

CITY OF PASADENA  
City Council Minutes  
March 28, 2011 – 5:30 P.M.  
City Hall Council Chamber

REGULAR MEETING

**OPENING:**

Mayor Bogaard called the regular meeting to order at 6:12 p.m. (Absent: Councilmembers Holden, McAustin, Vice Mayor Gordo)

On order of the Mayor, the regular meeting recessed at 6:12 p.m., to discuss the following closed sessions:

**CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code Section 54957.6**

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

**Agency Negotiators: Richard Kunz, Julie A. Gutierrez, Michael J. Beck**  
**Employee Organization: Pasadena Management Association**

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

**POTENTIAL THREATS TO SECURITY OF PUBLIC BUILDINGS OR FACILITIES pursuant to Government Code Section 54957**

**Consultation with: Pasadena Police Chief Phillip L. Sanchez**

The above closed session item was not discussed.

On order of the Mayor, the regular meeting reconvened at 7:18 p.m. The Pledge of Allegiance was led by City Attorney Michele Beal Bagneris.

**ROLL CALL:**

Councilmembers:

Mayor Bill Bogaard  
Vice Mayor Victor Gordo  
Councilmember Steve Haderlein  
Councilmember Chris Holden (Absent)  
Councilmember Steve Madison  
Councilmember Margaret McAustin (Absent)  
Councilmember Jacque Robinson  
Councilmember Terry Tornek

Staff:

City Manager Michael J. Beck  
City Attorney Michele Beal Bagneris  
City Clerk Mark Jomsky

**CEREMONIAL MATTERS**

David Leming, Human Relations Commissioner, and the Mayor presented the Commission's Model of Unity Award to San Gabriel Valley Pride, Inc. (SGVP). Mitch Braiman, SGVP President, accepted the award, and invited the community to the SGVP Annual Pride Festival to be held at the end of this summer.

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

David Czamanske, Sierra Club-Pasadena Group representative, stressed the need for sufficient time for the City and public to review the report being prepared by the Los Angeles County Public Works Department regarding the short-term plan/solutions for sediment removal in the Hahamongna Watershed Park/Devil's Gate Dam area, before the plan is considered and approved by the County.

Marissa Castro-Salvati, Southern California Edison (SCE) Local Public Affairs Region Manager, updated the City Council and community on the Tehachapi Renewable Transmission Project for wind energy, and distributed informational materials.

**CONSENT CALENDAR**

**APPROVAL OF INCREASE TO CONTRACT NO. 19,511 WITH QUEST DIAGNOSTICS IN AN AMOUNT NOT TO EXCEED \$175,500 FOR PROVISION OF LABORATORY TESTING SERVICES**

**Recommendation:** Authorize an increase to Contract No. 19,511 with QUEST Diagnostics in the amount of \$101,000, from \$74,500 to \$175,500, to provide grant-funded laboratory testing services for the Andrew Escajeda Comprehensive Care Services program, which provides HIV/AIDS medical outpatient clinical services. To the extent that this could be considered a separate transaction subject to a new competitive selection process, staff requests an exemption from that process, pursuant to Pasadena Municipal Code Section 4.08.049, contracts for which the City's best interests are served. Competitive bidding is not required, pursuant to City Charter Section 1002(F), contracts for professional or unique services. (Contract Amendment No. 19,511-4)

**AUTHORIZATION TO ENTER INTO A CONTRACT WITH THE PLANNING CENTER TO PROVIDE PROFESSIONAL CONSULTING SERVICES IN THE PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT (EIR) FOR CROWN CITY MEDICAL CENTER**

**Recommendation:** Authorize the City Manager to enter into a contract with the Planning Center for an amount not to exceed \$125,000, for the preparation of an Environmental Impact Report (EIR) for the Crown City Medical Center located at 550 East Colorado Boulevard. Competitive bidding is not required, pursuant to City Charter Section 1002(F), contracts for professional or unique services. (Contract No. 20,623)

Vice Mayor Gordo recused himself at 7:26 p.m., due to a conflict of interest.

**FINANCE COMMITTEE: REVISED PRIORITIZATION OF FISCAL YEAR 2011 CAPITAL IMPROVEMENT PROGRAM, STREET LIGHTING AND ELECTRIC SYSTEM UNDERGROUNDING PROJECTS**

**Recommendation:**

- (1) Approve the revised prioritization of the Fiscal Year 2011 Capital Improvement Program, Street Lighting and Electric System Undergrounding Projects per Attachment A of the agenda report;
- (2) Approve a journal voucher to unappropriate \$2,980,000 Underground Surtax Funds from Budget Account 74489, Street Lighting and Electric System Undergrounding, Michillinda Avenue, Foothill Boulevard to North City Limits per Attachment B of the agenda report and returning to Underground Surtax Fund Balance; and
- (3) Approve a journal voucher recognizing and appropriating \$2,100,000 Underground Surtax Funds to Budget Account 74490, Street Lighting and Electric System Undergrounding, Raymond Avenue, Maple Street to North City Limits and \$880,000 Underground Surtax Funds to Budget Account 74485, Street Lighting and Electric System Undergrounding, Howard Street, Lincoln Avenue to Raymond Avenue. (Journal Voucher No. 2011-20)

**CLAIMS RECEIVED AND FILED**

Claim No. 11,334	Southern California Gas Company	\$ 1,653.84
Claim No. 11,335	Hilda Rose Jones	8,372.60
Claim No. 11,336	Steven E. Marcussen	850.00
Claim No. 11,337	Leta M. Knipper	5,000.00
Claim No. 11,338	Vicken Shnorhokian	1,525.55
Claim No. 11,339	Bruce P. Moses	Not Stated

**PUBLIC HEARINGS SET**

April 11, 2011, 7:30 p.m. – Designation of 1175 La Loma Road as a Landmark

April 25, 2011, 7:30 p.m. – Amendment to the 2008 Chandler School Master Plan (1005 Armada Drive) to Allow Construction of the Approved Campus Improvements in Two Phases and to Provide Temporary Off-Site Parking for Faculty and Staff

June 6, 2011, 7:30 p.m. – Adoption of the City of Pasadena’s 2010 Urban Water Management Plan

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

**PUBLIC HEARINGS**

Vice Mayor Gordo returned at 7:30 p.m.

**PUBLIC HEARING: AMBASSADOR WEST – CHANGES TO APPROVED PROJECT TO RESET ENTITLEMENT TIME LIMITS (APPLICANT: CITY VENTURES)**

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

- (1) Find that the activity described in the application for changes to the approved Ambassador West Project was subject to adequate environmental review in the Environmental Impact Report (EIR) adopted by the City Council for the Ambassador West Project on April 2, 2007, and that there are no changed circumstances or new information which would trigger further environmental review;
- (2) Make the specific findings listed in Attachment A of the agenda report; and
- (3) Approve the application for major change to an approved project (time limits) with the conditions in Attachment B of the agenda report.

**Recommendation of Planning Commission:** On Wednesday, February 9, 2011, the Planning Commission recommended that the City Council approve staff's recommendation.

**PUBLIC HEARING: AMBASSADOR WEST – CHANGES TO APPROVED PROJECT TO RESET ENTITLEMENT TIME LIMITS (APPLICANT: SUNRISE SENIOR LIVING)**

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

- (1) Find that the activity described in the application for changes to the approved Ambassador West Project was subject to adequate environmental review in the Environmental Impact Report (EIR) adopted by the City Council for the Ambassador West Project on April 2, 2007, and that there are no changed circumstances or new information which would trigger further environmental review;
- (2) Make the specific findings listed in Attachment A of the agenda report; and
- (3) Approve the application for major change to an approved project (time limits) with the conditions in Attachment B of the agenda report.

**Recommendation of Planning Commission:** On Wednesday, February 9, 2011, the Planning Commission recommended that the City Council approve staff's recommendation.

The above two public hearings were discussed concurrently.

The Mayor opened the public hearings.

The City Clerk reported 35 copies of the notice of public hearing were posted on March 11, 2011 for each public hearing; 128 copies of the notice were mailed on March 11, 2011 for each public hearing; and 3 letters in support of the City Ventures application and 1 letter in support of the Sunrise Senior Living application were received.

Vince Bertoni, Director of Planning Department, introduced the agenda items, and responded to questions.

Emily Stadnicki, Senior Planner, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

Theresa Fuentes, Assistant City Attorney, responded to questions regarding the legal parameters for the City in modifying the timelines for the project.

Councilmember Madison stated his preference for a condition that sets a specific construction completion date.

Councilmember Tornek expressed concerns regarding setting a precedent by approving a timeline extension in the manner that is proposed by staff.

The following persons spoke in support of an extended timeline for the project:

Ben Besley, City Ventures Vice President of Development  
Philip Kroskin, Sunrise Senior Living Senior Vice President  
of Real Estate and Asset Management, distributed an informational letter dated March 17, 2011.

Regina O'Brien, Los Angeles Conservancy Modern Committee Chair, expressed concerns regarding the need to protect and preserve the historical structures on the project site.

It was moved by Councilmember Madison, seconded by Councilmember Robinson, to close the public hearings. (Motion unanimously carried) (Absent: Councilmembers Holden, McAustin)

Following discussion, it was moved by Councilmember Madison, seconded by Councilmember Tornek, to approve the staff recommendation regarding the City Ventures application, with Condition No. 117 amended to read as follows: "This approval of CUP #4653 and Adjustment Permit #PLN2005-00582 shall expire ~~April 2, 2012~~ October 2, 2011"; with the understanding that this does not preclude the applicant from applying for another extension; with Condition No. 120 to be eliminated; and with Condition No. 121 renumbered to No. 120 accordingly. (Motion unanimously carried) (Absent: Councilmembers Holden, McAustin)

Following further discussion, it was moved by Councilmember Madison, seconded by Councilmember Tornek, to approve the staff recommendation regarding the Sunrise Senior Living application, with Condition No. 117 amended to read as follows: "This approval of CUP #4653 and Adjustment Permit #PLN2005-00582 shall expire ~~April 2, 2012~~ October 2, 2011"; with the understanding that this does not preclude the applicant from applying for another extension; with Condition No. 120 to be eliminated; with Condition No. 121 renumbered to No. 120 accordingly; and with Condition No. 18 amended to reflect that all work on the Sunrise Senior Living Facility shall be completed within eight years of the approved original effective

date of April 2, 2007.” (Motion unanimously carried) (Absent: Councilmembers Holden, McAustin)

The Mayor encouraged the applicants to move forward expeditiously, with staff to apprise the City Council on progress being made as the end of the six-month extension approaches.

**RECOMMENDATIONS  
FROM OFFICERS AND  
DEPARTMENTS**

**PLAN TO ADDRESS FUNDING CHALLENGES ASSOCIATED WITH THE FIRE AND POLICE RETIREMENT SYSTEM**

**Recommendation:** It is recommended that the City Council direct staff to:

- (1) Initiate the issuance of not to exceed \$65 million in pension obligation bonds to fund the Fire and Police Retirement System (FPRS) at 85% of its Actuarially Accrued Liability, provided such issuance can be achieved at a maximum “all in” interest rate on the bonds not to exceed 7.5%;
- (2) Approve in concept the future refinancing of approximately \$81 million of existing pension obligation bonds, 1999 and 2004 issues;
- (3) Negotiate changes to Contribution Agreement No. 16,900 and Settlement and Release Agreement No. 18,550 between the City of Pasadena and the Fire and Police Retirement System including:
  - (a) removing references to other pension systems operating under the County Employees Retirement Law of 1937, and
  - (b) providing for annual investment return and inflation rate assumptions for the Fire and Police Retirement System to be set annually by mutual agreement between the City and the System’s Board; and
- (4) Return to City Council for all required subsequent approvals.

The City Manager introduced the agenda item, explained the City’s proposed approach to addressing the Fire and Police Retirement System (FPRS) funding issues and future debts the City may incur, and responded to questions.

Steve Mermell, Assistant City Manager, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

John Bartel, Bartel Associates (actuary), responded to questions regarding their analysis of the System’s earnings and costs.

Councilmember Haderlein suggested the \$65 million in pension obligation bonds (POBs) be deployed in a manner that will best protect the City from the volatility of the market. He also suggested that, as recommended by the FPRS Taskforce, staff pursue consolidation of the administrative functions of the

System within the City's existing Finance Department staff, where possible.

Vice Mayor Gordo suggested that the City explore possible benefits to moving the FPRS members into the CalPERS system.

John Tennant, FPRS member, discussed the rationales behind the decisions of some FPRS members who opted out of the System and transferred to the CalPERS program.

Andy Green, Director of Finance Department, and the City Manager indicated that information on Council's suggestions could be provided at the time that the City Council considers and approves the proposed bond actions, if not earlier.

Following discussion, it was moved by Councilmember Haderlein, seconded by Councilmember Tornek, to approve the staff recommendation; with direction to staff to deploy the \$65 million investment in pension obligation bonds over a span of time, work with the Fire and Police Retirement System (FPRS) to reduce administrative costs, and explore the possibility of shifting FPRS members to the CalPERS system. (Motion unanimously carried) (Absent: Councilmembers Holden, McAustin)

**APPOINTMENT OF RITA MORENO TO THE RECREATION AND PARKS COMMISSION (District 5 Nomination)**

**APPOINTMENT OF GABRIELLE C. WOODS TO THE ENVIRONMENTAL ADVISORY COMMISSION (District 1 Nomination)**

**APPOINTMENT OF DR. NICHOLAS M. BENSON TO THE NORTHWEST COMMISSION (District 3 Nomination)**

**APPOINTMENT OF PAULA CORSETTI TO THE SENIOR COMMISSION (At Large/District 7 Nomination)**

**APPOINTMENT OF STEVE MULHEIM TO THE OLD PASADENA PARKING METER ZONE ADVISORY COMMISSION (At Large/Owner Nomination)**

It was moved by Councilmember Robinson, seconded by Councilmember Tornek, to approve the above appointments. (Motion unanimously carried) (Absent: Councilmembers Holden, McAustin)

**ORDINANCE – FIRST READING**

**Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING SECTION 10.52.010 OF THE PASADENA MUNICIPAL CODE DESIGNATING PORTIONS OF SIERRA MADRE BOULEVARD AS A TRUCK ROUTE”**

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

AYES: Councilmembers Haderlein, Madison, Robinson, Tornek, Vice Mayor Gordo, Mayor Bogaard

NOES: None

ABSENT: Councilmembers Holden, McAustin

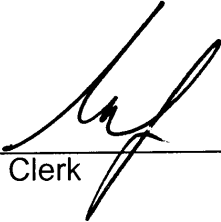
**ADJOURNMENT**

On order of the Mayor, the regular meeting of the City Council adjourned at 10:18 p.m.



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Bill Bogaard, Mayor  
City of Pasadena

ATTEST:



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City Clerk