

CITY OF PASADENA
City Council Minutes
July 19, 2010 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 5:41 p.m. (Absent: Councilmembers Holden, Madison, Vice Mayor Gordo)

On order of the Mayor, the regular meeting recessed at 5:41 p.m., to discuss the following closed session:

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

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

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

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Victor Gordo (Absent)
Councilmember Steve Haderlein
Councilmember Chris Holden (Absent)
Councilmember Steve Madison (Arrived at 6:36 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

Councilmember Madison arrived at 6:36 p.m.

The City Clerk administered the oaths of office to Roy Leisure as member of the Urban Forestry Advisory Committee, and Darrell Cozen and Jaime Lara as Historic Preservation Commissioners.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Henry Shaw, Rose Bowl tennis players representative, expressed concerns regarding the use of the courts for privately-contracted tennis lessons, and asked the City Council to revisit the policy related to the City's public tennis courts.

In response to Council's questions, the City Manager indicated that information will be provided in his weekly newsletter regarding Mr. Shaw's concerns.

Hugh Bowles, Altadena resident, expressed various concerns as to whether the Sycamore Grove soccer field project complies with the criteria for the grant funding received for the project, and asked Council to give further consideration as to where and how the grant funds should be used.

Nancy Nelson, Eco-Community Dialogues Group Organizer, announced an Eco-Community Dialogue event to be held on July 21, 2010, pertaining to the federal government's ban on the sale and distribution of raw milk through interstate commerce, and submitted informational materials on this issue.

INFORMATION ITEM

CITY COUNCIL WORKSHOP ON PARKING RESTRICTIONS ON NARROW STREETS

The Mayor announced that at the request of the City Manager, the above item will be held to allow time for review by the Public Safety Committee.

CONSENT CALENDAR

Item discussed separately at the request of Councilmember Haderlein.

AUTHORIZATION TO ENTER INTO A CONTRACT WITH PCR SERVICES CORPORATION (PCR) TO PROVIDE PROFESSIONAL CONSULTING SERVICES IN THE PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE HUNTINGTON MEMORIAL HOSPITAL MASTER DEVELOPMENT PLAN AMENDMENT

Item discussed separately at the request of the City Manager.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA CONFIRMING THE AWARD OF ITS ELECTRIC REVENUE REFUNDING BONDS, 2010A SERIES

CONTRACT AWARD TO REPIPE CALIFORNIA, INC., FOR THE 2010 RELINING AND RECONSTRUCTION OF CORRUGATED METAL STORM DRAIN PIPES FOR AN AMOUNT NOT TO EXCEED \$290,000

Recommendation:

- (1) Find that on September 21, 2009, the project proposed in the agenda report was found to be categorically exempt under the California Environmental Quality Act (CEQA), in accordance with Title 14, Chapter 3, Class 1, Section 15301. This exemption includes the minor alteration of existing public facilities involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination, and there are no changed circumstances or new information which would require further environmental review; and
- (2) Accept the bid dated June 23, 2010, submitted by RePipe California, Inc., in response to the Project Specifications for the 2010 Relining and Reconstruction of Corrugated Metal Storm Drain Pipes, reject all other bids received, and authorize the

City Manager to enter into such contract as is required for an amount not to exceed \$290,000. (Contract No. 20,397)

AUTHORIZATION TO EXECUTE AN INTERCONNECTION AGREEMENT, A RELIABILITY STANDARDS AGREEMENT, AND A REPLACEMENT AZUSA HYDRO TRANSMISSION AGREEMENT BETWEEN THE CITY OF PASADENA AND THE SOUTHERN CALIFORNIA EDISON COMPANY

Recommendation:

(1) Find that the following proposed actions are exempt from review, pursuant to the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines, Class 1, Section 15301, Existing Facilities; and

(2) Authorize the City Manager to:

(a) Execute an Interconnection Agreement with the Southern California Edison Company (SCE) that incorporates terms and conditions as generally described in the agenda report to maintain the City of Pasadena's (Pasadena) connection to the western electric power grid for importing long-term contracted and spot market purchases of electric energy and capacity to serve its customers;

(b) Execute a Reliability Standards Agreement with SCE that explicitly defines the terms, conditions, operational, and fiscal responsibilities for meeting North American Electric Reliability Council (NERC) reliability standards; and

(c) Execute an Azusa Hydro Dam Power Delivery Agreement with SCE that clearly specifies the terms and conditions under which SCE will transfer power from the Azusa Hydro plant to the City pursuant to the June 20, 1933, Corporation Grant Deed.

These proposed agreements are exempt from competitive bidding, pursuant to City Charter Section 1002(C), contracts for labor, material, supplies, or services available from only one vendor. (Agreement Nos. 20,398, 20,399, and 20,400)

The Mayor reported the following minor correction to Page 3 of the agenda report, Background section, Subsection 2, Reliability Standards Agreement:

The RSA is intended to be an interim agreement, initially valid for ~~two~~ three years during which time longer term responsibilities, obligations, and operational details will be developed.

CLAIMS RECEIVED AND FILED

Claim No.11,159	Marcelino Aguilar	\$10,000.00
Claim No.11,160	Gregory Lee Faith	223.06
Claim No.11,161	Ines Calderon Contreras	936.86

It was moved by Councilmember Madison, seconded by Councilmember McAustin, to approve the Consent Calendar, with Item 4 (Agreements with Southern California Edison Company) as amended above, and with the exceptions of Item 1 (Contract with PCR Services Corporation) and Item 2

(Resolution Confirming Award of Electric Revenue Refunding Bonds, 2010A Series). (Motion unanimously carried) (Absent: Councilmember Holden, Vice Mayor Gordo)

CONSENT ITEMS
DISCUSSED SEPARATELY

Councilmember Haderlein was excused at 6:55 p.m., due to a conflict of interest.

AUTHORIZATION TO ENTER INTO A CONTRACT WITH PCR SERVICES CORPORATION (PCR) TO PROVIDE PROFESSIONAL CONSULTING SERVICES IN THE PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE HUNTINGTON MEMORIAL HOSPITAL MASTER DEVELOPMENT PLAN AMENDMENT

Recommendation: Authorize the City Manager to enter into a contract with PCR Services Corporation, for an amount not to exceed \$113,000 for the preparation of an EIR for the Huntington Memorial Hospital Master Development Plan Amendment. Competitive bidding is not required, pursuant to City Charter Section 1002(F), contracts for professional or unique services. (Contract No. 20,041)

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

Councilmember Haderlein returned at 6:57 p.m.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA CONFIRMING THE AWARD OF ITS ELECTRIC REVENUE REFUNDING BONDS, 2010A SERIES

Recommendation: Adopt a resolution confirming the award of its Electric Revenue Refunding Bonds, 2010A Series. (Resolution No. 9047)

The City Manager announced that the bonds had been sold this morning.

Andy Green, Director of Finance Department, introduced the agenda item.

Vic Erganian, Deputy Director/City Treasurer, reviewed the agenda report as part of a PowerPoint presentation; announced that the low bid was awarded to J.P. Morgan Securities, Inc., as part of the bid opening; distributed Exhibit A – Summary of Bids and Exhibit B – Pricing Summary (updated information to be attached to the resolution); and provided the following information to complete the blanks that appeared on the resolution attached to the agenda report:

- o Section 3. The exact aggregate principal amount of the 2010A Bonds to be issued and sold is \$36,320,000.00.
- o Section 4. The Director of Finance, or his designee, is hereby authorized and directed to deliver the 2010A Bonds to the successful bidder upon payment therefor at the purchase price of \$38,566,758.40, and to undertake any and all acts necessary or desirable to accomplish the purposes of this Resolution.

It was moved by Councilmember Tornek, seconded by Councilmember McAustin, to approve the staff recommendation, with resolution amended as cited above. (Motion unanimously carried) (Absent: Councilmember Holden, Vice Mayor Gordo)

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

APPROVAL OF ROTATING PUBLIC ART EXHIBITION PROGRAM

Recommendation:

(1) Find that the project is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines, Section 15304 (minor alterations to land); and (2) Approve the creation of a Rotating Public Art Exhibition Program.

Recommendation of Arts and Culture Commission: On January 13, 2010, the Arts and Culture Commission approved the Concept Plan for the Rotating Public Art Exhibition Program and approved the Final Art Plan on April 14, 2010.

Recommendation of Legislative Policy Committee: On March 17, 2010, the Legislative Policy Subcommittee of the City Council reviewed the program concept and recommended that it be sent to the City Council for approval. Additionally, the Legislative Policy Committee requested that the Arts & Culture Commission provide community outreach to inform local residents and businesses adjacent to the proposed sculpture sites.

Rochelle Branch, Cultural Affairs Manager, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

Steve Mermell, Assistant City Manager, indicated that staff will confirm whether the Arts and Culture Commission can be authorized to give final approval in the artwork selection process, as well as a process allowing Council to call for review any decision made by the Arts and Culture Commission in approving specific art pieces to be displayed as part of the program. He confirmed that Council will receive a report from staff about any conflict with City regulations that may be discovered regarding the selection/approval process.

Councilmember Robinson asked staff to work with her in identifying additional site locations in District 1 that could be included in the program, since staff had presented only 1 site for District 1 on the list in the agenda report.

Councilmember Madison expressed concerns regarding the need to ensure that the permit process for installation/display of the artwork complies with the City's Zoning Code and land-use requirements, and to clarify the artwork selection process, with staff to ensure that the processes comply with the City's various regulations from a legal standpoint.

Councilmember Haderlein stated his objection to the program in that the number of art pieces to be placed in East Pasadena and Northwest Pasadena as part of this program does not appear to meet the priority/goal called for in the Nexus Cultural Plan for placement of artwork in these areas.

Dale Oliver, Arts and Culture Commissioner, spoke in support of the proposed rotating public art exhibition program.

It was moved by Councilmember Tornek, seconded by Councilmember Madison, to approve the staff recommendation, subject to staff ensuring that the permit process complies with Zoning Code and land-use requirements and the art selection process complies with City regulations, as discussed above. (Motion carried, with Councilmember Haderlein objecting) (Absent: Councilmember Holden, Vice Mayor Gordo)

APPOINTMENT OF MERIEL L. STERN TO THE ARTS AND CULTURE COMMISSION (District 5 Nomination)

RESIGNATION OF CAROL CARMICHAEL FROM THE ENVIRONMENTAL ADVISORY COMMISSION (At Large/District 7 Nomination)

In response to Councilmember Madison's questions, the Mayor provided information regarding the resignation letter from Carol Carmichael.

Discussion ensued regarding the need for commissioners' feedback as they step down, receiving information through the one-on-one relationship between the commissioner and nominating councilmember, and evaluating the best use of the EAC and other advisory bodies.

Following discussion, the Mayor noted that the City had sunsetted the Utility Advisory Commission (UAC) when the EAC was created; and suggested that the City Council, at some future time, consider the best way in which Council can be assisted regarding matters involving sustainability: whether the UAC should be re-created, the role of the EAC should be re-defined, or both advisory bodies (EAC and UAC) should be used.

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

ORDINANCES – FIRST READING

Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA SUSPENDING IMPLEMENTATION OF THE SCHEDULED JULY 1, 2010 CONSUMER PRICE INCREASE

TO THE STIPENDS OF THE MAYOR AND MEMBERS OF THE CITY COUNCIL SET FORTH IN SECTION 2.05.210(B) OF THE PASADENA MUNICIPAL CODE”

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

AYES: Councilmembers Haderlein, Madison, McAustin, Robinson, Tornek, Mayor Bogaard

NOES: None

ABSENT: Councilmember Holden, Vice Mayor Gordo

Conduct first reading of “AN ORDINANCE AMENDING CHAPTER 2.165 OF THE PASADENA MUNICIPAL CODE TO PROVIDE FOR A TOURNAMENT OF ROSES ASSOCIATION REPRESENTATIVE ON THE PASADENA CENTER OPERATING COMPANY BOARD”

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

AYES: Councilmembers Haderlein, Madison, McAustin, Robinson, Tornek, Mayor Bogaard

NOES: None

ABSENT: Councilmember Holden, Vice Mayor Gordo

INFORMATION ITEM

STRATEGIC PLAN UPDATE FOR THE PERIOD OF APRIL 30, 2010 THROUGH NOVEMBER 1, 2010

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

Julie Gutierrez, Assistant City Manager, noted that some due dates on the Strategic Plan items had been adjusted for various reasons, and responded to questions.

In response to Councilmember McAustin’s questions, the City Attorney and Ms. Gutierrez indicated that additional information will be provided in the City Manager’s weekly newsletter outlining the research that was performed regarding the objective to study an internal administrative citation process and vehicle code to be included in the Pasadena Municipal Code (staff determined this would violate State law).

In response to Councilmember Tornek’s questions, the City Manager indicated that suggestions received from residents regarding budget reductions and revenue enhancements will be published and included in his weekly newsletter, and a public workshop and other activities are scheduled for this fall to elicit residents’ input regarding budget issues.

Councilmember Haderlein asked that the objective for ARTS bus strategies be reviewed by the Transportation Advisory Commission prior to being presented to the City Council.

By consensus and on order of the Mayor, the report was received and filed.

COUNCIL COMMENTS

Councilmember Robinson announced a community meeting to be held on July 27, 2010 for residents to discuss safety issues around the Cleveland Elementary School with representatives from the Police Department.

Councilmember Haderlein announced a groundbreaking ceremony to be held on July 20, 2010 for A Noise Within's new location at the former Stuart Pharmaceutical building in East Pasadena.

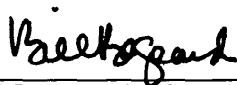
On order of the Mayor, the regular meeting of the City Council recessed at 8:07 p.m., to discuss the following closed session, and thereafter adjourned at 8:27 p.m., in memory of Dorothy Lindsey and James Hawkes, who were active members of the West Pasadena Residents Association and other civic activities:

RECESS/ADJOURNMENT

Councilmember McAustin was excused at 8:07 p.m., due to a conflict of interest.


CITY COUNCIL CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8
Property: 2180 East Foothill Boulevard, Pasadena
Agency Negotiators: Michael J. Beck, City Manager
Negotiating Parties: Donald Speakman and Sheri McCanless, Brokers; Tiffany Rochelle, Broker
Under Negotiation: Price and terms of payment

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



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk