

CITY OF PASADENA
City Council Minutes
October 4, 2010 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING: Mayor Bogaard called the regular meeting to order at 6:34 p.m. The Pledge of Allegiance was led by Councilmember Haderlein.

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

CEREMONIAL MATTERS

The City Clerk administered the oaths of office to Donna Chaney and Julianne Hines as members of the Commission on the Status of Women.

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

No one appeared for public comment.

CONSENT CALENDAR

AUTHORIZATION TO ENTER INTO A CONTRACT WITH PBS&J, TO PROVIDE PROFESSIONAL CONSULTING SERVICES FOR A NOT TO EXCEED AMOUNT OF \$599,000 FOR THE UPDATE OF THE GENERAL PLAN LAND USE AND MOBILITY ELEMENTS

Recommendation: Authorize the City Manager to enter into a contract with PBS&J, without competitive bidding, pursuant to City Charter Section 1002(F), contracts for professional or unique services, for professional consulting services for a not to exceed amount of \$599,000 to support the General Plan Land Use and Mobility Elements update. (Contract No. 20,498)

APPROVAL OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PASADENA AND INTERNATIONAL UNION OF OPERATING ENGINEERS, FOR THE TERM MARCH 28, 2010 THROUGH MARCH 27, 2012

Recommendation: Approve a successor Memorandum of

Understanding between the City of Pasadena and International Union of Operating Engineers (IUOE), for a two-year term covering the period March 28, 2010 through March 27, 2012. (Agreement No. 20,499)

MINUTES APPROVED

September 20, 2010

CLAIMS RECEIVED AND FILED

Claim No. 11,203	Maribel Valencia	\$ Not Stated
Claim No. 11,204	David Francis Law Firm, representing Cassandra Gavin	25,000.00+
Claim No. 11,205	Juan C. Garcia	250.00
Claim No. 11,206	Terri Magaña and Enrique Magaña	5,722.85

PUBLIC HEARINGS SET

December 13, 2010, 7:30 p.m. – Designation of 808 South San Rafael Avenue as a Historic Monument

December 13, 2010, 7:30 p.m. – Designation of 2606 Deodar Circle as a Historic Landmark

December 13, 2010, 7:30 p.m. – Designation of Weston–Bungalowcraft as a Historic Landmark District

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

REPORTS AND COMMENTS FROM COUNCIL COMMITTEES

LEGISLATIVE POLICY COMMITTEE

Vice Mayor Gordo was excused at 6:41 p.m.

SUPPORT OF PROPOSITION 22 ON THE NOVEMBER 2010 BALLOT, THE LOCAL TAXPAYER, PUBLIC SAFETY AND TRANSPORTATION PROTECTION ACT OF 2010

Recommendation: Support Proposition 22, which prohibits the State from taking funds used for transportation or local government projects and services.

Steve Mermell, Assistant City Manager, highlighted the agenda report.

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

OPPOSE PROPOSITION 23: SUSPENDS IMPLEMENTATION OF AIR POLLUTION CONTROL LAW (AB 32) REQUIRING MAJOR SOURCES OF EMISSIONS TO REPORT AND REDUCE GREENHOUSE GAS EMISSIONS THAT CAUSE GLOBAL WARMING, UNTIL UNEMPLOYMENT DROPS TO 5.5 PERCENT OR LESS FOR A FULL YEAR

Recommendation:

(1) Find that the action taken herein 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 23, set for the November 2, 2010 General Election Ballot.

Vice Mayor Gordo returned at 6:44 p.m.

Gurcharan Bawa, Assistant General Manager/Power Supply, summarized the agenda report as part of a PowerPoint presentation, and responded to questions.

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

MUNICIPAL SERVICES
COMMITTEE

ADOPT A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA AUTHORIZING THE GENERAL MANAGER OF THE WATER AND POWER DEPARTMENT TO ENTER INTO AGREEMENTS FOR PURCHASES, SALES, AND EXCHANGES OF UNBUNDLED ENERGY ATTRIBUTES, ALLOWANCES, CREDITS, OR CERTIFICATES, INCLUDING TRANSFERS FROM THE WATER UTILITY TO THE POWER UTILITY IN EXCHANGE FOR FAIR MARKET VALUE

Recommendation:

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

(2) Adopt a resolution to:

(a) Authorize the General Manager of the Water and Power Department to purchase, sell, or exchange electricity environmental attributes; and

(b) Allow the sale of environmental attributes with a value exceeding \$10,000 between the Water Utility and Power Utility in accordance with City Charter Section 1404. (Resolution No. 9063)

Councilmember McAustin, Chair of the Municipal Services Committee (MSC), introduced the agenda item.

Gurcharan Bawa, Assistant General Manager/Power Supply, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

The City Manager described the market being created for renewable energy as a result of ongoing legislative changes to the electric utility industry, and responded to questions.

Councilmember Haderlein suggested that staff provide a report to the MSC regarding the purchase/sell/exchange transactions that occur during the first six months of this activity, with an annual report thereafter.

Councilmember Madison expressed concerns that this matter was not reviewed by the Environmental Advisory Commission (EAC).

Councilmember Tornek, MSC member, noted that the proposed transactions were administrative in nature and did not change the City's environmental policies.

Councilmember McAustin clarified that this provides an opportunity for the City's Water utility to sell the solar energy it generates to the Power utility, and that the MSC and EAC will be monitoring the electricity environmental attributes transactions (e.g., purchase of Renewable Energy Credits (RECs)) to assure that the City is meeting its Integrated Resource Plan (IRP) goals. She indicated that the MSC will agendize a review of the scope of the City's trading through environmental attributes transactions, the frequency for monitoring the status of the IRP goals and the City's Renewable Portfolio Standards (RPS), and how this is coordinated through the EAC, with a report to be provided to Council at a future meeting.

The Mayor suggested staff consider a future Council workshop presentation on the use of RECs and other environmental options, in light of changing regulations/legislation and the City's environmental goals.

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

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

APPOINTMENT OF TASHERA TAYLOR TO THE HUMAN SERVICES COMMISSION (Agency Nomination)

APPOINTMENT OF JASON ANDERSON TO THE HUMAN SERVICES COMMISSION (Agency Nomination)

It was moved by Councilmember McAustin, seconded by Vice Mayor Gordo, to approve the above appointments. (Motion unanimously carried) (Absent: None)

INFORMATION ITEM

CITY COUNCIL WORKSHOP ON ROSE BOWL RENOVATION PROJECT

Recommendation: The following report is for information only. On October 11th, staff will present to the City Council and the Pasadena Public Financing Authority a series of actions/recommendations related to the Rose Bowl Renovation Project.

The Mayor introduced the agenda item.

Vice Mayor Gordo, Rose Bowl Operating Company (RBOC) Board President, provided a brief history of the need for, and development of, the Rose Bowl Renovation Project; thanked the Rose Bowl and City staffs for their work on this project; and responded to questions.

Councilmember Holden, Chair of the Finance Committee, reported that the Committee had reviewed the financial plan for the project, and will be formally recommending approval of the plan when the matter is agendaized for the Council meeting of October 11, 2010. He highlighted the following items discussed by the Finance Committee and to be included in the staff presentation, when this matter is considered by Council:

- methods for protecting the General Fund, presented in a format that is easily understandable to the public (e.g., revenues produced and folding the construction tax that is generated back into the project)
- the City's bonding capacity
- the Fire Police Retirement System (FPRS) issue
- commitment of the public arts fee/requirement back to the project, with the Arts and Culture Commission to review this component
- obligation of UCLA to compete at the Rose Bowl for the term of their agreement (no buy out)
- quarterly updates to the City Council to monitor the revenues, construction costs, and the funding gap
- contracts for 2014 BCS game to reflect that revenue opportunities from the Tournament of Roses (ToR) and RBOC will be available for the renovation project and the potential funding gap that may exist at that time

Darryl Dunn, General Manager of the Rose Bowl, provided an overview of the Rose Bowl Renovation Project (base project) as part of a PowerPoint presentation, and responded to questions.

The City Manager provided an overview of the financing structure for the base project as part of a PowerPoint presentation, and responded to questions.

Dan Barrett, Barrett Sports Group, LLC, Principal Owner, reviewed the key financial model assumptions as part of a PowerPoint presentation, and responded to questions.

Councilmember Tornek asked Mr. Barrett and staff to provide additional information that would clarify the rationale, and justify the funding, for a base project that includes improvements to the press box area, as opposed to a project that addresses only public safety issues.

Andy Green, Director of Finance Department, reviewed risk factors and mitigation measures for financing the base project as part of a PowerPoint presentation, and responded to questions.

Andrea Van de Kamp, Legacy Connections representative, described this new philanthropic organization's goal to raise funds in support of the proposed Rose Bowl Renovation Project.

Floyd Folven, Pasadena resident, expressed concerns regarding financing issues, and opposition to the proposed project.

Dennis Murphy, RBOC Board Treasurer, stated the RBOC's support of the proposed project and financing plan.

Jeff Holt, BMO Capital Markets Managing Director, responded to questions regarding the use of revenue surpluses as this relates to the bond process.

Councilmember Madison suggested that the City consider modification of the proposed limitations on the use of surplus revenues, which would allow for Council to also consider use of these surplus revenues, if available, as a mitigation measure that would fund projects in the Central Arroyo area to address the impacts of a three-year construction period for the Rose Bove Renovation

The City Manager and Vice Mayor Gordo clarified various mitigation steps that will take place during the construction period.

Councilmember McAustin suggested the RBOC set aside a capital reserve amount for its annual operating budget, if possible, and reflect this in the financing plan, in addition to the capital reserve that is contemplated through the surplus revenues.

Councilmember Robinson noted that she had been assured that the RBOC will be discussing a local hiring/contracting program as a component of the Rose Bowl Renovation Project, with staff to report on RBOC's discussion/action on the program at the Council meeting of October 11, 2010, as part of Council's consideration of the project.

Councilmember Madison asked staff to clarify the relevance of the amount of capital reserves in the RBOC's operating budget as this relates to the bond process, when the project financing is next considered.

In response to Councilmember Madison's questions, Mr. Dunn clarified the use of surplus revenues from the Brookside Golf Course that related to a prior bond sale that occurred in the mid-1980s.

Councilmember Holden suggested the public benefits of the project also be highlighted in next week's staff presentation.

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

PUBLIC HEARING

PUBLIC HEARING: TAX EQUITY AND FISCAL RESPONSIBILITY ACT (TEFRA) AND CALIFORNIA GOVERNMENT CODE SECTION 6586.5 HEARING TO CONSIDER APPROVAL OF ROSE BOWL STADIUM IMPROVEMENTS AND AUTHORIZATION OF LEASE REVENUE BONDS BY THE PASADENA PUBLIC FINANCING AUTHORITY TO FINANCE AND REFINANCE SUCH IMPROVEMENTS LOCATED AT 1001 ROSE BOWL DRIVE

Recommendation: It is recommended that the City Council continue the public hearing to October 11, 2010 at 6:30 p.m.

The Mayor opened the public hearing.

No one appeared for public comment.

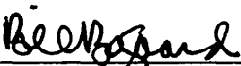
It was moved by Councilmember Robinson, seconded by Councilmember McAustin, to continue the public hearing to October 11, 2010 at 6:30 p.m. (Motion unanimously carried) (Absent: None)

COUNCIL COMMENTS

Councilmember Madison thanked the City Manager and staff for their help with the 2nd Annual Party for Linda Vista Park.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 10:23 p.m.



Bill Bogard, Mayor
City of Pasadena

ATTEST:



City Clerk