

CITY OF PASADENA
City Council Minutes
September 14, 2009 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 5:45 p.m.
(Absent: Councilmember Madison, Vice Mayor Gordo)

On order of the Mayor, the regular meeting recessed at 5:45 p.m., to discuss the following closed sessions:

Councilmember Madison arrived at 5:57 p.m.

CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code Section 54957.6

Agency Negotiator: Karyn Ezell

Employee Organization: Pasadena Association of Clerical and Technical Employees, LIUNA Local 777

CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code Section 54957.6

Agency Negotiator: Karyn Ezell

Employee Organizations: American Federation of State, County and Municipal Employees, Local 858; International Brotherhood of Electrical Workers, Local 18; International Union of Operating Engineers, Local 501; Pasadena Fire Fighters Association, Local 809; Pasadena Fire Fighters Management Association; Pasadena Police Officers Association; Pasadena Police Sergeants Association; Pasadena Management Association; Service Employees International Union, Local 321; and all Unrepresented Employees

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 6:33 p.m. The Pledge of Allegiance was led by Deputy Police Chief Chris Vicino.

ROLL CALL:

Councilmembers:

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

Staff:

City Manager Michael J. Beck
City Attorney Michele Beal Bagneris
City Clerk Mark Jomsky

CEREMONIAL MATTERS

Deputy Police Chief Chris Vicino introduced Sergeant Michael (Mike) Ingram, who will be serving as Sergeant-at-Arms for the next three months, as a part of the Police Department's training program for sergeants. The Mayor thanked Sergeant Kelly Evans for his service as the Sergeant-at-Arms for the past three months.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

The following persons spoke in support of continued funding for the services provided by the Andrew Escajeda Clinic:

Jorge Garcia, Pasadena resident
Shasta Palmer-Foster, Monrovia resident
Sarah Hart, Monrovia resident
Charles Crane, Pasadena resident
Roy Kesrouani, Los Angeles resident
Mark Caire, Rosemead resident

The City Manager indicated that Council will be presented a budget update report at the meeting of October 5, 2009, with a recommendation regarding the City's proposed funding for the Andrew Escajeda Clinic.

CONSENT CALENDAR

RESOLUTION APPROVING PROGRAM SUPPLEMENT AGREEMENT 079-N TO ADMINISTER AGENCY – STATE AGREEMENT 07-5064R, FOR RESURFACING OF STREETS AT VARIOUS LOCATIONS 2009, FEDERAL-AID PROJECT NO. ESPL-5064(061)

Recommendation of City Manager: Adopt a resolution approving a Program Supplement Agreement to Administer Agency – State Agreement 07-5064R between the City of Pasadena and the State of California, for State Reimbursement of costs for the Resurfacing of Streets at Various Locations, Federal-Aid Project No. ESPL-5064(061), Program Supplement Agreement No. 079-N. (Resolution No. 8972; Agreement Amendment No. 16,298-32)

REJECTION OF ALL BIDS, FOR RESURFACING OF STREETS AT VARIOUS LOCATIONS 2009, FEDERAL-AID PROJECT NO. ESPL-5064(061)

Recommendation of City Manager: Reject all bids received on August 5, 2009, in response to the specifications for Resurfacing of Streets at Various Locations 2009, Federal-Aid Project No. ESPL-5064(061), and authorize the City Manager to call for new bids.

AUTHORIZATION TO ENTER INTO A CONTRACT WITH PERRY C. THOMAS CONSTRUCTION, INC., FOR AN AMOUNT NOT TO EXCEED \$315,000, TO PROVIDE LABOR

AND MATERIALS FOR CIVIL CONSTRUCTION AT CHESTER SUBSTATION 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; and

(2) Accept the bid dated August 11, 2009, from Perry C. Thomas Construction, Inc. in response to Specifications LD-09-15, for civil construction at Chester Substation; reject all other bids; and authorize the City Manager to enter into a contract with Perry C. Thomas, for an amount not to exceed \$315,000. (Contract No. 20,060)

AUTHORIZATION TO ISSUE A PURCHASE ORDER CONTRACT TO DIALOGIC COMMUNICATIONS CORPORATION IN AN AMOUNT NOT TO EXCEED \$100,400, FOR UPGRADES TO THE PASADENA LOCAL EMERGENCY ALERT SYSTEM (PLEAS)

Recommendation of City Manager:

(1) Authorize the issuance of a purchase order contract to Dialogic Communications Corporation in an amount not to exceed \$100,400, for the purchase of upgrades to the Pasadena Local Emergency Alert System; and

(2) Grant the proposed purchase order an exemption from competitive bidding, pursuant to City Charter Section 1002(C), contracts for labor, material, supplies, or services available from only one vendor.

CONTRACT AWARD TO REPIPE - CALIFORNIA, INC., FOR 2009 SEWER RELINING FOR AN AMOUNT NOT TO EXCEED \$410,000

Recommendation of City Manager:

(1) Acknowledge the project to be categorically exempt under the California Environmental Quality Act (CEQA), in accordance with Title 14, Chapter 3, Class 1, Section 15301, minor alteration of existing public facilities involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination; and

(2) Accept the bid dated August 26, 2009, submitted by Repipe - California, Inc., for the 2009 Sewer Relining; reject all other bids received; and authorize the City Manager to enter into such contract for an amount not to exceed \$410,000. (Contract No. 20,061)

Item discussed separately at the request of Councilmember Robinson.

AUTHORIZATION TO CONTRACT WITH THE ECUMENICAL COUNCIL OF PASADENA AREA CHURCHES AND UNION STATION HOMELESS SERVICES, TO PROVIDE HOMELESS PREVENTION AND RAPID RE-HOUSING SERVICES

MINUTES APPROVED

August 17, 2009
August 24, 2009
August 31, 2009
September 7, 2009

CLAIMS RECEIVED AND FILED

Claim No. 10,930	Salim B. Iqal	\$	125.00
Claim No. 10,931	Gregory T. Foster		36.21
Claim No. 10,932	Raul Varela		7,425.84
Claim No. 10,933	Moghaddami & Sadigh for Claudine DeFreytus		25,000.00+
Claim No. 10,934	Jose M. Del Rio		5,300.00
Claim No. 10,935	Nadia Bagdanov		175.00
Claim No. 10,936	Pacific Valley Medical Group for Hugh Alexander		2,805.00
Claim No. 10,937	James K. Jones, Jr.		20,800.00
Claim No. 10,938	Joe Hernandez		245.00
Claim No. 10,939	May Chung Volkman		796.75
Claim No. 10,940	Grace P. Chemsian		500.00
Claim No. 10,941	Mercury Insurance Group, Subrogee for Inez Jauregui		5,480.00
Claim No. 10,942	Romaine V. Edwards		9,189.79
Claim No. 10,943	Ann Higginbotham, Esq., Attorney for Superia Homes Inc.		11,000.00+
Claim No. 10,944	Pasadena Dental Associates (James W. Tsai, DDS)		680.00
Claim No. 10,945	Richard Gagliano, Attorney for 936 Green Street Project, LP and 936 Green Street, LLC	Not Stated	
Claim No. 10,946	John G. McClendon, Esq., Attorney for Nevis Homes, LLC and 64 Mar Vista, LLC		25,000.00+

Setting of public hearing discussed separately at the request of Councilmember Tornek.

October 12, 2009, 7:30 p.m. - IDS Playhouse Commercial Development Project at 680 East Colorado Boulevard

It was moved by Councilmember McAustin, seconded by Councilmember Haderlein, to approve the Consent Calendar, with the exceptions of Item 6 (Contracts with Ecumenical Council of Pasadena Area Churches and Union Station Homeless Services), and the setting of the public hearing, which were discussed separately. (Motion unanimously carried) (Absent: Vice Mayor Gordo)

CONSENT ITEMS DISCUSSED SEPARATELY

AUTHORIZATION TO CONTRACT WITH THE ECUMENICAL COUNCIL OF PASADENA AREA CHURCHES AND UNION STATION HOMELESS SERVICES, TO PROVIDE HOMELESS PREVENTION AND RAPID RE-HOUSING SERVICES

Recommendation of City Manager: It is recommended that the City Council authorize the City Manager to:
(1) Enter into a contract with the Ecumenical Council of

Pasadena Area Churches (ECPAC) in an amount not to exceed \$452,975, to provide Homeless Prevention services; and

(2) Enter into a contract with Union Station Homeless Services in an amount not to exceed \$400,000, to provide Rapid Re-Housing services.

Competitive bidding is not required for these contracts, pursuant to City Charter Section 1002(F), contract for professional or unique services. (Contract Nos. 20,062 and 20,063)

Recommendation of Human Services Commission: The Human Services Commission will discuss this item at its regular meeting on September 9, 2009. Staff will report orally to the City Council on the action taken by the Human Services Commission.

Anne Lansing, Project Planner, reported that the Human Services Commission had unanimously supported the staff's recommendation.

Councilmember McAustin asked staff to provide Council with timely statistical reports on the additional housing services that are produced with this grant funding (via the City Manager's weekly informational letter to Council).

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

PUBLIC HEARING SET

October 12, 2009, 7:30 p.m. - IDS Playhouse Commercial Development Project at 680 East Colorado Boulevard

Councilmember Tornek stated his need to abstain on this item.

It was moved by Councilmember McAustin, seconded by Councilmember Haderlein, to set the above public hearing for October 12, 2009. (Motion carried, with Councilmember Tornek abstaining) (Absent: Vice Mayor Gordo)

OLD BUSINESS

PROPOSED ICE RINK FACILITY

Recommendation of City Manager: It is recommended that the City Council:

(1) Direct staff to return to City Council by December 31, 2009 with a negotiated long-term ground lease with Polar Ice Ventures that includes:

- (a) Construction of an ice skating facility with two sheets of ice substantially conforming to the plans developed by the City;
- (b) A shifting of financial risk associated with construction and operation of the ice rink to Polar Ice Ventures, consistent with the terms listed in the Executive

- Summary section of the agenda report;
 - (c) A public benefits program similar to that negotiated in the draft management agreement;
 - (d) A First Source Local Hire Program and a commitment to provide an opportunity to those currently working at the ice rink in Pasadena; and
 - (e) Exclusive partnership agreement between Polar Ice Ventures and the Los Angeles Kings.
- (2) Reject all bids received on April 1, 2009, in response to the Request for Bids for construction of the Pasadena Ice Skating facility.

Alternatively, if the City Council elects not to move forward with the ground lease approach, staff recommends that the City Council direct staff to return to City Council by February 28, 2010, with a proposal to renovate the existing ice skating facility at the Convention Center, as well as a management agreement with PCOC to operate the facility. Staff would work with the Convention Center staff and Board to develop a rehabilitation plan for the facility and evaluate options for managing the facility, as the current lease terminates in September 2011. This action would preclude the rehabilitation of the facility as a ballroom until such time that a new facility can be built.

The City Manager introduced the agenda item and responded to questions.

Richard Bruckner, Director of Planning and Development Department, reviewed the agenda report as part of a PowerPoint presentation, thanked Mallcraft, Inc. for their cooperation in extending their bid during the bid/negotiation process, and responded to questions.

Discussion followed on shifting the City's financial risk/exposure for the proposed construction and operation of the rink, use of various funding sources for the proposed project, possible inconsistencies between the proposed project and General Plan/Open Space Element policies, setting priorities for unfunded public works projects, and benefits to be derived from the proposed ice rink facility.

Timothy Price, Daisy Villa Neighborhood Association President, spoke in opposition to the proposed ground lease approach.

Councilmember Holden expressed support for the alternative to renovate the existing rink at the Convention Center, unless the County of Los Angeles was willing to allocate a portion of its Build America bonds to cover the City's current financial exposure of \$8 million for the project.

Councilmember Robinson expressed concerns regarding the adequacy of the public benefits program for the project; and expressed support for staff to pursue options for shifting the financial risk from the City and exploring the willingness of the County of Los Angeles to cover the \$8 million funding guarantee.

MOTION

Following discussion, it was moved by Councilmember Madison, seconded by Councilmember Haderlein, to approve the above staff Recommendation Nos. 1 and 2, with staff to pursue an increase in the public benefits program for the project and with staff to also pursue an additional shift in the City's financial risk exposure:

AYES: Councilmembers Haderlein, Madison, Robinson,
Mayor Bogaard

NOES: Councilmembers Holden, McAustin, Tornek

ABSENT: Vice Mayor Gordo

(Motion failed)

In response to Councilmember McAustin's concerns regarding the current parking rates for skating at the Convention Center, Councilmember Madison, member of the Pasadena Center Operating Company (PCOC) Board, indicated that the PCOC is looking at a parking validation program to address this issue.

MOTION

It was moved by Councilmember Holden, seconded by Councilmember McAustin, to approve the staff alternative to develop a proposal for renovation and operation of the existing Convention Center ice rink.

Councilmember Madison suggested any further action on this issue be delayed until all stakeholders who have been involved in the proposed project have time to consider the next steps that could be taken, and questioned the viability of continuing skating at the Convention Center.

The City Manager clarified the alternative staff recommendation and responded to questions.

MOTION TO TABLE

Following discussion, it was moved by Councilmember Madison, seconded by Councilmember Robinson, to table the motion for 30 days:

AYES: Councilmembers Haderlein, Madison, Robinson

NOES: Councilmembers Holden, McAustin, Tornek, Mayor
Bogaard

ABSENT: Vice Mayor Gordo

(Motion failed)

RESTATED AND AMENDED
PENDING MOTION

Following additional discussion, it was moved by Councilmember Holden, seconded by Councilmember McAustin, to approve the alternative staff recommendation to direct staff to return to City Council by February 28, 2010, with a proposal to renovate the existing ice skating facility at the Convention Center, as well as a management agreement with PCOC to operate the facility; with City staff to work with the Convention Center staff and PCOC Board to evaluate the feasibility and desirability of rehabilitating the facility and to evaluate options for managing the facility:

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

NOES: Councilmember Haderlein

ABSENT: Vice Mayor Gordo

MOTION

It was moved by Councilmember Holden, seconded by Councilmember Robinson, to reject all bids received on April 1, 2009, in response to the Request for Bids for construction of the Pasadena Ice Skating facility. (Motion carried, with Councilmembers Haderlein, Madison objecting)
(Absent: Vice Mayor Gordo)

Councilmember Madison asked staff to provide Council with a critical analysis of why the process for the proposed ice rink facility project took so long to arrive at this point, along with information on the approval process for determining the site for the proposed ice rink facility.

Councilmember Haderlein
recused himself at 9:00 p.m.,
due to a conflict of interest.

CONSIDERATION OF A CALL FOR REVIEW OF A HEARING OFFICER DECISION TO THE BOARD OF ZONING APPEALS REGARDING MINOR CONDITIONAL USE PERMIT NO. 5078, TO CONSTRUCT A NON-RESIDENTIAL BUILDING OVER 15,000 SQUARE FEET AND TO ALLOW 75 PERCENT OF THE PARKING SPACES TO BE CONFIGURED AS TANDEM SPACES, FOR THE PROPERTY LOCATED AT 16 EAST CALIFORNIA BOULEVARD
(Councilmember Tornek)

Councilmember Tornek stated his concerns about issues involving this project as they relate to the project meeting the goals/objectives of the South Fair Oaks Specific Plan, the adequacy of the Environmental Impact Report (EIR), and the findings in the Statement of Overriding Considerations.

The following persons spoke in opposition to the call for review:

Paul Little, Chamber of Commerce President and Chief Executive Officer

R. Scott Martin, Pasadena resident

Marcos Velayos, Park and Velayos, LLP, applicant's representative

William Cutler, Council Rock Partners, applicant

Following discussion, it was moved by Councilmember Tornek, to call this matter for review to the Board of Zoning Appeals. (Motion failed, due to lack of a second) The decision of the hearing officer stands.

Councilmember Tornek suggested that a project this size should be reviewed by the Planning Commission or City Council, that the adequacy of the City's EIR procedures/process should be reviewed, and that a review should be conducted for the South Fair Oaks Avenue Specific Plan and traffic issues in this corridor.

Councilmember McAustin suggested that the Economic Development and Technology Committee (EDTech) or City Council should re-evaluate who is responsible for certifying the final EIRs for major projects; that the traffic study information contained in EIRs should be presented in a more understandable way; that staff reports should discuss whether or not a project is meeting the goals of a specific plan area, when applicable; that the schedule for specific plan reviews should be updated to determine if the plan goals are being met or might need to be revised; and that staff inform Council of any traffic study being conducted for the corner of East California Boulevard and South Fair Oaks Avenue, to determine if a traffic study should be conducted for this area.

In response to the above suggestions, the City Manager indicated that staff was exploring ways to make traffic studies more understandable to the public as part of the Mobility Element review, that EDTech could discuss possible changes in the ordinances/procedures that determine the authority for project review as this relates to the size and scope of a project, and that staff could include analytical information in future staff reports regarding how a project is or is not meeting the intent or spirit of a specific plan area.

Councilmember Holden asked that the Transportation Advisory Commission (TAC) review the letter from the West Pasadena Neighborhood Association to the City Council, dated September 14, 2009, as it relates to the South Fair Oaks Specific Plan, and as a part of TAC's review of the Mobility Element.

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

Councilmember Haderlein returned at 9:54 p.m.

CONSIDERATION OF A CALL FOR REVIEW OF DESIGN COMMISSION DECISION TO THE CITY COUNCIL 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)

Councilmember Holden described various issues that had been raised regarding minor changes made by the applicant to a cornice section of the project.

Richard Bruckner, Director of Planning and Development Department, provided background information on the minor change in material/finish on the cornice that was made by the applicant as part of a PowerPoint presentation.

The Mayor expressed concerns regarding issues related to changes to projects that are made by applicants and are contrary to design reviews/approvals, changes that staff may or may not be aware of, changes that staff may or may not have approved, and changes that may or may not be documented; and the need for administrative adherence and compliance with the decisions made during various entitlement procedures.

It was moved by Councilmember Holden, seconded by Councilmember Madison, to call this matter for review to the City Council. (Motion carried, with Councilmember Tornek objecting) (Absent: Vice Mayor Gordo)

RESIGNATION OF DOREEN MOORE FROM THE SENIOR COMMISSION (District 4 Nomination)

RESIGNATION OF SAL SOTO FROM THE PASADENA CENTER OPERATING COMPANY (Hotel Nomination)

APPOINTMENT OF MARK DAVIS TO THE PASADENA CENTER OPERATING COMPANY (Hotel Nomination)

APPOINTMENT OF EDWARD GARLOCK TO THE ROSE BOWL OPERATING COMPANY (Mayor Nomination)

It was moved by Councilmember Madison, seconded by Councilmember Holden, to accept the above resignations with regrets, and approve the above appointments. (Motion unanimously carried) (Absent: Vice Mayor Gordo)

AMENDMENTS TO TICKET POLICY

Recommendation of City Attorney: It is recommended that the City Council adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA ADOPTING A REVISED TICKET POLICY FOR THE ROSE BOWL STADIUM, THE ROSE PARADE, PASADENA CONVENTION CENTER AND OTHER TICKETS PROVIDED BY THE CITY FOR ENTERTAINMENT PURPOSES. (Resolution No. 8973)

Councilmember Madison was excused at 10:08 p.m.

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

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

**REPORTS AND COMMENTS
FROM COUNCIL
COMMITTEES**

FINANCE COMMITTEE

Councilmember Madison returned at 10:09 p.m.

Councilmember Tornek was excused at 10:09 p.m.

QUARTERLY INVESTMENT REPORT, QUARTER ENDING JUNE 30, 2009

Recommendation of City Manager: This report is for information purposes only.

JOINT ACTION: 2009-2010 INVESTMENT POLICY

Recommendation of City Manager/Chief Executive Officer: It is recommended that the City Council and the Pasadena Community Development Commission adopt the City Treasurer's Statement of Investment Policy and Investment Strategy for Fiscal Year 2010.

ADOPTION OF A RESOLUTION AND THE FIRST READING OF AN ORDINANCE AUTHORIZING THE INVITATION OF BIDS FOR THE PURCHASE OF ELECTRIC REVENUE REFUNDING BONDS, 2009 SERIES OF SAID CITY; APPROVING A NOTICE OF INTENTION TO SELL BONDS, A PRELIMINARY OFFICIAL STATEMENT, A NOTICE INVITING BIDS; AUTHORIZING THE PUBLICATION OF A NOTICE OF INTENTION TO SELL BONDS; AUTHORIZING THE ISSUANCE BY THE CITY OF NOT TO EXCEED \$45,000,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF PASADENA ELECTRIC REVENUE REFUNDING BONDS, 2009 SERIES, PAYABLE OUT OF THE LIGHT AND POWER FUND, APPROVING THE EXECUTION AND DELIVERY OF A FIFTH SUPPLEMENTAL TO ELECTRIC REVENUE BOND FISCAL AGENT AGREEMENT, AN ESCROW AGREEMENT, A CONTINUING DISCLOSURE AGREEMENT, AND AUTHORIZING CERTAIN ACTIONS IN CONNECTION THEREWITH

Recommendation of City Manager: It is recommended that the City Council adopt:

(1) A Resolution authorizing the invitation of bids for the purchase of Electric Revenue Refunding Bonds, 2009 Series of said city, approving a notice of intention to sell bonds, a preliminary official statement, a notice inviting bids, authorizing the publication of a notice of intention to sell bonds, and authorizing certain other actions in connection therewith; and

(2) Conduct first reading of **"AN ORDINANCE OF THE CITY OF PASADENA AUTHORIZING THE ISSUANCE BY THE CITY OF NOT TO EXCEED \$45,000,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF PASADENA ELECTRIC REVENUE REFUNDING BONDS, 2009 SERIES, PAYABLE OUT OF THE LIGHT AND POWER FUND, AND APPROVING THE EXECUTION AND DELIVERY OF A FIFTH SUPPLEMENT TO ELECTRIC REVENUE BOND FISCAL**

AGENT AGREEMENT, AN ESCROW AGREEMENT, AND A CONTINUING DISCLOSURE AGREEMENT IN CONNECTION THEREWITH". (Resolution No. 8974)

APPROVAL OF A JOURNAL VOUCHER AMENDING PROJECTS IN THE FISCAL YEAR 2010 CAPITAL IMPROVEMENT PROGRAM BUDGET

Recommendation of City Manager: Approve a journal voucher with a net increase of \$2,320,020, amending four projects in the Fiscal Year 2010 Capital Improvement Program, as detailed on Attachment A of the agenda report. (Journal Voucher No. 2010-3)

Recommendation of Rose Bowl Operating Company: On August 27, 2009, the amendment to the *Rose Bowl Preventive and Major Maintenance Project* was presented to and received the support of the Rose Bowl Operating Company.

The above four agenda items were discussed concurrently.

Councilmember Holden, Chair of the Finance Committee, introduced the agenda items.

It was moved by Councilmember Holden, seconded by Councilmember Haderlein, to receive and file the Quarterly Investment Report, Quarter Ending June 30, 2009; and to approve the above City Manager's recommendations. (Motion unanimously carried) (Absent: Councilmember Tornek, Vice Mayor Gordo)

ORDINANCE – FIRST READING

Councilmember Tornek returned at 10:14 p.m.

Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA AUTHORIZING THE ISSUANCE BY THE CITY OF NOT TO EXCEED \$45,000,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF PASADENA ELECTRIC REVENUE REFUNDING BONDS, 2009 SERIES, PAYABLE OUT OF THE LIGHT AND POWER FUND, AND APPROVING THE EXECUTION AND DELIVERY OF A FIFTH SUPPLEMENT TO ELECTRIC REVENUE BOND FISCAL AGENT AGREEMENT, AN ESCROW AGREEMENT AND A CONTINUING DISCLOSURE AGREEMENT IN CONNECTION THEREWITH"

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

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

NOES: None

ABSENT: Vice Mayor Gordo

REPORTS AND COMMENTS FROM COUNCIL COMMITTEES

AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE HUNTINGTON LIBRARY, ART COLLECTIONS, AND BOTANICAL GARDENS, TO PROVIDE FIRE SERVICE AT THE RATE SET FORTH IN THE CITY OF

MUNICIPAL SERVICES
COMMITTEE

**PASADENA'S WATER RATE ORDINANCE, CHAPTER 13.20
OF THE PASADENA MUNICIPAL CODE**

Recommendation of City Manager:

- (1) Find that the project is exempt from California Environmental Quality Act (CEQA) review, pursuant to State CEQA Guidelines Section 15282(k), because the pipeline installation does not exceed one mile in length; and
- (2) Authorize the City Manager to enter into a contract with the Huntington Library, Art Collections, and Botanical Gardens, to provide fire service at the rate set forth in the City of Pasadena's Water Rate Ordinance, Chapter 13.20 of the Pasadena Municipal Code. (Contract No. 20,064)

Councilmember McAustin, Chair of the Municipal Services Committee, summarized the agenda report.

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

PUBLIC HEARING

Councilmember Haderlein
recused himself.

**CONTINUED PUBLIC HEARING: APPLICATION FOR
CONSOLIDATED DESIGN REVIEW REGARDING AN
ADDITION TO, AND SUBSTANTIAL ALTERATION OF, AN
EXISTING BUILDING AT 3160 EAST DEL MAR
BOULEVARD FOR USE AS AN URGENT CARE FACILITY**

Recommendation of City Manager: It is recommended that the City Council cancel the public hearing.

The Mayor reported that the Planning Commission and staff had agreed upon the design review of the project.

By consensus and on order of the Mayor, the above public hearing was cancelled.

**RECOMMENDATIONS FROM
OFFICERS AND
DEPARTMENTS**

**REQUEST FOR APPROVAL OF PUBLIC TREE REMOVAL
AT 2345 EAST COLORADO BOULEVARD**

Recommendation of City Manager: Approve the removal of one *Ficus microcarpa* 'nitida', Indian laurel fig tree, located at 2345 East Colorado Boulevard, which will allow for the redevelopment of the Vons Store property.

Recommendation of Urban Forestry Advisory Committee:

At the Special Meeting of July 20, 2009, the Urban Forestry Advisory Committee (UFAC) reviewed the staff-supported proposal from Vons to remove one *Ficus microcarpa* 'nitida', Indian laurel fig tree, from the parkway located at 2345 East Colorado Boulevard. The UFAC voted to not support the removal of the tree until the developer considered other design options that would retain the tree.

At the Special Meeting of August 12, 2009, the UFAC reviewed various design options submitted by the developer. After review of several design options, a motion was

unanimously approved to forward a statement to the Council that, "The UFAC understands that the City Council has a policy to not remove live green trees. However, the UFAC understands that this project may be important to the City, and the UFAC defers the decision to the City Council regarding the tree removal. Per UFAC request, the applicant has brought several site plan alternatives for review and it appears that the tree can not be saved without reducing the size of the project."

Martin Pastucha, Director of Public Works Department, introduced the agenda item as part of a PowerPoint presentation, and responded to questions.

Ruth Martinez, Project Manager, responded to questions regarding the project.

Councilmember Haderlein expressed appreciation to the applicant and staff for their efforts in trying to save the public tree during this process.

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

ADOPT A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA TO APPROVE THE (1) MILFORD II WIND, (2) RASER GEOTHERMAL, AND (3) SOLAR MISSION PROJECTS, FOR PURPOSES OF MEETING THE GOALS OF PASADENA WATER AND POWER'S RENEWABLE PORTFOLIO STANDARD

Recommendation of City Manager: Adopt a resolution to approve the (1) Milford II Wind, (2) Raser Geothermal, and (3) Solar Mission projects, for the purposes of meeting the goals of Pasadena Water and Power's Renewable Portfolio Standard. These projects are exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15277, projects located outside of California. (Resolution No. 8975)

Phyllis Currie, General Manager of Water and Power Department, introduced the agenda item.

Gurcharan Bawa, Assistant General Manager/Power Supply, reviewed the agenda report as part of a PowerPoint presentation.

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

Councilmember Madison suggested the Environmental Advisory Commission (EAC) work with staff on this type of issue.

The Mayor and Councilmember McAustin noted that the mandate of the EAC was being reviewed by the Legislative Policy Committee as one of the Council's six-month strategic objectives to be completed by the end of December 2009.

ORDINANCES – FIRST READING

Conduct first reading of “AN UNCODIFIED ORDINANCE OF THE CITY OF PASADENA GRANTING NON-EXCLUSIVE RENEWAL FRANCHISES FOR SOLID WASTE COLLECTION TO THREE (3) APPLICANTS (DIRECT DISPOSAL, INC., INTERIOR REMOVAL SPECIALIST, INC., AND NU-WAY ROLL-OFF SERVICE)”

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

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

NOES: None

ABSENT: Vice Mayor Gordo

Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA FOR THE IMMEDIATE PRESERVATION OF PUBLIC SAFETY AND AMENDING TITLE 10 OF THE PASADENA MUNICIPAL CODE BY ADDING CHAPTER 10.65 ESTABLISHING PARKING PROHIBITIONS ON CERTAIN STREETS ON RED FLAG ALERT DAYS”

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

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

NOES: None

ABSENT: Vice Mayor Gordo

The City Manager indicated that this ordinance would become effective immediately after the second reading of the ordinance.

COUNCIL COMMENTS

Councilmember Madison suggested staff study a proposal for the City to print “Pasadena Dollars” to be used in local businesses, and cited similar programs being utilized by other cities as a means of promoting local purchasing/businesses.

Councilmember McAustin suggested staff explore some type of free parking program that could be implemented during the holiday shopping season.

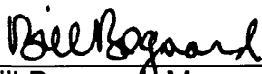
The City Manager indicated these suggestions would be brought to the Economic Development and Technology Committee for review.

In response to Councilmember Robinson's questions, the City Manager and Mayor indicated that the Legislative Policy Committee would be reviewing information on a revised public arts plan at its next meeting.

Councilmember Robinson thanked the Pasadena Fire Department and staff for all of their work on the recent Station fire, and commented on correspondence she had received from residents in the Florecita neighborhood regarding the firemen's presence and assistance in Northwest Pasadena.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 10:46 p.m.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk