

CITY OF PASADENA  
City Council Minutes  
October 3, 2011 – 5:30 P.M.  
City Hall Council Chamber

REGULAR MEETING

**OPENING:**

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

**ROLL CALL:**

Councilmembers:

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

Staff:

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

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

The following persons expressed concerns regarding Minor Variance No. 11727 at 246 Robinson Road, Pasadena, involving construction of a front yard fence, that will be heard by a Hearing Officer on October 5, 2011; and asked the City Council to consider appealing this matter on behalf of the property owners and changing the Pasadena Municipal Code regulations for front yard fences:

Chris Sutton, legal counsel for the property owners  
Anthony McCartney, property owner  
Gretchen Parker, property owner

Councilmember Gordo indicated that he would not be able to participate in any discussion or action that might occur on this matter due to a conflict of interest.

Galit Feinreich, Weizmann Day School Board President, invited the City Council and community to the 8th Annual Daniel Pearl World Music Days Concert to be held on October 12, 2011, and submitted a flyer on the event.

Jeanette Mann, Pasadena City College (PCC) Board Trustee, invited the community to an informational outreach meeting on new PCC programs to be held on October 19, 2011, and submitted a flyer on the event.

**CONSENT CALENDAR**

**AUTHORIZATION TO ENTER INTO A CONTRACT WITH HD SUPPLY WATERWORKS, LTD. TO FURNISH AND DELIVER MISCELLANEOUS WATER UTILITY MATERIALS FOR THE WATER AND POWER DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$1,500,000 PER YEAR**

**Recommendation:**

(1) Find that the project is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15301, existing facilities; and  
(2) Accept the bid dated August 31, 2011 submitted by HD Supply Waterworks, LTD., in response to Specifications WD-10-03 to furnish and deliver miscellaneous water utility materials for the Water and Power Department, reject all other bids received, and authorize the City Manager to issue a purchase order contract for the first two-year period to HD Supply Waterworks, LTD, with two optional one-year extensions. The Contract shall not exceed \$1,500,000 annually.

Item discussed separately, due to request for public comment.

**PUBLIC SAFETY: ADOPTION OF THE HEALTHY FOOD AND BEVERAGE VENDING AND PROCUREMENT POLICY**

**RESIGNATION OF THELMA REYNA FROM THE NORTHWEST COMMISSION (District 3 Nomination)**

MINUTES APPROVED

September 19, 2011

CLAIMS RECEIVED AND FILED

Claim No. 11,463	Susan L. Birmingham	\$ 1,485.39
Claim No. 11,464	Lawrence C. Gray, Jr. and Patricia G. Gray	1,023.71
Claim No. 11,465	Robert Vasquez, Jr.	275.00

PUBLIC HEARINGS SET

October 24, 2011, 7:30 p.m. – Tax Equity and Fiscal Responsibility Act (TEFRA) Public Hearing, Approval of Membership Agreement with the California Municipal Finance Authority, and Adoption of a Resolution Approving the Issuance of \$27,900,000 of California Municipal Finance Authority Revenue Obligations for the Benefit of Maranatha High School

October 24, 2011, 7:30 p.m. – Approval of Submission to U.S. Department of Housing and Urban Development of Substantial Amendment to Consolidated Plan to Reallocate Homeless Prevention and Rapid Re-Housing Program Funds from Rapid Re-Housing to Homeless Prevention

It was moved by Vice Mayor McAustin, seconded by Councilmember Gordo, to approve the Consent Calendar, with the exception of Item 2 (Adoption of Healthy Food and Beverage Vending and Procurement Policy), which was discussed separately. (Motion unanimously carried) (Absent: Councilmember Robinson)

**CONSENT ITEM  
DISCUSSED SEPARATELY**

**PUBLIC SAFETY: ADOPTION OF THE HEALTHY FOOD AND  
BEVERAGE VENDING AND PROCUREMENT POLICY**

**Recommendation:** It is recommended that the City Council adopt by resolution the Healthy Food and Beverage Vending and Procurement Policy. (Resolution No. 9145)

Dr. Eric Walsh, Director of Health Department, introduced the agenda item.

Mary Urtecho-Garcia, Nutritional and Physical Activity Program Coordinator, reviewed the agenda report as part of a PowerPoint presentation.

Councilmember Madison, Chair of the Public Safety Committee, reported that this matter had been discussed by the Committee, and the staff recommendation had received unanimous support from the Committee.

The following persons spoke in support of the proposed policy:

- Jonathan Ramos, Healthy Vending youth advocate and student at Pasadena High School
- Maria Roxanna Nava, Healthy Vending youth advocate and student at Blair High School
- Faun Terry, Healthy Vending youth advocate and student at South Pasadena High School
- Sue Clark, Healthy Vending advocate and Pasadena resident

Vice Mayor McAustin, Public Safety Committee member, clarified that this policy applies only to those vending machines on City property, and the proposed policy mirrors the vending machine policy that has been adopted by the Pasadena Unified School District (PUSD).

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

**CEREMONIAL MATTERS**

Marissa Castro-Salvati, Southern California Edison (SCE) Public Affairs Region Manager, presented the Mayor with a resolution of appreciation for the City's partnership with Edison in various activities/programs, as Edison celebrates its 125th anniversary.

**INFORMATION ITEM**

**UPDATE ON DEVIL'S GATE DAM SHORT-TERM SEDIMENT  
REMOVAL**

Dan Rix, City Engineer, introduced the agenda item, and informed the City Council about 12 palm trees that may be removed from Johnson Field, on an as-needed basis, and as approved by the Urban Forestry Advisory Commission.

Keith Lilley, County of Los Angeles Department of Public Works Principal Engineer, provided an update on the implementation of the Devil's Gate Dam (short-term) Sediment Removal and Risk Reduction Plan, use of Johnson Field for green waste, and highlighted the proposed Devil's Gate Reservoir (long-term) Sediment Removal and Management Project timeframe as part of a PowerPoint presentation; and responded to questions.

Councilmember Tornek thanked Mr. Lilley for the high level of information that has been shared by the County regarding the Devil's Gate Dam short-term and long-term plans.

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

**RECOMMENDATIONS  
FROM OFFICERS AND  
DEPARTMENTS**

**DESIGNATION OF VOTING DELEGATE AND ALTERNATE  
FOR THE NATIONAL LEAGUE OF CITIES ANNUAL  
BUSINESS MEETING ON NOVEMBER 12, 2011 IN  
PHOENIX, ARIZONA**

Following brief discussion, it was moved by Councilmember Gordo, seconded by Councilmember Holden, to designate the Mayor as the voting delegate for the National League of Cities Annual Business Meeting, with no alternate designated at this time. (Motion unanimously carried) (Absent: Councilmember Robinson)

**ANNOUNCEMENT**

The City Clerk invited the public to attend the next Redistricting Task Force meeting to be held on October 5, 2011 in the City Council Chamber; with the City's consultant to provide information on what is involved in the redistricting process, why redistricting is necessary, and how City Council district boundaries are redrawn.

**PUBLIC HEARINGS**

**PUBLIC HEARING: PROHIBITION ON THE DISTRIBUTION  
OF SINGLE-USE PLASTIC CARRYOUT BAGS FOR  
CONSUMER USE AND ESTABLISHMENT OF A CHARGE  
ON SINGLE-USE PAPER CARRYOUT BAGS**

**Recommendation:**

(1) Adopt a resolution and findings adopting an Addendum to the previously certified Final Environmental Impact Report (FEIR), adopted by the Los Angeles County Board of Supervisors on November 16, 2010, adopting a Mitigation Monitoring Program, and adopting a Statement of Overriding Considerations; and

(2) Direct the City Attorney to draft an ordinance within 60 days prohibiting the distribution of single-use plastic carryout bags, including biodegradable plastic, for consumer use, and establishing a charge for specified single-use paper carryout bags. (Resolution No. 9146)

**Recommendation of Environmental Advisory Commission:**

On July 19, 2011, the Environmental Advisory Commission (EAC) voted to support staff's recommendation.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on September 19, 2011 in the Pasadena Star-News and on September 29, 2011 in the Pasadena Journal; and 51 letters and numerous petitions with a total of 176 signatures in support of the proposed prohibition of single-use plastic carryout bags were received. Also received were 1 letter in opposition to, and 4 letters expressing concerns regarding the prohibition of plastic bags. Also included as an attachment to the agenda report was correspondence received by the Environmental Advisory Commission during their review of this matter: 39 letters and numerous petitions with a total of 115 signatures in support of, 3 letters in opposition to, and 4 letters expressing concerns regarding the prohibition of single-use plastic bags.

Vince Bertoni, Director of Planning Department, introduced the agenda item.

Ursula Schmidt, Sustainability Affairs Manager, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

Councilmember Gordo expressed concerns regarding the inclusion of events at the Rose Bowl in the plastic bag ban, noted that vendors at the flea market and souvenir/clothing concessionaires at Rose Bowl events may be classified in the retailer category, and asked that consideration be given to exempting Rose Bowl events in the ordinance.

The following persons spoke in support of the prohibition of single-use carryout plastic bags:

Bryan Reese, Environmental Advisory Commission Vice Chair  
Tom Brady, All Saints Episcopal Church representative  
Robert Haw, Neighborhood Unitarian Universalist (UU) Church representative  
Alice Sterling, former City of Pasadena Sustainability Programs Manager  
Susan McClymonds, Pasadena resident  
Tim Martinez, Arroyo Seco Foundation Outreach Coordinator  
Kirsten James, Heal the Bay Water Quality Director  
Herminia Ortiz, Vecinos Unidos representative  
James S. Waterhouse, Neighborhood UU Church group member speaking as an individual  
Joe Pardee, Neighborhood UU Church group member  
Winessa Nartia, Pasadena City College (PCC) Seeds of Change Club member  
Maggie Lee, PCC Seeds of Change Club member  
Yuny Parada, Pasadena resident

Jonathan Frause, Arroyo Seco Foundation member  
Felicia Williams, Environmental Advisory Commission  
Chair  
Susette Horspool, Pasadena resident  
Laurie Gould, 7th Principle Group/Neighborhood UU  
Church and Urban Wild Network representative  
Wes Reutimann, Pasadena resident, submitted  
informational materials  
David Czamanske, Sierra Club-Pasadena Group  
representative, submitted informational materials  
Andy Shrader, Los Angeles resident  
Flannery Mays, Glendale Community College (GCC)  
Environmental Club member  
Jason Carman, PCC Seeds of Change Club President

It was moved by Councilmember Gordo, seconded by Vice Mayor McAustin, to close the public hearing. (Motion unanimously carried) (Absent: Councilmember Robinson)

The City Manager clarified the definition of "low income status" for persons who will be exempt under the ordinance.

The City Attorney indicated that Rose Bowl events could be exempted under the ordinance, if that was the City Council's direction.

Councilmember Tornek expressed various concerns regarding exempting the Rose Bowl under the ordinance.

Vice Mayor McAustin noted that, under the ordinance as proposed, the Rose Bowl could be placed in the 12-month category for implementing the ordinance; and Rose Bowl vendors would have the option to use a heavier gauge of plastic bag that would classify it as a reusable, rather than a single-use bag, and would also be exempt under the proposed ordinance.

Mr. Bertoni confirmed that the Rose Bowl scenario outlined above by Vice Mayor McAustin would be covered by the proposed ordinance and is also covered in the staff recommendation.

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

**CONTINUED 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**

**Recommendation:** It is recommended that the City Council/Community Development Commission, following the public hearing, approve the submission, to the U.S. Department of Housing and Urban Development (HUD), of the Consolidated Annual Performance and Evaluation Report (CAPER) for the 2010-2011 Program Year for projects funded under the Community Development Block Grant (CDBG), Emergency Shelter Grant (ESG), the HOME Investment Partnership Act, and the Human Services Endowment Fund (HSEF) programs.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on September 9, 2011 in the Pasadena Star-News; and no correspondence was received.

Jim Wong, Senior Project Manager, introduced the agenda item and responded to questions.

Valerie Babinski-Manlic, Program Coordinator, reviewed the agenda report and responded to questions.

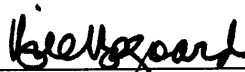
No one appeared for public comment.

It was moved by Councilmember Holden, seconded by Councilmember Tornek, to close the public hearing. (Motion unanimously carried) (Absent: Councilmember Robinson)

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

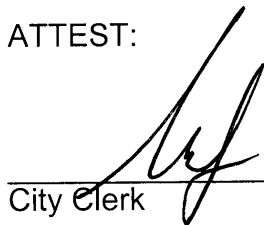
**ADJOURNMENT**

On order of the Mayor, the regular meeting of the City Council adjourned at 9:14 p.m.



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Bill Bogaard, Mayor  
City of Pasadena

ATTEST:

  
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City Clerk