

CITY OF PASADENA
City Council Minutes
September 26, 2011 – 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: Councilmember Holden)

On order of the Mayor, the regular meeting recessed
at 5:40 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)
Name of Case: Ashok Agarwal v. City of Pasadena, et al.
Case No.: BC453378**

**CITY COUNCIL CONFERENCE WITH LABOR
NEGOTIATORS pursuant to Government Code
Section 54957.6
Agency Designated Representatives: Mary Ellen Schubel,
Michael J. Beck
Employee Organization: Pasadena Fire Fighters
Association (PFFA)**

**CITY COUNCIL CONFERENCE WITH LABOR
NEGOTIATORS pursuant to Government Code
Section 54957.6
Agency Designated Representatives: Mary Ellen Schubel,
Michael J. Beck
Employee Organization: Unrepresented Management Top,
Middle and Professional Employees**

The above three closed session items were discussed, with no
reportable action at this time.

On order of the Mayor, the regular meeting reconvened
at 6:30 p.m. The Pledge of Allegiance was led by the Mayor.

ROLL CALL:

Councilmembers:

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

Staff:

City Manager Michael J. Beck
City Attorney Michele Beal Bagneris
Senior Assistant City Clerk Silvia Flores

CEREMONIAL MATTERS

The Senior Assistant City Clerk administered the oaths of office to Jane Haderlein as Library Commissioner and Timothy Lusher as member of Pasadena Center Operating Company Board.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Wesley Reutimann, Pasadena resident, expressed concerns regarding the recent deaths of local bicyclists caused by motorists, the lack of bicycle safety measures on City streets, and the need to implement bicycle safety systems; and submitted an article titled, "Bike safety – Calm down – With a very few exceptions, America is no place for cyclists."

Terry LeMoncheck, Pasadena Arts Council Executive Director, invited the community to the Council's AxS Festival 2011 – Fire and Water, featuring various arts and science events to be held October 1-16, 2011; and submitted a brochure on the festival.

CONSENT CALENDAR

AUTHORIZE THE CITY MANAGER TO ENTER INTO AN OPTION TO PURCHASE AGREEMENT AND A PURCHASE AND SALE AGREEMENT FOR REAL PROPERTY OWNED BY THE CITY OF PASADENA AT 733 NORTH FAIR OAKS AVENUE TO EVERGREEN DEVCO, INC.

Recommendation:

- (1) Authorize the City Manager to execute an Option to Purchase Agreement incorporating the terms and conditions generally described in the agenda report with Evergreen Devco, Inc.,(Evergreen); and
- (2) Adopt a resolution approving the key terms and conditions for the following: (a) Option to Purchase Agreement (Option), and (b) Purchase and Sale Agreement by and between the City of Pasadena as Seller, and Evergreen as Buyer, for the City's conveyance of real property located at 733 North Fair Oaks Avenue. (Agreement Nos. 20,788 and 20,789 and Resolution No. 9144)

ONE YEAR EXTENSION OF AGREEMENT NO. 18,934 WITH MODERN PARKING, INC. FOR THE MANAGEMENT OF THE HOLLY STREET, DEL MAR, PASEO SUBTERRANEAN, LOS ROBLES, AND MARENGO GARAGES

Recommendation:

- (1) Find that the extension of Contract No. 18,934 with Modern Parking, Inc. (MPI) 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 extend Contract No. 18,934 with MPI, for the management of the Holly Street, Del Mar, Paseo Subterranean, Los Robles, and Marengo garages to September 30, 2012. (Contract No. 18,934-7)

FINANCE COMMITTEE: JOINT ACTION: 2011-2012 INVESTMENT POLICY

Recommendation: It is recommended that the City Council and the Pasadena Community Development Commission adopt the City Treasurer's Statement of Investment Policy and Investment Strategy for Fiscal Year 2011-2012.

FINANCE COMMITTEE: QUARTERLY INVESTMENT REPORT, QUARTER ENDING JUNE 30, 2011

Recommendation: This report is for information purposes only.

FINANCE COMMITTEE: APPROVAL OF A JOURNAL VOUCHER AMENDING PROJECTS IN THE FISCAL YEAR 2012 CAPITAL IMPROVEMENT PROGRAM BUDGET

Recommendation: Approve a journal voucher with a net increase of \$2,302,954, amending 19 projects in the Fiscal Year 2012 Capital Improvement Program Budget, as detailed in the Fiscal Impact section of the agenda report. (Journal Voucher No. 2012-3)

FINANCE COMMITTEE: RECOGNITION AND APPROPRIATION OF STATE OFFICE OF TRAFFIC SAFETY (OTS) GRANT REVENUES TO CONDUCT DRIVING UNDER THE INFLUENCE EDUCATION AND ENFORCEMENT PROGRAMS

Recommendation: Amend the Police Department's fiscal year 2012 operating budget by recognizing \$280,000 in grant funds awarded by the California Office of Traffic Safety to Account No. 6497-101-402200-91153, and appropriate the funds as follows: \$264,398 to Account No. 8011-101-402200-91153 Overtime Pay, \$2,602 to Account No. 8101-101-402200-91153 Materials and Supplies, \$9,000 to Account No. 8114-101-402200 Other Contract Services, and \$4,000 to Account No. 8127-101-402200-91153 Conferences and Meetings. (Journal Voucher No. 2012-4)

REAPPOINTMENT OF VICTOR GORDO TO THE ROSE BOWL OPERATING COMPANY (City Council Nomination)

MINUTES APPROVED

September 12, 2011

CLAIMS RECEIVED AND FILED

Claim No. 11,456	Anthony Festa and Peter Abruzzese, Jr.	\$ Not Stated
Claim No. 11,457	Rita K. Davis	6,912.00
Claim No. 11,458	Janaye Howard	25,000.00+
Claim No. 11,459	Juan M. Avina	Not Stated
Claim No. 11,460	Julie Blackshaw	19,861.83
Claim No. 11,461	Patrick Brooks	25,000.00+
Claim No. 11,462	Jamaul Harvey	25,000.00+

PUBLIC HEARINGS SET

October 17, 2011, 7:30 p.m. – Designation of 1125 Mesita Road as a Landmark

October 17, 2011, 7:30 p.m. – Designation of 1232 North Los Robles Avenue as a Landmark

October 17, 2011, 7:30 p.m. – Designation of 1621 North Los Robles Avenue as a Landmark

October 17, 2011, 7:30 p.m. – Designation of 901 South San Rafael Avenue as a Landmark

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

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

CONSIDERATION OF A CALL FOR REVIEW OF A HEARING OFFICER DECISION TO THE BOARD OF ZONING APPEALS REGARDING CONDITIONAL USE PERMIT NO. 5471, TO ALLOW THE SALE OF FULL ALCOHOL (BEER, WINE, AND DISTILLED SPIRITS) IN CONJUNCTION WITH FOOD SERVICE AT AN EXISTING RESTAURANT (CHOZA MOMMA) AT 96 EAST COLORADO BOULEVARD (Councilmember Madison)

Councilmember Madison expressed concerns regarding possible negative impacts that might arise out of allowing this location/business to change from beer/wine to full alcohol service, in light of the number of alcohol licenses in Old Pasadena.

Stephanie DeWolfe, Deputy Director of Planning Department, and John Steinmeyer, Acting Zoning Administrator, reviewed the restrictions in the Conditional Use Permit that are meant to ensure that this location will remain a primarily restaurant operation, rather than a bar operation; and responded to questions.

Following discussion, the City Council took no further action on this matter. The decision of the Hearing Officer stands.

ORDINANCE – ADOPTED

ADOPT “AN ORDINANCE OF THE CITY OF PASADENA AMENDING SECTION 13.04.071, OF THE LIGHT AND POWER RATE ORDINANCE, CHAPTER 13.04, OF THE PASADENA MUNICIPAL CODE, TO EXTEND THE AUTHORITY OF THE GENERAL MANAGER OF THE WATER AND POWER DEPARTMENT TO IMPLEMENT EXPERIMENTAL ELECTRIC RATES” (Introduced by Councilmember McAustin) (Ordinance No. 7213)

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

COUNCIL COMMENTS

Councilmember Robinson reported that there had been a scheduling conflict for the annual Turkey Tussle football game at the Rose Bowl between John Muir High School and Pasadena High School this year, which was resolved.

Councilmember Gordo, Rose Bowl Operating Company (RBOC) President, indicated he would look into the matter with RBOC staff to ensure that future scheduling of the game goes smoothly, since there is an existing long-term agreement covering this event.

PUBLIC HEARING

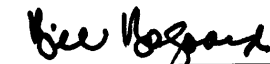
JOINT PUBLIC HEARING: DRAFT CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (2010-2011 PROGRAM YEAR) FOR PROJECTS FUNDED FROM COMMUNITY DEVELOPMENT BLOCK GRANT, EMERGENCY SHELTER GRANT, HOME INVESTMENT PARTNERSHIP ACT, AND HUMAN SERVICES ENDOWMENT FUND PROGRAMS

Due to time considerations, the City Manager indicated that the above item could be continued to the next Council meeting.

It was moved by Councilmember Gordo, seconded by Councilmember Robinson, to continue the public hearing to October 3, 2011 at 7:30 p.m. (Motion unanimously carried) (Absent: Councilmember Holden)

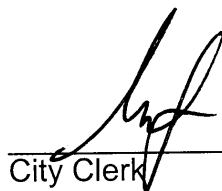
ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 6:59 p.m.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk