

CITY OF PASADENA
City Council Minutes
June 13, 2011 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING: The Mayor called the regular meeting to order at 6:32 p.m. The Pledge of Allegiance was led by Councilmember Madison.

ROLL CALL:
Councilmembers:

Mayor Bill Bogaard
Vice Mayor Margaret McAustin (Arrived at 8:00 p.m.)
Councilmember Victor Gordo
Councilmember Chris Holden
Councilmember Steve Madison
Councilmember Gene Masuda
Councilmember Jacque Robinson
Councilmember Terry Tornek

Staff:

Assistant City Manager Steve Mermell
Senior Assistant City Attorney Nicholas Rodriguez
City Clerk Mark Jomsky

CEREMONIAL MATTERS

The City Clerk administered the oath of office to Michael Watkins as member of the Community Development Committee.

The Mayor and Phyllis Currie, General Manager of Water and Power Department, congratulated the John Muir High School Solar Cup Team on winning the championship for the Regional Annual Solar Cup Race held in May 2011. The following persons thanked the City for their support of the team's efforts and the Water and Power Department for contributing \$2,500 to the team's project: Sheryl Orange, Principal; Charles Park, Assistant Principal; Judy Turner, staff; Michael Marderosian, teacher/project advisor; and James Maloney, Caltech student/project mentor. The Mayor presented Certificates of Recognition to the Solar Cup Team members: Jose Cervantes, Shante Chaney, Rodrigo Legorreta, Kelly Leon, Luis Lozano, Camille Navata, Miguel Reyes, Rose Reyes, Izamar Sanchez, LuisAmanda Velasco, Ariana Villafuerte, Eduardo Zarate, and Osvaldo Zarate.

Rabbi Marvin Gross, Union Station Homeless Services Chief Executive Officer, and Jill Fosselman and Liz Trussell, Board members, presented the City with a signed photograph of Centennial Place in appreciation of the City's partnership with Union Station; and submitted the "Centennial Place Progress Report – June 2011."

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

Tanganica Turner, Field Representative for Assemblymember Anthony Portantino, invited the City Council and community to the 4th Annual National HIV Testing Day event to be held on June 26, 2011 at the Rose Bowl; and submitted a flier on the event.

The following persons expressed concerns regarding the sediment clean-up plans for the Devil's Gate Dam/Johnson Field area of the Hahamongna Watershed Park, and the need to provide permanent environmental protections for this area:

Dianne Patrizzi, Pasadena resident
Tom Holaday, Altadena resident
Alexander Zajac, Arcadia resident

James Peterson, Pasadena resident, expressed concerns with ongoing problems with water overflow from the rooftop of the property located at 155 East Cordova Street.

Philip Koebel, legal counsel for Deirdra Duncan, read and submitted an Order to Restore Debtor Deirdra Duncan to Possession of Real Property at 409 Lola Avenue in Pasadena, California from the United State Bankruptcy Court, Central District of California, Los Angeles Division.

The Senior Assistant City Attorney indicated that he will look into the Duncan matter.

CEREMONIAL MATTERS

PRESENTATION BY MICHAEL CACCIOTTI, SOUTH PASADENA MAYOR PRO TEM AND GOVERNING BOARD MEMBER FOR EASTERN LOS ANGELES COUNTY CITIES AIR QUALITY MANAGEMENT DISTRICT (AQMD)

Michael Cacciotti, representing the Air Quality Management District (AQMD) for the cities of Los Angeles County/Eastern Region, provided AQMD's annual air quality update as part of a PowerPoint presentation, outlined various available AQMD technology incentives and funding programs for cities, and responded to questions.

On order of the Mayor, the information was received.

CONSENT CALENDAR

AMENDMENT TO CONTRACT NO. 20,069 WITH R C FOSTER CORPORATION FOR THE CONSTRUCTION OF THE MONK HILL TREATMENT SYSTEM DISINFECTION FACILITY TO INCREASE THE CONTRACT NOT TO EXCEED AMOUNT FROM \$1,050,000 TO \$1,265,000

Recommendation:

(1) Find the construction work by R C Foster Corporation (R C Foster) for the Monk Hill Treatment System (MHTS) Disinfection Facility was subject to adequate environmental review in the Mitigated Negative Declaration adopted by the

Hearing Officer on July 10, 2008, approved by the City Council on October 16, 2009 for construction, and there are no changed circumstances or new information proposed with this action, which would trigger additional environmental review; and

(2) Authorize the City Manager to amend Contract No. 20,069 with R C Foster, to increase the contract by \$215,000 for a total not to exceed amount of \$1,265,000 for additional work required to obtain a Certificate of Occupancy for the disinfection facility. (Contract Amendment No. 20,069-1)

AMENDMENT TO THE MASTER STREET TREE PLAN FOR LAMBERT DRIVE

Recommendation:

(1) Find that tree planting is categorically exempt under California's Administrative Code Chapter 14, Title 3, Section 15061(b)(3); and

(2) Amend the Master Street Tree Plan to include *Quercus virginiana*, Southern Live Oak, as an alternate tree, in addition to the *Quercus englemeni*, Engelmann Oak, the designated street tree on Lambert Drive, between Oak Avenue and Altadena Drive.

Recommendation of Urban Forestry Advisory Committee:

On May 11, 2011, the Urban Forestry Advisory Committee (UFAC) voted four to two, to support the staff recommendation to amend the Master Street Tree Plan for Lambert Drive, between Oak Avenue and Altadena Drive, to include *Quercus virginiana*, Southern Live Oak, as an alternate tree, in addition to the *Quercus englemeni*, Engelmann Oak, the designated street tree.

Recommendation of Design Commission: On May 23, 2011, the Design Commission voted eight to zero, with one abstention, to support the staff recommendation to amend the Master Street Tree Plan on Lambert Drive, between Oak Avenue and Altadena Drive, to include *Quercus virginiana*, Southern Live Oak, as an alternate tree, in addition to the *Quercus englemeni*, Engelmann Oak, the designated street tree.

AWARD OF PURCHASE ORDER TO GO GREEN SOLUTIONS FOR THE PURCHASE OF LIGHT EMITTING DIODE (LED) TUBE LIGHTS FOR CITY FACILITIES IN AN AMOUNT NOT TO EXCEED \$388,041

Recommendation:

(1) Find the project to be exempt from California Environmental Quality Act (CEQA) review in accordance with Article 5, Section 15061, subsection (b), part 3 of the Resources Agency of California, as it will not have a potentially significant effect on the environment, and therefore falls under the general rule exemption;

(2) Accept the bid dated March 2, 2011, submitted by Go Green Solutions;

- (3) Reject all other bids; and
- (4) Authorize the City Manager to issue a purchase order contract to Go Green Solutions, in an amount not to exceed \$388,041 for the purchase of LED tube lights for City facilities.

DIRECT THE CITY ATTORNEY TO PREPARE AN ORDINANCE SUSPENDING ANNUAL COMPENSATION/STIPEND INCREASES FOR THE MAYOR AND CITY COUNCIL FOR FISCAL YEAR 2012

Recommendation: Direct the City Attorney to prepare an ordinance, within 30 days, suspending the annual compensation/stipend increases for the Mayor and City Council for Fiscal Year 2012.

CLAIMS RECEIVED AND FILED

Claim No. 11,380	Melvin Cohen	\$139.98
Claim No. 11,381	Therese M. Yamate	122.07

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

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

Councilmember Gordo recused himself at 7:27 p.m., due to a conflict of interest.

APPROVAL OF KEY BUSINESS TERMS OF DEVELOPMENT AND LOAN AGREEMENT WITH HERITAGE HOUSING PARTNERS FOR REHABILITATION/CONSTRUCTION OF THE HERKIMER GARDENS AFFORDABLE HOMEOWNERSHIP PROJECT AT 411-415 NORTH RAYMOND AVENUE, \$850,000 CITY HOUSING FUND ASSISTANCE

Recommendation:

(1) Find that the proposed action was subject to the California Environmental Quality Act (CEQA) review as part of the Mitigated Negative Declaration adopted by the Hearing Officer on February 18, 2009, and is consistent with the approved project. There are no changed circumstances or new information, which would trigger additional environmental review;

(2) Approve key business terms of a Development and Loan Agreement, as set forth in the agenda report, with Heritage Housing Partners, for the development of an affordable homeownership project located at 411-415 North Raymond Avenue (the Herkimer Gardens or Project); and

(3) Approve a journal voucher appropriating \$200,000 in City Inclusionary Housing Trust Funds, \$410,000 in Federal HOME entitlement funds, and \$240,000 in State Calhome funds for the Herkimer Gardens project. (Agreement No. 20,670; Journal Voucher No. 2011-26)

Recommendation of Northwest Commission and Community Development Committee:

The subject recommendation was unanimously approved by the Northwest Commission at its regular meeting of May 12, 2011 and by the Community Development Committee at its regular meeting of May 26, 2011.

Bill Huang, Director of Housing Department, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

The following persons spoke in support of the project:

Sue Mossman, Pasadena Heritage Executive Director
Mic Hansen, Heritage Housing Partners (HHP) President
Charles Loveman, HHP Executive Director
Lee Thomson, Pasadena resident

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

Councilmember Gordo
returned at 7:55 p.m.

APPROVAL OF TERMS AND CONDITIONS OF PURCHASE AND SALE AGREEMENT FOR RESALE OF CITY-OWNED CONDOMINIUM UNIT AT 736 NORTH GARFIELD AVENUE, UNIT 204, TO QUALIFIED LOW INCOME HOUSEHOLD

Recommendation:

(1) Find that the sale of real property located at 736 North Garfield Avenue, Unit 204 (the Property) is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15301, existing facilities; and
(2) Approve the terms and conditions of a purchase and sale agreement for the resale of the Property to a qualified low income household, and authorize the City Manager or his designee to execute all related agreements and documents to conclude the transaction. (Agreement No. 20,671)

Recommendation of Northwest Commission and Community Development Committee: The Northwest Commission unanimously approved the recommendation at its regular meeting of May 12, 2011 and the Community Development Committee unanimously approved the recommendation at its regular meeting of May 26, 2011.

Vice Mayor McAustin arrived
at 8:00 p.m.

Bill Huang, Director of Housing Department, summarized the agenda report as part of a PowerPoint presentation, noted that the mortgage interest rates shown on Page 2 of the agenda report should be corrected to reflect 1.5% for the first mortgage and 3% for the second mortgage, and responded to questions.

Jim Wong, Senior Project Manager, responded to questions regarding the City's history of purchasing foreclosed properties and alternatives for managing this property.

The Assistant City Manager discussed the City's ability to attain a profitable or break-even solution for the property, given the current economic and housing situations.

Councilmember Holden expressed concerns that the City is not attempting to rent the property or find another option for the property, rather than the City cutting its losses at this point.

Following discussion, it was moved by Councilmember Robinson, seconded by Councilmember Tornek, to approve the staff recommendation. (Motion carried, with Councilmember Holden objecting) (Absent: None)

REAPPOINTMENT OF KATHLEEN HAMILTON TO THE LIBRARY COMMISSION EFFECTIVE JULY 1, 2011 (District 6 Nomination)

REAPPOINTMENT OF ANNETTE NICOLE TO THE NORTHWEST COMMISSION EFFECTIVE JULY 1, 2011 (District 6 Nomination)

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

PUBLIC HEARINGS

CONTINUED JOINT PUBLIC HEARING: APPROVAL OF THE ANNUAL ACTION PLAN (2010-2011) AND RELATED FUNDING ALLOCATIONS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM; EMERGENCY SHELTER GRANT (ESG) PROGRAM; HOME INVESTMENT PARTNERSHIP ACT (HOME); AND HUMAN SERVICES ENDOWMENT FUND (HSEF)

Recommendation: It is recommended that the City Council continue the public hearing to June 20, 2011, at 7:30 p.m.

By consensus and on order of the Mayor, the public hearing was continued to June 20, 2011 at 7:30 p.m.

CONTINUED PUBLIC HEARING: ADOPTION OF FISCAL YEAR 2012 OPERATING BUDGET

Revised Recommendation: Pursuant to Finance Committee action on June 6, 2011, it is recommended that the City Council:

- (1) Adopt by resolution the City's Fiscal Year (FY) 2012 Operating Budget and FY 2012-2016 Capital Improvement Program as summarized in the revised Exhibit A and B (attachments to agenda report);
- (2) Adopt a resolution determining the amount to be transferred from the Light and Power Fund to the General Fund for FY 2012;
- (3) Direct the City Attorney within 60 days to complete amendments to Article VII of Title 2 of the Pasadena Municipal Code to incorporate the organizational changes required as a result of the adopted FY 2012 budget; and
- (4) Direct the Public Safety Committee to review service level impacts of a
- (5) \$2 million reduction in the Fire Department and develop an operational plan to achieve the reduction and report to the City Council no later than July 11, 2011.

CONTINUED PUBLIC HEARING: ADOPTION OF FISCAL YEAR 2012-2016 CAPITAL IMPROVEMENT PROGRAM

The above two public hearings were discussed concurrently.

The Mayor announced that now was the time for the continued public hearings. He noted that staff is recommending that the \$2 million reduction that is in question in the Fire Department budget be considered as "managed savings to be determined" in the Fiscal Year (FY) 2012 Operating Budget, with the Public Safety Committee to review this matter and a report on the managed savings to be presented to the City Council for final determination at the Council meeting of July 11, 2011.

Andy Green, Director of Finance Department, responded to questions regarding the proposed Operating Budget.

Councilmember Madison expressed concerns regarding staff's recommendation regarding adoption of the proposed Operating Budget, with the Fire Department's managed savings budget item included, prior to the Public Safety Committee's review of the matter; and suggested deferring adoption of the Operating Budget for one week until the Public Safety Committee meeting(s) can be held.

The Assistant City Manager indicated that, if the City Council should adopt the proposed budget with the managed savings, the Council is not constrained from amending the adopted budget as this relates to the managed savings issue.

Vice Mayor McAustin also expressed concerns regarding adoption of the Operating Budget until the managed savings matter is explained and impacts are provided by staff and reviewed by the Public Safety Committee.

Councilmember Gordo asked staff to return with options for Council's consideration, in the event that the \$2 million reduction issue is not resolved by the Public Safety Committee.

In response to Councilmember Robinson's questions, the Assistant City Manager confirmed that there is a reduction in the number of Summer Rose Program positions in the proposed FY 2012 Operating Budget; and Mercy Santoro, Director of Human Services and Recreation Department indicated that this involves a reduction of 85 Summer Rose positions.

Councilmember Robinson indicated that, given the impacts this will have on the City's youth, she will work with staff to explore funding to restore 50% of the Summer Rose positions that are proposed to be eliminated.

Councilmember Gordo suggested staff explore partnering with local businesses to share half the costs of the Summer Rose Program, in order to restore some of the eliminated Summer Rose positions, with a report on this option to be provided in the City Manager's weekly newsletter.

Following discussion, and by consensus and on order of the Mayor, the public hearings were continued to June 20, 2011 at 7:30 p.m.

**REPORTS AND COMMENTS
FROM COUNCIL
COMMITTEES**

**SUPPORT FOR ASSEMBLY BILL (AB) 420 BY
ASSEMBLYMAN DAVIS ON REDISTRICTING**

Recommendation: Authorize the Mayor to send letters of support for AB 420 (Davis) on redistricting which will allow for those who are incarcerated in California prisons to be counted in the city of their last know residency.

Legislative Policy Committee Recommendation: Assemblyman Mike Davis presented his bill to the Committee on May 25, 2011. The Committee recommended to support this bill and to forward it to the full City Council.

The Mayor, Chair of the Legislative Policy Committee, introduced the agenda item.

Councilmember Robinson, Legislative Policy Committee member, summarized the agenda report, and responded to questions.

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

COUNCIL COMMENTS

Councilmember Robinson thanked the Police Department for the valuable experience she gained in completing the Citizen Police Academy.

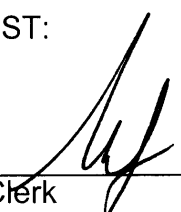
ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 8:36 p.m.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk