

CITY OF PASADENA
City Council Minutes
June 10, 2013 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 5:35 p.m. (Absent: Councilmembers Gordo, Kennedy, Madison)

On order of the Mayor, the regular meeting recessed at 5:35 p.m., to discuss the following closed session:

CLOSED SESSION CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8

Property: 64 North Mar Vista Avenue No. 124, Pasadena, CA

Agency Negotiators: Michael J. Beck, Steve Mermell

Negotiating Parties: Christine Semana

Under Negotiation: Price and terms of payment

Councilmember Kennedy arrived at 5:43 p.m.

CLOSED SESSION CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8

Property: 64 North Mar Vista Avenue No. 130, Pasadena, CA

Agency Negotiators: Michael J. Beck, Steve Mermell

Negotiating Parties: Tina Armstrong-Houston

Under Negotiation: Price and terms of payment

CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): One potential case

Councilmember Madison arrived at 6:10 p.m.

CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION pursuant to Government Code Section 54956.9(d)(1)

Name of Case: Matthew Deuel v. City of Pasadena, et al.

Case No.: BC481971

The above closed sessions were discussed, with no reportable action at this time.

On order of the Mayor, the regular meeting reconvened at 6:46 p.m. The Pledge of Allegiance was led by Chris Clark, Drew Pickett, and Patrick Kalb, members of Boy Scouts Troop 502.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Jacque Robinson
Councilmember Victor Gordo (Absent)
Councilmember John J. Kennedy
Councilmember Steve Madison
Councilmember Gene Masuda
Councilmember Margaret McAustin
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**

Helen Hernandez, Pasadena business owner, spoke on parking enforcement and the alleged lack of communication regarding a recent change in parking hours near her place of business, which is located at 150 South Arroyo Parkway.

CEREMONIAL MATTERS

PRESENTATION ON THE BURBANK- GLENDALE-PASADENA AIRPORT AUTHORITY HISTORY AND ART REALIZATION PROGRAM BY DAN FEGER, P.E. EXECUTIVE DIRECTOR, BOB HOPE AIRPORT AUTHORITY

Vince Bertoni, Director of Planning and Community Development Department, introduced Dan Feger, P.E. Executive Director, Bob Hope Airport Authority, who reviewed the History and Art Realization Program as part of a PowerPoint presentation, and responded to questions.

CONSENT CALENDAR

AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH PERRY C. THOMAS TO PROVIDE LABOR AND MATERIALS FOR THE ALLEN HYDRO-PNEUMATIC ZONE UPGRADES

Recommendation:

- (1) Find that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines, Sections 15301, existing facilities, and 15302, replacement or reconstruction; and
- (2) Accept the bid dated May 10, 2013 submitted by Perry C. Thomas Construction, Inc., in response to Specification WD-12-13 for providing labor and materials for the Allen Hydro-Pneumatic Zone Upgrades for the Water and Power Department, and authorize the City Manager to enter into a contract with Perry C. Thomas for an amount not to exceed \$531,973 for the period from July 1, 2013 to June 30, 2014. (Contract No. 21,408)

AUTHORIZE THE CITY MANAGER TO AMEND CONTRACT NO. 20,959 WITH R C FOSTER CORPORATION FOR THE SEISMIC UPGRADES AT SHELDON RESERVOIRS 1 AND 2 TO INCREASE THE CONTRACT NOT TO EXCEED AMOUNT FROM \$2,231,000 TO \$2,471,000

Recommendation:

(1) Find that the additional work by R C Foster Corporation (R C Foster) for the seismic upgrades at Sheldon Reservoirs 1 and 2 is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines, Section 15302, replacement or reconstruction; and there are no changed circumstances or new information proposed with this action which would trigger additional environmental review; and

(2) Authorize the City Manager to amend Contract No. 20,959 with R C Foster to increase the contract by \$240,000 for a total not to exceed amount of \$2,471,000 for additional upgrades due to the unforeseen circumstances during construction. (Contract Amendment No. 20,959-1)

AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ATLAS-ALLIED, INC., TO PROVIDE LABOR AND MATERIALS FOR THE EASTSIDE WELL COLLECTOR PIPELINE SURGE PROTECTION PROJECT

Recommendation:

(1) Find that the project described in the agenda report was subject to adequate environmental review in the Initial Environmental Study/Mitigated Negative Declaration and corresponding Mitigation Monitoring and Reporting Program, which were adopted by the City Council on October 29, 2012, and that there are no changed circumstances or new information which could trigger additional environmental review; and

(2) Accept the bid dated April 11, 2013 submitted by Atlas-Allied, Inc., in response to Specification WD-12-09 for providing labor and materials for the Eastside Well Collector Pipeline Surge Protection Project for the Water and Power Department; reject all other bids received; and authorize the City Manager to enter into a contract with Atlas-Allied, Inc., for an amount not to exceed \$520,256 for the period from July 1, 2013 to June 30, 2014. (Contract No. 21,409)

FINANCE COMMITTEE: QUARTERLY INVESTMENT REPORT, QUARTER ENDING MARCH 31, 2013

Recommendation: This report is for information purposes only.

FINANCE COMMITTEE: JOURNAL VOUCHER AMENDING PROJECTS IN FISCAL YEAR 2013 CAPITAL IMPROVEMENT PROGRAM BUDGET

Recommendation: Approve a journal voucher with a net increase of \$995,000 amending six projects in the Fiscal Year 2013 Capital Improvement Program (CIP) Budget as detailed in the fiscal impact section of the agenda report. (Journal Voucher No. 2013-36)

FINANCE COMMITTEE: AMENDMENTS TO FISCAL YEAR 2013 OPERATING BUDGET

Recommendation: Amend the Fiscal Year 2013 Adopted Operating Budget as detailed in the proposed budget amendments section of the agenda report. (Journal Voucher No. 2013-37)

RESIGNATION OF ANDY WILSON FROM THE PASADENA CENTER OPERATING COMPANY BOARD
(Mayor Nomination/District 7)

APPOINTMENT OF MAGGIE BELTON TO THE ARTS AND CULTURE COMMISSION (District 3 Nomination)

APPOINTMENT OF CRAIG WASHINGTON TO THE NORTHWEST COMMISSION EFFECTIVE JULY 1, 2013
(District 3 Nomination)

Item discussed separately at the request of Vice Mayor Robinson.

APPOINTMENT OF STEPHANIE DeWOLFE TO THE PLANNING COMMISSION (District 3 Nomination)

APPOINTMENT OF DONABED L. DONABEDIAN TO THE RECREATION AND PARKS COMMISSION (District 3 Nomination)

Item discussed separately at the request of Vice Mayor Robinson.

APPOINTMENT OF NICHOLAS RODRIGUEZ TO THE ROSE BOWL OPERATING COMPANY (District 3 Nomination)

APPOINTMENT OF GREG GUNTHER TO THE TRANSPORTATION ADVISORY COMMISSION EFFECTIVE JULY 1, 2013 (District 3 Nomination)

APPOINTMENT OF JONATHAN EDEWARDS TO THE TRANSPORTATION ADVISORY COMMISSION EFFECTIVE JULY 1, 2013 (District 6 Nomination)

APPOINTMENT OF CIRAN HADJIAN TO THE RECREATION AND PARKS COMMISSION EFFECTIVE JULY 1, 2013 (District 7 Nomination)

REAPPOINTMENT OF STEVEN PARKER TO THE PASADENA CENTER OPERATING COMPANY BOARD
(Hotel Nomination)

REAPPOINTMENT OF JUAN GUTIERREZ TO THE PASADENA COMMUNITY ACCESS CORPORATION BOARD (Pasadena City College Nomination)

REAPPOINTMENT OF TASHERA TAYLOR TO THE HUMAN SERVICES COMMISSION EFFECTIVE JULY 1, 2013 (Agency Nomination)

MINUTES APPROVED

January 14, 2013
January 21, 2013

CLAIMS RECEIVED AND FILED

Claim No. 11,936	Automobile Club of Southern California as subrogee for Ronnie Lau	\$ 5,246.69
Claim No. 11,937	Margaret A. Williams	325.00
Claim No. 11,938	Zhi Cheng Yu	3,384.14
Claim No. 11,939	Janice Leanne Price	25,000.00+

PUBLIC HEARING SET

July 15, 2013, 7:00 p.m. – Adoption of the City's Bicycle Transportation Plan

The City Clerk noted for the record that Item No. 18 mistakenly reflects the appointment of Tashera Taylor to the Human Services Commission, and mentioned that it is instead a reappointment.

It was moved by Vice Mayor Robinson, seconded by Councilmember McAustin, to approve the Consent Calendar, with the exceptions of Item 10 (Appointment of Stephanie DeWolfe to the Planning Commission) and Item 12 (Appointment of Nicholas Rodriguez to the Rose Bowl Operating Company), which was discussed separately. (Motion unanimously carried) (Absent: Councilmember Gordo)

CONSENT ITEMS
DISCUSSED SEPARATELY

APPOINTMENT OF STEPHANIE DeWOLFE TO THE PLANNING COMMISSION (District 3 Nomination)

Vice Mayor Robinson stated her concerns regarding the appointment of newly separated City employees to City Commissions, and requested that a clear policy regarding this issue be considered at a future Legislative Policy Committee meeting, with a recommendation presented to the City Council at a later date.

Councilmember Madison asked staff to include best practices of other cities, as well as State, and Federal agencies.

Following discussion, it was moved by Councilmember Madison, seconded by Councilmember McAustin, to approve the above appointment. (Motion carried, with Vice Mayor Robinson abstaining) (Absent: Councilmember Gordo)

APPOINTMENT OF NICHOLAS RODRIGUEZ TO THE ROSE BOWL OPERATING COMPANY (District 3 Nomination)

Councilmember McAustin stated her objection to the above appointment due to potential conflicts of interest.

The City Attorney noted that from a legal perspective, there does not appear to be any conflicts of interest in regard to the proposed appointment.

Following discussion, it was moved by Councilmember Madison, seconded by Councilmember Masuda, to approve the above appointment. (Motion carried, with Vice Mayor Robinson abstaining and Councilmember McAustin objecting.) (Absent: Councilmember Gordo)

REPORTS AND COMMENTS FROM COUNCIL COMMITTEES

ECONOMIC DEVELOPMENT AND TECHNOLOGY COMMITTEE

AMENDMENT TO INCLUSIONARY HOUSING REGULATIONS; USE OF PROGRAM INCOME FOR ADMINISTRATIVE EXPENDITURES IN CONNECTION WITH THE ACQUISITION, PRESERVATION, AND OPERATION OF AFFORDABLE HOMEOWNERSHIP UNITS

Recommendation: It is recommended that the City Council adopt a resolution:

- (1) Finding that the proposed amendment to the Inclusionary Housing Regulations is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines, Section 15061(b)(3), general rule; and
- (2) Approving the proposed amendment to the Inclusionary Housing Regulations as described in the agenda report. (Resolution No. 9288)

William Huang, Director of Housing Department, introduced the agenda item, and Jim Wong, Senior Project Manager, summarized the agenda report as part of a PowerPoint presentation, and responded to questions.

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

CONTINUED PUBLIC HEARING: ANNUAL AMENDMENTS TO THE FISCAL YEAR 2014 GENERAL FEE SCHEDULE - REVISED

Recommendation: It is recommended that the City Council close the public hearing and adopt by resolution the Fiscal Year 2014 General Fee Schedule. (Resolution No. 9289)

The Mayor announced that now was the time for the continued public hearing.

No one appeared for public comment.

Councilmember Tornek, Chair of the Finance Committee, expressed gratitude to his colleagues on the City Council and to staff for all their work during this lengthy budgetary process, and suggested that the City Council devote more attention and discussion to the longer view of the operating budget, and suggested that consideration be given to a two-year budget process versus the current annual process.

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

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

CONTINUED PUBLIC HEARING: FISCAL YEAR 2014 SCHEDULE OF TAXES, FEES, AND CHARGES

Recommendation: It is recommended that the City Council close the public hearing and adopt the Fiscal Year 2014 Schedule of Taxes, Fees, and Charges.

The Mayor announced that now was the time for the continued public hearing.

No one appeared for public comment.

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

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

**CONTINUED PUBLIC HEARING: REVISED
RECOMMENDATIONS FOR FISCAL YEAR 2014
OPERATING BUDGET**

Recommendation: It is recommended that the City Council:

(1) Close the public hearing and adopt by resolution the City's Fiscal Year 2014 Operating Budget as presented in the May 13, 2013 City Manager's Recommended Budget, including changes proposed in the agenda report; and

(2) Adopt a resolution determining the amount to be transferred from the Light and Power Fund to the General Fund is 9 percent for FY 2014. (Resolution Nos. 9290 and 9291)

The Mayor announced that now was the time for the continued public hearing.

No one appeared for public comment.

Members of the City Council expressed their appreciation to Councilmember Tornek, Chair of the Finance Committee, for his leadership during this budget process, and to staff for all their hard work.

Councilmember Kennedy stressed the need to find creative ways to increase involvement by the community in future budget processes.

Councilmember McAustin and Councilmember Madison noted that approximately 75% of the General Fund budget is employee related expenses, and thanked all City employees for their share in approving the City's budget by forgoing raises over the last four years and for their input in finding solutions in order to reduce the budget deficit.

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

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

INFORMATION ITEM

**PREDEVELOPMENT PLAN REVIEW OF PROJECT
LOCATED AT 260-400 EAST COLORADO BOULEVARD
(PASEO COLORADO)**

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

Councilmember McAustin was excused at 8:28 p.m.

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

Various Councilmembers raised questions/concerns regarding massing for the building on Colorado Boulevard rather than on Green Street, the motor court design, the removal of one set of stairs located on Colorado Boulevard, ability to add retail stores that do not currently exist, and the ability to address the deficiency in parking with the proposed change of a retail store to a hotel.

The City Council expressed gratitude to DDR Corporation, for their increased level of investment and interest in this project, and indicated that this is going to be an important project for the City.

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

COUNCIL COMMENTS

Councilmember Madison was excused at 8:47 p.m.

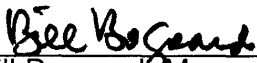
Councilmember Madison offered his support in renaming the Memorial Station to "Old Pasadena Station", as suggested by the Metropolitan Transportation Authority.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 8:48 p.m.

ATTEST:

City Clerk



Bill Bogaard, Mayor
City of Pasadena