

CITY OF PASADENA
City Council Minutes
August 10, 2009 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 5:30 p.m. (Absent: Councilmember Madison, Vice Mayor Gordo)

On order of the Mayor, the regular meeting recessed at 5:30 p.m., to discuss the following closed sessions:

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL REGARDING CONSIDERATION OF INITIATION OF LITIGATION pursuant to Government Code Section 54956.9(c): One potential case

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL to discuss pending litigation pursuant to Government Code Section 54956.9(a)

Case Names/Numbers: State of California, et al., ex rel. Armenta v. James Jones Co., et al., LASC Case No. BC173487; and City of Banning et al., v. James Jones Co., et al., LASC Case No. BC321513

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

On order of the Mayor, the regular meeting reconvened at 6:30 p.m. The Pledge of Allegiance was led by Councilmember Robinson.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Victor Gordo (Absent)
Councilmember Steve Haderlein
Councilmember Chris Holden
Councilmember Steve Madison (Absent)
Councilmember Margaret McAustin
Councilmember Jacque Robinson
Councilmember Terry Tornek

Staff:

City Manager Michael J. Beck
Senior Assistant City Attorney Scott Rasmussen
City Clerk Mark Jomsky

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Edward Dallas, Jr., City Public Works employee, commented on his impending retirement, and offered his services as a future volunteer to the City.

The Mayor thanked Mr. Dallas for his dedicated service to the City.

Mikki Wade, True Reality founder and Chief Executive Officer, invited the community to the "FRESH Balance 4 Life Seminar" to be held on August 22, 2009, in the Pasadena Convention Center.

Marvin Schachter, AARP California and Senior Advocacy Council representative, expressed concerns regarding the current debate on health care reform; urged Council to invite Dr. Takashi Wada, Director of the City's Public Health Department, to discuss with the Council the effects of the various health care proposals on health care in the City and the need for health care reform; congratulated Congressman Adam Schiff on his local leadership involving the health care debate; and submitted an AARP article dated July/August 2009 titled, "8 Myths About Health Care Reform And why we can't afford to believe them anymore".

The Mayor indicated that the health care matter was on the Legislative Policy Committee's September agenda for an update on the issues.

CONSENT CALENDAR

AUTHORIZATION TO ENTER INTO A CONTRACT WITH CDR SYSTEMS CORPORATION, FOR FURNISHING AND DELIVERY OF WATER METER VAULTS FOR THE WATER AND POWER DEPARTMENT, SPECIFICATION WD-08-06

Recommendation of City Manager:

- (1) Accept the bid dated July 21, 2009 submitted by CDR Systems Corporation, in response to Specification WD-08-06, for Furnishing and Delivery of Water Meter Vaults for the Water and Power Department (Department);
- (2) Reject all other bids; and
- (3) Authorize the Purchasing Administrator to issue a purchase order contract in the amount of \$387,330 to CDR Systems Corporation, for a two-year period with two optional one-year extensions, not to exceed \$193,665 annually.

APPROVAL OF FINAL PARCEL MAP NO. 068327, BEING A FOUR-UNIT CONDOMINIUM PROJECT, AT 865 WRIGHT AVENUE

Recommendation of City Manager:

- (1) Adopt a resolution to approve Final Parcel Map No. 068327;
- (2) Accept the offer of an easement dedication for street purposes as shown on said map; and
- (3) Authorize the City Clerk to execute the Certificate on the map showing the City's approval of said map. (Resolution No. 8967)

JOINT ACTION: AMENDMENT TO THE RULES AND REGULATIONS (BY-LAWS) OF THE COMMUNITY DEVELOPMENT COMMITTEE

Recommendation of City Manager/Chief Executive Officer:

It is recommended that the City Council approve and order filed the amendment to the Rules and Regulations (By-Laws) of the Community Development Committee, allowing the Committee to establish its meeting time.

Recommendation of Community Development Committee:

The Community Development Committee (CDC) considered the recommendation regarding the By-Laws amendment to change its meeting time at its regular meeting of July 9, 2009. Following discussion, the CDC voted to approve the change.

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER CONTRACT WITH MCAVOY & MARKHAM, FOR THE PURCHASE OF ELECTRIC POWER METERS FOR THE CITY OF PASADENA WATER AND POWER DEPARTMENT

Recommendation of City Manager:

(1) Authorize the City Manager to enter into a Purchase Order Contract with McAvoy & Markham for a period of two years, for an amount not to exceed \$2,000,000, for the purchase of electric power meters for the Water and Power Department; and

(2) Authorize the City Manager to extend the purchase order contract for up to two additional one-year extensions, each not to exceed \$500,000 per year. The proposed contract is exempt from competitive bidding pursuant to City Charter Section 1002(H), contracts with other governmental entities or their contractors for labor, material, supplies or services.

AUTHORIZE PURCHASE ORDER WITH THEODORE ROBBINS FOR PURCHASE OF EIGHT NEW REPLACEMENT POLICE VEHICLES, FOR A TOTAL OF \$183,316

Recommendation of City Manager:

(1) Authorize the issuance of a purchase order to Theodore Robbins Ford in an amount not to exceed \$183,316, for the purchase of eight Police Vehicles; and

(2) The proposed purchase order is exempt from competitive bidding pursuant to City Charter Section 1002(H), contracts with other governmental entities or their contractors for labor, material, supplies or services.

APPROVAL OF FINAL TRACT MAP NO. 064441, BEING A 16-UNIT CONDOMINIUM PROJECT, AT 257 SOUTH HUDSON AVENUE

Recommendation of City Manager:

(1) Adopt a resolution to approve Final Tract Map No. 064441; and

(2) Authorize the City Clerk to execute the Certificate on the map showing the City's approval of said map. (Resolution No. 8968)

AUTHORIZE PURCHASE ORDER WITH HUNTINGTON BEACH HONDA FOR PURCHASE OF FIVE NEW REPLACEMENT POLICE MOTORCYCLES, FOR A TOTAL OF \$83,999

Recommendation of City Manager:

- (1) Authorize the issuance of a purchase order to Huntington Beach Honda in an amount not to exceed \$83,999, for the purchase of five police motorcycles; and
- (2) The proposed purchase order is exempt from competitive bidding pursuant to City Charter Section 1002(H), contracts with other governmental entities or their contractors for labor, material, supplies or services.

Item discussed separately at the request of Councilmembers Robinson and McAustin.

APPROVAL OF AN ADDENDUM TO THE CITY OF PASADENA "AT RISK" YOUTH EMPLOYMENT PLAN FOR THE 1992 AND 1996 PROPOSITION A SAFE PARK BOND GRANT PROGRAMS TO ADD THE CENTRAL ARROYO SECO TRAIL RESTORATION PROJECT

MINUTES APPROVED

July 27, 2009 (City Council)

CLAIMS RECEIVED AND FILED

Claim No. 10,922	William Nesh & Associates, Attorney for Juan Melgoza Casarrubias	\$ Not Stated
Claim No. 10,923	Francine M. Nevarez	170.00
Claim No. 10,924	Joanna Simpson	2,789.29
Claim No. 10,925	William Nesh & Associates, Attorney for Adolfo Edward Reyna	Not Stated

It was moved by Councilmember McAustin, seconded by Councilmember Robinson, to approve the Consent Calendar, with the exception of Item 9 (Addendum to "At Risk" Youth Employment Plan), which was discussed separately. (Motion unanimously carried) (Absent: Councilmember Madison, Vice Mayor Gordo)

CONSENT ITEM DISCUSSED SEPARATELY

APPROVAL OF AN ADDENDUM TO THE CITY OF PASADENA "AT RISK" YOUTH EMPLOYMENT PLAN FOR THE 1992 AND 1996 PROPOSITION A SAFE PARK BOND GRANT PROGRAMS, TO ADD THE CENTRAL ARROYO SECO TRAIL RESTORATION PROJECT

Recommendation of City Manager: Approve an addendum to the City of Pasadena "At Risk" Youth Employment Plan by adding Central Arroyo Restoration Project, for compliance with the current requirements established by the Los Angeles County Board of Supervisors, for utilization of capital and maintenance funds available to the City of Pasadena via the 1992 and 1996 Proposition A Safe Park Bond.

Martin Pastucha, Director of Public Works Department, responded to questions regarding the "At Risk" Youth Employment Plan and youth used for eligible projects; and noted that staff would provide Council, through the City

Manager's weekly informational letter to Council, with a list of the projects included in the Plan, and an accounting of the monies spent and jobs provided for "at risk" youth.

Councilmember McAustin suggested that, as a future practice, staff provide Council with a copy of the job information that is reported to Los Angeles County.

