

CITY OF PASADENA
City Council Minutes
March 15, 2010 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 6:10 p.m. (Absent: Councilmembers Madison, Robinson, Vice Mayor Gordo)

On order of the Mayor, the regular meeting recessed at 6:10 p.m., to discuss the following closed session:

Councilmember Robinson arrived at 6:14 p.m.

CITY COUNCIL CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956

Property Locations: 36 South Michigan Avenue (1208 East Colorado Boulevard)

Agency Negotiator: Michael J. Beck

Negotiating Party: John Grech

Under Negotiation: Price and terms of payment

The City Attorney reported that the City Council had given final approval to the terms and conditions for the City's acquisition of 36 South Michigan Avenue, aka 1208 East Colorado Boulevard from T.V. Properties, LLC; and that the final price of \$775,000 and other terms will be reflected in a written document. (Agreement No. 20,267)

In closed session, it was moved by Councilmember Tornek, seconded by Councilmember Holden, to approve the terms and conditions for the acquisition of 36 South Michigan Avenue, aka 1208 East Colorado Boulevard from T.V. Properties, LLC:

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

NOES: None

ABSTAIN: Councilmember Robinson

ABSENT: Councilmember Madison, Vice Mayor Gordo

On order of the Mayor, the regular meeting reconvened at 6:32 p.m. The Pledge of Allegiance was led by Vice Mayor Gordo.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Victor Gordo
Councilmember Steve Haderlein
Councilmember Chris Holden
Councilmember Steve Madison (Arrived at 6:56 p.m.)
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

Ericka Goins, Eliot Middle School student, and Ashley Estridge, Arcadia High School student, described activities that are scheduled for the 8th Annual Young African American Women's Conference designed for students in grades 7-12, to be held on March 27, 2010 at the Pasadena City College; and invited the community to attend the conference.

Councilmember Holden announced that the Burbank-Glendale-Pasadena Airport Authority will be scheduling a briefing to the City Council about the strategies being pursued by the Authority in reducing nighttime noise at the airport; and submitted a written statement regarding these issues titled, "Bob Hope Airport Sustainability Initiative – March 15, 2010", from Joyce Streater, Airport Authority President.

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

Martin Gordon, Altadena resident, thanked the City Manager for releasing the names of the preliminary interview panel members for the Police Chief's position; expressed concerns regarding the delayed timing of the release and the need for greater representation of the community on the panel and in this process; and urged the Council and community to express their concerns regarding this matter and the need for greater transparency in local government.

Shirley Spencer, League of Women Voters-Pasadena Area Membership Director, announced that this was Sunshine Week, expressed the League's concerns regarding the selection process being used to fill the Police Chief's position, asked the Council and City Manager to use an open approach for filling current Department Head vacancies, and submitted a letter from the League to the City Manager dated March 15, 2010, regarding these issues.

Kristin Chew, Pasadena resident, asked Council to re-consider approving Plan C for the Rose Bowl Loop (separation of auto, bicycle, and pedestrian traffic using a single traffic lane); and submitted a letter with petitions titled, "Petition for Safe Expanded Recreational Usage of the Rose Bowl Loop" containing 310 signatures.

In response to Councilmember Haderlein's questions, the City Clerk indicated that Ms. Chews' petitions would be made a part of the legislative record of this meeting, with copies to be provided to the City Manager for additional staff action, if requested.

Councilmember Haderlein asked staff to track the petitions for Council's future consideration of the Rose Bowl Loop project

and possible further study as part of the upcoming Fiscal Year 2011 budget discussions.

Nancy Nelson, Pasadena resident, expressed concerns regarding sunspots and possible future impacts on the delivery of electricity; invited the community to an Eco-Community Dialogue program on "Building a Postconsumers Movement" with featured speaker Carol Holst, to be held on March 24, 2010 in the Central Library; and submitted a flier on the program.

The following persons expressed concerns regarding the police air operations program, helicopter noise, and quality of life issues related to the helicopter patrols:

Councilmember Madison arrived at 6:56 p.m.

Roli Gostelow, Pasadena resident
Ricardo M. Costa, Pasadena resident
Meredith McKenzie, Pasadena resident

Councilmember Haderlein noted that the Public Safety Committee had discussed issues related to the air operations/helicopter noise in various meetings; suggested that an information sheet on the City's policy about helicopter operations be made available to the public and posted on the City web site, to include the City phone number that can be contacted regarding helicopter patrols/usage; and asked that information also be provided on how emergency/safety vehicles are addressed under the City's noise ordinance.

The City Manager indicated this information would be included in his weekly newsletter that is posted on the City Manager's web page, and noted that a new helicopter now in use has less impact when in flight.

CONSENT CALENDAR

AUTHORIZE THE AMENDMENT TO CONTRACT NO. 20,103 WITH MONTES PACIFIC ENGINEERING, TO INCREASE THE TOTAL NOT TO EXCEED AMOUNT BY \$35,000 FROM \$140,000 TO \$175,000 FOR THE ROSE BOWL DRIVE REMEDIAL SLOPE REPAIR PROJECT

Recommendation:

(1) Find that the project was acknowledged to be categorically exempt by the City Council on October 19, 2009, that a Notice of Exemption was filed with the County Clerk on March 31, 2009, and that there are no changed circumstances or new information which would require further environmental review; and

(2) Authorize the City Manager to amend Contract No. 20,103 with Montes Pacific Engineering, to increase the contract by \$35,000 for a total not to exceed amount of \$175,000 for additional work as part of the Rose Bowl Drive Remedial Slope Repair project. (Contract Amendment No. 20,103-1)

In response to Councilmember Robinson's question, the City Manager and Martin Pastucha, Director of Public Works Department, clarified the location of the project, and indicated that this work had been completed towards the end of the contract period.

GRANTING OF TWO EASEMENTS TO COVINA IRRIGATING COMPANY FOR WATER PIPELINES ACROSS CITY OF PASADENA PROPERTY AT AZUSA HYDROELECTRIC PLANT LOCATED AT 1950 NORTH RANCH ROAD, AZUSA
Recommendation:

- (1) Find that the granting of two easements for underground water pipelines to Covina Irrigating Company (CIC) is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15302 (Replacement or Reconstruction); and
- (2) Authorize the City Manager to execute an agreement and two easements granting CIC two underground water pipeline easements over portions of Pasadena Water and Power property located at 1850 North Ranch Road, Azusa, accept a quitclaim deed relinquishing CIC's interest in a concrete lined canal, and any other documents necessary to carry out this transaction. (Agreement No. 20,259)

CLAIMS RECEIVED AND FILED

Claim No. 11,069	Martha Echeverri	\$ 2,888.00
Claim No. 11,070	Barbara Gutierrez	Not stated
Claim No. 11,071	Dhruw Kumar	25,000.00+
Claim No. 11,072	540 South Lake Avenue, LLC	5,250.00
Claim No. 11,073	Valerie Naify	Not stated

PUBLIC HEARINGS SET

April 12, 2010, 7:30 p.m. – Designation of 401 East Washington Boulevard as a Landmark

April 12, 2010, 7:30 p.m. – Designation of 1661 Las Lunas Street as a Landmark

April 12, 2010, 7:30 p.m. – Designation of 275 Robincroft Drive as a Landmark

April 12, 2010, 7:30 p.m. – Designation of The Washington Theatre: 841 East Washington Boulevard as a Landmark

It was moved by Vice Mayor Gordo, seconded by Councilmember McAustin, to approve all items on the Consent Calendar. (Motion unanimously carried) (Absent: None)

REPORTS AND COMMENTS FROM COUNCIL COMMITTEES

ECONOMIC DEVELOPMENT AND TECHNOLOGY COMMITTEE

DISSOLUTION OF CALIFORNIA CITIES HOME OWNERSHIP AUTHORITY (CCHOA) BY RESCISSION OF THE JOINT POWERS AGREEMENT MADE ON NOVEMBER 1, 1996

Recommendation:

- (1) Adopt the resolution entitled "A Resolution of the City of Pasadena Authorizing the Rescission and Termination of the

Joint Powers Agreement made on November 1, 1996 Creating the California Cities Home Ownership Authority” (the Resolution); and

(2) Authorize the City Manager to execute and the City Clerk to attest any documents as may be necessary to effectuate the Resolution. (Resolution No. 9009)

Recommendation of Community Development Committee

(CDC): The staff recommendation was scheduled for consideration by the Community Development Committee (CDC) at its regular meeting of February 25, 2010. Staff will report orally on the action taken by the CDC.

