

CITY OF PASADENA  
City Council Minutes  
September 27, 2010 – 5:30 P.M.  
City Hall Council Chamber

REGULAR MEETING

**OPENING:**

Mayor Bogaard called the regular meeting to order at 5:40 p.m. (Absent: Councilmembers Madison, Robinson, Vice Mayor Gordo)

On order of the Mayor, the regular meeting recessed at 5:40 p.m., to discuss the following closed session:

Councilmembers Madison and Robinson arrived at 5:55 p.m.

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

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

On order of the Mayor, the regular meeting reconvened at 6:39 p.m. The Pledge of Allegiance was led by Councilmember Madison.

**ROLL CALL:**

Councilmembers:

Mayor Bill Bogaard  
Vice Mayor Victor Gordo  
Councilmember Steve Haderlein  
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

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

No one appeared for public comment.

**CONSENT CALENDAR**

**ADOPTION OF A RESOLUTION AMENDING THE SALARY RESOLUTIONS RELATED TO CLASSIFICATIONS IN THE UNREPRESENTED GROUPS**

**Recommendation:** Adopt a resolution amending the Management Salary Resolutions to eliminate unused, obsolete classifications, to re-title certain current classifications, and to establish control rates and benefits for certain classifications. (Resolution No. 9062)

In response to Councilmember Holden's questions, the City Manager, Mary Ellen Schubel, Interim Director of Human Resources Department, and Ernest Montoya, Human Resources Manager, clarified the status of, and recruitment process for, the new Information Technology Department positions.

**AUTHORIZATION TO ENTER INTO A PURCHASE ORDER CONTRACT WITH OCE' NORTH AMERICA FOR MAINTENANCE OF OCE' PRINTING SYSTEMS**

**Recommendation:**

(1) Authorize the issuance of a Purchase Order Contract to Oce' North America, in an amount not to exceed \$118,000 for maintenance of Oce' Printing Systems. Competitive bidding is not required, pursuant to City Charter Section 1002(C), contracts for labor, materials, supplies or services available from only one vendor;

(2) Grant the proposed contract 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; and

(3) 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.

**2010 BIENNIAL NOTICE OF NON-SUBSTANTIVE AMENDMENTS TO CITY'S CONFLICT OF INTEREST CODE**

**Recommendation:** It is recommended that the City Council receive and file the 2010 Biennial Notice of Amendments to the City's Conflict of Interest Code, which is submitted for information purposes only.

In response to Councilmember Madison's questions, the City Attorney confirmed that the Appendices referenced in the agenda report will be provided to Council when the Code amendments are presented for Council action at a later date.

MINUTES APPROVED

September 13, 2010

CLAIMS RECEIVED AND FILED

Claim No. 11,198	Infinity Insurance as Subrogee for Shant Dergazarian	\$ 2,301.46
Claim No. 11,199	Carl Williams	Not Stated
Claim No. 11,200	Deborah Taylor	25,000.00+
Claim No. 11,201	Cynthia Lee	680.00
Claim No. 11,202	Robert T. Kingston	25,000.00+

PUBLIC HEARING SET

October 18, 2010, 7:30 P.M. – Appeal of a Design Commission Decision for an Application for Concept Design Review for New Construction of a 159,829 Square-Foot Mixed-Use Building at

680 East Colorado Boulevard, Playhouse Plaza  
(IDS Development Project)

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

**REPORTS AND COMMENTS  
FROM COUNCIL  
COMMITTEES**

FINANCE COMMITTEE

**JOINT ACTION: 2010-2011 INVESTMENT POLICY**

**Recommendation:** It is recommended that the City Council and the Pasadena Community Development Commission (PCDC) adopt the City Treasurer's Statement of Investment Policy and Investment Strategy for Fiscal Year 2011.

Councilmember Holden, Chair of the Finance Committee, summarized the agenda report.

It was moved by Councilmember Holden, seconded by Vice Mayor Gordo, to approve the staff recommendation. (Motion unanimously carried) (Absent: None)

**QUARTERLY INVESTMENT REPORT – QUARTER ENDING  
JUNE 30, 2010**

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

Councilmember Holden introduced the agenda item.

Vic Erganian, City Treasurer/Deputy Director of Finance, reviewed the agenda report as part of a PowerPoint presentation.

It was moved by Councilmember Holden, seconded by Councilmember McAustin, to receive and file the report. (Motion unanimously carried) (Absent: None)

Councilmember Tornek  
recused himself at 6:54 p.m.,  
due to a conflict of interest.

**AUTHORIZATION TO AMEND THE PROFESSIONAL  
SERVICES CONTRACT WITH PASADENA COMMUNITY  
ACCESS CORPORATION (PCAC) FOR MANAGEMENT OF  
CHANNEL 3 KPAS AND PROVISION OF RELATED  
SERVICES**

**Recommendation:**

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

(2) Authorize the City Manager to amend Contract No. 17,606 with PCAC, to extend the contract for an additional two-year term with a one-year renewal option at an annual contract amount not to exceed \$324,627 per year; and to amend the 40 percent that PCAC currently receives in franchise fees paid to the City by Charter Communications to now include franchise fees from AT&T. (Contract No. 17,606-4)

Councilmember Holden summarized the agenda report.

Councilmember McAustin noted that staff was working with AT&T to assure that AT&T will provide a public access channel as part of its obligation under its franchise agreement, with staff to keep the Council apprised of the status of the franchise negotiations via the City Manager's weekly newsletter.

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

Councilmember Tornek  
returned at 6:57 p.m.

**APPROVAL OF A JOURNAL VOUCHER AMENDING PROJECTS IN THE FISCAL YEAR 2011 CAPITAL IMPROVEMENT PROGRAM BUDGET AND APPROPRIATE \$125,000 IN CAPITAL PUBLIC ART FUNDS TO THE ROTATING PUBLIC ART EXHIBITION PROGRAM**

**Recommendation:**

(1) Amend the FY 2011 Capital Improvement Program Budget to include two new projects: Metro Rapid Bus – Fair Oaks Bus Priority System and Hahamongna Watershed Park – Winter Storm Repairs;

(2) Approve a journal voucher with a net increase of \$1,244,726 amending 12 projects in the Fiscal Year 2011 Capital Improvement Program Budget as detailed in Attachment A of the agenda report; and

(3) Appropriate \$125,000 in Capital Public Art Funds to the Rotating Public Art Exhibition Program (Budget Account No. 8114-310-442000-21-98153). (Journal Voucher No. 2011-5)

**Recommendation of Planning Commission:** On September 8, 2010, the Planning Commission found both recommended new projects consistent with the General Plan.

Councilmember Holden introduced the agenda item.

Brenda Harvey-Williams, Finance and Management Services Administrator, reviewed the agenda report as part of a PowerPoint presentation.

The City Manager and Martin Pastucha, Director of Public Works Department, clarified the Metro Rapid Bus – Fair Oaks Bus Priority System project.

It was moved by Councilmember McAustin, seconded by Councilmember Holden, to approve the staff recommendation. (Motion unanimously carried) (Absent: None)

**PROPOSED DEVELOPMENT OF AN ICE RINK FACILITY IN THE PAVILION LOCATED AT THE CONVENTION CENTER UNDER PASADENA CENTER OPERATING COMPANY (PCOC) MANAGEMENT**

**Recommendation of City Manager and PCOC Chief Executive Officer:**

It is recommended that the City Council:

(1) Authorize the City Manager to issue a 10 year 2.5% annual interest bearing loan, not to exceed \$1.5 million from City funds to the Pasadena Center Operating Company (PCOC), to be used for the ice rink relocation to the pavilion if the conditional use permit is granted; and

(2) Recognize and appropriate the expenditure of \$1.5 million in PCOC Reserves for the ice rink relocation to the pavilion if the conditional use permit is granted. (Journal Voucher No. 2011-6)

Michael Ross, Pasadena Center Operating Company (PCOC) Chief Executive Officer, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

Following discussion, Councilmember Haderlein asked that the proposed public benefits program be referred to the Recreation and Parks Commission for its review and recommendations.

Councilmember Madison, PCOC Board member, clarified that future plans for use of the pavilion area also include a proposal to develop this site as a hotel project, with the developer to participate in mitigation measures for relocation of the ice rink facility, if necessary.

Vice Mayor Gordo and Councilmember Tornek stressed the need for the City and PCOC to continue to look for a permanent site for an ice rink facility, rather than relying on temporary use of the pavilion area for any extended period of time.

Councilmember Robinson asked that a local hiring plan be put in place for the construction phase of the project.

The following persons spoke in support of the proposed ice rink facility:

John Petersen, La Canada resident

April Hicks, Build the Rink representative

Daryl Evans, Los Angeles Kings representative,  
accompanied by Bailey, the Kings mascot

The Mayor asked that the PCOC inform Council regarding any material changes in estimated costs that might occur as a result of changes to the public benefit program, as the program is developed.

It was moved by Councilmember Haderlein, seconded by Councilmember Madison, to approve the staff recommendation, as amended to refer the public benefits program to the Recreation and Parks Commission for review and recommendations, and to include a local hiring program during the construction phase of the project. (Motion unanimously carried) (Absent: None)

**RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS**

**APPOINTMENT OF JULIANNE HINES TO THE COMMISSION ON THE STATUS OF WOMEN** (Mayor/District 5 Nomination)

**APPOINTMENT OF DONNA CHANEY TO THE COMMISSION ON THE STATUS OF WOMEN** (Mayor Nomination)

It was moved by Councilmember Robinson, seconded by Councilmember Haderlein, to approve the above appointments. (Motion unanimously carried) (Absent: None)

**ORDINANCE – ADOPTED**

Councilmember Madison was excused at 7:45 p.m.

**Adopt “AN ORDINANCE OF THE CITY OF PASADENA AMENDING SUBSECTION 13.14.110(C) OF THE PASADENA MUNICIPAL CODE RELATING TO UNDERGROUND UTILITY DISTRICTS”** (Introduced by Councilmember Robinson) (Ordinance No. 7198)

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

**INFORMATION ITEM**

**STRATEGIC PLAN UPDATE FOR THE PERIOD OF APRIL 30, 2010 THROUGH NOVEMBER 1, 2010**  
**Recommendation:** It is recommended that the City Council receive and file the six-month strategic objectives for the period of April 30, 2010 through November 1, 2010 (Attachment A of the agenda report), as updated through September 9, 2010.

Julie Gutierrez, Assistant City Manager, summarized the agenda report as part of a PowerPoint presentation.

It was moved by Councilmember Tornek, seconded by Councilmember Robinson, to receive and file the report. (Motion unanimously carried) (Absent: Councilmember Madison)

**COUNCIL COMMENTS**

Councilmember Madison returned at 7:50 p.m.

Vice Mayor Gordo, Rose Bowl Operating Company (RBOC) Board President, provided an update on the following changes to the schedule for discussion and final approval of the Rose Bowl Renovation physical plan (base project), financing plan,

and related actions, which had been announced at the Council meeting of September 20th:

- October 4 – City Council Workshop on the Rose Bowl renovation project, with opportunity for City and RBOC staffs to answer questions regarding the physical and financial plans
- October 7 – Special RBOC meeting on the project
- October 11 – City Council reviews, with an opportunity to approve the \$152 million base project, financing plan, and related documents.

The City Manager indicated that the informational materials for the project will not be available for distribution or posting on the web site until October 4th, and that the Finance Committee will review the financial aspect of the project at a special Committee meeting on the afternoon of October 4th.

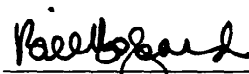
Councilmember Robinson reported on the first pre-bid meeting held for the construction project, which was well attended; and asked staff to provide information on the local hiring program required for the project.

In response to Councilmember Tornek's questions, the City Manager provided an overview of the outreach that will be conducted for the Budget Town Hall meetings that are being held on dates designated by district. The meetings will provide opportunities for the public to receive a review of the budgetary process and provide feedback regarding the services provided by the City.

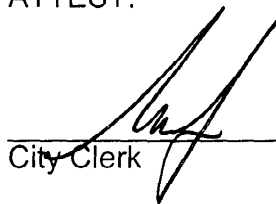
Councilmember Tornek reminded the community of a General Plan Update workshop to be held at the Senior Center on September 30, 2010.

#### ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 8:01 p.m.

  
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Bill Bogaard, Mayor  
City of Pasadena

ATTEST:

  
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City Clerk