SERVICES**

**Recommendation of City Manager:**

- (1) Reject all bids received on June 9, 2008 in response to the Request for Proposals for Parking Enforcement Services for the City of Pasadena; and
- (2) Authorize the City Manager to enter into a one-year contract with Inter-Con Security Systems, Inc., for citywide parking enforcement services on designated streets, lots and parking structures in an amount not to exceed \$662,670. (Contract No. 19,706)

The City Manager provided an overview of the history behind the proposed Request for Proposals (RFP) processes and proposed one-year contract, and responded to questions regarding the RFP processes and the rationale for extending the contract with Inter-Con Security Systems, Inc. (Inter-Con), for a one-year period.

Fred Dock, Director of Transportation Department, summarized the agenda report; discussed various customer complaints about the services provided by Inter-Con in the past and the need for revised performance measures that will address service issues in the next contract; and responded to questions regarding service complaints, a complaint tracking process, and provisions in the contract.

Bill Bortfeld, Parking Manager, responded to questions regarding the proposed one-year contract.

Discussion followed on the nature of past customer service complaints, steps taken to address reported complaints, changes in the proposed one-year contract as compared to the existing contract with Inter-Con, inclusion of a complaint tracking process in the future RFP/contract, turnover rate and training for a contractor's employees, the issue of general treatment of employees by a contractor, the issue of possible financial incentives given for tickets written, factors/criteria included in the RFP process and to be used for awarding the future contract, and inclusion of an opt-out provision and a complaint resolution process in the future contract.

Councilmember Madison expressed support for carefully examining any reasons for not continuing the contract with Inter-Con, since Inter-Con has a long-term contractual relationship with the City and is a local business providing jobs to City residents.

Councilmember Gordo asked that the RFP include a requirement for an adequate complaint tracking system/process, assurance that the contractor is in good standing with its clients, a complaint history for the contractor, and a record of how the contractor's employees are compensated and treated.

Councilmember McAustin expressed concerns regarding alleged overly aggressive enforcement practices and improperly issued tickets by Inter-Con; and asked that the term for the contract extension be shortened to 6-9 months, if the gap contract is approved.

The following persons spoke in opposition to the one-year contract and/or expressed concerns regarding the contractor (Inter-Con):

Gregory Sawyer, Service Employees International Union/Security Officers United in Los Angeles (SEIU/SOULA) representative  
William Seals, Inter-Con employee  
Bob Reiter, Pasadena resident  
Christine Reiter, Pasadena resident

The following persons spoke in support of the one-year contract:

Catherine Ross, Inter-Con Vice President  
Mike Sutkaytis, Inter-Con Vice President-Operations

Discussion continued on Inter-Con's job performance criteria, the increase in the number of tickets being issued, and timing for the RFP process.

The City Manager affirmed that within the next year, the RFP process would be completed, a contract would be presented for Council approval, and a contractor would be in place to provide parking enforcement services when the one-year contract term with Inter-Con is completed; and confirmed that the one-year contract contains an opt-out provision.

Councilmember Gordo asked that information on holiday parking enforcement policies be provided in the City Manager's weekly informational letter to Council.

It was moved by Councilmember Tyler, seconded by Councilmember Madison, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: Councilmembers Holden, Robinson)

#### **PUBLIC HEARING**

Councilmember Madison was excused at 8:51 p.m.

Councilmember Robinson returned at 8:51 p.m.

#### **PUBLIC HEARING: ADOPTION OF THE 2008 ANNUAL CITY OF PASADENA SELF CERTIFICATION REPORT IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM FOR LOS ANGELES COUNTY AND THE 2008 LOCAL DEVELOPMENT REPORT IN ACCORDANCE WITH GOVERNMENT CODE SECTION 65089**

##### **Recommendation of City Manager:**

- (1) Adopt a resolution finding the City in conformance with the Congestion Management Program (CMP) for the County of Los Angeles;
- (2) Adopt the 2008 Local Development Report in accordance with California Government Code Section 65089 (Attachment A of the agenda report); and
- (3) Direct staff to file the CMP Local Development Report with the Los Angeles County Metropolitan Authority (Metro). (Resolution No. 8880)

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on July 7, 2008 in the Pasadena Star-News; and no correspondence was received.

Mark Yamarone, Principal Transportation Planner, summarized the agenda report.

No one appeared for public comment.

It was moved by Vice Mayor Haderlein, seconded by Councilmember Gordo, to close the public hearing. (Motion unanimously carried) (Absent: Councilmembers Holden, Madison)

It was moved by Vice Mayor Haderlein, seconded by Councilmember Robinson, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: Councilmembers Holden, Madison)

**RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS**

**AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH TOBY B. HAYWARD, INC., TO PROVIDE LABOR AND MATERIALS FOR THE REPLACEMENT OF THE ARROYO SECO CREEK BRIDGE 4 FOR THE WATER AND POWER DEPARTMENT, SPECIFICATION WD-07-04**

**Recommendation of City Manager:**

(1) Accept the bid dated April 16, 2008 submitted by Toby B. Hayward, Inc., (Toby Hayward) in response to Specification WD-07-04 for the replacement of the Arroyo Seco Creek Bridge 4 for the Water and Power Department;

(2) Authorize the City Manager to enter into such contract for an amount not to exceed \$732,107, which consists of the base bid amount of \$665,552 and an allowance of ten percent (\$66,555) to cover any contingencies which may arise;

(3) Amend the FY 2009 Water Capital Improvement Program to increase appropriations of Capital Improvement Project 1066, Arroyo Seco Bridge 4 Repair, from \$670,000 to \$1,120,007; and

(4) Acknowledge that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15302 (replacement or reconstruction of existing structures) and Section 15269(b) (emergency projects), and direct the City Clerk to file a Notice of Exemption within 5 business days. (Contract No. 19,707)

Shan Kwan, Business Unit Director (Water Delivery), summarized the agenda report, explained the contract costs, and responded to questions.

Phyllis Currie, General Manager of Water and Power Department, discussed safety issues involved with the condition of the bridge and the need to replace it expeditiously.

Brief discussion followed on possible funding assistance for the bridge costs and a breakdown of the contract costs.

It was moved by Councilmember Robinson, seconded by Councilmember Gordo, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: Councilmembers Holden, Madison)

**DESIGNATION OF VOTING DELEGATE AND ALTERNATE FOR THE 2008 LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE ON SEPTEMBER 24, 2008 THROUGH SEPTEMBER 27, 2008, IN LONG BEACH, CALIFORNIA**

The Mayor noted that he was a member on the League of California Board of Directors for 2008 and 2009, and offered to serve as the voting delegate.

Councilmember Tyler offered to serve as the alternate, since he would be attending the Conference.

It was moved by Councilmember Gordo, seconded by Vice Mayor Haderlein, to designate Mayor Bogaard as voting delegate and Councilmember Tyler as alternate for the 2008 League of California Cities Annual Conference. (Motion unanimously carried) (Absent: Councilmembers Holden, Madison)

**APPOINTMENT OF COLIN SILVIO TO THE URBAN FORESTRY ADVISORY COMMITTEE** (Pasadena Beautiful Nomination)

It was moved by Councilmember Tyler, seconded by Councilmember McAustin, to approve the above appointment. (Motion unanimously carried) (Absent: Councilmembers Holden, Madison)

**ORDINANCE – FIRST READING**

**Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 2 OF THE PASADENA MUNICIPAL CODE, TO ADD A NEW CHAPTER 2.268 ESTABLISHING THE HOUSING DEPARTMENT, AND AMENDING VARIOUS OTHER SECTIONS OF THE CITY’S ORGANIZATION AND ADMINISTRATIVE CODE RELATED TO FUNCTIONS OF THE CITY MANAGER’S DEPARTMENT AND THE PLANNING AND DEVELOPMENT DEPARTMENT”**

The City Manager indicated that the duties of the Housing Department and the Planning and Development Department were not meant to overlap.

Councilmember Tyler expressed concerns regarding the need to delineate the financial reporting responsibilities (statement of financial accounting and reporting) of the Housing Department for those funds that are administered by the Housing Department; and asked that a discussion of the Department’s financial reporting responsibilities and the reporting process be agendaized for discussion by the Finance Committee.

The City Attorney discussed the typical ordinance language used in establishing a department and the elimination of the relocation appeals board.

The following persons expressed support for establishment of the Housing Department:

Marvin Schachter, Pasadena Senior Advocacy Council and AARP representative

Michelle White, Affordable Housing Services representative

The above ordinance was offered for first reading by Councilmember Robinson:

AYES: Councilmembers Gordo, McAustin, Robinson, Tyler, Vice Mayor Haderlein, Mayor Bogaard

NOES: None

ABSENT: Councilmembers Holden, Madison

**ORDINANCE - ADOPTED**

**Adopt "AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17 (THE ZONING CODE) OF THE PASADENA MUNICIPAL CODE, REGARDING COLLEGES AND DORMITORIES IN THE SOUTH FAIR OAKS SPECIFIC PLAN OVERLAY DISTRICT AND CORRECTING A TYPOGRAPHICAL ERROR IN THE MESSAGE ORDINANCE"** (Introduced by Councilmember Tyler) (Ordinance No. 7148)

The above ordinance was adopted by the following vote:

AYES: Councilmembers Gordo, McAustin, Robinson, Tyler, Vice Mayor Haderlein, Mayor Bogaard

NOES: None

ABSENT: Councilmembers Holden, Madison

**ORDINANCE – FIRST READING**

**Adopt Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 9, CHAPTER 9.36 OF THE PASADENA MUNICIPAL CODE TO ADD AN INTERIOR NOISE STANDARD, NOISE EXEMPTIONS AND VARIOUS FORMAT CHANGES"** (Introduced by Vice Mayor Haderlein)

The City Attorney noted that, after the first reading of the above ordinance was conducted on July 14, 2008, it was discovered that the language on Page 8 of the ordinance, Section 9.36.110 should be revised to read: "B. Prima facie violation: Any noise level exceeding the ambient base level at the property line of any property ~~(or, if a condominium or apartment house, within any adjoining apartment)~~ by more than 5 decibels is deemed to be prima facie evidence of a violation of the provisions of this section." She also noted that the deleted language was covered by specific noise standards language pertaining to multifamily residential property contained in Section 9.36.060 on Page 6 of the ordinance. She confirmed that the ordinance should be re-introduced for first reading with this revision.

The above ordinance was re-introduced and offered for first reading by Councilmember Tyler, as revised above:

AYES: Councilmembers Gordo, McAustin, Robinson, Tyler, Vice Mayor Haderlein, Mayor Bogaard

NOES: None

ABSENT: Councilmembers Holden, Madison



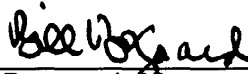
**COUNCIL COMMENTS**

Councilmember Robinson, Chair of the Youth, Families and Neighborhoods Ad Hoc Committee, announced that this Committee would hold its initial meeting on July 23, 2008 and would be meeting the fourth Wednesday of each month; and encouraged the public to attend.

Councilmember McAustin congratulated staff for the prompt completion of a parking lot improvement project in the Aquatics Center area of the Arroyo.

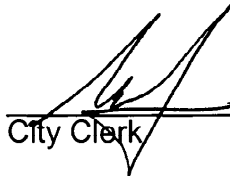
**ADJOURNMENT**

On order of the Mayor, the special meeting of the City Council adjourned at 8:02 p.m., in memory of Dennis Crowley, who was a bicycling advocate and was instrumental in the creation of the City's original Bicycle Master Plan.



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Bill Bogaard, Mayor  
City of Pasadena

ATTEST:

  
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City Clerk