Councilmember Tornek was excused at 7:09 p.m.

Vice Mayor Gordo, Chair of the Economic Development and Technology Committee, summarized the agenda report.

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

FINANCE COMMITTEE

MARKET STUDY SUMMARY FOR ROSE BOWL RENOVATION PROJECT

Councilmember Tornek returned at 7:10 p.m.

Recommendation: This is an information only item.

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

Dan Barrett, Barrett Sports Group, LLC, Principal, submitted and reviewed the preliminary draft report of the “Rose Bowl Stadium Renovation Strategic Plan – Due Diligence – Update” as part of a PowerPoint presentation; and responded to questions.

Darryl Dunn, General Manager of the Rose Bowl, responded to questions regarding the timing of design decisions, negotiations with tenants, and the issuance of bonds.

Andy Green, Director of Finance Department, discussed the peer review on the Market Analysis that will be conducted.

The City Manager discussed a rationale for the pricing levels of the press box alternatives.

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

2010 CIP AMENDMENT FOR ROSE BOWL STRATEGIC PLAN – PHASE I CONSTRUCTION DOCUMENTS AND PRELIMINARY PROJECT FUNDING

Recommendation of the Rose Bowl Operating Company

(RBOC):

(1) Find the actions proposed in the agenda report exempt from review, pursuant to the California Environmental Quality

Act (CEQA) pursuant to State CEQA Guidelines, Section 15262;

(2) Amend the 2010 CIP Budget to appropriate an amount not to exceed \$4,115,000 from RBOC designated retained earnings (Strategic Plan Reserve Fund) to provide funding for the continued Phase 1 design and preliminary project costs related to project development, financial planning and community outreach for continued development of the Rose Bowl Strategic Plan;

(3) Authorize the RBOC to enter into appropriate contracts with architects, contractors, engineers, and other advisors for design and construction documents necessary to implement the first phase of the Rose Bowl Renovation Plan to ensure future viability of the Rose Bowl Stadium, consistent with the approved budget, and provided that all contract awards shall conform in all respects to the applicable provisions of state and local law, including any required selection process and that all the contracts shall conform in all respects to the requirements of state and local law and shall contain essentially all of the standard terms and conditions of City of Pasadena contracts for similar work; and

(4) Approve a resolution of City Council declaring the City's intention to reimburse itself from the proceeds of one or more tax-exempt and/or taxable "Build America Bond" financings for certain expenditures made and/or to be made in connection with the Rose Bowl Renovation project, should any such financings be approved in the future. (Resolution No. 9010)

Councilmember Holden introduced the agenda item.

Darryl Dunn, General Manager of the Rose Bowl, reviewed the agenda report; discussed ongoing negotiations with the Rose Bowl tenants (Tournament of Roses [ToR] and University of California Los Angeles [UCLA]), and the presentation of updated financial information to Council within the next 30-60 days; and responded to questions.

Margo Mavridis, Rose Bowl Stadium Architect, provided an overview of the proposed 2010 project budget, schedule, and phasing of the construction; and responded to questions.

Dan Barrett, Barrett Sports Group, LLC, Principal, discussed the next steps in finalizing the financing models and plans to be presented to Council and the timeframe for the peer review.

The City Manager responded to questions regarding various funding components and financial issues for the project and the timing for moving the project forward.

The following persons spoke in support of moving forward with the Rose Bowl Renovation Plan – Phase I project:

Paul Little, Chamber of Commerce President and Chief Executive Officer
Lee Zanteson, Linda Vista/Annandale Association President
Sue Mossman, Pasadena Heritage Executive Director

Councilmember Holden stressed the need for the Rose Bowl Operating Company (RBOC) to reach agreement with the ToR and UCLA on the project and financial arrangements for funding the improvements.

Councilmember McAustin encouraged staff to adjust the 2010 project schedule so that the peer review, especially on the revenue side, is completed prior to Council's consideration and approval of the Rose Bowl Renovation – Phase I project.

Vice Mayor Gordo, RBOC member, reported on the RBOC's support for the above recommendations, and thanked the RBOC members and City/RBOC staffs for their continued work on the proposed project.

Councilmember Haderlein expressed concerns regarding the timeline for approvals; suggested the peer review be completed in 10 weeks, if possible, with staff (City and RBOC) to inform the public about their opportunities to provide comments.

The City Manager indicated that, when this matter returns for Council's further consideration in May/June 2010, staff will provide information that will further clarify a proposed scheme with preliminary construction and financing costs for the Phase I project.

Following discussion, it was moved by Councilmember Robinson, seconded by Vice Mayor Gordo, to approve the Rose Bowl Operating Company's recommendation. (Motion unanimously carried) (Absent: None)

MUNICIPAL SERVICES
COMMITTEE

PROPOSED MUNICIPAL CODE AMENDMENTS TO ESTABLISH WATER EFFICIENT LANDSCAPE ORDINANCE
Recommendation:

- (1) Acknowledge that the State has mandated California cities to establish a water efficient landscape ordinance, or adopt the State's Model Ordinance, in accordance with Senate Bill 1881;
- (2) Approve a Negative Declaration for the proposed code amendments in compliance with the provisions of the California Environmental Quality Act (CEQA);
- (3) Find that the proposed amendments are in conformance with the goals, policies, and objectives of the General Plan and would not be detrimental to the public interest, health, safety,

convenience, or general welfare of the City;

(4) Authorize the City Manager to draft administrative guidelines consistent with the provisions set forth in the agenda report; and

(5) Direct the City Attorney to draft an ordinance and return within 60 days consistent with the provisions set forth in the agenda report.

Councilmember McAustin, Chair of the Municipal Services Committee, introduced the agenda item.

John Steinmeyer, Senior Planner, summarized the agenda report as part of a PowerPoint presentation, and responded to questions.

Phyllis Currie, General Manager of Water and Power Department, responded to questions regarding steps the City has already taken to ensure water efficiency/conservation in landscaping.

Councilmember Madison expressed support for the City to move to budget-based water rates, which would also address water efficiency/conservation; and suggested staff provide study cases of individual users and bands of users who have reduced their water usage because of the current tiered water rate structure.

The City Manager indicated that a significant part of the City's reduction in water usage by its customers can be tied to the current tiered water rate structure.

Loren Pluth, Project Manager for Parks-Landscaping, responded to questions regarding the State mandated ordinance's impacts on parks/sports fields.

Following discussion, it was moved by Councilmember McAustin, seconded by Vice Mayor Gordo, to approve the staff recommendation. (Motion unanimously carried) (Absent: None)

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

RESIGNATION OF AUGUSTA L. PARRINGTON FROM THE LIBRARY COMMISSION EFFECTIVE APRIL 15, 2010
(District 6 Nomination)

REAPPOINTMENT OF NAJEEBA SYEED-MILLER TO THE COMMISSION ON THE STATUS OF WOMEN (District 6 Nomination)

It was moved by Councilmember Madison, seconded by Councilmember McAustin, to accept the above resignation with regrets and approve the above reappointment. (Motion unanimously carried) (Absent: None)

ORDINANCES – ADOPTED

Councilmember Haderlein was excused at 9:11 p.m.

Adopt “AN ORDINANCE OF THE CITY OF PASADENA AMENDING VARIOUS PROVISIONS OF TITLE 8 (HEALTH AND SAFETY) AND TITLE 17 (THE ZONING CODE), RELATED TO THE PROTECTION OF TREES” (Introduced by Councilmember Robinson) (Ordinance No. 7184)

The above ordinance was adopted by the following vote:
AYES: Councilmembers Holden, Madison, McAustin, Robinson, Tornek, Vice Mayor Gordo, Mayor Bogaard
NOES: None
ABSENT: Councilmember Haderlein

Adopt “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” (Introduced by Vice Mayor Gordo) (Ordinance No. 7185)

The above ordinance was adopted by the following vote:
AYES: Councilmembers Holden, Madison, McAustin, Robinson, Tornek, Vice Mayor Gordo, Mayor Bogaard
NOES: None
ABSENT: Councilmember Haderlein

INFORMATION ITEM

Councilmember Haderlein returned at 9:14 p.m.

CITY COUNCIL WORKSHOP ON CALPERS RETIREMENT SYSTEM

Recommendation: This report is submitted for information only.

The Mayor introduced the agenda item.

Karyn Ezell, Director of Human Resources Department, provided an overview of the City's three retirement systems – Fire and Police Retirement System (FPRS), Public Agency Retirement System (PARS), and California Public Employees Retirement System (CalPERS) – as part of a PowerPoint presentation; and responded to questions.

Andy Green, Director of Finance Department, responded to questions regarding the impacts of payments to CalPERS on the General Fund.

John Bartel, Bartel Associates, LLC, submitted and highlighted the “CalPERS Actuarial Issues – 6/30/08 Valuation” report as part of a PowerPoint presentation, indicated that Council would be provided with the corrected figures for slide 44 of the presentation, and responded to questions.

Vice Mayor Gordo was excused at 9:45 p.m.

Discussion followed on the City's and employee's contributions to CalPERS and funding of the plan, actuarial liability, defined contribution vs. defined benefit plans, and balancing benefit costs with the ability to recruit skilled employees.

Councilmember McAustin suggested that the City look at a comparison of a defined contribution vs. defined benefit approach and a total benefit package for public vs. private employees, in order to consider possible adjustments to arrive at a plan that is responsible and affordable.

Councilmember Tornek expressed concerns regarding the City's fiduciary responsibility in addressing the issue of the City's unfunded liability in the retirement plan.

Councilmember Madison suggested that the City explore efficiencies (costs and right sizing of staff) that will allow the City to maintain a level of services.

The City Manager indicated that staff is examining the establishment of a reserve fund to address issues related to the City's unfunded liability to CalPERS, that Council may want to discuss the City's options for retirement benefits in closed session as part of upcoming memorandum of understanding (MOU) negotiations, and that staff will continue to ensure that the City has adequate resources to pay for employee benefits and that the benefits are competitive.

Councilmember Holden suggested that staff develop a framework of guiding principles to be presented to the Finance Committee, which capture some of the elements for addressing the needs of the workers, and at the same time, most efficiently prepare the City to address the financial circumstances. He indicated that these principles could be used to guide Council's closed session instructions to the City Manager in MOU negotiations.

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

PUBLIC COMMENT
(Continued)

Keith Dsoula, Pasadena resident, expressed concerns regarding the police air operations program, helicopter noise, quality of life issues related to the helicopter patrols in Northwest Pasadena, and lack of response to a Public Records Act request regarding air operations.

Councilmember Holden suggested that staff provide an informational report to Council on the Public Safety Committee's prior review, discussions, and findings related to concerns expressed by the public regarding the air operations program and the hovering of media aircraft. He also suggested that the public be notified through the City's network of

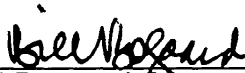
neighborhood organizations when this report is scheduled to be heard by Council.

COUNCIL COMMENTS

Councilmember Robinson thanked Senator Carol Liu and the 2010 Census Complete Count Committee for their work on the census event held on March 13, 2010; and encouraged the public to return their census forms.

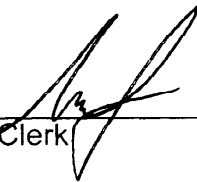
ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 10:51 p.m.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk