

CITY OF PASADENA  
City Council Minutes  
November 23, 2009 – 5:30 P.M.  
City Hall Council Chamber

REGULAR MEETING

**OPENING:**

Mayor Bogaard called the regular meeting to order at 5:36 p.m.  
(Absent: None)

On order of the Mayor, the regular meeting recessed at 5:36 p.m., to discuss the following closed session:

**CITY COUNCIL CONFERENCE REGARDING PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code Section 54957 Title: City Manager**

The above closed session item was discussed, with no reportable action at this time.

On order of the Mayor, the regular meeting reconvened at 6:54 p.m. The Pledge of Allegiance was led by Councilmember Robinson.

**ROLL CALL:**

Councilmembers:

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

Staff:

City Manager Michael J. Beck  
Chief Assistant City Attorney Nicholas Rodriguez  
City Clerk Mark Jomsky

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

Nancy Nelson, Pasadena resident, commented on the Community Dialogue/green ecology program on the "Water for Life", a panel discussion led by Sandy Fox that was held on November 22, 2009 in the Central Library. She distributed information on fluoridated water, and asked the City to consider removing fluoride from its water system.

Tanganica Turner, Pasadena resident, introduced herself as the new Field Representative for the Pasadena office of Assemblymember Anthony Portantino.

**CONSENT CALENDAR**

MINUTES APPROVED

October 26, 2009  
November 2, 2009  
November 9, 2009

CLAIMS RECEIVED AND FILED

Claim No. 10,991	Oscar Gutierrez, Attorney for Gilbert Varela	\$ Not stated
Claim No. 10,992	Mercury Insurance Group-MCC	11,862.67
Claim No. 10,993	James Steinmeier	450.00+
Claim No. 10,994	Allstate Insurance Company	6,644.98

PUBLIC HEARINGS SET

Councilmember Madison was excused at 6:56 p.m.

~~December 14, 2009~~, January 25, 2010, 7:30 p.m. - Amendment to the Tree Protection Ordinance (Chapter 8.52.075 and Chapter 17 of the Pasadena Municipal Code) Regarding Private Tree Removals

December 14, 2009, 7:30 p.m. - Consideration of Super Liquor's Request to Modify Conditions Imposed Pursuant to Deemed Approved Ordinance

The Mayor noted that the City Manager had indicated that the date to be set for the hearing on an Amendment to the Tree Protection Ordinance Regarding Private Tree Removals should be corrected to read January 25, 2010.

It was moved by Councilmember Haderlein, seconded by Vice Mayor Gordo, to approve all items on the Consent Calendar, as amended to set the public hearing date regarding the Amendment to the Tree Protection Ordinance Regarding Private Tree Removals for January 25, 2009, at 7:30 p.m. (Motion unanimously carried) (Absent: Councilmember Madison)

**REPORTS AND COMMENTS FROM COUNCIL COMMITTEES**

FINANCE COMMITTEE

**FISCAL YEAR 2010 OPERATING BUDGET AND GENERAL FEE SCHEDULE AMENDMENTS AND APPROVAL OF PURCHASE ORDER TO PURCHASE SELF-CONTAINED BREATHING APPARATUS FROM L. N. CURTIS & SONS**

**Recommendation of City Manager:**

- (1) Authorize a journal voucher implementing certain amendments to the fiscal year 2010 Operating Budget, as detailed in the background section of the agenda report;
- (2) Amend the General Fee Schedule for State and County mandated increases to parking fines and change the description of Paramedic billing fee from "Mileage Advanced Life Support per mile" to "Mileage per mile"; and
- (3) Authorize issuance of a purchase order to L. N. Curtis & Sons, in an amount not to exceed \$292,708 for replacement of Self-Contained Breathing Apparatus (SCBA) equipment. Competitive bidding is not required pursuant to City Charter Section 1002(H), contracts with other government entities or their contractors for labor, material, supplies or other services. (Journal Voucher No. 2010-6)

Councilmember Haderlein, Finance Committee member, introduced the agenda item.

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

LEGISLATIVE POLICY  
COMMITTEE

**RESOLUTION SUPPORTING WILDERNESS AND WILD  
RIVER DESIGNATIONS FOR THE SAN GABRIEL  
MOUNTAINS**

**Recommendation of City Manager:** Adopt a resolution supporting wilderness and wild river designations for the San Gabriel Mountains. (Resolution No. 8999)

**Recommendation of Recreation and Parks Commission:** At their regular meeting on September 15, 2009, the Recreation and Parks Commission voted to recommend the City Council adopt a resolution supporting congressional designation of additional wilderness areas in the San Gabriel Mountains.

The Mayor, Chair of the Legislative Policy Committee, summarized the agenda report.

Martin Pastucha, Director of Public Works Department, clarified the uses of wilderness areas.

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

**RECOMMENDATIONS FROM  
OFFICERS AND  
DEPARTMENTS**

**APPOINTMENT OF ROBERT CLINTON TO THE CODE  
ENFORCEMENT COMMISSION** (District 2 Nomination)

**APPOINTMENT OF ROBERT HUGHES DAVIS TO THE  
SENIOR COMMISSION** (District 4 Nomination)

**RESIGNATION OF LISA MANNING-PRATT FROM THE  
HUMAN RELATIONS COMMISSION** (District 6 Nomination)

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

Councilmember Madison  
returned at 7:08 p.m.

**BUDGET UPDATE**

**Recommendation of City Manager:** This report is for information only, no City Council action is requested at this time.

The City Manager reviewed the agenda report on the Fiscal Year (FY) 2010 Budget as part of a PowerPoint presentation, and responded to questions.

Vice Mayor Gordo was  
excused at 7:38 p.m.

Discussion followed on the various personnel cost reduction alternatives and ongoing budget balancing strategy.

Richard McDonald, Pasadena resident, suggested the Council and City Manager look at what the City can do to grow, when discussing budget issues and strategies (e.g., new local programs and ways to grow the economy).

Following discussion, the City Manager indicated that he would continue to move forward with the financial strategies and the preferred option (2% lump sum salary increase in lieu of 4% increase to base salary) to reduce personnel costs, as set out in the agenda report, with a budget update to be provided to Council prior to the holiday recess; and would return to Council if it was necessary to obtain approval for any change in the memorandum of understanding for any bargaining unit.

On order of the Mayor, the report was received and filed.

## **PUBLIC HEARING**

### **PUBLIC HEARING: ADOPTION OF CERTAIN NEW FEDERAL STANDARDS RELATING TO ELECTRIC UTILITIES UNDER THE PUBLIC UTILITIES REGULATORY POLICIES ACT AND THE ENERGY INDEPENDENCE AND SECURITY ACT OF 2007 FOR WATER AND POWER DEPARTMENT**

**Recommendation of City Manager:** It is recommended that the City Council, following a public hearing:

- (1) Finds that the action taken herein is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Sections 15061(b)(3) (general rule) and 15308 (actions by regulatory agencies for the protection of the environment);
- (2) Determines that the Water and Power Department (PWP) policies, rates and practices that have been initiated and/or are under development are consistent in meeting and adopting three of the four new federal standards amended by the Energy Independence and Security Act of 2007 amendments to the Public Utility Regulatory Polices Act of 1978;
- (3) Determines not to adopt certain aspects of the Smart Grid Information Standard (Standard 4) because PWP does not currently offer real-time retail electricity rates or possess the capability of implementing such rates, and directs staff to evaluate the cost-effectiveness and capability of establishing such rates as part of PWP's electric rate and cost of service study and any future smart grid implementation efforts; and
- (4) Adopt a resolution to Determine Certain New Federal Standards for Electric Utilities Under the Public Utilities Regulatory Policies Act of 1978, as Amended by the Energy Independence and Security Act of 2007. (Resolution No. 9000)

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on November 9, 2009 in the Pasadena Star-News; and no correspondence was received.

Phyllis Currie, General Manager of Water and Power Department, introduced the agenda item, discussed the Department's strategy to implement a Smart Grid Information system and real-time energy rates in the future, and responded to questions.

Fred Lyn, Legislative and Regulatory Affairs Manager, reviewed the agenda report as part of a PowerPoint presentation and responded to questions.

The City Manager noted that the City will be able to gather valuable information from other agency/City experiences in implementing Smart Grid systems, which can then be used to effectively implement the City's strategies in this area.

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

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

### COUNCIL COMMENTS

Councilmember Robinson requested that an item be placed on a future agenda that would allow consideration of a motion to renew the motion to approve the City Manager's recommendation pertaining to the Call for Review of a decision by the Design Commission regarding the cornice material on the Raymond Renaissance Project, since she was not present at the Council meeting of November 2, 2009, and unable to participate in the discussion and deliberations on this important matter.

Councilmember Holden commented and distributed information on the Community Oriented Policing Services Program (COPS) that he had recently obtained at the National League of Cities Conference (the program that is now led by the City's former Chief of Police Bernard Melekian).

### ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 8:43 p.m.



---

Bill Bogaard, Mayor  
City of Pasadena

ATTEST:

  

---

for City Clerk