

CITY OF PASADENA
City Council Minutes
September 22, 2008 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 5:46 p.m.
(Absent: Councilmembers Gordo, Madison, Robinson)

On order of the Mayor, the regular meeting recessed at 5:46 p.m., to discuss the following closed sessions:

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL REGARDING PENDING LITIGATION pursuant to Government Code Section 54956.9(a)
Case Name: Los Angeles Engineering, Inc., v. City of Pasadena
Case No.: Los Angeles Superior Court Case No. BC382944

Councilmember Madison arrived at 5:55 p.m.

Councilmember Robinson arrived at 6:15 p.m.

Vice Mayor Haderlein was excused at 6:20 p.m.

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL REGARDING PENDING LITIGATION pursuant to Government Code Section 54956.9(a)
Case Name: Hindman v. City of Pasadena, et al.
Case No.: BC369577

CITY COUNCIL CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8
Property Locations: 40 North Altadena Drive; 3018 and 3030 East Colorado Boulevard
Agency Negotiators: Bernard K. Melekian, Stephanie DeWolfe
Negotiating Parties: Eva Kwok, Property Manager/Leasing Agent; Carlo Matricardi and Douglas Cancienne, Brokers
Under Negotiation: Price and terms of payment

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

On order of the Mayor, the regular meeting reconvened at 6:36 p.m. The Pledge of Allegiance was led by the City Manager.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Steve Haderlein
Councilmember Victor Gordo
Councilmember Chris Holden
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 Mark Jomsky

CEREMONIAL MATTERS

The City Clerk administered the oath of office to Elisa Weaver as Human Services Commissioner.

Councilmember Madison introduced members of the First Tee of Pasadena organization who were present in the audience: Omel Nieves, President; Bill Fennessy, Vice President; Bob Baderian, Executive Director; and David Sams, Director of Golf Operations. He provided a brief overview of the organization's mission to provide golf instruction and promote the development of life skills and core values for area youth.

The Mayor presented a proclamation declaring the month of September 2008 as First Tee of Pasadena Month. The proclamation was received by Omel Nieves, who acknowledged the First Tee youth participants, volunteer coaches (Gary Baker, Ellen Harkins, Kim Gonzalez, and Mark Fritz), and Board members (Carlos Chacon, Richard Bruckner, and John Wells) who were present; and announced the First Tee's fundraiser event (Jason Gore Golf Exhibition and Tournament) to be held on October 7, 2008 at Brookside Golf Club.

Rick Stever, Pasadena Foothills Association of Realtors President, presented the Mayor with a \$55,000 grant check to be used by the City's Housing Department in providing closing costs assistance for qualified low and moderate income homebuyers. The Mayor thanked the Association for this contribution.

The Mayor presented a certificate of appreciation signed by all of the Council members to Bernard Melekian for his work as Interim City Manager during the past nine months. The Council thanked Mr. Melekian for his leadership, the quality of his work, and the initiatives that were accomplished during this interim period. Mr. Melekian thanked Council, the Executive Committee, and City staff for this experience.

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

No one appeared for public comment.

CONSENT CALENDAR

Item discussed separately at the request of Councilmember Madison.

ASSIGNMENT OF NON-EXCLUSIVE SOLID WASTE FRANCHISE FROM LOONEY BINS, INC., TO USA WASTE OF CALIFORNIA, INC., DBA WASTE MANAGEMENT

ADOPT A RESOLUTION APPROVING A LICENSE AGREEMENT BETWEEN THE CITY OF PASADENA AND MS PROPERTY COMPANY FOR THE INSTALLATION OF PRIVATE IMPROVEMENTS WITHIN THE PUBLIC RIGHT-OF-WAY ALONG COLORADO BOULEVARD AT 355 EAST COLORADO BOULEVARD

Recommendation of City Manager:

- (1) Find that the activity described in the License Agreement was subject to adequate environmental review in the Mitigated Negative Declaration adopted by Council for the Montana I and II projects on March 29, 2004, and that no further environmental review is required;
- (2) Adopt a resolution approving a License Agreement with MS Property Company, for property located at 355 East Colorado Boulevard, with terms and conditions as set forth in the License Agreement; and
- (3) Authorize the City Manager to execute and the City Clerk to attest said License Agreement on behalf of the City of Pasadena. (Resolution No. 8891; Agreement No. 19,746)

Item discussed separately at the request of Vice Mayor Haderlein.

CONTRACT AWARD TO DIVERSIFIED LANDSCAPE MANAGEMENT, INC., FOR THE LANDSCAPING OF NEW YORK DRIVE MEDIAN ISLANDS FROM SIERRA MADRE BOULEVARD TO 700 FEET SOUTH OF BRADLEY STREET, FOR AN AMOUNT NOT TO EXCEED \$87,500

AUTHORIZE THE PURCHASE OF A POLICE HELICOPTER WITH IMPROVED QUIET TECHNOLOGY FOR AN AMOUNT NOT TO EXCEED \$2,069,000

Recommendation of City Manager:

- (1) Authorize the issuance of a purchase order to MD Helicopters Incorporated not to exceed \$2,069,000 for the purchase of (1) MD 500 E police helicopter; and
- (2) Grant the proposed purchase order exemption from competitive bidding pursuant to City Charter Section 1002(H), contracts with other governmental entities or their contractors. MD Helicopters Incorporated is a military contractor and the City of Houston, Texas has a purchase order to purchase eight of the same make and model helicopters.

APPROVAL OF AGREEMENT FOR EMPLOYMENT BETWEEN THE CITY OF PASADENA AND MICHAEL J. BECK

Recommendation of Mayor: Approve the Agreement of Employment between the City of Pasadena and Michael J. Beck for his services as City Manager effective October 1, 2008, and approve a journal voucher transferring necessary funds from the General Fund Personnel Reserve to the City Manager's Office budget. (Agreement No. 19,748; Journal Voucher No. 2009-8)

MINUTES APPROVED

September 8, 2008

Item discussed separately at the request of Councilmember Tyler.
(See page 13)

CLAIMS RECEIVED AND FILED

Claim No. 10,694	Rex and Patricia Christenson	\$ 600.00
Claim No. 10,695	George Vilorio	Not stated
Claim No. 10,696	Harold Gaylord	2,869.57
Claim No. 10,697	Irene McGowan	Not stated
Claim No. 10,698	Andrew Pastoral	1,716.41
Claim No. 10,699	Sharon Villalba	Not stated

October 27, 2008, 7:30 p.m. - Joint Public Hearing: Draft Consolidated Annual Performance and Evaluation Report (CAPER) for July 1, 2007 - June 30, 2008 for Community Development Block Grant (CDBG); Emergency Shelter Grant (ESG); Home Investment Partnership Act (HOME); Human Services Endowment Fund (HSEF)

It was moved by Vice Mayor Haderlein, seconded by Councilmember Robinson, to approve the Consent Calendar, with the exceptions of Item 1 (Assignment of Non-Exclusive Solid Waste Franchise), Item 3 (Contract with Diversified Landscape Management, Inc.), and the minutes of September 8, 2008, which were discussed separately. (Motion unanimously carried) (Absent: None)

CONSENT ITEMS DISCUSSED SEPARATELY

CONTRACT AWARD TO DIVERSIFIED LANDSCAPE MANAGEMENT, INC., FOR THE LANDSCAPING OF NEW YORK DRIVE MEDIAN ISLANDS FROM SIERRA MADRE BOULEVARD TO 700 FEET SOUTH OF BRADLEY STREET, FOR AN AMOUNT NOT TO EXCEED \$87,500

Recommendation of City Manager:

(1) Accept the bid dated September 10, 2008, submitted by Diversified Landscape Management, Inc., in response to the Specifications for the Landscaping of New York Drive Median Islands from Sierra Madre Boulevard to 700 feet South of Bradley Street; reject all other bids received; and authorize the City Manager to enter into a contract not to exceed \$87,500; and

(2) Acknowledge the project to be categorically exempt under Article 19, Section 15304, subsection (b) of the California Environmental Quality Act (CEQA) in accordance with Section 21084 of the Public Resources Code. (Contract No. 19,747)

Martin Pastucha, Director of Public Works Department, responded to questions regarding the costs of the project.

It was moved by Vice Mayor Haderlein, seconded by Councilmember McAustin, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: None)

Councilmember Madison recused himself at 7:09 p.m., due to a conflict of interest.

ASSIGNMENT OF NON-EXCLUSIVE SOLID WASTE FRANCHISE FROM LOONEY BINS, INC., TO USA WASTE OF CALIFORNIA, INC., DBA WASTE MANAGEMENT

Recommendation of City Manager: Direct the City Attorney to prepare an amendment to Ordinance No. 7087 that approves the transfer and assignment of the non-exclusive solid waste franchise from Looney Bins, Inc., to the new owner, USA Waste of California, Inc. dba Waste Management. (Agreement Amendment No. 19,301-1)

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

REPORTS AND COMMENTS FROM COUNCIL COMMITTEES

LEGISLATIVE POLICY COMMITTEE

Councilmember Madison returned at 7:10 p.m.

RESOLUTION OF THE CITY COUNCIL IN SUPPORT OF THE PASADENA, ALTADENA, SIERRA MADRE SCHOOL IMPROVEMENT BOND (PROPOSITION TT ON THE NOVEMBER 4, 2008 BALLOT)

Recommendation of City Council Legislative Policy Committee: It is recommended that the City Council adopt a resolution supporting Proposition TT. (Resolution No. 8892)

The Mayor, Chair of the Legislative Policy Committee, introduced the agenda item.

Tom Selinske, President of the Pasadena Unified School District (PUSD) Board of Education, provided a brief overview of Proposition TT (a proposed bond action for various PUSD capital school improvements), a bond measure scheduled for the General Election to be held on November 4, 2008; and responded to questions regarding financial accounting and community involvement in the capital improvements process.

PUSD Superintendent Edwin Diaz briefly discussed the process for the proposed capital improvements and the community involvement that will take place should the proposed bond measure be approved by the voters and the funding be secured.

Discussion followed regarding the distribution of the bond funds, oversight for a financial accounting of monies spent, the role of a Citizens Oversight Committee in the capital improvements process, leveraging local dollars with matching federal and state funds, and use of the PUSD Schools Facility Master Plan.

Councilmember McAustin expressed support for use of an independent third party project manager to provide oversight for a financial accounting of the monies spent, in addition to the Citizens Oversight Committee.

Councilmember Gordo stressed the need for PUSD to inform the public about the financial gap between the bond amount and the total funds needed for the school improvements (e.g., filling the gap and prioritizing projects), and the need to involve the community in prioritizing the projects.

It was moved by Councilmember Holden, seconded by Councilmember Tyler, to approve the Legislative Policy Committee's recommendation. (Motion unanimously carried) (Absent: None)

FINANCE COMMITTEE

APPROVAL OF A JOURNAL VOUCHER AMENDING PROJECTS IN THE FISCAL YEAR 2009 CAPITAL IMPROVEMENT PROGRAM BUDGET

Recommendation of City Manager:

(1) Amend the FY 2009 Capital Improvement Program budget to create the *Traffic Light Synchronization Program* (75710) and the *Rose Bowl Drive Slope Protection* (77460) projects; and

(2) Approve the journal voucher with a net increase of \$6,655,672 amending 21 projects in the Fiscal Year 2009 Capital Improvement Program as detailed on Attachment A of the agenda report. (Journal Voucher No. 2009-9)

Recommendation of Planning Commission: On July 23, 2008, the Planning Commission found the two new projects listed above consistent with the General Plan.

Vice Mayor Haderlein was excused at 7:26 p.m.

Councilmember Tyler, Chair of the Finance Committee, reviewed the agenda report.

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

CONTRACT AWARD TO S.H.E. ENGINEERING & CONSTRUCTION GROUP, INC., FOR THE LAKE AVENUE BRIDGE ENHANCEMENTS FOR AN AMOUNT NOT TO EXCEED \$2,375,000

Recommendation of City Manager:

- (1) Accept the bid, dated June 19, 2007, submitted by S.H.E. Engineering & Construction Group, Inc., for the Lake Avenue Bridge Enhancements; reject all other bids received; and authorize the City Manager to enter into such contract for a "not to exceed" amount of \$2,375,000;
- (2) Approve a journal voucher recognizing and appropriating \$200,000 from the Public Benefits Charge Operating Budget Account No. 8176-410-831700-0914-22-21840 to the Lake Avenue Light Rail Enhancements Capital Improvement Program (CIP) project (Budget Account No. 75038);
- (3) Transfer \$700,000 of Gold Line Surplus funds from the Gold Line Phase I - Project Enhancements CIP project (Budget Account No. 75506) and \$300,000 from Water and Power's PV Distributed Generation Systems, CIP project (Budget Account No. 3163) to the Lake Avenue Light Rail Enhancements CIP project (Budget Account No. 75038); and
- (4) Find that the categorical exemption that was previously filed on February 10, 2004 under Section 15301 (Class 1, existing facilities) of the California Environmental Quality Act (CEQA) applies to this project. (Contract No. 19,749; Journal Voucher No. 2009-10)

Councilmember Tyler summarized the agenda report.

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

Vice Mayor Haderlein returned at 7:31 p.m.

Councilmember Tyler reported that the Finance Committee had briefly reviewed the City's various insurance programs and had felt that the liability insurance was inadequate at this time, and reported that staff would be returning with a report and recommendations on the liability insurance issue for the Committee's review and Council's consideration at the end of October 2008.

LEGISLATIVE POLICY COMMITTEE

OPPOSE PROPOSITION 5 - THE NONVIOLENT OFFENDER REHABILITATION ACT

Recommendation of City Manager: It is recommended that the City Council oppose Proposition 5 (the Nonviolent Offender Rehabilitation Act of 2008).

The Mayor, Chair of the Legislative Committee, introduced the agenda report.

The City Manager summarized the agenda report and responded to questions.

It was moved by Councilmember Holden, seconded by Vice Mayor Haderlein, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: None)

In response to Councilmember Holden's questions, the City Attorney clarified the parameters to be used by Council in informing the public about the City's positions on various measures on the 2008 general election ballot without violating the prohibition on the use of public monies, and confirmed that the City could issue a press release of its positions on various measures.

Councilmember Holden suggested that Council's positions on the various measures be communicated in some way to the public, with a recap of this information to be provided prior to the election on November 4, 2008.

Councilmember Robinson asked the City Attorney to determine if this information could also be posted on the City's web site.

Councilmember McAustin, City representative on the San Gabriel Valley Council of Governments (SGVCOG), reported that the SGVCOG had voted to oppose Proposition R - Traffic Relief. Rail Extensions. Reduce Foreign Oil Dependence, and expressed support for notifying the public of the positions that the City has taken on this and other ballot measures.

Vice Mayor Haderlein asked that confirmation of any discussion of or position the City may have taken on Proposition 11 be provided in the City Manager's weekly letter to Council.

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

MEMORANDUM OF AGREEMENT FOR THE ADMINISTRATION AND COST SHARING OF THE COORDINATED MONITORING PLAN FOR THE LOS ANGELES RIVER AND TRIBUTARIES METALS TOTAL MAXIMUM DAILY LOAD (TMDL)

Recommendation of City Manager: Approve the monitoring administration and cost sharing Memorandum of Agreement (MOA) with the Gateway Cities Council of Governments and authorize the City Manager to execute the MOA. (Agreement No. 19,750)

The City Manager introduced the agenda item.

Martin Pastucha, Director of Public Works Department, reviewed the agenda report.

It was moved by Councilmember McAustin, seconded by Councilmember Holden, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: None)

RESIGNATION OF THELMA JOHNSON FROM THE ARTS AND CULTURE COMMISSION (District 3 Nomination)

It was moved by Councilmember Holden, seconded by Councilmember Robinson, to accept the above resignation with regrets. (Motion unanimously carried) (Absent: None)

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 7:46 p.m. to the regular meeting of the Community Development Commission.

RECONVENED

On order of the Mayor, the regular meeting of the City Council reconvened at 7:47 p.m. (Absent: None)

**ORDINANCE – FIRST
READING**

Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTER 8.61 OF THE PASADENA MUNICIPAL CODE (“SOLID WASTE COLLECTION FRANCHISE SYSTEM”) REGARDING FRANCHISE REQUIREMENTS FOR THE COLLECTION OF SOLID WASTE AND RELATED AMENDMENTS”

Councilmember Tyler questioned the use of the word “continued” in reference to the franchisee’s failure to comply with required timely reporting and performance requirements in the ordinance; stated that the City should be able to terminate or suspend a franchise agreement at the first instance of noncompliance; and asked that the word “continued” be stricken from Section 15, Section 8.61.130 D 1. and Section 16, Section 8.61.140 on pages 12 and 13 of the proposed ordinance amendments.

Martin Pastucha, Director of Public Works Department, discussed the department’s current process in warning franchisees about late reporting issues, and noted the language proposed by staff was stricter than the current language.

The City Attorney indicated that the stronger language requested by Councilmember Tyler would reflect a policy decision made by Council; and noted that the language in Section 15, Section 8.61.130 D 1. should also be corrected to show a minimum percentage of 60% for solid waste (not ~~65%~~).

The amended sentences in the ordinance will read:
Section 15, Section 8.61.130 D 1. The franchisee has failed to comply with, or to do anything required of the franchisee by this chapter, or that franchisee has violated any provision of the ordinance granting the nonexclusive franchise, including, but without limitation, failure to timely pay franchise fees, ~~continued~~ failure to timely submit tonnage reports, or ~~continued~~ failure or inability to meet a minimum 75% for construction and demolition debris or ~~65%~~ 60% for solid waste or has violated any provision of the nonexclusive franchise agreement or any federal, state or local law or regulation applicable to the operation of the nonexclusive franchise;

Section 16, Section 8.61.140 The director may temporarily suspend any nonexclusive franchise without a hearing, whenever the continued operation by the franchisee would constitute a danger to public health, safety, welfare or public morals, including, without limitation, where there is a failure to maintain the minimum levels and standards of liability insurance or claims reserve or failure to keep in full force and effect any applicable licenses or permits required by federal, state or local law or regulation or ~~continued~~ failure or inability to comply with any material term of the franchise agreement or any law, rule or regulation governing the operation of the franchise.

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

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

NOES: None

ABSENT: None

PUBLIC HEARING

CONTINUED PUBLIC HEARING: SET A SCHEDULE OF PENALTIES FOR VIOLATION OF WATER SHORTAGE PLAN II (PASADENA MUNICIPAL CODE SECTION 13.10.045)

Recommendation of City Manager:

(1) Conduct a public hearing pursuant to Pasadena Municipal Code (PMC) Section 13.10.035, Water Shortage Plan Implementation, for the purposes of determining an appropriate schedule of penalties for violation of Water Shortage Plan II; and

(2) Approve the schedule of penalties described in the agenda report.

Recommendation of Environmental Advisory Commission:

At its meeting of September 16, 2008, the Environmental Advisory Commission supported the recommendation of staff that the City Council approve the penalty schedule, described in the agenda report, for violation of Water Shortage Plan II.

The Mayor opened the public hearing and distributed a letter from Environmental Advisory Commissioners Marc Baum and Roger Gray dated September 20, 2008.

The City Clerk reported the notice of public hearing was published on August 26, 2008 in the Pasadena Star-News; and no correspondence was received.

The City Manager introduced the agenda item, commented on the separate issues of providing penalties for customers who violate the amended provisions of Water Shortage Plan II and of developing and implementing a Water Conservation Plan.

Phyllis Currie, General Manager of Water and Power Department, reviewed the agenda report, stressed that the drought ordinance is not a Water Conservation Plan, and responded to questions.

Discussion followed on the methodology for enforcing the restrictions on water wasting activities and the appeal process, options to change a customer's mode of behavior that will result in reduced water usage and reduced water wasting, possible implementation of a budget-based water rate system, the effectiveness of imposing penalties in altering a customer's water usage behavior, measures taken by the City to reduce its water usage, and the use of water audits to reduce water usage.

Councilmember Madison expressed concerns regarding enforcement of the penalties, inequities in determining water usage or water wasting activities, and the lack of data that relates the punitive nature of the proposed penalties to a measurable reduction in water usage; and expressed support for use of budget-based water rates as an alternative.

Councilmember Tyler stated his opinion that the proposed actions were not enough to address impending water shortage issues and that the City should set a clearer and higher goal on water usage and conservation, suggested that monthly water usage reports be made available to the community, and asked staff to report on unaccounted water losses.

Councilmember Gordo expressed concerns regarding the effectiveness of a focus on penalizing a small group of repeat offenders in addressing the larger issue of water conservation, and what seems to be an inadequate number of incentives to encourage water conservation. He stated his preference for staff to return with a more comprehensive conservation plan and a long-term plan for water usage, rather than moving forward with the proposed penalties, with the Municipal Services Committee and Environmental Advisory Commission to be involved in the process of developing the plans with staff.

Vice Mayor Haderlein expressed concerns regarding the City's ability to comply with the required watering regulations in its parks, and the need to develop and implement a comprehensive Water Conservation Plan by 2009, if this becomes necessary.

The following persons spoke in support of the proposed penalties for Water Shortage Plan II:

Tim Brick, Metropolitan Water District (MWD) Board Chair,
speaking as an individual
Ling O'Connor, Pasadena resident

Cameron Kirkendall, Pasadena resident

The following persons spoke in opposition to the proposed penalties for Water Shortage Plan II and/or expressed concerns regarding the penalties:

Bob Huddy, Pasadena resident
David Czamanske, Sierra Club-Pasadena Group representative
Hall Daily, California Institute of Technology (Caltech) Vice President of Government and Community Relations

Michael Hurley, Environmental Advisory Commission (EAC) Chair, clarified the Commission's recommendation to Council to approve the penalty schedule, and discussed the concerns expressed in the letter from the two EAC Commissioners dated September 20, 2008 (distributed by the Mayor), which also supported a comprehensive review of the Water Shortage Plan and development of a Water Integrated Resource Plan.

Discussion continued on a review of the Water Shortage Plan, development of a Water Integrated Resource Plan, the need to develop short-term and long-term strategies to address both water supply and water demand issues, and problems in developing a citywide water budget.

Ms. Currie explained the difference between a Water Conservation Plan and a Water Integrated Resource Plan; noted that staff was currently focused on development of an Energy Integrated Resource Plan; and indicated that time constraints on staff would allow for development of a Water Conservation Plan, but not a Water Integrated Resource Plan. She also indicated that Council would receive an update from staff on the Urban Water Management Plan adopted in 2005 that would be pertinent to land use decisions, and that staff would continue discussions with the EAC Chair in clarifying and addressing EAC's concerns.

Councilmember McAustin suggested the water conservation strategy convey what a specific percentage in reduction of water usage will mean to each customer, with a focus on irrigation usage. She noted that the Municipal Services Committee had agendized discussions on tiered (cost-of-service) water rates and water reclamation, which will lead into a discussion of a Water Integrated Resource Plan.

It was moved by Vice Mayor Haderlein, seconded by Councilmember Robinson, to close the public hearing. (Motion unanimously carried) (Absent: None)

Following discussion, it was moved by Vice Mayor Haderlein, seconded by Councilmember Robinson, to approve the City Manager's recommendation:

AYES: Councilmembers Holden, McAustin, Robinson, Vice Mayor Haderlein

NOES: Councilmembers Gordo, Madison, Tyler, Mayor Bogaard

ABSENT: None

(Motion failed)

Following additional discussion, it was moved by Vice Mayor Haderlein, seconded by Councilmember Robinson, to direct staff to provide Council (through the Municipal Services Committee) with an outline/workplan of the key components to be addressed in a comprehensive Water Conservation Plan within 30 to 60 days, provide an update on the progress of the Water Conservation Plan within 120 days (January 31, 2009), and submit the Water Conservation Plan for Council consideration within 180 days (March 31, 2009), which targets an overall community reduction of water use by levels of 10%, 20%, and 30%, and includes a financial analysis on the impacts to the City's water fund. Staff is also directed to submit the recommended plan to the Municipal Services Committee and the Environmental Advisory Commission for review prior to Council's consideration of the plan. (Motion unanimously carried) (Absent: None)

ORDINANCE – FIRST READING

Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA AMENDING THE WATER SHORTAGE PROCEDURES ORDINANCE, CHAPTER 13.10 OF THE PASADENA MUNICIPAL CODE"

Since Council did not approve the related schedule of penalties considered in the above public hearing, the first reading of the ordinance was pulled from the agenda.

MINUTES APPROVED

September 8, 2008

Councilmember Tyler requested that the wording on page 10 of the above minutes be revised to reflect his original request for staff to provide an analysis of installing artificial turf on City playing fields (e.g., comparative economic and operational analysis of keeping natural grass vis-à-vis converting to artificial turf).

The City Clerk suggested the following revised language for the sentence in question on page 10 of the minutes:

"In response to Councilmember Tyler's questions, Stephanie DeWolfe, Acting Assistant City Manager, indicated staff would provide Council with a status report on comparative economic and operational analysis regarding the potential conversion of the City's sports fields to artificial turf at a future meeting."

It was moved by Councilmember Tyler, seconded by Councilmember Gordo, to approve the above minutes, as revised. (Motion unanimously carried) (Absent: None)

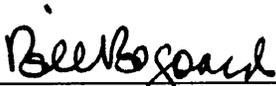
COUNCIL COMMENTS

Councilmember Madison provided information to the City Manager regarding a workshop being held by the San Gabriel Valley Council of Governments regarding Assembly Bill 32 and Environmental Impact Reports.

The City Manager indicated staff would normally attend this type of workshop.

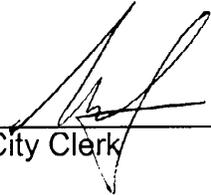
ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 10:13 p.m., in memory of Elmer Dills, Pasadena resident and popular restaurant critic.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk