

CITY OF PASADENA  
City Council Minutes  
January 28, 2013 – 5:30 P.M.  
City Hall Council Chamber

REGULAR MEETING

**OPENING:**

Mayor Bogaard called the regular meeting to order at 5:32 p.m.  
(Absent: Councilmembers Gordo, Madison)

On order of the Mayor, the regular meeting recessed at 5:32 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: City of Palmdale, et al. v. State of California, Board of Equalization; City of Pomona**  
**Case No.: LASC # BS124919; BS124950; BS124978 Court of Appeal #B232833**

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

On order of the Mayor, the regular meeting reconvened at 6:30 p.m. The Pledge of Allegiance was led by Walter Frank, Boy Scout Troop 25

**ROLL CALL:**

Councilmembers:

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

Trinity Skinner, Bright Futures Scholar's President, and Noah Syed, Bright Future Scholar, presented a plaque to the Mayor in appreciation for his support of the Bright Future Scholar Leadership Development Program. The Mayor presented a proclamation declaring the month of February 2013 as, "Bright Futures Scholars Month." The proclamation was received by Dr. Sandra E. Thomas, Founder and CEO of the Quality of Life Center, Inc.

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

Jarvis Emerson, Community Services Supervisor in Human Services and Recreation, distributed invitations and a flyer entitled, "31<sup>st</sup> Annual Black History Parade & Festival", invited the community and City Council to attend the upcoming event, and expressed his appreciation for the City's support over the years.

**CONSENT CALENDAR**

**REJECTION OF ALL BIDS TO FURNISH, DELIVER AND INSTALL A HEATING, VENTILATION AND AIR CONDITIONING UPGRADE AT THE DISPATCH CENTER**

**Recommendation:**

It is recommended that the City Council reject all bids received on August 7, 2012, in response to Specifications LD-12-9 to furnish, deliver and install an HVAC upgrade to the Dispatch Center.

**AUTHORIZATION TO ENTER INTO A CONTRACT WITH VCI CONSTRUCTION, INC. FOR AN AMOUNT NOT TO EXCEED \$444,000 TO PROVIDE LABOR AND MATERIALS FOR CONSTRUCTION OF UNDERGROUND ELECTRICAL CONDUIT SYSTEMS IN PALOMA STREET FOR THE WATER AND POWER DEPARTMENT**

**Recommendation:**

(1) Find that the project is exempt from CEQA review pursuant to State CEQA Guidelines Section 15302(c), replacement or reconstruction; and  
(2) Accept the bid dated December 12, 2012, from VCI Construction, Inc., in response to Specifications LD-12-12 for construction of an underground conduit system; reject all other bids; and authorize the City Manager to enter into a contract with VCI Construction, Inc., for an amount not to exceed \$444,000. (Contract No. 21,286)

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

**AUTHORIZATION TO ENTER INTO A CONTRACT WITH POWER SETTLEMENTS CONSULTING AND SOFTWARE, LLC TO PURCHASE AND IMPLEMENT AN ENERGY TRADING, SCHEDULING AND SETTLEMENT SOFTWARE SYSTEM**

**ISSUANCE OF A PURCHASE ORDER TO PTV AMERICA INC., FOR \$122,650 FOR THE PURCHASE OF A VALIDATED DYNAMIC TRAFFIC ASSIGNMENT MODEL**

**Recommendation:**

(1) Find that the following proposed actions are exempt from review pursuant to the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3); and  
(2) Authorize the issuance of a purchase order to PTV America Inc., for the purchase of software, training and data to populate a dynamic traffic assignment model in the amount not to exceed \$122,650. Competitive bidding is not required pursuant to City Charter Section 1002(H), contracts with other

governmental entities or their contractors for labor, materials, supplies or services. Grant the proposed contract an exemption from the competitive selection process of the Competitive Bidding and Purchasing Ordinance pursuant to Pasadena Municipal Code Section 4.08.049(B), contracts for which the City's best interest are served.

**AUTHORIZATION TO ENTER INTO A CONTRACT WITH MATRIX ENVIRONMENTAL, LLC, TO PROVIDE ENVIRONMENTAL CONSULTING SERVICES FOR A NEW PLANNED DEVELOPMENT OF THE LINCOLN PROPERTY COMPANY'S PROJECT LOCATED AT 100 WEST WALNUT STREET (PARSONS SITE)**

**Recommendation:**

- (1) Find that entering into the proposed contract with Matrix Environmental, LLC, is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3), general rule; and
- (2) Authorize the City Manager to enter into a contract with Matrix Environmental, LLC, in an amount not to exceed \$626,016 for the preparation of the Environmental Impact Report (EIR) for the proposed planned development at 100 West Walnut Street. (Contract No. 21,287)

**FINANCE COMMITTEE: AUTHORIZATION TO ENTER INTO A PURCHASE ORDER CONTRACT WITH PHENIX TECHNOLOGIES, INC., TO FURNISH AND DELIVER ONE AUTOMATED DISTRIBUTION TRANSFORMER TEST SYSTEM FOR THE WATER AND POWER DEPARTMENT**

**Recommendation:**

- (1) Find that this action is exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (CEQA) Section 15301, existing facilities;
- (2) Accept the bid dated November 21, 2012, submitted by Phenix Technologies, Inc., to supply an Automated Distribution Transformer Test System (ADTTS) for the Water and Power Department (PWP); authorize the City Manager to issue a purchase order contract for an amount not to exceed \$345,073 to Phenix Technologies, Inc.; and
- (3) Appropriate \$150,000 from the unappropriated Power Fund balance to Power Fund Capital Improvement Project 3021, Power System Cable and Transformer Test Equipment.

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

**FINANCE COMMITTEE: AMENDMENT TO THE FISCAL YEAR 2013 GENERAL FEE SCHEDULE UPDATING THE RATES FOR PARAMEDIC BILLING**

**Item discussed separately at the request of Councilmember Bryant**

**CONSIDERATION OF COUNCILMEMBER JOEL BRYANT'S SERVICE ON THE ROSE BOWL OPERATING COMPANY BOARD OF DIRECTORS**

**CLAIMS RECEIVED AND FILED**

Claim No. 11,838	Nancy Darakjian	\$226.89
Claim No. 11,839	Dorothy Ramas	4,812.70
Claim No. 11,840	Colleen Wong	18,000.00
Claim No. 11,841	Delmac Construction & Development, Inc.	Not stated
Claim No. 11,842	Gerson Avila	1,453.90
Claim No. 11,843	Diane Ayson Fitzsimmons	Not stated
Claim No. 11,844	Steve Wiebe	8,301.97
Claim No. 11,845	Fernando Roldan	Not stated
Claim No. 11,846	Floyd Everett Harris	125,000.00
Claim No. 11,847	Ingon Jones	1,795.65
Claim No. 11,848	Ruth M. Ryan	3,881.66

**PUBLIC HEARINGS SET**

February 25, 2013, 7:00 p.m. – Designation of 182 S. Orange Grove Boulevard as a Monument Designation

February 25, 2013, 7:00 p.m. – National Register Historic District Representative on Historic Preservation Commission (2.75 Ordinance Change)

It was moved by Councilmember Tornek, seconded by Councilmember Robinson, to approve all items on the Consent Calendar with the exceptions of Item 3 (Contract with Power Settlements Consulting and Software, LLC), and Item 7 (Amendment to the Fiscal Year 2013 General Fee Schedule), which were held to a future City Council meeting; and Item 8 (Consideration of Councilmember Joel Bryant's Service on the RBOC), which was discussed separately. (Motion unanimously carried.) (Absent: Councilmember Gordo)

**CONSENT ITEM DISCUSSED SEPARATELY**

**CONSIDERATION OF COUNCILMEMBER JOEL BRYANT'S SERVICE ON THE ROSE BOWL OPERATING COMPANY BOARD OF DIRECTORS**

**Recommendation:** It is recommended that the City Council affirm its expectation that Councilmember Joel Bryant will continue his activities as a member of the Board of Directors of the Rose Bowl Operating Company during the period of his service as Councilmember representing District 3.

Following discussion, it was moved by Councilmember Tornek, seconded by Councilmember Robinson, to approve the Mayor's recommendation. (Motion unanimously carried, with Councilmember Bryant abstaining) (Absent: Councilmember Gordo)

**REPORTS AND COMMENTS FROM COUNCIL COMMITTEES**

**MUNICIPAL SERVICES COMMITTEE**

**ADOPT ENERGY EFFICIENCY AND DEMAND REDUCTION GOALS FOR FISCAL YEARS 2014 THROUGH 2023**

**Recommendation:**

(1) Find that the adoption of energy efficiency and demand reduction goals is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3), general rule; and

(2) Adopt an energy efficiency goal of 12,750 MWh per year and demand reduction goal of 2.3 MW per year for Fiscal Years 2014 through 2023 in accordance with Assembly Bill 2021 (AB 2021). These proposed annual goals are equivalent to an average of 1% of forecast annual net energy for load (retail electric energy sales plus distribution losses) and approximately 0.7% of average peak demand for the ten-year period.

**Recommendation of Municipal Services Committee:** On January 22, 2013, the Municipal Services Committee (MSC) recommended that the City Council adopt the proposed energy efficiency and demand reduction goals.

**Recommendation of Environmental Advisory Commission:** On January 18, 2013, the Environmental Advisory Commission (EAC) recommended that the City Council support the proposed energy efficiency and demand reduction goals, and that staff provide annual progress report updates on these goals to the EAC each January.

Phyllis Currie, General Manager of Water and Power Department, introduced the agenda item.

Eric Klinkner, Chief Deputy General Manager of Water and Power Department, summarized the agenda report as part of a PowerPoint presentation. Ms. Currie responded to questions regarding peak energy demands and distribution charges.

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

## **PUBLIC HEARINGS**

### **PUBLIC HEARING: TEMPORARY IMPLEMENTATION OF A LEVEL 4 WATER SUPPLY SHORTAGE PLAN (PMC 13.10.052) PURSUANT TO CHAPTER 13.10 OF THE PASADENA MUNICIPAL CODE IN PREPARATION FOR PLANNED SHUTDOWN OF IMPORTED WATER FACILITIES**

#### **Recommendation:**

(1) Find that the determination of a water supply shortage and implementation of a Level 4 Water Supply Shortage Plan (PMC 13.10.052) are categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15307, actions by regulatory agencies for protection of natural resources;

(2) Determine, pursuant to PMC 13.10.035, that the planned shutdown of imported water supplies from the Metropolitan Water District of Southern California (MWD) from February 21 through February 28, 2013, constitutes a water supply shortage emergency condition;

(3) Determine that the Level 4 Water Supply Shortage Plan (PMC13.10.052) water conservation measures are appropriate To address the water supply shortage emergency and shall remain in effect for the full duration of the MWD shutdown and resumption of imported water supplies from MWD; and (4) Adopt a Proclamation to implement the above recommendations. (Proclamation No. 2013-1)

The Mayor opened the public hearing.

The City Clerk reported that the notice of public hearing was published on January 17, 2013 in the Pasadena Journal, and no correspondence was received.

General Manager Currie introduced the agenda item, and responded to questions, and Gary Takara, Principal Engineer in the Water and Power Department, reviewed the agenda report as part of a PowerPoint presentation.

No one appeared for public comment.

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

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

## INFORMATION ITEMS

### **PREDEVELOPMENT PLAN REVIEW OF DESIGN PROJECT LOCATED AT 1336 AND 1347 EAST COLORADO BOULEVARD**

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

Vince Bertoni, Director of Planning, introduced the agenda item and Jason Mikaelian, Senior Planner, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

The following persons spoke in support of the project:

Richard McDonald, Esq., applicant's legal counsel  
Stefanos Polyzoides, applicant's architect

Mr. Polyzoides expressed concerns regarding older suburban standards being imposed on this project, and stated that the existing standards will create an impediment to building great urban buildings in Pasadena.

Councilmember Tornek mentioned that he has had discussions with Mr. Polyzoides and the Planning Department staff regarding the existing list of standard conditions and whether the conditions should be automatically applied to every project, and suggested that these development standards be reviewed by the Department in preparation of future development projects.

The City Manager and Mr. Bertoni informed the City Council that staff is currently working to identify the standards that are administrative as opposed to City Council approved, and that the Planning Department and other departments involved in the development process will address this issue during the next regularly scheduled development standard review meeting.

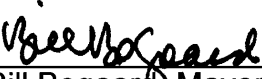
Vice Mayor McAustin suggested that the residential impact fees generated by this project should be used toward acquiring open space in close proximity to the project, and requested that staff return at a later date to provide the City Council with potential uses for the generated residential impact fees from the project.

Members of the Council expressed concerns regarding the impact the proposed project will have on neighboring businesses, and suggested that the applicants work with the adjacent business community and provide opportunities for input on the process.

By consensus and on order of the Mayor, the report was received and filed.

**ADJOURNMENT**

On order of the Mayor, the regular meeting of the City Council adjourned at 8:26 p.m., in memory of Bill Kimura, a 26-year employee of the City's Public Health Department.

  
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Bill Bogaard, Mayor  
City of Pasadena

ATTEST:

  
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City Clerk