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

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

APPOINTMENT OF ANN MARIE HICKAMBOTTOM TO THE PLANNING COMMISSION (District 1 Nomination)

APPOINTMENT OF SHARON YONASHIRO TO THE TRANSPORTATION ADVISORY COMMISSION (At Large/District 6 Nomination)

It was moved by Councilmember Robinson, seconded by Councilmember Haderlein, to approve the above appointments. (Motion unanimously carried) (Absent: Councilmember Madison, Vice Mayor Gordo)

CONSIDERATION OF A CALL FOR REVIEW OF A PLANNING DIVISION STAFF DECISION TO THE DESIGN COMMISSION REGARDING MINOR CHANGES TO AN APPROVED PROJECT (SUBSTITUTE MATERIAL/FINISH ON CORNICE) FOR THE MIXED-USE PROJECT AT 125 NORTH RAYMOND AVENUE (RAYMOND RENAISSANCE) (Councilmember Holden)

The City Manager reported that, at the August 10, 2009 Design Commission meeting, the Commission had voted to review the staff decision on the above matter.

John Poindexter, Planning Division Manager, briefly described the Design Commission's discussion of the substitute material/finish on cornice, and noted that the Commission had called the matter for review in order to receive a full presentation from staff on the issues involving the materials in question; and responded to questions.

By consensus, no action was taken on this matter.

REPORTS AND COMMENTS FROM COUNCIL COMMITTEES

ECONOMIC DEVELOPMENT AND TECHNOLOGY COMMITTEE

ADOPT A RESOLUTION AUTHORIZING THE CREATION OF A RECOVERY ZONE UNDER THE PROVISIONS OF THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FOR THE PURPOSE OF ISSUING RECOVERY ZONE ECONOMIC DEVELOPMENT BONDS

Recommendation of City Manager: Adopt a resolution pursuant to Section 1401 of Title I of Division B of the American

Recovery and Reinvestment Act of 2009 of the Internal Revenue Code of 1986 authorizing the creation of a Recovery Zone for the purpose of issuing Recovery Zone Economic Development Bonds. (Resolution No. 8969)

Councilmember Tornek, Economic Development and Technology Committee member, introduced the agenda item.

Richard Bruckner, Director of Planning and Development Department, summarized the agenda report and responded to questions.

The City Manager responded to questions regarding the bond programs; and indicated that staff was assessing possible projects that would be appropriate to use for this funding and would present this information to Council in the near future.

Vic Erganian, Deputy Finance Director/City Treasurer, outlined the parameters of the bond programs.

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

FINANCE COMMITTEE

Councilmember Haderlein was excused at 7:06 p.m.

AUTHORIZATION TO ENTER INTO A CONTRACT WITH VCI TELCOM, INC., FOR CONSTRUCTION OF UNDERGROUND ELECTRICAL CONDUIT SYSTEMS IN LOS ROBLES AVENUE FOR THE WATER AND POWER DEPARTMENT

Recommendation of City Manager:

(1) Find that the project is exempt from California Environmental Quality Act (CEQA) review, pursuant to State CEQA Guidelines Section 15302(c), replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity;

(2) Accept the bid dated April 1, 2009, submitted by VCI Telcom, Inc., in response to Specifications LD-09-02, for construction of underground electrical conduit systems along Los Robles Avenue; reject all other bids; and authorize a contract to VCI Telcom, Inc., not to exceed \$2,587,780; and

(3) Approve a journal voucher transferring \$2,587,780 from the Los Robles Avenue – Electric System Undergrounding, Washington Boulevard to North City Limits Capital Improvement Budget Project No. 74841 to Utility Undergrounding Power Capital Improvement Project No. 3174. (Contract No. 20,013; Journal Voucher No. 2010-1)

Councilmember Holden, Chair of the Finance Committee, reviewed the agenda item.

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

Councilmember Haderlein returned at 7:10 p.m.

PURCHASE OF CITY PROPERTY INSURANCE FOR THE PERIOD JULY 1, 2009 - JUNE 30, 2010

Recommendation of City Manager: Authorize the City Manager to confirm purchase of property insurance under a joint purchase program established by the City's Broker of Record, Alliant Insurance Services, at an annual premium of \$626,278 for the term July 1, 2009 to June 30, 2010.

Competitive bidding is not required pursuant to City Charter Section 1002(F), contracts for professional or unique services. Per City Council Resolution No. 4373, the purchase of insurance is exempt from the Affirmative Action in Contracting Ordinance.

Vic Erganian, Deputy Finance Director/City Treasurer, summarized the agenda report and responded to questions.

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

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

AMENDMENT TO THE MASTER STREET TREE PLAN FOR REXFORD AVENUE AND ROMNEY DRIVE

Recommendation of City Manager:

(1) Approve an amendment to the Master Street Tree Plan that would allow the planting of the *Zelkova serrata*, Sawtooth Zelkova in lieu of the *Prunus cerasifera*, Purple-Leaf Plum tree on Rexford Avenue between Cartwright Street and Denair Street; and

(2) Approve an amendment to the Master Street Tree Plan that would allow for the planting of the *Quercus agrifolia*, Coast Live Oak in lieu of the *Pinus canariensis*, Canary Island Pine on Romney Drive.

Recommendation of Urban Forestry Advisory Committee:

At their regular meeting of February 2, 2009, the Urban Forestry Advisory Committee (UFAC) voted 5 to 1, to recommend to the City Council that a Master Street Tree Plan amendment be approved to allow for the planting of the *Zelkova serrata*, Sawtooth Zelkova trees in lieu of the *Prunus cerasifera*, Purple-Leaf Plum tree on Rexford Avenue between Cartwright and Denair Streets.

At their regular meeting of March 2, 2009, the UFAC voted unanimously to recommend to the City Council that a Master Street Tree Plan amendment be approved to allow for the planting of the *Quercus agrifolia*, Coast Live Oak in lieu of the *Pinus canariensis*, Canary Island Pine on Romney Drive.

Recommendation of Design Commission: At its regular meeting of July 13, 2009, the Design Commission voted unanimously to recommend an amendment to the Master Street Tree Plan to allow for the planting of the *Zelkova serrata*, Sawtooth Zelkova trees in lieu of the *Prunus cerasifera*, Purple-Leaf Plum tree on Rexford Avenue between Cartwright and Denair Streets and to allow for the planting of the *Quercus agrifolia*, Coast Live Oak in lieu of the *Pinus canariensis*, Canary Island Pine on Romney Drive.

Martin Pastucha, Director of Public Works Department, responded to questions regarding the advisory body reviews.

Darya Barar, Program Coordinator, provided details regarding the Design Commission's vote on this matter.

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

ORDINANCE – FIRST READING

Councilmember McAustin was excused at 7:13 p.m.

Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA REPEALING CHAPTER 9.44 OF THE PASADENA MUNICIPAL CODE (DISTRIBUTION OF UNSOLICITED WRITTEN MATERIAL)”

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

AYES: Councilmembers Haderlein, Holden, Robinson, Tornek, Mayor Bogaard

NOES: None

ABSENT: Councilmembers Madison, McAustin, Vice Mayor Gordo

ORDINANCE – ADOPTED

Councilmember McAustin returned at 7:15 p.m.

Adopt “AN ORDINANCE OF THE CITY OF PASADENA AMENDING THE LIGHT AND POWER RATE ORDINANCE, CHAPTER 13.04 OF THE PASADENA MUNICIPAL CODE, TO INCREASE THE ELECTRIC UTILITY ASSISTANCE PROGRAM BASIC BENEFIT” (Introduced by Councilmember Holden) (Ordinance No. 7173)

The above ordinance was adopted by the following vote:

AYES: Councilmembers Haderlein, Holden, McAustin, Robinson, Tornek, Mayor Bogaard

NOES: None

ABSENT: Councilmember Madison, Vice Mayor Gordo

COUNCIL COMMENTS

The Mayor announced that the agenda item regarding the proposed ice skating facility is scheduled to return to the Council at the September 14, 2009 meeting. He stated the low bidder has agreed to extend the construction bid through the middle of September 2009.

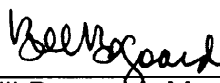
The City Manager indicated that the Council meeting of August 17, 2009, would include a substantive discussion of the State budget and its impacts on the City budget, and could include an agenda item on the application for consolidated design review of the proposed urgent care facility on Del Mar Boulevard.

PUBLIC COMMENT
(Continued)

C.R. Tillman, Pasadena NAACP representative, expressed concerns regarding the length of time taken by the City in responding to Freedom of Information Act requests.


ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 7:24 p.m.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk