

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

REGULAR MEETING

OPENING:

Vice Mayor McAustin called the regular meeting to order at 5:45 p.m. (Absent: Councilmembers Holden, Madison, Mayor Bogaard)

On order of the Vice Mayor, the regular meeting recessed at 5:45 p.m., to discuss the following closed session:

Councilmember Holden arrived at 5:51 p.m.

CITY COUNCIL AND CITY COUNCIL AS SUCCESSOR AGENCY TO THE PASADENA COMMUNITY DEVELOPMENT COMMISSION CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8

**Property Location: 303 East Cordova Avenue
Agency Negotiators: Michael J. Beck, Steve Mermell
Negotiating Parties: Clement Chen, Noel Heller
Under Negotiation: Price and terms of payment**

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

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

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard (Absent)
Vice Mayor Margaret McAustin
Councilmember Victor Gordo
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

The City Clerk administered the oaths of office to Richard Norton as Planning Commissioner and Andy Wilson as member of the Pasadena Center Operating Company Board.

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

The Vice Mayor announced that a special meeting of the City Council will be held on August 13, 2012, at which time the subject of the proposed SR-710 Freeway extension project will be discussed; and that the City Attorney is evaluating any allowable actions the City Council may consider regarding the proposed project given the constraints of Measure A.

The following persons expressed various concerns regarding the proposed SR-710 Freeway extension project, stated their opposition to the freeway project as proposed, and asked for the City's assistance in opposing the project:

Weston DeWalt, Pasadena resident
Fred Dagher, Pasadena resident
Sheik Ramessar, business operator
Janet Rose, Pasadena resident
Debra O'Neill, Pasadena resident
Paula Shatsky, Pasadena resident
Ben Moran, Pasadena resident
Gloria Morrison, Pasadena resident
David Parsons, Pasadena resident
Ron Flores, Pasadena resident
Katherine Grayson Roman, Pasadena resident
Ron Roman, Pasadena resident
Nathan Smith, Pasadena resident

In response to Ms. Shatsky's questions, the Vice Mayor indicated that the Brown Act had been temporarily suspended by the Governor as an unfunded mandate, and clarified that the City will continue to fully comply with the Brown Act according to the City's current operational policy.

The City Attorney noted that her Office is continuing to research options that the City Council may consider in addressing the SR-710 Freeway matter, with a report to be presented to the City Council prior to the meeting of August 13, 2012.

Councilmember Madison noted his support for the public speakers in that the City Council can take action on the proposed project, notwithstanding Measure A. He also announced two forums regarding the SR-710 Freeway extension project issues, which will be hosted by Council District 6 and held on September 18 and 26, 2012.

The City Manager encouraged the public to attend the special workshop on this matter to be held during the City Council meeting of August 13, 2012.

CONSENT CALENDAR

**AUTHORIZE THE CITY MANAGER TO ENTER INTO A
CONTRACT WITH SOUTHERN CONTRACTING COMPANY**

TO PROVIDE LABOR AND MATERIALS FOR WILSON BOOSTER STATION UPGRADES FOR THE WATER AND POWER DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$1,171,885

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 15302, replacement or reconstruction; and

(2) Accept the bid dated July 6, 2012, submitted by Southern Contracting Company, in response to Specification WD-11-04 for providing labor and materials for the Wilson Booster Station Upgrades for the Water and Power Department, reject all other bids received, and authorize the City Manager to issue a Labor and Materials Contract to Southern Contracting Company, for an amount not to exceed \$1,171,885. (Contract No. 21,139)

LICENSE AGREEMENT BETWEEN THE CITY OF PASADENA AND THE PASADENA SENIOR CENTER

Recommendation:

(1) Find that the License Agreement between the Pasadena Senior Center located at 85 East Holly Street, and the City of Pasadena is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines, Section 15301, existing facilities; and

(2) Authorize the City Manager to execute a new License Agreement between the City of Pasadena and Pasadena Senior Center, Inc., (PSC, Inc.), a nonprofit community-based organization, for the operation of the Senior Center for a period of ten years beginning August 2012 and continuing through August 2022. (Agreement No. 21,140)

Recommendation of Senior Commission: Due to lack of a quorum, the Senior Commission was unable to review the proposed agreement.

Item held for a future Council meeting at the request of staff.

PROPOSED AMENDMENT TO PASADENA MUNICIPAL CODE CHAPTER 2.250 (FIRE AND POLICE RETIREMENT SYSTEM ORDINANCE) TO COMPLY WITH CERTAIN PROVISIONS OF THE INTERNAL REVENUE CODE

Item discussed separately at the request of Councilmember Gordo.

LEGISLATIVE POLICY COMMITTEE: OPPOSITION TO CALIFORNIA SENATE BILL 1468 (CALDERON) PROPOSING AUTHORIZATION FOR "SAFE AND SANE" FIREWORKS SALES AND USE DURING NEW YEAR ACTIVITIES

MUNICIPAL SERVICES COMMITTEE: ADOPT A RESOLUTION THAT AUTHORIZES THE CITY MANAGER OR GENERAL MANAGER OF THE WATER AND POWER DEPARTMENT TO EXECUTE AGREEMENTS WITH THE CALIFORNIA INDEPENDENT SYSTEM OPERATOR (CAISO) AS DESCRIBED IN THE AGENDA REPORT IN ORDER TO

MAINTAIN AND OPTIMIZE PARTICIPATION IN THE CAISO MARKETS

Recommendation:

- (1) Find that the proposed action is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines, Section 15061(b)(3), general rule; and
- (2) Adopt a resolution that authorizes the City Manager or General Manager of the Water and Power Department (PWP) to execute agreements with the California Independent System Operator (CAISO), as described in the agenda report, in order to maintain and optimize participation in the CAISO markets. (Resolution No. 9221)

Recommendation of Municipal Services Committee: On July 24, 2012, the Municipal Services Committee recommended that the City Council adopt the proposed resolution.

APPOINTMENT OF FELICIA WILLIAMS TO THE PASADENA CENTER OPERATING COMPANY BOARD
(Mayor Nomination/District 2)

APPOINTMENT OF BLAIR MILLER TO THE TRANSPORTATION ADVISORY COMMISSION (District 1 Nomination)

APPOINTMENT OF TAREK SHAWKY TO THE RECREATION AND PARKS COMMISSION (District 1 Nomination)

MINUTES APPROVED

July 16, 2012

CLAIMS RECEIVED AND FILED

Claim No. 11,715	Thomas V McMahon, Jr.	\$ 380.00
Claim No. 11,716	Kaye Green	25,000.00+
Claim No. 11,717	Kenneth Charles Green	25,000.00+
Claim No. 11,718	Emily Rosenfelt	142.35
Claim No. 11,719	Monique Jones	468.98
Claim No. 11,720	Al Cameron	5,144.13
Claim No. 11,721	Jessica Erin Anderson	Not Stated
Claim No. 11,722	Suzanne Sacco	25,000.00+
Claim No. 11,723	Webber F. Knight	4,103.35

PUBLIC HEARING SET

August 6, 2012, 7:00 p.m. – Appeal of Design Commission Decision Regarding Application for Time Extension, 229-247 South Marengo Avenue, 21 Unit Multi-Family Complex (PLN2006-00348/PLN 2010-00469)

The Vice Mayor reported that staff had asked that Item 3 (Proposed Amendment to the Fire and Police Retirement System Ordinance) be held for a future Council meeting.

It was moved by Councilmember Robinson, seconded by Councilmember Tornek, to approve the Consent Calendar, with the exceptions of Item 3 (Proposed Amendment to the Fire and Police Retirement System Ordinance), which was held to a future Council meeting, and Item 4 (Opposition to California Senate Bill 1468 – “Safe and Sane” Fireworks Sales and Use), which was discussed separately. (Motion unanimously carried) (Absent: Mayor Bogaard)

CONSENT ITEM DISCUSSED SEPARATELY

LEGISLATIVE POLICY COMMITTEE: OPPOSITION TO CALIFORNIA SENATE BILL 1468 (CALDERON) PROPOSING AUTHORIZATION FOR “SAFE AND SANE” FIREWORKS SALES AND USE DURING NEW YEAR ACTIVITIES

Recommendation: It is recommended that the City Council oppose the adoption of California Senate Bill 1468 (Calderon), and authorize the Mayor to send correspondence stating Pasadena’s position.

Councilmember Gordo stated his reasons for strongly opposing the proposed legislation, and suggested that the City send a letter to the League of California Cities asking the organization to vigorously oppose the legislation.

Councilmember Madison, Chair of the Public Safety Committee, reported on the Committee’s discussion of this legislation and their support of the staff recommendation.

The City Manager indicated that staff will provide the City Council with a copy of the proposed legislation.

It was moved by Councilmember Gordo, seconded by Councilmember Robinson, to approve the staff recommendation, with the City to send a letter to the League of California Cities asking the organization to vigorously oppose the legislation. (Motion unanimously carried) (Absent: Mayor Bogaard)

Councilmember Holden expressed concerns regarding the level of illegal fireworks used during the recent July 4th holiday, and the possible heightened use of illegal fireworks during the upcoming New Year’s holiday period; and noted that the Public Safety Committee will be considering the relevant issues involving illegal fireworks.

REPORTS AND COMMENTS FROM COUNCIL COMMITTEES

MUNICIPAL SERVICES COMMITTEE

AUTHORIZATION TO ENTER INTO A CONTRACT WITH WOOD GROUP GTS-POWER SOLUTIONS FOR PROVIDING LABOR AND MATERIALS TO REPAIR GAS TURBINE UNIT GT-1 AT THE GLENARM POWER PLANT

Recommendation:

(1) Find that entering into a contract with Wood Group GTS-Power Solutions (Wood Group) for the proposed work is

exempt from the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines, Section 15301, existing facilities, and Section 15302, replacement or reconstruction;

(2) Authorize the City Manager to enter into a contract with Wood Group, to repair gas turbine Unit GT-1 (GT-1) at the Glenarm Power Plant for an amount not to exceed \$13,228,515 without competitive bidding, City Charter Section 1002(C), contracts for labor, material, supplies or services available from only one vendor, and grant an exemption from the Competitive Selection and Purchasing Ordinance, pursuant to Pasadena Municipal Code Section 4.08.049(B), contracts for which the City's best interests are served; and

(3) Authorize additional appropriation of \$5.3 million for Fiscal Year 2013 to the Power Fund Capital Improvement Budget Number 3182 GT-1 and GT-2 Renewals, Replacements and Improvements with funds to be provided by reimbursement from insurance proceeds. (Contract No. 21,141; Journal Voucher No. 2013-7)

Recommendation of Municipal Services Committee: On July 24, 2012, the Municipal Services Committee recommended that the City Council adopt the proposed contract.

Eric Klinkner, Chief Deputy General Manager of Water and Power Department, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

Dan Angeles, Principal Engineer, responded to questions regarding the turbine damages and repairs.

Councilmember Madison commended staff for their work in reaching a solution on the damages and negotiating the favorable insurance settlement.

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

INFORMATION ITEM

LIBRARIES AND INFORMATION SERVICES DEPARTMENT UPDATE

Recommendation: This item is provided for information only.

Jan Sanders, Director of Libraries and Information Services Department, provided an update on the Department's organization, the Department's focus on the customer in 2012, various improvements in technology, facilities improvements, and usage statistics; and responded to questions.

The City Manager complemented Ms. Sanders and her team on their leadership in maintaining the vitality of the City's library system and its relevance in terms of new services, which serve as best practices for libraries in other municipalities.

On order of the Vice Mayor, the information was received.

PUBLIC COMMENT
(Continued)

Mei Lin, Chinese Daily News, asked if the City Council is considering an increase in the City's sales tax, as recently reported in a newspaper article.

The Vice Mayor indicated that this matter had been discussed at a prior Council meeting, and that the City Council had chosen to take no action on changing the City's sales taxes at this time or into the future.

COUNCIL COMMENTS

Councilmember Madison suggested that the Legislative Policy Committee review the proposed extension of Measure R to determine if the City should take a formal position on this matter.

Councilmember Tornek, as the City's delegate on the San Gabriel Valley Council of Governments (SGVCOG) Board, confirmed the COG's recent vote to support Measure R, which included the Fasana amendment.


ADJOURNMENT

On order of the Vice Mayor, the regular meeting of the City Council adjourned at 8:02 p.m.

Bill Bogaard

Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk