

CITY OF PASADENA  
City Council Minutes  
May 17, 2010 – 5:30 P.M.  
City Hall Council Chamber

REGULAR MEETING

**OPENING:**

Mayor Bogaard called the regular meeting to order at 5:58 p.m.  
(Absent: Councilmembers Haderlein, Madison)

On order of the Mayor, the regular meeting recessed at 5:58 p.m., to discuss the following closed sessions:

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

**Agency Negotiators: Karyn Ezell, Arthur Chavez**  
**Employee Organization: Pasadena Fire Fighters Association**

Vice Mayor Gordo was excused at 6:12 p.m.

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

**Agency Negotiator: Karyn Ezell**  
**Employee Organizations: Pasadena Association of Clerical and Technical Employees/Laborers International Union of North America, Local 777; American Federation of State, County and Municipal Employees, Local 858; Pasadena Fire Fighters Association; Pasadena Firefighters Management Association; Pasadena Firefighters Association; Pasadena Police Officers Association; Pasadena Police Sergeants Association; International Brotherhood of Electrical Workers, Local 18; International Union of Operating Engineers, Local 501; Service Employees International Union, Local 347; 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 Vice Mayor Gordo.

**ROLL CALL:**

Councilmembers:

Mayor Bill Bogaard  
Vice Mayor Victor Gordo  
Councilmember Steve Haderlein (Absent)  
Councilmember Chris Holden (Returned at 6:36 p.m.)  
Councilmember Steve Madison (Arrived at 6:35 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**

The Mayor presented a proclamation declaring the week of May 16-22, 2010 as National Public Works Week. The proclamation was received by Martin Pastucha, Director of Public Works Department.

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

No one appeared for public comment.

**CONSENT CALENDAR**

**AMENDMENT TO CONTRACT NO. 19,703 WITH ARNOLD AND WALTERS TELECOMMUNICATIONS CONSULTANTS, FOR TELECOMMUNICATIONS ENGINEERING AND CONSTRUCTION MANAGEMENT SERVICES**

**Recommendation:**

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

(2) Authorize a six-month contract extension to Contract No. 19,703 with Arnold and Walters Telecommunications Consultants, for telecommunications engineering and construction management services for a total not to exceed amount of \$109,000. Competitive bidding is not required, pursuant to City Charter Section 1002(F), contracts for professional or unique services; and

(3) Grant the proposed contract extension an exemption 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. (Contract Amendment No. 19,703-1)

Item discussed separately at the request of Councilmember McAustin.

**AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER WITH GBA MASTER SERIES, INC., FOR THE PURCHASE OF AN ASSET MAINTENANCE MANAGEMENT SYSTEM IN AN AMOUNT NOT TO EXCEED \$155,540**

Item discussed separately, due to request for public comment.

**CONTRACT AWARD TO GREEN GIANT LANDSCAPE, INC., FOR VILLA PARKE SYNTHETIC SOCCER FIELD FOR AN AMOUNT NOT TO EXCEED \$435,000**

**EXTENSION OF LEASE TERM FOR THE FOOTHILL WORKFORCE INVESTMENT BOARD AT 1207 EAST GREEN STREET, CONTRACT NO. 16,669**

**Recommendation:**

(1) Find that the leasing of 1207 East Green Street from the State of California for occupancy by the Foothill Workforce Investment Board (FWIB) 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 five-year lease, incorporating the terms and conditions generally described in the agenda report, with the State of California for the City to continue leasing a portion of the building located at 1207 East Green Street for the FWIB, and any other documents necessary to carry out the lease. (Agreement Amendment No. 16,669-2)

**AUTHORIZATION TO ENTER INTO A CONTRACT WITH PURETEC INDUSTRIAL WATER, INC., TO PROVIDE THE WATER CONDITIONING SYSTEM INSPECTION, MONITORING, AND MAINTENANCE SERVICES FOR THE GLENARM AND BROADWAY POWER PLANTS**

**Recommendation:**

(1) Find that the action proposed in the agenda report is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15301, Existing Facilities;

(2) Authorize the City Manager to enter into a contract with Puretec Industrial Water, Inc., to provide Water Conditioning System Inspection, Monitoring and Maintenance Services for the Glenarm and Broadway Power Plants for an amount not to exceed \$182,000 over a three-year period; and

(3) Authorize the City Manager to extend the contract for one additional two-year period with price adjustment tied to the Consumer Price Index in the Los Angeles-Riverside-Orange County areas.

The proposed contract is exempt from competitive bidding, pursuant to City Charter Section 1002(F), contracts for professional or unique services. (Contract No. 20,306)

**JOINT ACTION: APPROVE FUNDING FOR THE 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**

**Recommendation:** It is recommended that the Pasadena Community Development Commission (PCDC) and the City Council:

(1) Approve a journal voucher appropriating \$3.20 million from PCDC Downtown Capital Fund (801) unreserved fund balance to partially fund the acquisition of property located at 78 North Marengo Avenue (YWCA), identified as Los Angeles County Tax Assessor's parcel numbers 5723-026-028 and 029 for a public purpose, namely, historic preservation;

(2) Approve a journal voucher appropriating \$3.23 million from PCDC Old Pasadena Capital Fund (805) plus other acquisition costs as interest expense due the General Fund on Reimbursement and Repayment Agreement No. 5672 dated November 17, 1986; and recognize same amount in the General Fund as interest earned on PCDC advances; and

(3) Appropriate \$3.23 million plus other acquisition costs from the General Fund unreserved fund balance to purchase the YWCA property described above. (Journal Voucher No. 2010-13)

**Recommendation of the Community Development Committee:** At its regularly scheduled meeting of May 13, 2010, the Community Development Committee recommended that the Pasadena Community Development Commission approve the funding for the real property located at 78 North Marengo Avenue.

**APPROVAL OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PASADENA AND THE SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 347 FOR THE TERM APRIL 27, 2010 THROUGH APRIL 26, 2011**

**Recommendation:**

Approve a successor Memorandum of Understanding between the City of Pasadena and the Service Employees International Union, Local 347 (SEIU), for a one-year term covering the period April 27, 2010 through April 26, 2011. (Agreement No. 20,307)

**CLAIMS RECEIVED AND FILED**

Claim No. 11,107	Samuel Arellano	\$ 80.00
Claim No. 11,108	Victor Jaime	Not Stated
Claim No. 11,109	Christopher Sutton, Attorney for Edmund Fry and Mary Fry dba Rose Tree Tea Cottage	43,222.41
Claim No. 11,110	Paris Phifer	1,200.00

**PUBLIC HEARINGS SET**

May 24, 2010, 7:30 P.M. – Proposed Street Name Change from Titley Avenue to Kinneloa Avenue

June 7, 2010, 7:30 P.M. – Call for Review of a Design Commission Decision to the City Council Regarding an Application for Concept Design Review at 680 East Colorado Boulevard, PLN2009-00450, for the IDS Playhouse Plaza Project

It was moved by Councilmember Robinson, seconded by Councilmember McAustin, to approve the Consent Calendar with the exceptions of Item 2 (Purchase Order with GBA Master Series, Inc.) and Item 3 (Contract with Green Giant Landscape, Inc.), which were discussed separately. (Motion unanimously carried) (Absent: Councilmember Haderlein)

**CONSENT ITEMS  
DISCUSSED SEPARATELY**

**AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER WITH GBA MASTER SERIES, INC., FOR THE PURCHASE OF AN ASSET MAINTENANCE MANAGEMENT SYSTEM IN AN AMOUNT NOT TO EXCEED \$155,540**

**Recommendation:**

(1) 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; and

(2) Authorize the issuance of a purchase order to GBA Master Series, Inc., (gbaMS), for an Asset Maintenance Management System in an amount not to exceed \$155,540, without competitive bidding, pursuant to Section 1002(F) of the City Charter, professional or unique services.

At the request of Councilmember McAustin, Cheri Kuhlins, Program Coordinator, reviewed the agenda report as part of a PowerPoint presentation.

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

**CONTRACT AWARD TO GREEN GIANT LANDSCAPE, INC., FOR VILLA PARKE SYNTHETIC SOCCER FIELD FOR AN AMOUNT NOT TO EXCEED \$435,000**

**Recommendation:**

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

(2) Accept the bid, dated May 4, 2010, submitted by Green Giant Landscape, Inc., in response to the specifications for Villa Parke Synthetic Soccer Field; reject all bids received; and authorize the City Manager to enter into a contract not to exceed \$435,000. (Contract No. 20,308)

D. Walker, Pasadena resident, spoke in opposition to the proposed synthetic soccer field.

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

**RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS**

**FINAL GENERAL PLAN OUTREACH SUMMARY REPORT**  
**Recommendation:** Accept the Final General Plan Outreach Summary Report and Appendix as documentation of Phase I of the community participation process and as the foundation from which the next phase of the General Plan Update will proceed.

The Mayor introduced the agenda item.

Stephanie DeWolfe, Deputy Director of Planning and Development, reviewed the agenda report and General Plan Update Outreach Summary Report as part of a PowerPoint presentation; and responded to questions.

Paul Little, Chamber of Commerce President and Chief Executive Officer, expressed various concerns regarding the Summary Report, the overall approach of the General Plan Update process, and the alleged lack of representation for the commercial community in the report; and submitted a copy of the Chamber's letter to Stephanie DeWolfe, dated March 24, 2010, expressing these concerns.

The following persons spoke in support of the Summary Report, the overall approach of the General Plan Update process, and/or the need for all of Pasadena to be involved in an inclusive process:

Louisa Nelson, General Plan Update Advisory Committee (GPUAC) member

Jose Noel Toro, GPUAC member speaking as an individual

Nina Chomsky, Pasadena resident

Marsha Rood, GPUAC member speaking as an individual

Steve Mermell, Assistant City Manager, indicated that information on an update of the Economic Development Element of the General Plan, which will be undertaken concurrently with the balance of the General Plan Update process, will be provided in the City Manager's weekly newsletter; and responded to questions.

Following discussion, Councilmember Madison expressed concerns regarding the need to look more comprehensively at the complete mitigation of a project's impacts, to focus on the amount and location of parking, and to respond to the business community's concerns regarding the promotion of economic development.

Councilmember Tornek stated support for accelerating the Update process.

In response to Councilmember McAustin's suggestion, Ms. DeWolfe agreed that staff will return with a revised schedule reflecting possibilities for time savings for the remainder of the Update process.

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

The Mayor congratulated Stephanie DeWolfe on recently receiving her Master's Degree from the School of Policy, Planning and Development from the University of Southern California.

**PUBLIC HEARING**

**CONTINUED PUBLIC HEARING: CITY MANAGER'S RECOMMENDED FISCAL YEAR 2011 OPERATING BUDGET AND FISCAL YEAR 2011-2015 CAPITAL IMPROVEMENT PROGRAM**

**Recommendation:** Receive public comment and continue the public hearing to each subsequent regular meeting of the City Council at 7:30 p.m. until June 21, 2010, or such other later date as the City Council may determine, and at which time the City Council will be asked to close the public hearing and formally adopt the Fiscal Year 2011 Operating Budget and the Fiscal Year 2011-2015 Capital Improvement Program Budget.

The Mayor announced that now was the time for the continued public hearing.

The City Clerk reported that no additional correspondence had been received.

Councilmember Holden, Chair of the Finance Committee, reported that at the special joint meeting of the City Council and Finance Committee held on May 17, 2010 at 3:00 p.m., staff had reviewed the budgets for the following departments: Fire, Human Resources, and Finance; and provided an update of the schedule for future department budget reviews.

No one appeared for public comment.

By consensus and on order of the Mayor, the public hearing was continued to May 24, 2010 at 7:30 p.m.

**RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS**

**CONSIDERATION OF POSSIBLE CITY COUNCIL ACTION IN REGARD TO STATE OF ARIZONA SENATE BILL 1070 RELATING TO THE ENFORCEMENT OF FEDERAL IMMIGRATION LAWS (Vice Mayor Gordo)**

Vice Mayor Gordo discussed immigration policy/law issues and civil freedom/constitutional questions related to the passage of Arizona Senate Bill (SB) 1070; and asked Council to join him in support of a proposed resolution opposing SB 1070, which is to be submitted to the United States Conference of Mayors by the Honorable Phil Gordon, Mayor of Phoenix, Arizona, (Attachment 9 of the handouts). He stated his reasons for supporting this action, and clarified that a boycott was not a part of his proposed action.

The City Attorney opined that the action outlined by Vice Mayor Gordo is within the purview of the City Council, if members of the Council deem it appropriate, to the extent that this also addresses issues that may come before the City of Pasadena or may affect City residents as they travel; and explained the procedure to be followed as Council considers possible action.

The Mayor outlined the usual practice of the Legislative Policy Committee in reviewing and offering recommendations regarding legislature.

The following persons expressed concerns regarding SB 1070 and/or support for Mayor Gordon's proposed resolution:

Paul Little, Chamber of Commerce President and Chief Executive Officer, submitted a letter stating the Chamber's position.

Rosalba Lopez, Pasadena Street Vendors member

Crescenciano Martinez, Pasadena resident

Mayron Payes, Pasadena resident

Allen Shay, Pasadena resident

Angelica Salas, Coalition for Humane Immigrant Rights of LA (CHIRLA) representative

Juan Manuel Espinoza, Pasadena Street Vendors member

Robert De Leon, Pasadena resident

Nicole Bernard, Day One youth advocate

Carlos Real, Day One youth advocate

Christy Zamani, Pasadena resident

Christian Camareno, Day One youth advocate

Samuel Camareno, Day One youth advocate

Ashley Mercado, Day One youth advocate

Teresa Martinez, Pasadena resident

Rev. Abel Lopez, All Saints Church

Michelle White, ACLU Pasadena/Foothills Chapter President, submitted a letter stating the Chapter's position.

Roberta Martinez, Pasadena resident

The following persons spoke in support of SB 1070:

Les Hammer, Pasadena resident

Daniel Friedman, Valley Village resident

Tove Katz, Chatsworth resident

Barbara Nanney, Pasadena resident, submitted her written comments.

Edna Jones, Pasadena resident, submitted her written comments.

Bill MacMullin, Pasadena resident

Floyd Folven, Pasadena resident

Ellie MacMullin, Pasadena resident



The following persons expressed concerns regarding SB 1070, support for Mayor Gordon's proposed resolution, and/or an economic boycott of Arizona:

Susana Zamorano, APPLE representative  
Randy Jurado Ertll, El Centro de Acción Social Executive Director  
Veronica Velez, Pasadena resident  
Luis A. Lagos, Pasadena Street Vendors member  
Raul Anorve, Instituto de Educación Popular del Sur de California (IDEPSCA) representative  
Lena Becerra, Pasadena resident

The following persons spoke in support of the City taking no action on this issue at this time:

Lyle Steiner, Pasadena resident  
Lance A. Charles, Sr., submitted his written comments.  
Emina Darakjy, Pasadena resident  
Brian Fuller, Pasadena Republican Club representative  
Vivian Luther, Pasadena resident  
Nancy Nelson, Pasadena resident

Alvaro Day, Arcadia resident and candidate for the State's 44th Assembly District, invited the community to discuss illegal immigration issues at a Town Hall event to be held on June 27, 2010 at Eagle Rock Park.

Discussion followed on Mayor Gordon's resolution and its submittal to the Conference of Mayors, the purview of the City Council in taking action on issues involving SB 1070 and immigration reform, and the role of the Legislative Policy Committee in reviewing legislative issues.

Councilmember McAustin stated her support of local control of issues, with the Council to focus on the City's business, and her opposition to the City becoming involved in matters related to other jurisdictions. She suggested that the Legislative Policy Committee review the issue of a need for comprehensive immigration reform, with a letter to be sent to Congress in support of legislation to address comprehensive immigration reform as soon as possible.

Councilmember Tornek spoke in support of the City focusing its attention on local issues; and an affirmation of the City's prior action taken on March 6, 2006, that opposed the Border Protection, Antiterrorism, and Illegal Immigration Contract Act of 2005 (HR 4437) and urged Congress to approve comprehensive immigration reform legislation (Attachment 2 of the handouts).

Following discussion, it was moved by Vice Mayor Gordo, seconded by Councilmember Robinson, to direct the Mayor to send a letter in support of a proposed resolution opposing Arizona Law Senate Bill 1070 and calling for the federal government to enact comprehensive immigration reform legislation that is to be submitted for adoption at the United States Conference of Mayors by the Honorable Phil Gordon, Mayor of Phoenix, Arizona (Attachment 9 of the handouts); with a copy of this correspondence to also be sent to Congressman Adam Schiff. (Motion carried, with Councilmembers McAustin, Tornek objecting) (Absent: Councilmember Haderlein)

It was moved by Councilmember Holden, seconded by Councilmember Robinson, to direct the Legislative Policy Committee to develop a clear statement from the City to the President and Congress to take up the issue of enacting legislation for comprehensive immigration reform, to be presented to the Council for action and consistent with the City's position as acted upon by the City Council at the Council meeting of March 6, 2006. (Motion unanimously carried) (Absent: Councilmember Haderlein)

#### **INFORMATION ITEM**

#### **CITY COUNCIL WORKSHOP ON BROADBAND AND FIBER OPTICS**

**Recommendation:** This report is submitted for information only.

The City Manager asked that the above item be deferred to allow time for a full staff presentation.

On order of the Mayor, the above agenda item was held for a future meeting, due to time constraints.

#### **ORDINANCE – FIRST READING**

Councilmember Madison recused himself at 10:04 p.m., due to a potential conflict of interest.

#### **Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLES 3 AND 4 OF THE PASADENA MUNICIPAL CODE TO UPDATE THE LIST OF PARKS AND OPEN SPACE AREAS ON WHICH RESIDENTIAL IMPACT FEES MAY BE EXPENDED (ANNANDALE CANYON PARK)”**

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

AYES: Councilmembers Holden, McAustin, Robinson, Tornek, Vice Mayor Gordo, Mayor Bogaard

NOES: None

ABSENT: Councilmembers Haderlein, Madison

**ORDINANCES – ADOPTED**

**Adopt “AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17 (THE ZONING CODE) TO REMOVE CERTAIN EXEMPTIONS TO PUBLIC ART REQUIREMENT”**  
(Introduced by Councilmember Holden) (Ordinance No. 7189)

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

**Adopt “AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTER 2.65 OF THE PASADENA MUNICIPAL CODE, REPEALING THE SUNSET CLAUSE FOR THE COMMISSION ON THE STATUS OF WOMEN”**  
(Introduced by Councilmember Robinson) (Ordinance No. 7190)

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

**RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS**

**STRATEGIC PLAN UPDATE**

**Recommendation:** Adopt the six-month strategic objectives for the period of April 30, 2010 through November 1, 2010 (Attachment A of the agenda report).

The Mayor introduced the agenda item.

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


**ANNOUNCEMENT**

The Mayor announced that Nancy Nelson, Eco-Community Dialogues Group Organizer, had submitted a flier inviting the community to a Dialogue titled, “Climate Change and the Role of Women,” to be presented on May 26, 2010 at the Central Library Auditorium.

**ADJOURNMENT**

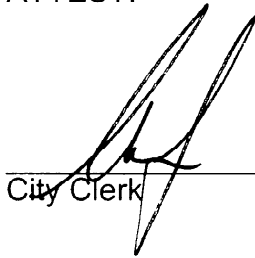
On order of the Mayor, the regular meeting of the City Council adjourned at 10:10 p.m., in memory of Jim Stivers, who participated in the founding of the Rose Bowl Operating Company and the Pasadena Center Operating Company, volunteered with the Tournament of Roses Association for over 50 years, and was a longtime member of the Rose Bowl Operating Company Board of Directors; and Alberta Vaughn, a resident of Northwest Pasadena for over 60 years who, with

her husband, Charles, began a scholarship fund to help students with costs for their books and tuition, and gave generously to those who were less fortunate.



\_\_\_\_\_  
Bill Bogaard, Mayor  
City of Pasadena

ATTEST:



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City Clerk