

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

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 5:50 p.m. (Absent: Councilmembers Holden, Madison, Vice Mayor Gordo)

On order of the Mayor, the regular meeting recessed at 5:50 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)
Name of case: Mayleisha Barnes, Detrick Bright, Guardian Ad Litem for Anari Barnes and Estate of Leroy Barnes v. City of Pasadena
Case No.: GC043978

Vice Mayor Gordo 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 Management Association

Councilmember Holden arrived at 6:02 p.m.

Councilmember Madison arrived at 6:16 p.m.

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 7:20 p.m. The Pledge of Allegiance was led by Assistant City Manager Julie Gutierrez.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Victor Gordo
Councilmember Steve Haderlein (Absent)
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

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

Mary Barrie, Friends of Hahamongna representative, asked for Council's assistance in obtaining information regarding the City's grant application for the Upper Arroyo Seco Stream Sustainability Project, which had been requested through a Public Records Act (PRA) request made in January 2009; and submitted informational materials regarding the PRA request.

David Czamanske, Sierra Club-Pasadena Group representative, asked Council to be proactive in addressing local greenhouse gas emissions issues that are within its purview to control (e.g., the contract with coal-fired Intermountain Power Plant [IPP]); and submitted a letter dated December 14, 2009 regarding these issues with the IPP.

Joan Chin, Sunset Oaks Neighborhood Association, thanked the City for responding to the questions and concerns that were expressed by the Association about the Robinson Park improvement project.

CONSENT CALENDAR

AUTHORIZATION TO PURCHASE SOCCER FIELD LIGHTING FROM MUSCO SPORTS LIGHTING FOR VILLA PARKE IN AN AMOUNT NOT TO EXCEED \$95,626

Recommendation:

(1) Find that the project is categorically exempt from environmental review (Section 21084) (California Environmental Quality Act Guidelines Section 15302 – Replacement or Reconstruction). The replacement of an existing athletic field lighting system with new system of similar type, size, purpose and capacity; and

(2) Authorize the issuance of a purchase order to Musco Sports Lighting for an amount not to exceed \$95,626 (\$87,130 for the equipment plus \$8,496 sales tax) for the purchase of soccer field lighting for Villa Parke. Competitive bidding is not required, pursuant to City Charter Section 1002(H), contracts with other governmental entities or their contractors for labor, material, supplies or services.

AUTHORIZE CONTRACT WITH FIRE TRUCKS PLUS TO EXCHANGE A 1999 KOVATCH MOBILE EQUIPMENT (KME) LADDER TRUCK FOR A 1992 SEAGRAVE LADDER TRUCK

Recommendation:

(1) Authorize the City Manager to enter into a contract with Fire Trucks Plus for the exchange of a 1999 KME Ladder Truck for a 1992 Seagrave Ladder Truck modified to meet all National Fire Prevention Association (NFPA) 1901 standards, at no charge to the City of Pasadena;

(2) Find that the public purpose is served by exempting the proposed exchange from the provisions of the Surplus Equipment and Goods Ordinance, Pasadena Municipal Code Section 4.04.080; and

(3) It is further recommended that, to the extent that the acquisition of the 1992 Seagrave Ladder truck might be viewed

as a separate procurement transaction, the City Council exempt this transaction from competitive bidding based on impracticality. (Contract No. 20,164)

AUTHORIZATION TO CONTRACT WITH RAJU ASSOCIATES, INC., TO PROVIDE CONSULTANT SERVICES FOR 880 EAST COLORADO BOULEVARD

Recommendation: Authorize the City Manager to increase the existing purchase order contract No. 43319 in the amount of \$72,150 with Raju Associates, Inc., for traffic impact consultant services for the project located at 880 East Colorado Boulevard, by \$27,850 for a new amount not to exceed \$100,000.

Item discussed separately at the request of Councilmember McAustin.

AUTHORIZATION TO EXECUTE A LEASE WITH HUNTINGTON MEDICAL FOUNDATION FOR PROPERTY LOCATED AT 3160 EAST DEL MAR BOULEVARD; AND AUTHORIZATION TO ENTER INTO A CONTRACT WITH MALLCRAFT, INC., FOR GENERAL CONSTRUCTION IN AN AMOUNT NOT TO EXCEED \$3,230,400, FOR THE PASADENA URGENT CARE CENTER PROJECT

MINUTES APPROVED

December 2, 2009
December 7, 2009

CLAIMS RECEIVED AND FILED

Claim No. 11,008	Stephen Kioa	\$	Not stated
Claim No. 11,009	Shushanik Stepanian		475.00
Claim No. 11,010	Stacy Milliner		Not stated
Claim No. 11,011	Hector Anthony Galvan		461.00
Claim No. 11,012	Joann Quirarte		25,000.00+
Claim No. 11,013	Cynthia Howard		270.00
Claim No. 11,014	Mr. & Mrs. C.R. Legal, Sr.		25,000.00+
Claim No. 11,015	Louis D. Rubenstein		81.74
Claim No. 11,016	Matthew Bragg		268.41
Claim No. 11,017	Mila D. Equina		425.00

PUBLIC HEARINGS SET

January 25, 2010, 7:30 p.m. - Appeal of Decision by Design Commission, Regarding Evaluation of the Architectural/Historic Significance of 499, 501, 503 and 523 South Arroyo Parkway (PLN2009-00106)

(See Council Comments on Page 10 for motion on rescheduled date)

January 44 25, 2010, 7:30 p.m. - Consideration of Super Liquor's Request to Modify Conditions Imposed Pursuant to Deemed Approved Ordinance

It was moved by Vice Mayor Gordo, seconded by Councilmember Robinson, to approve the Consent Calendar, with the exception of Item 4 (Lease with Huntington Medical Foundation and Contract with Mallcraft, Inc.), which was discussed separately. (Motion unanimously carried) (Absent: Councilmember Haderlein)

CONSENT ITEM DISCUSSED SEPARATELY

AUTHORIZATION TO EXECUTE A LEASE WITH HUNTINGTON MEDICAL FOUNDATION FOR PROPERTY LOCATED AT 3160 EAST DEL MAR BOULEVARD; AND AUTHORIZATION TO ENTER INTO A CONTRACT WITH MALLCRAFT, INC., FOR GENERAL CONSTRUCTION IN AN AMOUNT NOT TO EXCEED \$3,230,400, FOR THE PASADENA URGENT CARE CENTER PROJECT

Recommendation:

(1) Acknowledge that the leasing of 3160 East Del Mar Boulevard to Huntington Medical Foundation (Huntington), and the activity described in the contract with Mallcraft, Inc., for general construction for the Pasadena Urgent Care Center, as described in the agenda report, was subject to California Environmental Quality Act environmental review as part of a Mitigated Negative Declaration adopted by the Board of Zoning Appeals on July 13, 2009, and filed with the Los Angeles County Recorder's Office on July 14, 2009; and that there are no changed circumstances or new information, which would trigger additional environmental review;

(2) Authorize the City Manager to execute a lease incorporating the terms and conditions generally described in Attachment 1 of the agenda report, with Huntington Medical Foundation (Huntington) for the lease of property located at 3160 East Del Mar Boulevard; and

(3) Authorize the City Manager to enter into a contract with Mallcraft, Inc., for general construction in an amount not to exceed \$3,230,400, for the Pasadena Urgent Care Center. (Agreement No. 20,165 and Contract No. 20,166)

Fire Chief Dennis Downs responded to Councilmember McAustin's questions regarding the proposed pilot system for triaging urgent, but non-emergent cases, to be transported to the Urgent Care Center.

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

REPORTS AND COMMENTS FROM COUNCIL COMMITTEES

ECONOMIC DEVELOPMENT AND TECHNOLOGY COMMITTEE

HOST CITY AGREEMENT FOR THE CITY OF PASADENA AND STADIUM COVER AGREEMENT FOR THE ROSE BOWL OPERATING COMPANY FOR 2018 AND 2022 WORLD CUP SOCCER BIDDING PROCESS

The Mayor noted that the above item was inadvertently placed on the agenda.

Vice Mayor Gordo, Chair of the Economic Development and Technology Committee, reported that the Rose Bowl Operating Company (RBOC), at its Board meeting, had voted to remain in the bidding process and in contention as a site for the 2018 and 2022 World Cup soccer games.

Darryl Dunn, General Manager of the Rose Bowl, clarified the multi-step bidding process that will be followed, and noted that the RBOC will return to Council if the United States is awarded the bid (in December 2010).

On order of the Mayor, the above item was pulled from the agenda.

DIRECT THE CITY ATTORNEY TO PREPARE AN AMENDMENT TO THE MUNICIPAL CODE REGARDING ROSE BOWL OPERATING COMPANY TENANT MEMBERSHIP QUALIFICATIONS

Recommendation of Rose Bowl Operating Company: It is recommended that the City Council direct the City Attorney's Office to prepare an ordinance amending Chapter 2.175 of the Pasadena Municipal Code to create a membership qualification for tenant representatives to the Rose Bowl Operating Company (RBOC), similar to the qualification for business representatives on the Pasadena Center Operating Company (PCOC), which recognizes their appointment to represent and further certain economic interests. This will enable the broadest participation of the tenant representatives on a variety of issues affecting the Rose Bowl.

Vice Mayor Gordo summarized the agenda report.

In response to Councilmember Madison's questions, the City Manager indicated that an event will be held at Paseo Colorado for visiting Rose Bowl/BCS Championship fans.

Darryl Dunn, General Manager of the Rose Bowl, noted that the focus in the Arroyo area would be on turning the Rose Bowl around between the two football games.

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

AUTHORIZATION TO AMEND THE DESIDERIO ARMY RESERVE REUSE APPLICATION TO INCLUDE THE ADDITION OF PROJECT-BASED HOUSING ASSISTANCE PAYMENT CONTRACTS AT CENTENNIAL PLACE

Recommendation: Authorize staff to amend the Desiderio Army Reserve Reuse Application to reflect the inclusion of project-based Housing Assistance Payment Contracts at Centennial Place and direct staff to submit the documents to the appropriate Federal authorities.

Vice Mayor Gordo summarized the agenda report, and noted that inclusion of the project-based housing assistance contracts was staff's response to the Department of Housing and Urban

Development's request for the City to address the issue of providing living units for the homeless as a part of the Desiderio project.

Michelle White, Affordable Housing Services representative, expressed concerns regarding the need to create additional affordable housing by providing affordable units on site as part of the Desiderio project.

Ann Scheid, Pasadena resident, expressed support for the Desiderio project.

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

FINANCE COMMITTEE

QUARTERLY INVESTMENT REPORT, QUARTER ENDING SEPTEMBER 30, 2009

Recommendation: This report is for information purposes only.

CITY COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR)

Recommendation: This report is for information only.

ROSE BOWL ADMISSIONS TAX, GRANDSTAND SEAT SURCHARGE AND GRANDSTAND PERMIT APPLICATION ANNUAL ADJUSTMENTS

Recommendation: Reject the scheduled rate adjustments for Grandstand Permit Application, Rose Bowl Admission Tax, and New Year's Day Related Business Grandstand Seat Surcharge, which would become effective February 1, 2010.

APPROVAL OF A JOURNAL VOUCHER TRANSFERRING \$4,981,704 FROM THE 1999 PENSION OBLIGATION DEBT SERVICE FUND TO THE GENERAL FUND NON-DEPARTMENTAL BUDGET TO COVER THE REQUIRED SUPPLEMENTAL CONTRIBUTION TO THE FIRE AND POLICE RETIREMENT SYSTEM PURSUANT TO CONTRIBUTION AGREEMENT NO. 16,900 BETWEEN THE CITY OF PASADENA AND THE FIRE AND POLICE RETIREMENT SYSTEM

Recommendation: Approve a journal voucher transferring \$4,981,704 from the 1999 Pension Obligation Debt Service Fund to the General Fund Non-Departmental budget, and appropriating said amount to Account 8043-101-952100, to cover the required supplemental contribution to the Fire and Police Retirement System pursuant to Contribution Agreement No. 16,900 between the City of Pasadena and the Fire and Police Retirement System. (Journal Voucher No. 2010-7)

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 McAustin, to receive and file the above two informational reports and to approve the above two staff recommendations. (Motion unanimously carried) (Absent: Councilmember Haderlein)

**RECOMMENDATIONS FROM
OFFICERS AND
DEPARTMENTS**

**AMENDMENTS TO THE MASTER STREET TREE PLAN IN
SPECIFIC PLAN AREAS**

Recommendation: It is recommended that the City Council:

(1) Find that the Master Street Tree Plan (MSTP) amendments for the below referenced specific plans are exempt from California Environmental Quality Act (CEQA) review, pursuant to State CEQA Guidelines Sections 15301, Existing Facilities and 15304, Minor Alterations to Land; and

(2) Approve the following amendments to the Master Street Tree Plan (MSTP) by Specific Plan area:

Civic Center/Mid Town District

(1) Amend the MSTP on Marengo Avenue from Walnut Street to Corson Street to plant the *Quercus sp*, Oak Species, in lieu of the *Cupaniopsis anacardioides*, Carrotwood tree;

(2) Amend the MSTP on Marengo Avenue from Colorado Boulevard to Cordova Street to plant the *Liriodendron tulipifera*, Tulip tree, in lieu of the *Ficus microcarpa*, Indian Laurel Fig;

(3) Amend the MSTP on Colorado Boulevard from Arroyo Parkway to Los Robles Avenue to plant the *Syagrus romanzoffianum*, Queen Palm or the *Archontophoenix cunninghamiana*, King Palm, in lieu of the *Washingtonia robusta*, Mexican Fan Palm; and

(4) Amend the MSTP on Thurgood Marshall to plant the *Cinnamomum camphora*, Camphor tree, in lieu of the *Magnolia grandiflora*, Southern Magnolia.

East Colorado Specific Plan

(1) Amend the MSTP on Colorado Boulevard from Catalina Avenue to Sierra Madre Boulevard to plant the *Archontophoenix cunninghamiana*, King Palm, in lieu of the *Washingtonia robusta*, Mexican Fan Palm; and

(2) Amend the MSTP on Colorado Boulevard from Sierra Madre Boulevard to Sycamore Avenue to plant the *Phoenix dactylifera*, Date Palm, in lieu of the *Washingtonia robusta*, Mexican Fan Palm.

South Fair Oaks Specific Plan

(1) Amend the MSTP on South Fair Oaks Avenue from California Boulevard to the southern border of Pasadena to plant the *Quercus suber*, Cork Oak tree, as an alternating tree with the *Lagerstroemia indica*, Crape Myrtle.

Recommendation of the Urban Forestry Advisory Committee: The Urban Forestry Advisory Committee (UFAC) hosted community meetings on July 8, 2009, August 12, 2009, October 5, 2009, and November 2, 2009, to review and

recommend changes to the MSTP. The above recommendations were supported by the UFAC and carry their recommendation.

Recommendation of the Design Commission: On November 23, 2009, the Design Commission voted unanimously to support the above recommendations.

Recommendation of Planning Commission: On November 23, 2009, the Planning Commission reviewed the above recommended changes to the MSTP as they related to the Specific Plans, as an information item.

Martin Pastucha, Director of Public Works Department, introduced the agenda item, and responded to questions regarding the scope of the canopy tree review in East Pasadena.

Kathy Woods, Parks and Natural Resources Administrator, reviewed the agenda report as part of a PowerPoint presentation and responded to questions.

Emina Darakjy, Urban Forest Advisory Committee member, spoke in support of the proposed amendments to the Master Street Tree Plan.

Councilmember Holden and Vice Mayor Gordo thanked Kathy Woods, on behalf of the Council, for her many years of exemplary service to the City and its parks, and congratulated Ms. Woods on her impending retirement.

The City Manager acknowledged the contributions of Darya Barar, Program Coordinator, and Kenny Graham, Public Works Supervisor, to this tree review and other projects involving trees and the park system.

It was moved by Councilmember Holden, seconded by Councilmember Robinson, to approve the staff recommendation. (Motion unanimously carried) (Absent: Councilmember Haderlein)

STRATEGIC PLAN UPDATE

Recommendation:

- (1) Adopt the six-month strategic objectives for the period of December 2, 2009 through June 1, 2010 (Attachment A of the agenda report);
- (2) Approve the Vision Statement (as stated in the background section of the agenda report); and
- (3) Approve the definition of the Core Value Statements (Attachment B of the agenda report).

The City Manager introduced the agenda item; responded to questions regarding use of the Core Values and the relationship between the Vision Statement, Core Values, and

Goals; and noted that the new agenda report format now includes a section with information on the Goals that are being met by each action being considered by Council.

Julie Gutierrez, Assistant City Manager, summarized the agenda report, noted that Council's next Strategic Planning Workshop is scheduled for June 3, 2010, and responded to questions.

Discussion followed on the purpose and elements of the Vision Statement.

Following discussion, it was moved by Councilmember Holden, seconded by Vice Mayor Gordo, to approve the staff recommendation, as amended to revise the Vision Statement to read: "Pasadena will combine world class events, science and technology, arts and culture, and history and architecture with great neighborhoods and opportunities for all." (Motion unanimously carried) (Absent: Councilmember Haderlein)

REAPPOINTMENT OF DOUGLAS F. TESSITOR, CITY OF GLENDORA, AS CITY OF PASADENA REPRESENTATIVE TO THE METRO GOLD LINE FOOTHILL EXTENSION CONSTRUCTION AUTHORITY, SERVING AT THE PLEASURE OF THE COUNCIL FOR A TERM OF ONE YEAR, COMMENCING JANUARY 1, 2010 (Mayor Bogaard)

It was moved by Councilmember McAustin, seconded by Councilmember Tornek, to approve the above reappointment. (Motion unanimously carried) (Absent: Councilmember Haderlein)

APPOINTMENT OF JOYCE E. FOSTER TO THE COMMUNITY DEVELOPMENT COMMITTEE (District 4 Nomination)

It was moved by Councilmember McAustin, seconded by Councilmember Robinson, to approve the above appointment. (Motion unanimously carried) (Absent: Councilmember Haderlein)

PUBLIC COMMENT
(Continued)

Reverend C. R. Tillman, NAACP Pasadena representative, donated a book titled, Who Moved My Cheese? to the Pasadena Public Library; and submitted a memorandum dated December 7, 2009 from Jon Brookhart to the City of Pasadena, City Council, and City Attorney regarding Case Nos. BC 413887 and 09-BK-36257-SB.

Cynthia Fairfax, Pasadena resident, expressed concerns regarding a need for the City to provide some type of assistance to persons, like herself, who have Marfan Syndrome.

Councilmember Holden suggested staff work on an approach that would address the concerns expressed by Ms. Fairfax.

The City Manager indicated that staff would provide information on Councilmember Holden's suggestion in the City Manager's weekly informational letter to Council in January 2010.

**COUNCIL COMMENTS/
PRESENTATION**

Councilmember Tornek reported on his attendance at a ceremony during which Hamilton Elementary School was honored for receiving a National Blue Ribbon Award (the first school in the Pasadena Unified School District to receive the award). He mentioned that various students (including his daughter, Annabella) had received prizes for an essay/poster contest that was part of the celebration.

Councilmember Holden announced that he would not be available to attend the Council meeting of January 11, 2009, during which the public hearing to consider Super Liquor's request to modify Conditions imposed pursuant to the Deemed Approved Ordinance was scheduled. He asked that the public hearing be rescheduled in order to allow him to be in attendance for this discussion.

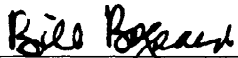
The City Attorney confirmed that the public hearing could be rescheduled, since the notice of public hearing had not been processed.

It was moved by Councilmember Holden, seconded by Vice Mayor Gordo, to reschedule the public hearing for consideration of the Super Liquor matter (as shown on Page 3 of these minutes) to January 25, 2010 at 7:30 p.m. (Motion unanimously carried) (Absent: Councilmember Haderlein)


The Mayor presented City Attorney Michele Bagneris with a pin in recognition of attaining 10 years of service with the City.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 9:03 p.m. and wished everyone a happy holiday.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:


City Clerk