

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

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 5:30 p.m. (Absent: Councilmember Gordo, Madison, and McAustin)

On order of the Mayor, the regular meeting recessed at 5:30 p.m., to discuss the following closed sessions:

Councilmember Madison
arrived at 5:46 p.m.

Councilmember McAustin
arrived at 6:01 p.m.

CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code Section 54957.6

Agency Designated Representatives: Kristi Recchia and Michael J. Beck

Employee Organizations: American Federation of State, County and Municipal Employees (AFSCME) Local 858, International Brotherhood of Electrical Workers (IBEW) Local 18, International Union of Operating Engineers (IUOE) Local 501, Pasadena Management Association (PMA), Pasadena Fire Fighters Association (PFFA) Local 809, Pasadena Firefighters Management Association (PFMA), Pasadena Police Officers Association (PPOA), Pasadena Police Sergeants Association (PPSA), Service Employees International Union (SEIU) Local 721, and Pasadena Association of Clerical and Technical Employees (PACTE/LIUNA) Local 777

Unrepresented Employees: Unrepresented Management-Executive, Management, and Non-Management employees

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

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2) (two potential cases)

One potential litigation case listed above was discussed, with no reportable action at this time, with the second case not discussed.

CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code Section 54957.6

Agency Designated Representatives: Kristi Recchia and Michael J. Beck

Employee Organization: International Brotherhood of Electrical Workers (IBEW) Local 18

CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code Section 54957.6

Agency Designated Representatives: Kristi Recchia and Michael J. Beck

Employee Organization: International Union of Operating Engineers (IUOE) Local 501

CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code Section 54957.6

Agency Designated Representatives: Kristi Recchia and Michael J. Beck

Employee Organization: Pasadena Fire Fighters Association (PFFA) Local 809

The above three closed session items were not discussed.

On order of the Mayor, the regular meeting reconvened at 6:49 p.m. The Pledge of Allegiance was led by Councilmember McAustin.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Jacque Robinson (Arrived at 6:54 p.m.)
Councilmember Victor Gordo
Councilmember John J. Kennedy (Arrived at 6:51 p.m.)
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

CEREMONIAL MATTERS

Councilmember Gordo spoke in support and recognition of the importance of Resolution No. 9234, adopted by the City Council on October 15, 2010 designating September 15 to October 15 of each year as Hispanic and Latino Heritage Month.

Roberta Martinez, Executive Director of Latino Heritage, and Stella Murga, Chair of the Pasadena Latino Coalition, thanked the City Council for their support of the annual recognition of Hispanic and Latino Heritage Month, and invited the community to the "15th Annual Latino Heritage Parade" to be held on October 19, 2013.

Vince Bertoni, Director of Planning and Community Development, recognized members of the General Plan Update Advisory Committee (GPAUC) highlighting the extensive work and contributions performed by the Committee during the General Plan process, and the Mayor presented Certificates of Appreciation to each member of GPAUC for their service and dedication in the General Plan Update effort.

PRESENTATION BY CYNTHIA KURTZ, CITY'S REPRESENTATIVE ON THE METROPOLITAN WATER DISTRICT BOARD

Cynthia Kurtz, City's representative on the Metropolitan Water District (MWD) Board, spoke briefly regarding current water issues/concerns and water supply resources, and Gary Brou, MWD Assistant General Manager and Chief Financial Officer, provided a PowerPoint presentation on the Integrated Waste Resource Plan, and responded to questions regarding investment partnerships, potential water rate changes, and the possibility of a water shortage in the future.

Councilmember Kennedy requested that staff provide information on the issue of water reclamation and catchments, and the costs associated with such a project. He also asked if the MWD representatives can return to a future meeting to report on potential limitations of water resources as part of the preparation for a water shortage.

On order of the Mayor, the information was received.

PRESENTATION BY DR. ERIC WALSH, DIRECTOR OF THE PASADENA PUBLIC HEALTH DEPARTMENT, REGARDING A THREE-YEAR UPDATE ON THE DEL MAR URGENT CARE

Dr. Eric Walsh, Director of Public Health, provided a PowerPoint presentation with a brief overview of the progress and goals of the Del Mar Urgent Care facility project, and responded to questions.

Margaret Martinez, CHAPCARE Chief Executive Officer, and Dr. Grace Floutsis, CHAPCARE Chief Medical Officer, provided statistical data over the past three years on patient services provided at the Urgent Care facility.

David Lee, Huntington Medical Foundation Chief Executive Officer, Manisha Rea, Huntington Medical Foundation Chief Clinical Operational Officer, and Steve Ralph, Huntington Memorial Hospital Chief Executive Officer provided further information regarding the Urgent Care facility, commended the City for a successful collaborative partnership, and spoke on issues regarding the implementation of the Affordable Care Act and the importance of continuing to move forward collectively in improving access to healthcare for everyone.

Councilmember Gordo expressed appreciation to those involved in the success of the project; but also stated concerns regarding the City's investment into the Urgent Care facility considering the reported low number of Pasadena residents being served. He strongly urged CHAPCARE to maintain Pasadena as the core focus of the facility and asked staff to return with a report to the Public Safety Committee providing a snapshot of current healthcare services today and in the future in Pasadena, including information on the implementation of the Affordable Care Act, and the City's support of other local healthcare resources to ensure a robust healthcare system.

Councilmember Kennedy requested that staff return with information on the process for determining which patients receive no-fee services through the County or grant programs, specifically in terms of demographics and income scales, and requested clarification on the actual number of patient visits to the Urgent Care facility.

Following discussion, on order of the Mayor, the information was received.

**REPORTS AND COMMENTS
FROM COUNCIL
COMMITTEES**

FINANCE COMMITTEE

**PROPOSED CAPITAL IMPROVEMENT PROGRAM (CIP)
PROJECT CLOSURE POLICY REVISION**

Recommendation: Adopt the proposed CIP Project Closure Policy revision

The Mayor announced that the above agenda item had been pulled from the agenda at the request of staff. On order of the Mayor, the above item was pulled from the agenda.

PUBLIC HEARING

CONTINUED PUBLIC HEARING: DRAFT CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (2012-2013 PROGRAM YEAR) FOR PROJECTS FUNDED FROM COMMUNITY DEVELOPMENT BLOCK GRANT, EMERGENCY SOLUTIONS GRANT, HOME INVESTMENT PARTNERSHIP ACT AND HUMAN SERVICES ENDOWMENT FUND PROGRAMS

Recommendation: It is recommended that the City Council continue the public hearing to October 21, 2013 at 7:00 p.m.

It was moved by Councilmember Gordo, seconded by Vice Mayor Robinson, to continue the public hearing to October 21, 2013 at 7:00 p.m. (Motion unanimously carried) (Absent: None)

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Vicky Kirkwood, San Gabriel Valley resident, expressed disappointment regarding the alleged mistreatment of a few individuals near a local retail store in Old Town Pasadena, and stated that she hopes the City will intervene and appropriately charge the one individual responsible for the incident.

Danielle Kurz, Pasadena resident, thanked the City for addressing her previously stated concerns, and requested the City's assistance once again with issues in her neighborhood involving unsanitary conditions and unlawful acts.

Marissa Castro-Salvati, Southern California Edison, expressed gratitude to the City and staff for their assistance in the successful completion of the Segment 11B Tehachapi Renewable Transmission Project.

Susan O'Leary, Los Angeles resident, spoke in support of medical marijuana, and urged the City to institute regulations governing medical marijuana rather than banning entirely the distribution.

Nat Nehdar, Chair of the Pasadena Human Relations Commissions, spoke on the upcoming 50th Anniversary of the Pasadena Human Relations Commission's "Peace Through Music" concert, and invited the community to the event scheduled on November 9, 2013, at the First Church of the Nazarene.

CONSENT CALENDAR

AUTHORIZE ISSUANCE OF A PURCHASE ORDER WITH BOERNER TRUCK CENTER FOR PURCHASE OF ONE CRANE CARRIER FRONT LOADER REFUSE TRUCK IN AN AMOUNT NOT TO EXCEED \$278,718

Recommendation:

(1) Find that this action is exempt under the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3), the general rule that CEQA only applies to projects that may have an effect on the environment;

(2) Find the proposed contract exempt 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 interests are served; and

(3) Authorize the issuance of a purchase order to Boerner Truck Center, in an amount not to exceed \$278,718 for the purchase of one Crane Carrier front loader refuse truck, without competitive bidding, pursuant to City Charter Section 1002(H), contracts with other governmental entities or their contractors for labor, materials, supplies, or services.

AUTHORIZE ISSUANCE OF A PURCHASE ORDER WITH ORPAK, USA, FOR PURCHASE AND INSTALLATION OF A NEW FUEL MANAGEMENT SYSTEM IN AN AMOUNT NOT TO EXCEED \$100,000

Recommendation:

(1) Find that this action is exempt under the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3), the general rule that CEQA only applies to projects that may have an effect on the environment;

(2) 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 interests are served; and

(3) Authorize the issuance of a purchase order to Orpak, USA, in an amount not to exceed \$100,000 for the purchase of a new SiteOmat fuel management system, without competitive bidding, pursuant to City Charter Section 1002(C), contracts for labor, materials, supplies, or services available from only one vendor.

MUNICIPAL SERVICES COMMITTEE: AUTHORIZE THE CITY MANAGER TO ENTER INTO POWER SALES AGREEMENTS WITH THE SOUTHERN CALIFORNIA PUBLIC POWER AUTHORITY (SCPPA) FOR THE PURCHASE OF SOLAR ENERGY FROM THE RECURRENT ENERGY CLEARWATER AND COLUMBIA TWO PROJECTS

Recommendation:

(1) Find that the recommended contract authorization is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(3), general rule; and

(2) Authorize the City Manager to enter into Power Sales Agreements with the Southern California Public Power Authority (SCPPA), to purchase renewable energy and capacity from 17.143% (6 MW) share of the 20 MW Clearwater and the 15 MW Columbia Two solar projects (Recurrent Energy Projects) in Mojave, California, for a term ending 20 years after the commercial operation date. Neither competitive bidding nor competitive selection is required pursuant to City Charter Section 1002(H) and Pasadena Municipal Code Section 4.08.049(A)(3), contracts with other governmental entities.

Recommendation of Municipal Services Committee:

On September 24, 2013, the Municipal Services Committee recommended that the City Council authorize the City Manager to enter into Power Sales Agreements with SCPPA for a 17.143% (6 MW) share of the Recurrent Energy Projects. (Agreement Nos. 21,564 and 21,571)

APPOINTMENT OF HILDA MARELLA DELGADO TO THE NORTHWEST COMMISSION (District 3 Nomination)

APPOINTMENT OF ANITA FROMHOLZ TO THE RECREATION AND PARKS COMMISSION (District 6 Nomination)

MINUTES APPROVED

June 17, 2013
 June 24, 2013
 July 1, 2013
 July 8, 2013
 July 15, 2013

CLAIMS RECEIVED AND FILED

| | | | |
|------------------|--|----|------------|
| Claim No. 12,004 | Alicia Villasenor | \$ | Not Stated |
| Claim No. 12,005 | Pacific Bell/AT&T | | 10,000.00+ |
| Claim No. 12,006 | David Jovanni Fornelli | | Not Stated |
| Claim No. 12,007 | Maria Frias | | 1,098.50 |
| Claim No. 12,008 | Michelle Rae Daenitz | | 711.95 |
| Claim No. 12,009 | Frank Garcia | | 25,000.00+ |
| Claim No. 12,010 | Tommy Glover | | 30,500.00 |
| Claim No. 12,011 | Patricia L. Crook | | 3,388.86 |
| Claim No. 12,012 | John Arthur Cecchini | | Not Stated |
| Claim No. 12,013 | State Farm General Insurance Company as subrogee for Number One South Orange Grove HOA | | 8,132.11 |
| Claim No. 12,014 | Myunghee Chung | | Not Stated |
| Claim No. 12,015 | Haroutioun Jarlekian | | Not Stated |
| Claim No. 12,016 | Kim Elizabeth Tillett | | Not Stated |
| Claim No. 12,017 | Infinity Insurance Company as subrogee for Victor Rosales | | 13,359.06 |
| Claim No. 12,018 | Andra Carlson | | 9,937.78 |

It was moved by Councilmember Kennedy, seconded by Vice Mayor Robinson, to approve all items on the Consent Calendar. (Motion unanimously carried) (Absent: None)

**REPORTS AND COMMENTS
FROM COUNCIL
COMMITTEES (CONTINUED)**

LEGISLATIVE POLICY
COMMITTEE

**CITIZENS UNITED V. THE FEDERAL ELECTION
COMMISSION (FEC) SUPREME COURT RULING**

Recommendation: Adopt a resolution of the City Council of the City of Pasadena supporting a Constitutional amendment revising the Citizens Ruling.

Recommendation of Legislative Policy Committee: On July 23, 2013, the Legislative Policy Committee had a discussion on the Citizens United v. the Federal Election Commission Supreme Court ruling in 2010 and the impact it now presents on campaign contributions in elections. Following the discussion, it was moved to direct staff to develop a resolution supporting a Constitutional amendment reversing the Citizens United Ruling, and forward the item to the City Council for consideration. (Resolution No. 9305)

Julie Gutierrez, Assistant City Manager, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

The following persons spoke in favor of the item:

John Smith, Common Cause
Damaris Martinez, Pasadena resident
Patrick Briggs, Occupy Democracy-Pasadena

Councilmember Kennedy spoke in support of staff's recommendation, and suggested that the resolution be amended to change the last paragraph to read, "the City of Pasadena urges the United States Congress and the California State Legislature to propose, support, and ratify a Constitutional amendment to reverse the Citizens United ruling."

Councilmember Tornek and Masuda stated their intent to abstain from supporting the resolution, noting that the matter is beyond the City's control, but thanked everyone involved for their time and effort.

Councilmember Robinson suggested that the City Council discuss at a future meeting the City's policy on "campaign finance."

Following discussion, it was moved by Councilmember Kennedy, seconded by Vice Mayor Robinson, to approve the staff recommendation, as amended. (Motion carried, with Councilmembers Tornek and Masuda abstaining) (Absent: None)

PUBLIC HEARINGS
CONTINUED

PUBLIC HEARING: DESIGNATION OF 405 MIRA VISTA TERRACE AS A LANDMARK

Recommendation:

- (1) Find that the designation of a historic resource is categorically exempt from the California Environmental Quality Act (CEQA), Guidelines Section 15308, Class 8, actions by regulatory agencies for protection of the environment;
- (2) Find that the property at 405 Mira Vista Terrace meets Criterion C for designation as a landmark (Pasadena Municipal Code Section 17.62.040) because the house is a locally significant example of a two-story Arts and Crafts period Chalet-style house from the early twentieth century and retains its integrity;
- (3) Approve the designation of the property at 405 Mira Vista Terrace as a landmark;
- (4) Adopt a resolution approving a Declaration of Landmark Designation for 405 Mira Vista Terrace, Pasadena, California;
- (5) Authorize the Mayor to execute the Declaration of Landmark Designation for 405 Mira Vista Terrace, Pasadena, California; and
- (6) Direct the City Clerk to record the declaration with the Los Angeles County Recorder.

Recommendation of Historic Preservation

Commission: On Monday, July 15, 2013, the Historic Preservation Commission recommended that the City Council approve the designation of 405 Mira Vista Terrace as a landmark under Criterion C of Pasadena Municipal Code Section 17.62.040. In addition, the Historic Preservation Commission recommended that the period of significance extend from 1912 to 1928, to include the rear addition and front door alterations. (Resolution No. 9306)

The Mayor opened the public hearing.

The City Clerk reported that 13 copies of the notice of public hearing were posted on September 13, 2013; 166 copies of the notice were mailed on September 13, 2013; and no correspondence was received.

No one appeared for public comment.

It was moved by Councilmember Madison, seconded by Vice Mayor Robinson, to close the public hearing. (Motion unanimously carried) (Absent: None)

It was moved by Councilmember Madison, seconded by Vice Mayor Robinson, to approve the staff recommendation. (Motion unanimously carried) (Absent: None)

PUBLIC HEARING: DESIGNATION OF THE WATER TANKHOUSE AT 316 SOUTH SAN GABRIEL BOULEVARD AS A LANDMARK

Recommendation:

- (1) Find that the designation of a historic resource is categorically exempt from the California Environmental Quality Act (CEQA), Guidelines Section 15308, Class 8, actions by regulatory agencies for protection of the environment;
- (2) Find that the water tankhouse at 316 South San Gabriel Boulevard is significant under Criterion C for designation as a landmark (Pasadena Municipal Code Section 17.62.040) because it is an intact example of a 1920's-era water tankhouse with windmill armature attachment;
- (3) Approve the designation of the water tankhouse at 316 South San Gabriel Boulevard as a landmark;
- (4) Adopt a resolution approving a Declaration of Landmark Designation for 316 South San Gabriel Boulevard, Pasadena, California;
- (5) Authorize the Mayor to execute a Declaration of Landmark Designation for 316 South San Gabriel Boulevard, Pasadena, California; and
- (6) Direct the City Clerk to record the declaration with the Los Angeles County Recorder.

Recommendation of Historic Preservation

Commission: On Monday, July 15, 2013, the Historic Preservation Commission recommended that the City Council approve the designation of the water tankhouse at 316 South San Gabriel Boulevard as a landmark under Criterion C of Pasadena Municipal Code Section 17.62.040. (Resolution No. 9307)

The Mayor opened the public hearing.

The City Clerk reported that 32 copies of the notice of public hearing were posted on September 13, 2013; 98 copies of the notice were mailed on September 13, 2013; and no correspondence was received.

No one appeared for public comment.

It was moved by Councilmember Masuda, seconded by Vice Mayor Robinson, to close the public hearing. (Motion unanimously carried) (Absent: None)

It was moved by Councilmember Masuda, seconded by Councilmember Gordo, to approve the staff recommendation. (Motion unanimously carried) (Absent: None)

**REPORTS AND COMMENTS
FROM COUNCIL
COMMITTEES (CONTINUED)**

FINANCE COMMITTEE

RESPONSE TO LOS ANGELES COUNTY CIVIL GRAND JURY FINAL REPORT 2012-2013

Recommendation: It is recommended that the City Council authorize the Mayor to transmit the proposed responses contained in the agenda report to the Presiding Judge of the Los Angeles County Superior Court, for those portions of the Civil Grand Jury's Final Report 2012-2013 dealing with the City of Pasadena, in order to comply with the statutory requirements when a Grand Jury Report is issued.

Councilmember Tornek, Chair of the Finance Committee, introduced the agenda item, and Andy Green, Director of Finance Department, and Robert Ridley, City Controller, summarized the agenda report as part of a PowerPoint presentation, and responded to questions.

Councilmember Madison thanked the staff for their hard work responding to the Grand Jury Report. He requested that staff provide information or citation regarding the legal authority/California Penal Code section authorizing the Civil Grand Jury to mandate a response from the governing body.

Councilmember Tornek supported the approval of staff's recommendation with corrections on Pages 7 and 9 of the proposed response to the Civil Grand Jury to reflect the activation of a fraud, waste, and abuse hotline.

Following discussion, it was moved by Councilmember Tornek, seconded by Councilmember McAustin, to approve the staff recommendation, with corrections on pages 7 and 9 to reflect the activation of a fraud, waste, and abuse hotline. (Motion unanimously carried) (Absent: None)

FINANCE COMMITTEE

ADOPTION OF A RESOLUTION AND THE FIRST READING OF AN ORDINANCE AUTHORIZING THE INVITATION OF BIDS FOR THE PURCHASE OF ELECTRIC REVENUE/REFUNDING BONDS, 2013A SERIES OF SAID CITY; APPROVING A NOTICE OF INTENTION TO SELL BONDS, A PRELIMINARY OFFICIAL STATEMENT, A NOTICE INVITING BIDS; AUTHORIZING THE PUBLICATION OF A NOTICE OF INTENTION TO SELL BONDS; AUTHORIZING THE ISSUANCE BY THE CITY OF NOT TO EXCEED \$85,000,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF PASADENA ELECTRIC REVENUE/REFUNDING BONDS, 2013A SERIES, PAYABLE OUT OF THE LIGHT AND POWER FUND, APPROVING THE EXECUTION AND DELIVERY OF AN EIGHTH SUPPLEMENTAL TO ELECTRIC REVENUE BOND

FISCAL AGENT AGREEMENT, AN ESCROW AGREEMENT, A CONTINUING DISCLOSURE AGREEMENT, AND AUTHORIZING CERTAIN ACTIONS IN CONNECTION THEREWITH

Recommendation:

(1) Adopt a resolution authorizing the invitation of bids for the purchase of electric revenue/refunding bonds, 2013A series of said city, approving a notice of intention to sell bonds, a preliminary official statement, a notice inviting bids, authorizing the publication of a notice of intention to sell bonds, and authorizing certain other actions in connection therewith; and

(2) Conduct the first reading of **“AN ORDINANCE OF THE CITY OF PASADENA AUTHORIZING THE ISSUANCE BY THE CITY OF NOT TO EXCEED \$85,000,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF PASADENA ELECTRIC REVENUE/ REFUNDING BONDS, 2013A SERIES, PAYABLE OUT OF THE LIGHT AND POWER FUND, AND APPROVING THE EXECUTION AND DELIVERY OF AN EIGHTH SUPPLEMENT TO ELECTRIC REVENUE BOND FISCAL AGENT AGREEMENT, AN ESCROW AGREEMENT, AND A CONTINUING DISCLOSURE AGREEMENT IN CONNECTION THEREWITH”** (Resolution No. 9308)

Councilmember Tornek, Chair of the Finance Committee, introduced the agenda item, and Andy Green, Director of Finance Department, and Vic Erganian, City Treasurer, highlighted the agenda report as part of a PowerPoint presentation, and responded to questions.

Councilmember Kennedy expressed his concerns regarding issues of significant importance that are considered by a City Council Committee and the full City Council on the same day, and suggested that such issues be allotted additional time for a more complete deliberation. He also commented on the membership of the five City Council Committees and inquired how representation on these Committees can be better distributed amongst Councilmembers, expressing his interest in serving on more than one committee so that he can be more informed on issues prior to the City Council's consideration.

The Mayor thanked Councilmember Kennedy for his desire to further serve in this capacity, and indicated that he would meet with him to discuss what committees are of greater interest to him.

Following discussion, it was moved by Councilmember Tornek, seconded by Councilmember McAustin, to approve the staff recommendation. (Motion unanimously carried) (Absent: None)

**ORDINANCE – FIRST
READING**

Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AUTHORIZING THE ISSUANCE BY THE CITY OF NOT TO EXCEED \$85,000,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF PASADENA ELECTRIC REVENUE/REFUNDING BONDS, 2013A SERIES, PAYABLE OUT OF THE LIGHT AND POWER FUND, AND APPROVING THE EXECUTION AND DELIVERY OF AN EIGHTH SUPPLEMENT TO ELECTRIC REVENUE BOND FISCAL AGENT AGREEMENT, AN ESCROW AGREEMENT, AND A CONTINUING DISCLOSURE AGREEMENT IN CONNECTION THEREWITH”

The above ordinance was offered for first reading by Councilmember Tornek:

AYES: Councilmembers Gordo, Kennedy, Madison, Masuda, McAustin, Tornek, Vice Mayor Robinson, Mayor Bogaard

NOES: None

ABSENT: None

**RECOMMENDATIONS FROM
OFFICERS AND
DEPARTMENTS**

CONSIDERATION OF PLACING AN ITEM FOR DISCUSSION ON A FUTURE CITY COUNCIL MEETING AGENDA REGARDING THE METHOD FOR NOMINATING MEMBERS TO THE PASADENA CENTER OPERATING COMPANY BOARD
(Councilmember Kennedy)

Councilmember Kennedy summarized his request for a future agenda item suggesting that each Councilmember be allowed to recommend one qualified representative for appointment to the Pasadena Center Operating Company (PCOC) board, and for staff to bring back a recommendation on options for reconstituting the Board with the suggested nominating authority and district representation.

Councilmember Madison indicated that he can raise this issue at the next PCOC meeting and report back to City Council with the Board’s views on the issue at a later date.

Members of the City Council expressed concerns regarding a change in the nominating procedures and the potential adverse impacts this might have on the PCOC Board, including inadvertently sending the wrong message to current Boardmembers. There was general consensus supporting the suggestion that Councilmember Madison raise the issue with the PCOC board and report back with the feedback received to the Economic Development and Technology Committee at a future date.

Councilmember Kennedy pointed out for the record that the current PCOC Boardmembers are doing an outstanding job, and noted that he is simply requesting for consideration that each Councilmember be given the opportunity to nominate for recommendation, a qualified individual to the PCOC, preferably from his/her district, and suggested as an option that staff provide a comprehensive report to the City Council to review and possibly modify as to how the body should be constituted.

By consensus of the City Council, it was agreed that Councilmember Madison would survey the PCOC on the issues raised above and provide the feedback received to the Economic Development and Technology Committee.

CONSIDERATION OF PLACING AN ITEM FOR DISCUSSION ON A FUTURE CITY COUNCIL MEETING AGENDA TO DIRECT A STUDY/NEEDS ASSESSMENT ON THE POSSIBLE CREATION OF CIVILIAN OVERSIGHT OF THE PASADENA POLICE DEPARTMENT (Councilmember Kennedy)

Councilmember Kennedy summarized his request for a future agenda item to discuss the possibility of directing a study/needs assessment on possible models for civilian oversight of the Pasadena Police Department.

Members of the City Council expressed concerns regarding civilian oversight of the Pasadena Police Department, indicating that this issue has been thoroughly discussed and vetted at previous Public Safety Committee meetings but was not recommended to move forward by the Committee. Members of the Council also expressed concerns regarding appointing inexperienced citizens tasked with oversight of the Police Department with no accountability to either the voters or an elected body, and noted that the Public Safety Committee is comprised of four experienced elected officials with direct oversight over public safety matters, including review of Pasadena Police Department issues.

Councilmember Kennedy stated that the proposed agenda item is not the discussion to actually adopt civilian oversight of the Pasadena Police Department but rather a request to conduct a comprehensive study on this issue, which would include an objective report produced by an unbiased outside entity, organization, or individual.

Vice Mayor Robinson, Chair of the Public Safety Committee, noted that in the event that staff becomes aware of additional or new information that might enhance the discussion regarding civilian oversight of the Pasadena Police Department, a report should be provided to the Public Safety Committee, and requested that said report specifically include how the boards are constituted, the number of members for each body, appointment procedures, parameters of duties, and tangible powers (e.g. whether or not such a body has subpoena powers).

The City Attorney read the following statement into the record: "At the September 16, 2013 Public Safety Committee meeting, during the agenda item regarding authorization to destroy certain police records, a motion was made by Councilmember Kennedy, and seconded by Councilmember Masuda, to approve the staff recommendation only as to non-hire applicant records, and to table the consideration of internal affairs investigative files. The vote was two in favor, one against, and one abstention. During the Committee meeting, the Assistant City Attorney at the meeting indicated that the motion did not pass. After further review, following the meeting, it was concluded that his determination was in fact incorrect, and that Mr. Kennedy's motion did pass. The City Council's records and those of the Public Safety Committee should reflect that correction in that the motion passed."

Following discussion, the City Attorney later clarified that the motion was not to approve the staff recommendation but instead it was the Committee's recommendation to forward the item for City Council consideration.

Following further discussion, by consensus of the City Council, the item was concluded with no action taken.

COUNCIL COMMENTS

In response to comments regarding the impending federal government shut-down, Councilmember Kennedy inquired if the federally funded program, "Women, Infants, and Children" (WIC), will be impacted, stated concerns regarding the Pasadena residents that heavily rely on the WIC program, and suggested that the City locate resources to temporarily assist with funding the program should this occur.

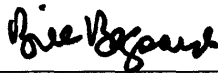
Councilmember Tornek reported on the San Gabriel Valley Council of Government's (SGVCOG) support for the development of the National Recreation Area in the San Gabriel Mountains. He also reported that the Burbank Airport Specific Plan process has begun regarding the

development of the "B6" site and a new airport terminal, and noted that the City Council will be provided with a copy of the preliminary development plans in the near future.

Councilmember Kennedy acknowledged the Mayor and his recent leadership role as President of the League of California Cities.


ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 11:23 p.m.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk