

CITY OF PASADENA
City Council Minutes
August 9, 2010 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING: Mayor Bogaard called the regular meeting to order at 6:33 p.m. The Pledge of Allegiance was led by Councilmember Holden.

ROLL CALL:
Councilmembers:

Mayor Bill Bogaard
Vice Mayor Victor Gordo (Absent)
Councilmember Steve Haderlein
Councilmember Chris Holden
Councilmember Steve Madison (Arrived at 7:51 p.m.)
Councilmember Margaret McAustin
Councilmember Jacque Robinson
Councilmember Terry Tornek

Staff:

City Manager Michael J. Beck
Chief Assistant City Attorney Nicholas Rodriguez
City Clerk Mark Jomsky

CEREMONIAL MATTERS

The City Clerk administered the oath of office to Debbie Ayala as Library Commissioner.

Steve Vanderpool, Make-A-Wish Foundation Director of Marketing and Communications, gave an overview of the services provided by the Make-A-Wish Foundation; and introduced Kelsy Lopez, a Pasadena resident and wish recipient, who thanked everyone for fulfilling her Hawaii vacation wish for her and her family.

The Mayor acknowledged the contributions made by the City's numerous nonprofit organizations.

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

Mark Olson, Southern California Edison (SCE) representative, introduced himself as the new SCE representative for Pasadena.

Nancy Nelson, Pasadena resident, expressed concerns regarding unfair housing practices, and submitted a letter outlining these concerns.

CONSENT CALENDAR

AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER WITH BOERNER TRUCK CENTER FOR THE PURCHASE OF THREE CRANE CARRIER REFUSE SIDE LOADER TRUCKS IN AN AMOUNT NOT TO EXCEED \$857,901

Recommendation:

(1) Authorize the issuance of a purchase order to Boerner

Truck Center, in an amount not to exceed \$857,901 for the purchase of three Side Loading Refuse Trucks; and
 (2) 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.

AUTHORIZATION TO ENTER INTO A CONTRACT WITH AVAYA, INC., FOR TECHNICAL SUPPORT SERVICES AND SOFTWARE

Recommendation:

- (1) Find the contract renewal 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 renewal with Avaya, Inc., to provide 24/7 technical support services and software for the maintenance of the City's Avaya (formerly Nortel) Telephone and Contact Center Manager (aka Call Center) Systems in an amount not to exceed \$178,698 with an annualized allocation of \$59,566 for the period from August 1, 2010 to July 30, 2013. The proposed contract is exempt from competitive bidding, pursuant to City Charter Section 1002(F), contracts for professional or unique services; and
- (3) Grant the proposed contract renewal 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. 19,292-2)

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER CONTRACT WITH SANOFI PASTEUR, TO ACQUIRE VACCINES FOR THE HEALTH DEPARTMENT'S IMMUNIZATION CLINIC

Recommendation: Authorize the issuance of a purchase order contract to Sanofi Pasteur, for the period July 1, 2010 through June 30, 2011 not to exceed \$90,000 for the purchase of vaccines for the Health Department's Immunization Clinic. Competitive bidding is not required, pursuant to City Charter Section 1002(C), contracts for labor, materials, supplies or services available from only one vendor.

MINUTES APPROVED

July 26, 2010

CLAIMS RECEIVED AND FILED

Claim No.11,170	Dale Mattes	\$ 1,237.89
Claim No.11,171	Wahi Kigham	1,210.55
Claim No.11,172	Dennis Hovelsen	500.00
Claim No.11,173	California Retail Center	25,000.00+

It was moved by Councilmember Haderlein, seconded by Councilmember Robinson, to approve all items on the Consent Calendar. (Motion unanimously carried) (Absent: Councilmember Madison, Vice Mayor Gordo)

**REPORTS AND COMMENTS
FROM COUNCIL
COMMITTEES**

FINANCE COMMITTEE

AUTHORIZATION TO INCREASE THE NOT TO EXCEED AMOUNT OF CONTRACT NO. 20,013 WITH VCI TELCOM, FOR CONSTRUCTION OF UNDERGROUND ELECTRICAL CONDUIT SYSTEMS IN LOS ROBLES AVENUE FOR THE WATER AND POWER DEPARTMENT BY \$300,000

Recommendation:

- (1) Find that on August 10, 2009, the Council found the project to be exempt from California Environmental Quality Act (CEQA) review, pursuant to State CEQA Guidelines Section 15302(c), replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity, and the proposal herein does not constitute a substantial change in the project description, nor is there new information or changed circumstances that would trigger further environmental review;
- (2) Increase Contract No. 20,013 by \$300,000, thereby increasing the not to exceed amount from \$2,587,780 to \$2,887,780; and
- (3) Appropriate \$300,000 from the unencumbered balance of the Underground Utilities Fund No. 206 to the Utility Undergrounding Capital Improvement Project No. 3174. (Contract Amendment No. 20,013-1, Journal Voucher No. 2011-1)

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

Joe Awad, Assistant General Manager/Customer Relations, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

The City Manager provided information on the notification being provided to residents who will be impacted by the project.

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

ADOPTION OF THE DEBT MANAGEMENT POLICY AND OVERVIEW OF THE CITY'S DEBT PROFILE

Recommendation: It is recommended that the City Council adopt the proposed Debt Management Policy.

Councilmember Holden introduced the agenda item.

Floyd Folven, Pasadena resident, expressed concerns regarding the amount of the City's debt, and specifically the Rose Bowl renovation project; and opposition to adoption of the Debt Management Policy.

The Mayor noted that Council will discuss the retirement pension obligation and Rose Bowl renovation project issues (mentioned by Mr. Folven) during future Council meetings.

Andy Green, Director of Finance Department, provided an overview of the City's debt profile as part of a PowerPoint presentation, and responded to questions.

The City Manager responded to questions regarding debt profile factors involving comparable cities.

Councilmember Haderlein noted that during the Finance Committee discussion of the Debt Management Policy, the following clarifications had been made by staff or requested by the Finance Committee:

- Page 12, Section 4.2 – Staff clarified that average applies to the annual debt service, stated as “125% of average annual debt service” in the section.
- Page 17, Section 6.11 – The Finance Committee requested that the Policy be amended to include clarification of the word “interim” as this relates to defining interim construction financing as cited in the section.

He also noted that the Finance Committee had requested additional information on statistics from comparable California cities regarding the percentage of revenue expenditures and the level of overlapping debt.

Councilmember McAustin noted that at a future Finance Committee meeting, the Committee will consider the issue of increasing the City's debt reserves policy from 10% to 15% over time, when fiscal conditions permit.

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

MUNICIPAL SERVICES
COMMITTEE

DIRECT THE CITY ATTORNEY TO PREPARE AN ORDINANCE AMENDING SECTION 13.14.110 OF THE PASADENA MUNICIPAL CODE, UNDERGROUND UTILITY DISTRICTS

Recommendation: Direct the City Attorney to prepare an ordinance amending Section 13.14.110 of the Pasadena Municipal Code, to increase the City's Underground

Reimbursement Fee from \$2,000 to \$3,000 for electrical contract work on private property in conjunction with underground utility districts.

ADOPTION OF A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ESTABLISHMENT OF UNDERGROUND UTILITY DISTRICT NO. 10-1 MOUNTAIN STREET, LAKE AVENUE TO HILL AVENUE

Recommendation: Adopt a resolution setting a date for a public hearing on September 13, 2010, to consider the establishment of Underground Utility District No. 10-1, Mountain Street, Lake Avenue to Hill Avenue. (Resolution No. 9052)

The above two agenda items were discussed concurrently.

Councilmember McAustin, Chair of the Municipal Services Committee, summarized the agenda reports.

Martin Pastucha, Director of Public Works Department, clarified the prioritization of the series of underground districts that have been approved, and responded to questions.

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

INFORMATION ITEM

INFORMATIONAL REPORT ON THE POLICE DEPARTMENT'S EXISTING POLICE CIVILIAN COMMITTEES AND USE OF FORCE BOARD

Councilmember Haderlein, Chair of Public Safety Committee, reported that this information had been presented to the Committee, with Use of Force reports to be presented to the Committee on a quarterly basis; and noted that future reports will contain additional information that compares Pasadena with other cities regarding statistics for use of force as a percentage of total arrests.

Councilmember Madison arrived at 7:51 p.m.

Police Chief Phillip Sanchez reviewed information on the Discipline Review Board, Use of Force Board, and use of force/crime statistics as part of a PowerPoint presentation, and responded to questions.

Police Commander Lisa Morales responded to questions regarding the Discipline Review Board process.

The City Manager discussed disciplinary actions that might be taken related to repeated problem behavior by a police officer, and the role of outside independent review in the use of force process.

The following persons expressed concerns regarding the need for more transparency and detailed information on use of force incidences and complaints involving the Police Department:

Kris Ockershauser, ACLU Pasadena Foothills Chapter representative, submitted a letter from the Law Offices of John Burton dated August 9, 2010, regarding the need for a use-of-force tracking system.
Michelle White, ACLU Pasadena/Foothills Chapter President

Decatur Walker, Pasadena resident, questioned whether the Police Department had access to the Los Angeles County Mental Health system and database.

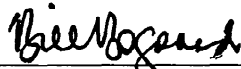
The Mayor indicated that Chief Sanchez could contact Mr. Walker regarding his question, since this issue did not directly correlate to the matter being presented.

In response to Councilmember Robinson's request, Chief Sanchez indicated that the PowerPoint presentation will be posted on the Police Department's web page.

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

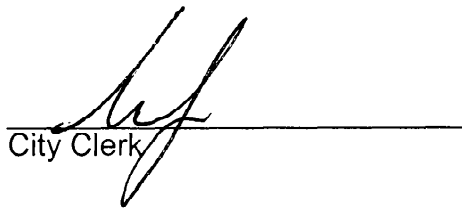
ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 8:25 p.m.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk