

CITY OF PASADENA  
City Council Minutes  
March 21, 2011 – 5:30 P.M.  
City Hall Council Chamber

REGULAR MEETING

**OPENING:**

The Mayor called the regular meeting to order at 5:58 p.m. (Absent: Councilmembers Holden, Tornek, Vice Mayor Gordo)

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

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL REGARDING PENDING LITIGATION pursuant to Government Code Section 54956.9(a)**  
**Case Name: Pasadenans for a Livable City and Pasadena Heritage v. City of Pasadena and Pasadena City Council; Real Parties in Interest: Pasadena Office, LLC, IDS Real Estate Group; and Does 1 to 5**  
**Case No.: Los Angeles Superior Court No. BS 124250**

The above closed session was discussed. See Announcements below for the reportable action.

Councilmember Tornek arrived at 6:13 p.m.

**CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code Section 54957.6**  
**Agency Designated Representatives: Richard Kunz, Arthur Chavez, and Michael J. Beck**  
**Employee Organization: International Brotherhood of Electrical Workers, Local 18**

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

**CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code Section 54957.6**  
**Agency Negotiators: Richard Kunz, Julie A. Gutierrez, and Michael J. Beck**  
**Employee Organization: Pasadena Management Association**

The above closed session item was not discussed.

On order of the Mayor, the regular meeting reconvened at 6:33 p.m. The Pledge of Allegiance was led by students from La Salle High School.

**ROLL CALL:**

Councilmembers:

Mayor Bill Bogaard  
Vice Mayor Victor Gordo (Absent)  
Councilmember Steve Haderlein  
Councilmember Chris Holden (Absent)  
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

**ANNOUNCEMENTS**

Regarding the closed session item pertaining to Los Angeles Superior Court Case No. BS 124250, Councilmember Haderlein, who participated as the City Council's representative during negotiations on the case, announced that, in closed session, the City Council had unanimously approved a settlement agreement regarding the above case, and provided the following summary: all parties in the lawsuit agreed on a process to cooperatively design a smaller, revised project, with the developer to apply for major changes to an approved project pursuant to the Zoning Code, and with a public hearing on the application to take place before the City Council at a later date.

Councilmember Madison, on behalf of the Chamber of Commerce, announced that Pasadena Restaurant Week will take place the week of March 27 through April 1, 2011, with participating restaurants offering special menus and prices; and distributed informational postcards on the event.

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

James Peterson, Chapman Manor Homeowners Association Chairman, expressed concerns regarding various problems with alleged code violations related to an adjacent building to the Chapman manor, and indicated that he will provide a written request to the City for staff contact information in order to resolve these problems.

**CONSENT CALENDAR**

**AUTHORIZATION TO ENTER INTO A CONTRACT WITH AC PROS INC. FOR PROVIDING LABOR AND MATERIALS FOR UNITS GT-3 AND GT-4 CHILLER CONDENSERS RETUBING**

**Recommendation:**

(1) Find the proposed project to be categorically exempt under the California Environmental Quality Act (CEQA), in accordance with Title 14, Chapter 3, Section 15301, Class 1, (b), existing facilities; and

(2) Accept the bid dated February 9, 2011, submitted by AC Pros Inc., in response to Specifications LD-10-11 for Providing Labor and Materials for Units GT-3 and GT-4 Chiller

Condensers Retubing, reject the other bid received, and authorize the City Manager to enter into such contract as is required for an amount not to exceed \$329,000. (Contract No. 20,618)

**REJECTION OF ALL BIDS FOR THE INSTALLATION OF STREET LIGHTING ON MOUNTAIN STREET FROM CRAIG AVENUE TO MARTELO AVENUE AND OTHER LOCATIONS**

**Recommendation:** Reject all bids received on February 9, 2011, in response to the Notice Inviting Bids for the Installation of Residential Street Lighting on Mountain Street from Craig Avenue to Martelo Avenue and Other Locations.

**CONTRACT AMENDMENT TO CONTRACT NO. 20,568 WITH CJ CONCRETE CONSTRUCTION FOR MISCELLANEOUS CONCRETE REPAIR – 2010 TO INCREASE THE CONTRACT AMOUNT FROM \$250,000 TO \$400,000**

**Recommendation:**

(1) Acknowledge the project to be categorically exempt under the California Environmental Quality Act (CEQA), in accordance with Title 14, Chapter 3, Class 1, Section 15301, minor alterations of existing public facilities involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination; and

(2) Authorize the City Manager to execute an amendment to Contract No. 20,568 with CJ Concrete Construction for Miscellaneous Concrete Repair – 2010, to increase the total contract not to exceed amount from \$250,000 to \$400,000, an increase of \$150,000, for additional concrete repair. (Contract Amendment No. 20,568-1)

**APPROVAL OF FINAL PARCEL MAP NO. 070441 FOR THE CREATION OF TWO AIR PARCELS FOR THE CONSTRUCTION OF ONE SINGLE-FAMILY RESIDENCE BEHIND AN EXISTING RESIDENCE AT 1453 BRESEE AVENUE**

**Recommendation:**

(1) Adopt a resolution to approve Final Parcel Map No. 070441;

(2) Accept the offer of easement dedication for sidewalk purposes as shown on said map; and

(3) Authorize the City Clerk to execute the Certificate on the map showing the City's approval of said map. (Resolution No. 9101)

**Recommendation of Hearing Officer:** The tentative vesting map was approved on December 2, 2009 by the Hearing Officer, to be recorded within two years.

**REJECTION OF BIDS FOR CITYWIDE SECURITY SERVICES**

**Recommendation:**

- (1) Reject all bids received on January 21, 2011, in response to specifications for municipal facility security services; and
- (2) Authorize the City Manager to extend Contract No. 18,970-3 with Inter-Con Security Systems, Inc., on a month-to-month basis for a maximum of six months and not to exceed amount of \$120,000. (Contract Amendment No. 18,970-4)

**EXECUTION OF MEMORANDUM OF UNDERSTANDING WITH LOS ANGELES COUNTY (LACO) FOR DESIGN AND CONSTRUCTION OF THE SAN GABRIEL/SIERRA MADRE TRAFFIC SIGNAL SYNCHRONIZATION PROGRAM PROJECT (TSSP)**

**Recommendation:**

- (1) Find that, on February 2009, the proposed project was found to be categorically exempt under the California Environmental Quality Act (CEQA) Guidelines in Section 15301(c), existing facilities, of the California Code of Regulations Title 14, Chapter 3; and
- (2) Authorize the City Manager to execute a Memorandum of Understanding (MOU) with Los Angeles County, for engineering design and construction of the Traffic Signal and Synchronization Program (TSSP) projects along Sierra Madre and San Gabriel Boulevards, with the City's participation not to exceed \$230,000. (Agreement No. 20,619)

**CONTRACT AWARD TO DKS ASSOCIATES TO PROVIDE PROFESSIONAL CONSULTING SERVICES TO DEVELOP AN IMPLEMENTATION AND PROCUREMENT PLAN FOR A PILOT ADAPTIVE TRAFFIC CONTROL SYSTEM (ATCS) FOR THE SOUTH FAIR OAKS AVENUE CORRIDOR**

**Recommendation:**

- (1) Find that the proposed project was found to be categorically exempt under the California Environmental Quality Act (CEQA) Guidelines Title 14, Chapter 3, Section 15301, existing facilities, and
- (2) Authorize the City Manager to enter into a contract with DKS Associates, for professional consulting and full design services to Develop an Implementation and Procurement Plan for a Pilot Adaptive Traffic Control System (ATCS) for the South Fair Oaks Avenue Corridor in an amount not to exceed \$281,200. (Contract No. 20,620)

**RENEWAL OF GENERAL SERVICES AGREEMENT WITH THE COUNTY OF LOS ANGELES**

**Recommendation:**

- (1) Acknowledge that the General Services Agreement is exempt from the California Environmental Quality Act (CEQA), pursuant to Public Resources Code Section 21080 and CEQA

Guidelines Section 15061(b)(3);

(2) Adopt a resolution that will approve renewal of the General Services Agreement with the County of Los Angeles; and

(3) Authorize the City Manager to sign the renewal on behalf of the City, and authorize the City Manager or his designee to request, as needed, various functions or services from the County of Los Angeles, in accordance with applicable City ordinances and policies. (Resolution No. 9102; Agreement Amendment No. 17,620-1)

**CLAIMS RECEIVED AND FILED**

Claim No. 11,326	Morillo Construction, Inc.	\$3,636,788.84+
Claim No. 11,327	Gevork Payaslyan	380,000.00+
Claim No. 11,328	Barbara Sheinkopf	25,000.00+
Claim No. 11,329	TransGuard Insurance Company as subrogee for Oasis Moving & Storage	5,605.00
Claim No. 11,330	McHan Chhabra	347.00
Claim No. 11,331	Mercury Insurance Group as subrogee for Eddie Gonzalez	9,999.13
Claim No. 11,332	Marvin E. Bryer, Trustee of the Marvin Edgar Bryer Revocable Living Trust	Not Stated
Claim No. 11,333	Filemon Sabala	2,800.00

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

**REPORTS AND COMMENTS FROM COUNCIL COMMITTEES**

**MUNICIPAL SERVICES COMMITTEE**

**RENEWABLE ENERGY PROCUREMENT STATUS, REQUIREMENTS, AND ESTIMATED RATE IMPACTS**

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

Councilmember McAustin, Chair of the Municipal Services Committee, introduced the agenda item, and noted the dynamic nature of the "green" industry and the costs in procuring renewable energy resources.

Phyllis Currie, General Manager of Water and Power Department, provided an update of the Level 4 Water Shortage Plan and progress in the Metropolitan Water District's (MWD) seismic retrofit work schedule, discussed the availability of renewable energy resources, and responded to questions.

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

Councilmember Tornek noted that staff needs to closely monitor costs in the City's pursuit of meeting the Integrated Resource Plan's (IRP) goals.

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

### **INFORMATION ITEM**

Councilmember Haderlein recused himself at 7:24 p.m., due to a conflict of interest.

### **PASADENA COMMUNITY URGENT CARE/CHAP HEALTH ACCESS UPDATE**

Dr. Eric Walsh, Director of Public Health Department, provided an update on the Pasadena Community Urgent Care (PCUC) facility/Community Health Alliance of Pasadena (CHAP) Primary Care Clinic located on Del Mar Boulevard, as part of a PowerPoint presentation, with a focus on patients served and services provided; and responded to questions.

Margaret Martinez, CHAP Executive Director, described CHAP's future plans for use of the PCUC facility.

The Mayor congratulated City staff, CHAP, and the Huntington Hospital for their collaboration on this much-needed project.

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

### **RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS**

Councilmember Haderlein returned at 7:37 p.m.

### **CANVASS OF THE MARCH 8, 2011 CONSOLIDATED PRIMARY NOMINATING ELECTION**

**Recommendation:** It is recommended that the City Council:

- (1) Accept the Certificate of Canvass; and
- (2) Adopt a resolution declaring:
  - (a) The following persons, receiving a majority of the votes cast, are re-elected to the following offices:

Bill Bogaard	Mayor of the City of Pasadena
Jacque Robinson	Member of the City Council, District 1
Margaret McAustin	Member of the City Council, District 2
Steve Madison	Member of the City Council, District 6

- (b) In District 4, the following two candidates received the highest number of votes at the primary nominating election, and their names shall be placed on the ballot at the general municipal election on April 19, 2011:

Jill Fosselman	1,406 votes	(35.7%)	District 4
Gene Masuda	1,476 votes	(37.4%)	District 4

(Resolution No. 9103)

The City Clerk reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

Councilmember Robinson asked the City Clerk to provide the Council with a copy of the analysis/information regarding the City's previously-defeated ballot measure regarding all-mail elections, and the statistics of the vote-by-mail returned ballots vs. the voted-at-poll-site ballots for the March 8, 2011 election.

Councilmembers Madison and McAustin suggested that one of the City Council's standing committees or the City's redistricting task force review the vote-by-mail process and provisions in the City Charter that relate to election procedures for possible changes to the City's election procedures/process.

The Mayor and Councilmembers Madison, McAustin, and Robinson congratulated the City Clerk and staff for successfully conducting a complicated election.

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

**REQUEST TO ALLOW COMMISSIONER MEREDITH McKENZIE (WHO HAS MOVED OUT OF PASADENA) TO CONTINUE TO SERVE ON THE PASADENA COMMUNITY ACCESS CORPORATION BOARD THROUGH END OF CURRENT TERM PURSUANT TO PASADENA MUNICIPAL CODE SECTION 2.45.020 (District 1)**

It was moved by Councilmember Robinson, seconded by Councilmember Haderlein, to allow Commissioner Meredith McKenzie to continue to serve on the Pasadena Community Access Corporation Board through the end of her current term. (Motion unanimously carried) (Absent: Councilmember Holden, Vice Mayor Gordo)

**INFORMATION ITEM**

**CITY COUNCIL WORKSHOP ON PEDESTRIAN SAFETY ENHANCEMENTS AT SIGNALIZED INTERSECTIONS**  
**Recommendation:** This report is for information only.

Fred Dock, Director of Transportation Department, introduced the agenda item.

Joaquin Siques, Engineer, reviewed the City's pedestrian safety enhancements/treatments as part of a PowerPoint presentation, and responded to questions.

Councilmember Haderlein suggested that staff research a pedestrian safety enhancement feature that is utilized in Denver, Colorado to alert drivers making a right hand turn on red of pedestrian crossers.

Councilmember Tornek encouraged the City's use of leading pedestrian interval and in-roadway warning lights methods whenever possible, and congratulated staff on the public outreach/education process that had been initiated. He asked that the "Pedestrian Safety Study at Signalized Intersections" report be posted on the City's website.

James Peterson, Pasadena resident, expressed concerns regarding the placement of the pedestrian light request buttons.

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

**COUNCIL COMMENTS**

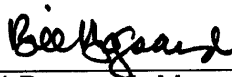
Councilmember McAustin asked that staff review the Speed Hump Policy as it relates to possible revisions in the following current criteria: speed humps not allowed on streets classified as collectors or arterials (examine classification that recognizes adjacent character of the streets, rather than only the traffic function); speed humps allowed based on number of vehicles per day (examine the limits); speed humps not allowed on street segments less than 1,200 feet in length (examine shortening this length), with a report to be presented to the Transportation Advisory Commission at the end of April. She also asked that the City Manager and staff identify a range of alternatives for reducing the City's pension costs, with a report to be presented to the Finance Committee for evaluation and direction prior to the budget discussions.

Councilmember Madison noted that staff was currently involved in exploring ways to address pension costs with various City employee bargaining groups.

Councilmember Robinson announced the District 1 Annual Emergency Response Training scheduled for April 2, 2011.

**ADJOURNMENT**

On order of the Mayor, the regular meeting of the City Council adjourned at 8:44 p.m., in memory of Dr. Lynne Emery, historian of the role of women in sports and the Olympics, and Anthony Collay, a City employee in the carpentry and paint shop.



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Bill Bogaard, Mayor  
City of Pasadena

ATTEST:

  
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City Clerk