

CITY OF PASADENA  
City Council Minutes  
February 27, 2012 – 5:30 P.M.  
City Hall Council Chamber

REGULAR MEETING

**OPENING:**

Mayor Bogaard called the regular meeting to order at 6:00 p.m.  
(Absent: Councilmembers Gordo, Madison)

On order of the Mayor, the regular meeting recessed at 6:00 p.m., to discuss the following closed session:

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL  
regarding pending litigation pursuant to Government Code  
Section 54956.9(a)**

**Case Name: Jhae (Super Liquor) v. City of Pasadena  
Case No.: LASC BC413887**

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

On order of the Mayor, the regular meeting reconvened at 6:32 p.m. The Pledge of Allegiance was led by the City Clerk.

**ROLL CALL:**

Councilmembers:

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

Staff:

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

**CEREMONIAL MATTERS**

Councilmember Madison and Rachel Estrada, President and Chief Executive Officer of the Boys and Girls Club of Pasadena, recognized Isaac Harris for his recent donation to the Club, comprised of \$5,777 in funds that he raised from checks given to him by his family and friends in celebration of his Bar Mitzvah.

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

Larry Faulkner, Pasadena resident, expressed concerns regarding the alleged failure of the Pasadena Humane Society (PHS) to patrol for loose dogs in the City, as is required under the City's contract with PHS; and asked the City to review and address this situation with the PHS.

Richard Polanco, representing G&S Transit Management, Inc. dba City Cab and Tri-Cities Transportation System dba Checker and Yellow Cab, asked the City to consider revising the current taxicab/vehicles for hire ordinance (regarding use of green vehicles, need for a computerized system to track complaints, a needs assessment, an obligation to serve requirement, and a fee structure comparison); and submitted written suggestions for amendments to the ordinance.

Councilmember Holden suggested that staff review the issues raised by Mr. Polanco and report the findings and possible recommendations to the Economic Development and Technology Committee, when this information has been gathered.

Robert Gorski, Pasadena resident, expressed concerns regarding the poor condition of the City's sidewalks and safety hazards caused by uplifts from trees, and cautioned the City about the possible consequences of replacing all of the trees that were lost in the recent windstorm event.

In response to Councilmember Robinson's questions, the City Manager indicated that the City is studying the possibility of undertaking a public facility bond that could factor in current sidewalk conditions/uplifts as a public safety consideration.

Councilmember Madison asked staff to clarify the City's requirements for sidewalks to be repaired as condominium units/multi-unit housing are sold.

## **CONSENT CALENDAR**

### **AUTHORIZATION TO ENTER INTO A LETTER AGREEMENT WITH SOUTHERN CALIFORNIA EDISON FOR SERVICES TO REPLACE DAMAGED DISCONNECT SWITCHES AT T.M. GOODRICH RECEIVING STATION**

#### **Recommendation:**

- (1) Find that the project is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15302, replacement or reconstruction;
- (2) Authorize the City Manager to enter into a Letter Agreement with Southern California Edison (SCE), to replace the disconnect switches and related equipment at T.M. Goodrich Receiving Station (Goodrich) for an amount not to exceed \$326,544; and
- (3) Grant the proposed Agreement an exemption from the Competitive Bidding Process, pursuant to City Charter Section 1002(C), contracts for labor, material, supplies or services available from one vendor. (Agreement No. 20,943)

### **AUTHORIZATION TO ENTER INTO A PURCHASE ORDER CONTRACT WITH MISSION LINEN SUPPLY TO SUPPLY UNIFORMS FOR THE WATER AND POWER DEPARTMENT**

#### **Recommendation:**

- (1) Find that the awarding of a contract for uniform supply is

exempt from the California Environmental Quality Act (CEQA) Guidelines in Section 15061(b)(3); and

(2) Accept the bid dated January 25, 2012 submitted by Mission Linen Supply, to supply the rental of uniforms for the Water and Power Department (PWP), reject all other bids, and authorize the City Manager to issue a purchase order contract for two years or until \$240,000 has been expended, whichever comes first, with one optional one-year extension not to exceed \$120,000.

**AUTHORIZATION TO ENTER INTO A PURCHASE ORDER CONTRACT WITH ONE SOURCE DISTRIBUTORS FOR THE FURNISHING AND DELIVERY OF UTILITY VAULT VENTILATION EQUIPMENT FOR THE WATER AND POWER DEPARTMENT**

**Recommendation:**

(1) Acknowledge that this action is exempt from environmental review, pursuant to the guidelines of the California Environmental Quality Act (CEQA) Public Resources Code Section 21080(b)(9), Administrative Code, Title 14, Chapter 3, Class 1 Section 15301, existing facilities and Class 2 Section 15302, replacement or reconstruction; and

(2) Accept the bid dated December 14, 2011 submitted by One Source Distributors, for utility vault ventilation equipment, reject all other bids, and authorize the City Manager to issue a purchase order contract for three years or until \$900,000 has been expended, whichever comes first, with two optional one-year extensions, each not to exceed \$300,000.

**CONTRACT AWARD TO KASA CONSTRUCTION, INC. FOR IMPROVEMENTS OF OAK GROVE DRIVE – FOOTHILL BOULEVARD TO BERKSHIRE PLACE FOR AN AMOUNT NOT TO EXCEED \$282,000**

**Recommendation:**

(1) Acknowledge the project to be categorically exempt under Section 21084 of the Public Resources Code in accordance with Article 19, Section 15301, Class 1, Subsection (c), repair of existing public streets), pursuant to the findings of the Secretary of Resources Agency, and a Notice of Exemption for the project has been filed with the Los Angeles County Clerk on August 16, 2011; and

(2) Accept the bid dated January 18, 2012 submitted by Kasa Construction, Inc., in response to the Project Specifications for the Improvements of Oak Grove Drive – Foothill Boulevard to Berkshire Place, reject all other bids received, and authorize the City Manager to enter into such contract as is required for an amount not to exceed \$282,000. (Contract No. 20,944)

**AUTHORIZATION TO EXTEND CONTRACT NO. 20,076 WITH ARB, INC. FOR PROVIDING FIELD PERSONNEL SERVICES; AND AMEND CONTRACT NO. 19,858 WITH G & E ENGINEERING SYSTEMS INC. FOR PROVIDING CIVIL AND STRUCTURAL ENGINEERING SERVICES FOR VARIOUS PROJECTS AT THE BROADWAY, GLENARM AND AZUSA POWER PLANTS; AS WELL AS AMEND**

**CONTRACT NO. 20,119 WITH WORLEY PARSONS INC. TO PROVIDE AIR QUALITY ANALYSIS AND PERMITTING FOR THE GLENARM REPOWERING PROJECT**

**Recommendation:**

- (1) Find that the extension of the contract with ARB, Inc., and amendment of contract with G & E Engineering Systems, Inc., are exempt from the California Environmental Quality Act (CEQA) in accordance with Title 14, Chapter 3, Section 15301, Class 1, existing facilities, and Section 15302, Class 2, replacement or reconstruction;
- (2) Find that amendment of contract with Worley Parsons is exempt from CEQA, pursuant to State CEQA Guidelines Section 15061;
- (3) Authorize the City Manager to extend Contract No. 20,076 with ARB, Inc., to exercise the first contract extension for two years or an amount not to exceed \$200,000, whichever occurs first;
- (4) Authorize the City Manager to amend Contract No. 19,858 with G & E Engineering Systems (G & E), to extend the contract duration for an additional year and increase the contract not to exceed amount from \$300,000 to \$360,000;
- (5) Authorize the Assistant City Manager to amend Contract No. 20,119-1 with Worley Parsons to increase the contract not to exceed amount from \$317,000 to \$330,500, an increase of \$13,500, for the additional modeling and analysis required by the South Coast Air Quality Management District (SCAQMD) and United States Environmental Protection Agency (EPA) for the Glenarm Repowering Project; and
- (6) Find that competitive bidding is not required, pursuant to City Charter Section 1002(F), contracts for professional or unique services. (Contract Amendment Nos. 20,076-1, 19,858-1, and 20,119-2)

Item discussed separately at the request of Vice Mayor McAustin.

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

**FINANCE COMMITTEE: AUTHORIZATION TO AMEND CONTRACT NO. 20,536 WITH DAVEY RESOURCE GROUP FOR INVENTORY OF STREET TREES FROM \$200,000 TO \$242,250**

**Recommendation:**

- (1) Find this project to be categorically exempt under the California Environmental Quality Act (CEQA) Guidelines in Section 15061(b)(3), the general rule that CEQA only applies to projects that may have an effect on the environment;
- (2) Authorize the City Manager to execute an amendment to Contract No. 20,536 with Davey Resource Group, for the Inventory of Street Trees to increase the total contract not to exceed amount from \$200,000 to \$242,250, an increase of \$42,250, for the re-inventory of the City's Street Tree Canopy; and
- (3) Appropriate \$42,250 from the Street Tree Deposit Fund Account (Budget Account No. 6740-301-765200) to the

Forestry Operations Operating Budget (Account No. 101-765210) for the Inventory of Street Trees in the amount of \$42,250, and authorize staff to make necessary adjustments to the budget. (Contract Amendment No. 20,536-1; Journal Voucher No. 2012-16)

**FINANCE COMMITTEE: APPROPRIATION OF Foothill AIR SUPPORT FUNDS IN THE AMOUNT OF \$200,000, APPROPRIATION OF ASSET FORFEITURE FUNDS IN THE AMOUNT OF \$100,000, AND RECOGNITION AND APPROPRIATION OF \$100,000 IN SALVAGE SALES REVENUE TO THE POLICE DEPARTMENT FISCAL YEAR 2012 OPERATING BUDGET TO REFURBISH A HELICOPTER**

**Recommendation:** Amend the Police Department's Fiscal Year 2012 Operating Budget by appropriating \$200,000 from the Foothill Air Support Team Fund to Account No. 8504-108-401720 Equipment, \$100,000 from the Asset Forfeiture Fund to Account No. 8504-207-401500 Equipment, recognizing revenue of \$100,000 to Account No. 7018-101-401700 Salvage Sales and appropriating these funds to Account No. 8504-101-401700 Equipment. (Journal Voucher No. 2012-17)

**FINANCE COMMITTEE: ADOPTION OF A RESOLUTION OF THE CITY COUNCIL APPROVING THE FORM OF AND AUTHORIZING THE DISTRIBUTION OF A REVISED PRELIMINARY OFFICIAL STATEMENT IN CONNECTION WITH THE ISSUANCE OF ONE OR MORE SERIES OR SUBSERIES OF CITY OF PASADENA PENSION OBLIGATION BONDS**

**Recommendation:** Adopt a resolution approving the form of and the distribution of a revised preliminary official statement in connection with the issuance of the 2012 Pension Obligation Bonds. (Resolution No. 9183)

**FINANCE COMMITTEE: APPROVAL OF FISCAL YEAR 2012 BUDGET AMENDMENTS FOR VARIOUS PUBLIC HEALTH DEPARTMENT PROGRAMS**

**Recommendation:**

(1) Approve journal vouchers adjusting various estimated revenues and appropriations for grant-funded programs in the Public Health Department's Fiscal Year 2011-2012 operating budget for a net increase of \$114,852.46;

(2) Approve the conversion of a 1.00 FTE Senior Community Health Aide position in the Prenatal Clinic to a 1.00 FTE Licensed Vocational Nurse; and

(3) Approve the addition of seven new limited term, grant-funded positions and the increase of six existing positions to 1.00 FTE each, for a net increase to the Public Health Department's total FTE from 80.25 to 88.25 FTEs. (Journal Voucher No. 2012-18)

**JOINT ACTION: RENEWAL OF BANK OF AMERICA LETTER OF CREDIT RELATED TO THE VARIABLE RATE**

**DEMAND REFUNDING CERTIFICATES OF PARTICIPATION, SERIES 2008A (CONFERENCE CENTER PROJECT)**

**Recommendation:** It is recommended that the City Council/Pasadena Public Financing Authority:

- (1) Approve the renewal of the existing Bank of America Letter of Credit related to the City's Variable Rate Demand Refunding Certificates of Participation, Series 2008A (COPs) at an 0.425% annual fee for a term of three years; and
- (2) Authorize the Executive Director or the Treasurer of the Authority or any duly authorized designee thereof to execute and deliver an amendment to the Reimbursement Agreement and any and all such other documents, certificates and agreements necessary or desirable, including, if applicable, any amendments to the Remarketing Agreement relating to the COPs that may be required by the bank in connection therewith, in order to effect the renewal of the Letter of Credit (LOC) on substantially the terms set forth in the "Summary of Terms and Conditions" (Exhibit A of the agenda report) with such additions and changes thereto as shall be approved by the officer executing such amendment to the Reimbursement Agreement.

**RESIGNATION OF MICHAEL BRADY FROM THE ENVIRONMENTAL ADVISORY COMMISSION (District 2 Nomination)**

MINUTES APPROVED

- January 30, 2012
- February 6, 2012
- February 13, 2012
- February 20, 2012

The City Council also included approval of the minutes for the Pasadena Community Development Commission meeting of January 30, 2012 in the motion (see below).

CLAIMS RECEIVED AND FILED

Claim No. 11,575	Geoffrey Commons	\$ 5,000.00
Claim No. 11,576	Suzanne A. Maxey	8,092.00
Claim No. 11,577	Mauricio Lupercio	580.00
Claim No. 11,578	Jessie Moore	25,000.00+
Claim No. 11,579	Jacques Brjestovsky	2,006.55
Claim No. 11,580	Alvaron Morrow	40.00
Claim No. 11,581	Margret E. Sarmast	Not Stated
Claim No. 11,582	Karla Joseph	1,450.00
Claim No. 11,583	Stacey Kattman	25,000.00+
Claim No. 11,584	Peter Jaquith	25,000.00+
Claim No. 11,585	Heather and Harvey Lenkin	Not Stated
Claim No. 11,586	Mark Hannah	115.00
Claim No. 11,587	Griselda Vilchis	3,467.60
Claim No. 11,588	Rachel Kang	Not Stated
Claim No. 11,589	Noelle Reyes	Not Stated
Claim No. 11,590	Allstate Insurance Company	25,000.00+
Claim No. 11,591	Bassam Hamzeh	5,168.00
Claim No. 11,592	Joshua Edward Bryant	25,000.00+
Claim No. 11,593	Silva Jonoyan	2,940.05

Claim No. 11,594	Jacobo Guadalupe Garcia-Pavon and Ana Pavon	25,000.00+
Claim No. 11,595	Earl Ogletree	19,601.24
Claim No. 11,596	Kelley L. Mueller	558.83
Claim No. 11,597	Christopher Baxter	3000.00

It was moved by Councilmember Robinson, seconded by Vice Mayor McAustin, to approve the Consent Calendar, with the exception of Item 6 (Journal Voucher Amending Projects in Fiscal Year 2012 Capital Improvement Program and Operating Budget), which was discussed separately. (Motion unanimously carried) (Absent: Councilmember Gordo)

**CONSENT ITEM DISCUSSED SEPARATELY**

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

**Recommendation:**

- (1) Amend the Fiscal Year 2012 Capital Improvement Program Budget to modify the scope of three existing projects and separate them into eight new projects, as detailed in the agenda report;
- (2) Approve a journal voucher with a net increase of \$1,113,039 amending 39 projects in the Fiscal Year 2012 Capital Improvement Program Budget, as detailed in the Fiscal Impact section and Attachment A of the agenda report; and
- (3) Approve a journal voucher amending the Fiscal Year 2012 Operating Budget, as detailed in the Fiscal Impact section of the agenda report. (Journal Voucher No. 2012-16)

Councilmember Holden, Chair of the Finance Committee, introduced the agenda item, and noted that the Committee had asked that Item No. 13 (various water projects) be removed from the recommendation and returned to the Finance Committee for additional discussion.

Vice Mayor McAustin expressed opposition to spending Resident Impact Fee (RIF) funds for Item Nos. 20, 21, and 23 (Brookside and Washington Parks projects) in the Background section of the agenda report, as an inappropriate use of RIF funds; and asked that a different funding source be identified for these three projects. She expressed support for funding Item No. 6 (Villa Parke Community Center project) with RIF funds, rather than the proposed \$250,000 in General Fund monies shown in the Background section of the agenda report.

The City Manager confirmed that there was sufficient funding in the Central District RIF account to fund the Villa Parke project.

Following discussion, it was moved by Vice Mayor McAustin, seconded by Councilmember Masuda, to approve the staff recommendation, as amended to direct staff to utilize Residential Impact Fees to fund Item No. 6 in the Background section of the agenda report; and to take no action on Item No. 13 in the Background section of the agenda report, with this item to be referred back to the Finance Committee for further discussion. (Motion carried; with Vice Mayor McAustin abstaining on Item Nos. 20, 21, and 23 in the Background section of the agenda report) (Absent: Councilmember Gordo)

### **INFORMATION ITEM**

Councilmember Holden recused himself at 7:14 p.m., due to a conflict of interest.

### **PREDEVELOPMENT PLAN REVIEW OF THE LINCOLN PROPERTIES PROJECT (PARSONS SITE) LOCATED AT 100 WEST WALNUT STREET**

**Recommendation:** This report is intended to provide information to the City Council; no action is required.

Vince Bertoni, Director of Planning Department, introduced the agenda item, and responded to questions regarding the proposed project.

David Reyes, Principal Planner/Zoning Administrator, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

Councilmember Tornek suggested that staff and the developer look at placement of the residential units on the Pasadena Avenue frontage, rather than on the Fair Oaks Avenue frontage.

Vice Mayor McAustin expressed concerns regarding the need to ensure the continuance of the shuttle parking arrangement between Parsons and the Rose Bowl Operating Company covering events at the Rose Bowl.

Tim Walker, Lincoln Property Company (applicant) Project Manager, responded to questions regarding the proposed development.

In response to the Mayor's questions, Mr. Bertoni indicated that provisions could be included in the Planned Development process that would ensure the continuance of the shuttle parking arrangement for Rose Bowl events, and that staff will confirm the current formal arrangements in regards to the Rose Bowl shuttle and parking for Old Pasadena shoppers/visitors.

Councilmember Madison suggested that staff look into a freeway cap park if Residential Impact Fees are generated by the project.

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



**COUNCIL COMMENTS**

Councilmember Robinson asked staff to provide the City Council with information on the City's response to residents' recent written concerns regarding issues involving the Pasadena Roving Archers in the Arroyo Seco area. She also asked that staff provide Council with responses to the written suggestions for budgetary reductions that were presented by the Pasadena Management Association (PMA).

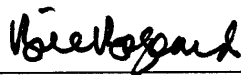
Councilmember Tornek, as the City's delegate on the San Gabriel Valley Council of Governments Board, reported that a management audit had been completed and will be discussed by the Board; and invited the City Council to a viewing of the San Gabriel trench archeological work (related to the Gold Line extension project).

The Mayor provided a brief update on State legislative efforts in creating clean up provisions for winding down programs/agencies in the aftermath of the elimination of redevelopment, on creating new State-sponsored redevelopment tools, and on the Governor's role in these activities.

Vice Mayor McAustin asked the Mayor and City Manager to report back to the City Council about the conference to discuss redevelopment techniques that they will be attending on February 29, 2012 to be hosted by the San Gabriel Valley Economic Partnership.

**ADJOURNMENT**

On order of the Mayor, the regular meeting of the City Council adjourned at 8:09 p.m.



\_\_\_\_\_  
Bill Bogaard, Mayor  
City of Pasadena

ATTEST:

  
\_\_\_\_\_  
City Clerk