

CITY OF PASADENA
City Council Minutes
March 22, 2010 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 5:38 p.m. (Absent: Councilmembers Holden, Madison, Vice Mayor Gordo)

On order of the Mayor, the regular meeting recessed at 5:38 p.m., to allow Council to participate in the following training session:

CITY COUNCIL TRAINING SESSION FOR EMERGENCY COMMUNICATIONS PLAN

Councilmember Holden arrived at 5:41 p.m.

Councilmember Madison and Vice Mayor Gordo arrived at 5:48 p.m.

Fire Chief Dennis Downs, Lisa Derderian, Emergency Management Coordinator, and Ann Erdman, Public Information Officer, conducted a training session regarding the City's emergency communications plan.

On order of the Mayor, the regular meeting reconvened and recessed at 6:08 p.m., to discuss the following closed sessions:

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

**City Representatives: Karyn S. Ezell and Arthur Chavez
Employee Organization: Pasadena Firefighters Management Association**

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

**City Representatives: Karyn S. Ezell and Arthur Chavez
Employee Organization: Pasadena Police Officers Association**

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

**City Representative: Karyn S. Ezell
Employee Organization: Unrepresented Top, Middle and Professional Management**

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

On order of the Mayor, the regular meeting reconvened at 6:40 p.m. The Pledge of Allegiance was led by Judge Philip Soto.

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

CEREMONIAL MATTERS

Fred Alcantar, Pasadena Sister Cities Committee President, introduced Lisa Eiermann, a student intern from Ludwigshafen, Germany, who is working with special needs children at the Education Spectrum and Roosevelt Elementary School.

The Mayor presented a proclamation declaring March 27, 2010 as Arbor Day. The proclamation was received by Darya Barar, Program Coordinator; John Poer, Pasadena Beautiful Foundation representative; and Joe Feinblatt, Lois Barth, and Sona Markarian, Washington Square Landmark District Board members.

Vice Mayor Gordo invited the community to participate in Washington Square's tree planting event to be held on March 27, 2010.

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

Katy Slater, Pasadena resident, asked Council to unilaterally support one-way traffic for vehicles at the Rose Bowl, and create a lane for cyclists and rollerbladers; and submitted informational materials related to these issues.

Alvin Chen, Rose Bowl Users representative, spoke in support of a bike-only lane and a single car lane; and submitted petitions titled, "Petition for Safe Expanded Recreational Usage of the Rose Bowl Loop" containing 364 signatures.

The Mayor noted that Council would be reviewing the recently-approved plan for the Rose Bowl Loop area in six months.

Lance Charles, Pasadena resident, expressed concerns regarding an alleged lack of diversity on public works street construction jobs and the need for adequate monitoring to ensure diversity on these jobs, as this relates to contractors and the City's workforce.

The City Manager indicated that staff will contact Mr. Charles about providing information regarding the public works bid process and the City's workforce.

CONSENT CALENDAR

Item discussed separately, due to a request for public comment.

AUTHORIZATION TO ENTER INTO CONTRACT WITH COMPUCOM SYSTEMS, INC., FOR LICENSING OF MICROSOFT SOFTWARE

AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER WITH LOS ANGELES FREIGHTLINER, FOR THE PURCHASE OF ONE AUTOCAR REFUSE ROLL OFF TRUCK IN AN AMOUNT NOT TO EXCEED \$197,182

Recommendation:

(1) Authorize the issuance of a purchase order to Los Angeles Freightliner in an amount not to exceed \$197,182 for the purchase of one roll off truck;

(2) Find that 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;

(3) Find the proposed contract is exempt from the competitive selection process of the Competitive Bidding and Purchasing Ordinance, pursuant to Pasadena Municipal Code Section 4.08.049(B), contracts for which the City's best interests are served; and

(4) Find that this action is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(3), the General Rule that CEQA only applies to projects that may have an effect on the environment.

APPROVAL OF POLICE DEPARTMENT LEASE AT 221 EAST WALNUT STREET, SUITE 112, PASADENA

Recommendation:

(1) Find that the leasing of office space for Pasadena Police Department located at 221 East Walnut Street from Park Center Limited Partnership (Park Center) is categorically exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15301 (Existing Facilities); and

(2) Authorize the City Manager to execute a two-year lease with eight 12-month options with Park Center for the Traffic Section of the Police Department to lease 221 East Walnut Street, Suite 112, incorporating the terms and conditions generally described in the agenda report, and any other documents necessary to carry out the lease. (Agreement No. 20,265)

AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER WITH ALTEC INDUSTRIES, INC., FOR THE PURCHASE OF ONE WORKHORSE AERIAL TRUCK IN AN AMOUNT NOT TO EXCEED \$294,689

Recommendation:

- (1) Authorize the issuance of a purchase order to Altec Industries Inc., in an amount not to exceed \$294,689 for the purchase of one new replacement aerial truck;
- (2) Find that 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;
- (3) Find the proposed contract is exempt from the competitive selection process of the Competitive Bidding and Purchasing Ordinance, pursuant to Pasadena Municipal Code Section 4.08.048(B), contracts for which the City's best interests are served; and
- (4) Find that this action is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(3), the General Rule that CEQA only applies to projects that may have an effect on the environment.

ADOPTION OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR A CALIFORNIA DEPARTMENT OF TRANSPORTATION COMMUNITY-BASED TRANSPORTATION PLANNING GRANT FOR THE DEVELOPMENT OF NEW STREET DESIGN GUIDELINES AND THE DEVELOPMENT OF WEB-BASED EMPLOYEE TRIP REDUCTION TOOLKIT

Recommendation:

- (1) Adopt a resolution authorizing the City Manager to apply for a California Department of Transportation Community-Based Transportation Planning Grant; and
- (2) Authorize the City Manager to apply for two California Department of Transportation Community-Based Transportation Planning Grants totaling \$500,000 for the development of new street design guidelines and to create a web-based employee trip reduction toolkit to assist Pasadena employers. (Resolution No. 9011)

AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER WITH HAAKER EQUIPMENT COMPANY, FOR THE PURCHASE OF ONE ELGIN PELICAN STREET SWEEPER IN AN AMOUNT NOT TO EXCEED \$262,843

Recommendation:

- (1) Authorize the issuance of a purchase order to Haaker Equipment Company, in an amount not to exceed \$262,843 for the purchase of one new replacement street sweeper;
- (2) Find 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;

(3) Find the proposed contract is exempt from the competitive selection process of the Competitive Bidding and Purchasing Ordinance, pursuant to Pasadena Municipal Code Section 4.08.048(B), contracts for which the City's best interests are served; and

(4) Find that this action is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(3), the General Rule that CEQA only applies to projects that may have an effect on the environment.

ADOPTION OF A RESOLUTION AMENDING THE SALARY RESOLUTION RELATED TO SALARY CONTROL RATES FOR UNREPRESENTED TOP, MIDDLE AND PROFESSIONAL MANAGEMENT CLASSIFICATIONS

RECOMMENDATION: It is recommended that the City Council adopt a resolution amending the Salary Resolution to eliminate the salary increase originally scheduled for April 2010 for the unrepresented Top, Middle and Professional Management classifications. (Resolution No. 9012)

MINUTES APPROVED

March 8, 2010

CLAIMS RECEIVED AND FILED

Claim No. 11,074	Gerald Castrovinci	\$	Not stated
Claim No. 11,075	Farmers Insurance as Subrogee for Gas Equipment Systems		5,010.52
Claim No. 11,076	Michael J. Mangana		1,449.79
Claim No. 11,077	Angela Wong		780.00

PUBLIC HEARINGS SET

April 12, 2010, 7:30 P.M. – Adoption of a Notice of Exemption for Proposed Acquisition for Historic Preservation Purposes of the Real Property Located at 78 North Marengo Avenue and Further Identified as Los Angeles County Tax Assessor's Parcel Numbers 5723-026-028 and 029

April 12, 2010, 7:30 P.M. – Consideration of Adoption of a Resolution of Necessity for the Acquisition by Eminent Domain of Certain Real Property Interests Located at 78 North Marengo Avenue, and Further Identified as Los Angeles County Tax Assessor's Parcel Numbers 5723-026-028 and 029, for Public Purposes, Namely for Historic Preservation

In response to Councilmembers McAustin's and Tornek's questions, the City Manager and Martin Pastucha, Director of Public Works Department, explained the rationale for purchasing a roll off truck, aerial truck, and street sweeper given the current economic circumstances this year, and the piggyback arrangement that is used for purchasing equipment and materials.

It was moved by Councilmember McAustin, seconded by Councilmember Robinson, to approve the Consent Calendar, with the exception of Item 1 (Contract with CompuCom Systems, Inc.), which was discussed separately. (Motion unanimously carried) (Absent: Councilmember Haderlein)

CONSENT ITEM DISCUSSED SEPARATELY

AUTHORIZATION TO ENTER INTO CONTRACT WITH COMPUCOM SYSTEMS, INC., FOR LICENSING OF MICROSOFT SOFTWARE

Recommendation:

(1) Find that the contract is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(3);

(2) Authorize the City Manager to enter into a contract with CompuCom Systems, Inc., for the City's licensing of Microsoft software in an amount not to exceed \$854,109 with an annualized allocation of \$284,703 for the period from April 1, 2010 to March 31, 2013. The proposed contract is exempt from competitive bidding, pursuant to City Charter Section 1002(H), contracts with other governmental entities or their contractors; and

(3) Grant the proposed contract an exemption from the competitive selection process of Competitive Bidding and Purchasing Ordinance, pursuant to Pasadena Municipal Code Section 4.08.049(B), contracts for which the City's best interests are served. (Contract No. 20,266)

Paul Cahill, Pasadena resident (former Sun Microsystems, Inc. employee), spoke in opposition to the proposed contract, and submitted informational materials for alternatives involving Sun's software and desktop virtualization.

Dianah Neff, Interim Chief Information Officer for Information Technology Department, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

Vice Mayor Gordo expressed concerns regarding the length of the proposed contract, staff's preparation for the renewal process given that the contract expires at the end of March 2010, and the resulting restrictions on Council's ability to perform its due diligence.

Phillip Leclair, Information Technology Operations Manager, responded to questions regarding staff's ongoing study of virtualization and the renewal of the proposed licensing agreement.

The City Manager responded to questions involving the timeframe and process for renewal of the software licensing.

Following discussion, it was moved by Councilmember Tornek, seconded by Vice Mayor Gordo, to approve the staff recommendation. (Motion unanimously carried) (Absent: Councilmember Haderlein).

**REPORTS AND COMMENTS
FROM COUNCIL
COMMITTEES**

**LEGISLATIVE POLICY
COMMITTEE**

**SUPPORT FOR USE OF SENATE BILL 1407 FUNDS FOR
THE RETENTION OF COURTROOMS IN LOS ANGELES
COUNTY**

Recommendation:

- (1) Find that there is an urgent need to retain a sufficient number of courtrooms in Los Angeles County to adequately process the number of cases heard in the County; and
- (2) Authorize the Mayor to send correspondence to the appropriate officials recommending a two year diversion of Senate Bill 1407 funds to support the retention of these courtrooms.

The Mayor, Chair of the Legislative Policy Committee, introduced the agenda item.

The City Attorney reviewed the agenda report.

Juvenile Judge Philip Soto and Supervising Judge Mary Thornton House, Los Angeles Superior Court–Northeast District–Pasadena Courthouse, provided a PowerPoint presentation on the current financial crisis facing the Los Angeles Superior Court system, requested the City's support for use of Senate Bill (SB) 1407 funds to retain courtrooms operating in Los Angeles County, submitted informational materials, and responded to questions.

Don Mike Anthony, Los Angeles County Bar Association Board President, spoke in support of the use of SB 1407 funds and responded to questions.

Councilmember McAustin encouraged the Court to also seek a long-term solution to these financial issues.

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

By consensus, the Mayor agreed to draft and send correspondence to the State Legislature (Senate and Assembly leadership, Senator Carol Liu, Assemblymember Anthony Portantino, Chairs of the pertinent Legislative committees, all Legislative representatives for cities in Los Angeles County, and the City's State Legislative Advocate); the Judicial Branch of the State of California (Chief Justice, Administrative Office of the Court, Judicial Council, and Presiding Judges); the League

of California Cities; the California State Association of Counties; and the Mayors/Councils of cities in Los Angeles County.

Councilmember Holden was excused at 8:22 p.m.

RECOMMENDATION TO REMOVE SECTION 2.65.120 FROM THE PASADENA MUNICIPAL CODE, WHICH ESTABLISHED THE EXPIRATION DATE OF JUNE 30, 2010 FOR THE COMMISSION ON THE STATUS OF WOMEN

Recommendation: Direct the City Attorney to prepare an ordinance removing Section 2.65.120 from the Pasadena Municipal Code, to eliminate the expiration date (currently set at June 30, 2010) for the Commission on the Status of Women.

Rita Gail Turner, Commission on the Status of Women Chair, spoke in support of removing the expiration date for the Commission.

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

OPPOSITION TO PROPOSITION 16: NEW TWO-THIRDS VOTE REQUIREMENT FOR PUBLIC ELECTRICITY PROVIDERS

Recommendation:

- (1) Find that the action taken is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(3) (general rule); and
- (2) Authorize the Mayor to send correspondence to the appropriate officials opposing Proposition 16, the "New Two-Thirds Vote Requirement for Public Electricity Providers" – Initiative Constitutional Amendment.

APPROVAL OF CONTRACT RENEWAL WITH CAPITALEdge ADVOCACY LLC FOR LEGISLATIVE LIAISON SERVICES

Recommendation:

- (1) Approve a five-year contract renewal with CapitalEdge Advocacy LLC (formerly Carolyn C. Chaney & Associates, Inc.), for Federal legislative liaison services effective July 1, 2010 through June 30, 2015 for an annual contract cost of \$117,238 (\$112,238 plus \$5,000 for expenses), with the provision for renegotiating the annual cost beginning in fiscal year 2012; and
- (2) Acknowledge this contract is exempt from competitive bidding, pursuant to City Charter Section 1002(F) (professional services) and automatically exempt from competitive selection, pursuant to Pasadena Municipal Code Section 4.08.049(A)(4) (lobbying services). (Contract No. 14,731-9)

The above two agenda items were considered concurrently.

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

FINANCE COMMITTEE

AUTHORIZATION TO ENTER INTO A CONTRACT WITH DATATICKET, INC., FOR COLLECTION OF PARKING CITATIONS ISSUED TO OUT-OF-STATE REGISTERED VEHICLES, AS WELL AS COLLECTION OF DELINQUENT CITATIONS FOR CALIFORNIA REGISTERED VEHICLES FOR A TERM OF FIVE YEARS

On order of the Mayor, the above item was held to allow discussion by the Finance Committee at its next regularly scheduled meeting.

JOINT ACTION: EXTENSION OF BANK OF AMERICA LETTER OF CREDIT RELATED TO THE VARIABLE RATE DEMAND REFUNDING CERTIFICATES OF PARTICIPATION, SERIES 2008A (CONFERENCE CENTER PROJECT)

Recommendation: It is recommended that the City Council/Pasadena Public Financing Authority approve the extension of the existing Bank of America Letter of Credit related to the City's Variable Rate Demand Refunding Certificates of Participation, Series 2008A (COPs) at a 0.95% annual fee for a term of two years, and authorize the Executive Director or the Treasurer of the Authority or any duly authorized designee thereof to execute and deliver an amendment to the Reimbursement Agreement and any and all such other documents, certificates and agreements necessary or desirable, including, if applicable, any amendments to the Remarketing Agreement relating to the COPs that may be required by the Bank in connection therewith, in order to effect the extension of the Letter of Credit on substantially the terms set forth in Attachment A of the agenda report, "Summary of Terms and Conditions," with such additions and changes thereto as shall be approved by the officer executing such amendment to the Reimbursement Agreement.

Recommendation of Pasadena Center Operating Company (PCOC) Finance Committee: This item was presented to the PCOC Finance Committee on March 16, 2010 as information only. No formal action was taken.

The Mayor introduced the agenda item.

Andy Green, Director of Finance Department, summarized the agenda report and responded to questions.

Councilmember Madison was excused at 8:26 p.m.

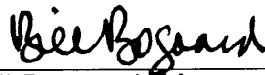
Vic Erganian, Deputy Director/City Treasurer, responded to questions regarding various elements of the transaction.

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

Councilmember Madison returned at 8:36 p.m.

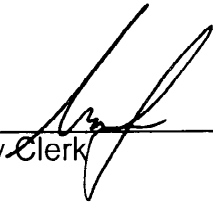
ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 8:41 p.m.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk