

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

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 5:45 p.m. (Absent: Councilmembers Gordo and Madison)

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

Councilmember Gordo
arrived at 5:56 p.m.

**CITY COUNCIL 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 6:06 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 Organization: Pasadena Fire Fighters
Association (PFFA), Local 809**

**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 Firefighters
Management Association (PFMA)**

**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**

The above four closed session items were discussed, with no reportable action at this time.

On order of the Mayor, the regular meeting reconvened at 6:37 p.m. The Pledge of Allegiance was led by Councilmember Madison.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Jacque Robinson
Councilmember Victor Gordo
Councilmember John J. Kennedy
Councilmember Steve Madison
Councilmember Gene Masuda
Councilmember Margaret McAustin (Arrived at 6:39 p.m.)
Councilmember Terry Tornek

Staff:

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

CEREMONIAL MATTERS

UPDATE ON BOB HOPE AIRPORT DEVELOPMENT PROJECTS BY DAN FEGER, P.E., EXECUTIVE DIRECTOR, AND SUSAN GEORGINO, PRESIDENT OF THE BOB HOPE AIRPORT AUTHORITY

Dan Feger, Executive Director of Bob Hope Airport Authority, and Susan Georgino, President of the Bob Hope Airport Authority, provided an update as part of a PowerPoint presentation on development projects taking place at the Bob Hope Airport, and responded to questions.

The Mayor suggested that the Airport Authority contact the Los Angeles County Metropolitan Transportation Authority (METRO) in order to address the limited alternatives in ground transportation to and from the airport.

Following discussion, Councilmember Madison noted that additional information on the projects highlighted in the presentation can be found at the Bob Hope Airport's website: www.burbankairport.com, as well as information regarding the memorial brick fundraising campaign discussed in the presentation: www.skiesoffreedom.com.

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

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Susan O'Leary, Los Angeles resident, spoke in support of medical marijuana, and urged the City to consider local outlets with strict regulations for legal distribution.

CONSENT CALENDAR

ADOPT A RESOLUTION OF INTENTION TO VACATE MERIDITH AVENUE FROM WALNUT STREET TO NORTH END

Recommendation:

- (1) Adopt a resolution of intention to vacate Meridith Avenue from Walnut Street to North End;
- (2) Set a public hearing for Monday, November 18, 2013, at 7:00 p.m. to consider the proposed street vacation prior to adoption of the resolution ordering the vacation in accordance with the requirements and recommendations and subject to the conditions contained in the agenda report; and
- (3) Direct the City Clerk to publish and post a Notice of Public Hearing in accordance with the requirements of Streets and Highways Code Sections 8320, et seq.

Recommendation of Planning Commission: On Wednesday, October 23, 2013, the Planning Commission reviewed and recommended that the City Council approve the proposed street vacation as presented by the Department of Public Works. The Department of Public Works memorandum to the Planning and Community Development Department, dated September 23, 2013, is included in Attachment A of the agenda report. (Resolution No. 9316)

ADOPT A RESOLUTION APPROVING PROGRAM SUPPLEMENT AGREEMENT TO ADMINISTERING AGENCY-STATE AGREEMENT NO. 07-5064R FOR WINDSTORM RECOVERY, VARIOUS LOCATIONS IN THE CITY OF PASADENA

Recommendation:

- (1) Find the proposed project to be categorically exempt under the California Environmental Quality Act (CEQA), in accordance with Section 15301, Class 1, subsection (c). This exemption includes minor alterations of existing public facilities (including streets) involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination, and there are no environmental reviews;
- (2) Authorize the City Manager to execute the Program Supplement Agreement for Windstorm Recovery, Various Locations in the City of Pasadena; and
- (3) Adopt a resolution approving Program Supplemental Agreement No. 094-N to Administering Agency-State Agreement No. 07-5064R between the City of Pasadena and the State of California, for State reimbursement of costs for Windstorm Recovery, Various Locations in the City of Pasadena, Federal Aid Project No. ER-20W0(001). (Resolution No. 9317; Agreement Amendment No. 16,298-39)

CONTRACT AWARD TO MALLCRAFT, INC., FOR IMPROVEMENT OF ARROYO BOULEVARD FROM ROSE BOWL DRIVE TO SECO STREET AND VICINITY, FOR AN AMOUNT NOT TO EXCEED \$1,005,000

Recommendation:

- (1) Find the project proposed in the agenda report to be categorically exempt under the California Environmental Quality Act (CEQA) Guidelines in accordance with Title 14, Chapter 3, Class 1, Section 15301, minor alterations of existing public facilities involving negligible or no expansion of use beyond that previously existing at the time of the lead agency's determination; and
- (2) Accept the bid dated October 16, 2013, submitted by Mallcraft, Inc., in response to the Project Specifications for Improvement of Arroyo Boulevard from Rose Bowl Drive to Seco Street and Vicinity, reject all other bids received, and authorize the City Manager to enter into such contract as is required for an amount not to exceed \$1,005,000. (Contract No. 21,585)

RESOLUTION APPROVING PROGRAM SUPPLEMENT AGREEMENT TO ADMINISTERING AGENCY-STATE AGREEMENT NO. 07-5064R FOR DETECTION OF BICYCLES AT SIGNAL CONTROLLED INTERSECTIONS PROJECT

Recommendation:

- (1) Find the proposed project to be categorically exempt under the California Environmental Quality Act (CEQA) in accordance with Section 15301, Class 1, subsection (c). This exemption includes minor alterations of existing public facilities (including streets) involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination, and there are no environmental reviews;
- (2) Authorize the City Manager to execute the Program Supplement Agreement for Detection of Bicycles at Signal Controlled Intersections Project; and
- (3) Adopt a resolution approving Program Supplement Agreement No. 093-N to Administering Agency-State Agreement No. 07-5064R between the City of Pasadena and the State of California, for State reimbursement of costs for Detection of Bicycles at Signal Controlled Intersections Project, Federal-Aid Project No. CML-5064(079). (Resolution No. 9318; Agreement Amendment No. 19,323-11)

CONTRACT AWARD TO HARDY & HARPER, INC., FOR PREVENTIVE MAINTENANCE OF STREETS 2013 FOR AN AMOUNT NOT TO EXCEED \$1,630,000

Recommendation:

- (1) Find the proposed project to be categorically exempt under the California Environmental Quality Act (CEQA) Guidelines in accordance with Title 14, Chapter 3, Class 1, Section 15301, minor alterations of existing public facilities involving negligible or no expansion of use beyond that previously existing at the time of the lead agency's

determination; and

(2) Accept the bid dated September 17, 2013, submitted by Hardy & Harper, Inc., in response to the Project Specifications for Preventive Maintenance of Streets 2013, reject all other bids received, and authorize the City Manager to enter into such contract as is required for an amount not to exceed \$1,630,000. (Contract No. 21,586)

REJECTION OF BIDS FOR CITYWIDE HOUSEKEEPING SERVICES

Recommendation:

(1) Reject all bids received on August 20, 2013, in response to specifications for housekeeping services; and

(2) Authorize the City Manager to extend Contract No. 19,804-3 with Toplite Building Services, Inc., on a month-to-month basis for a maximum of six months at a not-to-exceed total amount of \$865,997. (Contract Amendment No. 19,804-4)

Item discussed separately

AMENDMENTS TO TRANSMISSION SERVICE AGREEMENTS NO. 14,443 AND NO. 14,444 WITH THE LOS ANGELES DEPARTMENT OF WATER AND POWER

MUNICIPAL SERVICES COMMITTEE: CONTRACT AWARD TO CEDAR WOOD YOUNG CORPORATION DBA ALLAN COMPANY FOR PROCESSING RESIDENTIAL AND COMMERCIAL RECYCLABLES, AND COMMUNITY RECYCLING AND RESOURCE RECOVERY, INC., FOR PROCESSING MIXED REFUSE AND STREET SWEEPING MATERIAL

Recommendation:

(1) Find that the Material Recovery Facility (MRF) processing of residential and commercial waste is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3), general rule;

(2) Accept the proposal dated July 11, 2013, submitted by Cedar Wood Young Corporation dba Allan Company, paying the City \$35.50 per ton for Residential and Commercial Recycling of Commingled Material (Category 1) in response to the scope of work for Residential and Commercial Waste Material Recovery;

(3) Accept the proposal dated July 11, 2013, submitted by Community Recycling and Resource Recovery, Inc., charging the City \$57.17 per ton for processing Street Sweeping Material (Category 4) and \$57.36 per ton for processing Mixed Refuse from the Rose Parade, Rose Bowl Game, and BCS National Championship Game (Category 5) in response to the scope of work for Residential and Commercial Waste Material Recovery; and

(4) Authorize the City Manager to enter into such contracts for three years with two optional one-year extension periods subject to the approval of the City Manager, per the City's competitive procurement bid process. The prices will remain in effect for the entire term of the contracts. (Contract Nos. 21,587 and 21,588)

MUNICIPAL SERVICES COMMITTEE: AMENDMENT TO CHAPTER 8.62 OF THE PASADENA MUNICIPAL CODE, CONSTRUCTION AND DEMOLITION WASTE MANAGEMENT ORDINANCE, TO REFLECT CHANGES IN STATE REQUIREMENTS AND CITY GOALS

Recommendation:

(1) Find that the proposed amendment to the Construction and Demolition Waste Management Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3), general rule;

(2) Approve the proposed changes to the Construction and Demolition (C&D) Waste Management Ordinance to comply with new State requirements and to update the ordinance; and

(3) Direct the City Attorney to draft an ordinance amendment within 90 days consistent with the provisions set forth in the agenda report.

Recommendation of Municipal Services Committee:

On July 23, 2013, the Municipal Services Committee (MSC) was presented with the proposed amendment to the C&D Ordinance to comply with the requirements of the 2013 California Green Building Standards Code which go into effect on January 1, 2014. On order of the Chair, and by consensus of the Committee, the information was received and filed.

RESIGNATION OF LEILIA M. BAILEY-LEAHY FROM THE COMMISSION ON THE STATUS OF WOMEN (District 3 Nomination)

MINUTES APPROVED

September 9, 2013

CLAIMS RECEIVED AND FILED

Claim No. 12,033	Christopher P. Knox	\$ 1,248.85
Claim No. 12,034	Gregg Dabrow (Valley Hunt Club)	137.10
Claim No. 12,035	Metlife (Subrogee of Joe Scroggs)	2,208.71
Claim No. 12,036	Barbara Phifer	Not Stated

PUBLIC HEARINGS SET

November 18, 2013, 7:00 p.m. – Consideration of Conditional Use Permit No. 6036 to Allow the Construction of a 128-Unit Mixed-Use Project Located at 1727-1787 East Walnut Street and 235 North Allen Avenue and the Street Vacation of the Northern Terminus of Meridith Avenue

November 18, 2013, 7:00 p.m. – Amendment to the Zoning Code for Emergency Shelter and Adoption of a Negative Declaration under the California Environmental Quality Act (CEQA)

It was moved by Councilmember McAustin, seconded by Vice Mayor Robinson, to approve all items on the Consent Calendar with the exception of Item 7 (Amendments to Transmission Service Agreements No. 14,443 and No. 14,444 with the Los Angeles Department of Water and Power), which was discussed separately. (Motion unanimously carried) (Absent: None)

**CONSENT ITEM
DISCUSSED SEPARATELY**

AMENDMENTS TO TRANSMISSION SERVICE AGREEMENTS NO. 14,443 AND NO. 14,444 WITH THE LOS ANGELES DEPARTMENT OF WATER AND POWER

Recommendation:

(1) Find that the recommended action is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(3), general rule;
(2) Authorize the City Manager to amend the Intermountain Power Project Transmission Service Agreement (City Contract No. 14,443) and the Victorville – Sylmar Transmission Service Agreement (City Contract No. 14,444) with the Los Angeles Department of Water and Power (LADWP), as described in the agenda report. 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. (Agreement Amendment Nos. 14,443-1 and 14,444-1)

Jasmine Vargas, representing Sierra Club Beyond Coal, spoke in favor of the proposed amendments to the Transmission Service Agreements with the Los Angeles Department of Water and Power.

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

**REPORTS AND
COMMENTS FROM
COUNCIL COMMITTEES**

FINANCE COMMITTEE

AMEND FISCAL YEAR 2014 CAPITAL IMPROVEMENT PROGRAM BUDGET TO ADD TWO NEW PROJECTS AND APPROVE A JOURNAL VOUCHER TO AMEND PROJECTS IN FISCAL YEAR 2014 CAPITAL IMPROVEMENT PROGRAM BUDGET

Recommendation:

(1) Amend the Fiscal Year 2014 Capital Improvement Program Budget to add two new projects: *Rose Bowl Donor Plaza* and *Rose Bowl Court of Champions*; and
(2) Approve a journal voucher with a net increase of \$6,068,568 amending 29 projects in the Fiscal Year 2014 Capital Improvement Program Budget, as detailed in the Fiscal Impact section of the agenda report.

Recommendation of Planning Commission: On June 12, 2013, the Planning Commission found the two recommended new projects consistent with the General Plan.

Recommendation of the Rose Bowl Operating Company: On May 9, 2013, the Rose Bowl Operating Company supported the addition of the two new Rose Bowl projects to the Fiscal Year 2014 CIP budget.

Recommendation of the Pasadena Center Operating Company: On October 23, 2013, the Pasadena Center Operating Company recommended appropriating \$600,000 in Pasadena Center Capital Improvement Funds to the Restoration and Renovation of Historic Civic Auditorium Ballroom – Phase I project. (Journal Voucher No. 2014-10)

Councilmember Tornek, Chair of the Finance Committee, introduced the agenda item. Siobhan Foster, Director of Public Works Department, and Brenda Harvey- Williams, Finance and Management Services Administrator, summarized the agenda report, and responded to questions.

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

AMENDMENTS TO FISCAL YEAR 2014 ADOPTED OPERATING BUDGET

Councilmember Gordo was excused at 7:26 p.m.

Recommendation: Amend the Fiscal Year 2014 Adopted Operating Budget as detailed in the *Proposed Budget Amendments* section of the agenda report. (Journal Voucher No. 2014-11)

Councilmember Tornek, Chair of the Finance Committee, introduced the agenda item. Andy Green, Director of Finance Department, and Richard Davis, Budget Administrator, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

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

Councilmember Gordo
returned at 7:29 p.m.

**ANNUAL REPORT ON CITY PROCUREMENT –
CALENDAR YEAR 2012**

Recommendation: Receive the annual report on City procurement for calendar year 2012.

Andy Green, Director of Finance Department, introduced the agenda item, and Larry Hammond, Purchasing Administrator, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

Mr. Green noted that the Finance Committee directed staff to report back with recommendations to increase the spending threshold in the procurement process and provide recommendations to enhance local participation, and stated that staff will return within 60 days with the requested information for consideration.

Councilmember Madison urged staff to focus on ways to improve the City's contract administration and maintenance, and suggested that a position be created to strictly oversee contract administration.

The City Manager noted that a new position had been identified in the Finance Department, and possibly Housing, for the purpose of assisting with contract administration. Mr. Green also indicated that staff will work with external sources to audit contracts as an immediate action, with the future newly hired person to follow through on their findings.

Councilmember Tornek commended staff on the enhancements made to the annual report on City procurement, and stated that future results will be much more meaningful.

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

LEGISLATIVE POLICY
COMMITTEE

**RESOLUTION OF THE CITY COUNCIL SUPPORTING A
HUMANE AND COMPREHENSIVE IMMIGRATION
REFORM PROPOSAL**

Recommendation: Adopt a resolution of the City Council of the City of Pasadena supporting a humane and comprehensive immigration reform proposal.

Recommendation of Legislative Policy Committee: On September 25, 2013, the Legislative Policy Committee had a discussion on a resolution supporting a humane and comprehensive immigration reform proposal. The Committee supported forwarding this resolution to the City Council for consideration with the intent that the resolution includes language from the 2013 Federal Legislative Platform. (Resolution No. 9319)

Vice Mayor Robinson introduced the item, and Julie Gutierrez, Assistant City Manager, summarized the agenda report as part of a PowerPoint presentation.

Yuny Parada, Organizing for America
Miriam Mendez, Pasadena/Altadena Coalition of
Transformative Leaders (PACTL)
Leonila Perez, PACTL
Angelica Salas, Coalition for Humane Immigrant Rights
of Los Angeles (CHIRLA)
Rosanna Del Rio, Pasadena resident
Ricardo Moreno, Pasadena resident
Becky Cheng, Representative for Congresswoman Judy
Chu
Dr. Antonio Gallardo, All Saints Church
Lorena Del Rio, Pasadena resident
Phillip Sanchez, Pasadena Police Chief speaking as an
individual

In response to Councilmember Tornek's question, Police Chief Sanchez stated that the approval of the proposed resolution will create a bridge of communication and improved access to City services for undocumented individuals, noting that the open dialogue will aid in preventing continuous unreported exploitation of undocumented persons.

Councilmember Gordo stated that the City's support for immigration reform is important for multiple reasons, but is most important because comprehensive immigration reform will offer an opportunity for immigrants to assimilate into America society.

Councilmember Kennedy stated his support for the resolution, however, suggested a number of revisions to the language of the proposed resolution.

Councilmember Masuda stated his intent to abstain from supporting the resolution, noting that the matter is beyond the City's control, but expressed appreciation for the comments made regarding immigration reform.

Councilmember Tornek expressed his views that the City should not take a position on major national issues unrelated to City business, and urged the Legislative Policy Committee and staff to consider the following two items in determining whether an issue should be considered by the City Council: (1) the impact the issue has on Pasadena residents; and (2) the influence a City Council action will have on the outcome. He also stated that he is supportive of immigration reform, and thanked Police Chief Sanchez for illustrating the benefits of adopting the proposed resolution.

Following discussion, it was moved by Vice Mayor Robinson, seconded by Councilmember Gordo, to approve the staff recommendation, and authorize the City Attorney to incorporate suggested changes to the resolution as necessary (maintaining the integrity of the City Council's action).

AYES: Councilmembers Gordo, Kennedy,
Madison, McAustin, Tornek, Vice
Mayor Robinson, Mayor Bogaard
NOES: None
ABSTAIN: Councilmember Masuda
ABSENT: None

The Mayor thanked Vice Mayor Robinson for her leadership in this process.

COUNCIL COMMENTS

Councilmember Madison invited his colleagues and the community to a forum on "Climate Change" at the Pasadena Convention Center taking place on October 29, 2013, at 7:00 p.m. He also stressed the need for staff to analyze the draft Environmental Impact Report (EIR) on the Devil's Gate Dam Sediment Removal project in preparation for the item coming forward to a future City Council meeting, and for staff to closely follow Senator Carol Liu's legislation (SB 416) on Caltrans SR-710.

Councilmember Tornek stated concerns regarding the Devil's Gate Dam Sediment Removal EIR and the huge impacts the proposed project will have on the City and Hahamongna, and requested information from the City Manager in terms of staff assigned to evaluate the findings and alternatives for the project.

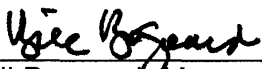
The City Manager noted that the Public Works Department will pull all the information together related to the EIR for review, with staff to identify key issues.

Councilmember McAustin reminded staff that the Bowl Championship Series (BCS) Game is fast approaching, and requested that the City Manager provide the City Council with information on the City's plans for capitalizing on this event, noting that there are a large number of visitors expected to come to Pasadena for the 100th Anniversary of the Rose Bowl, as well as the BCS National Championship Game. Vice Mayor Robinson added that the planned schedule of events/activities should be published in a timely manner for visitors to Pasadena.

Councilmember Kennedy indicated that he and the Mayor were recently updated on the Heritage Square Housing project, and requested that staff brief the appropriate City Council Standing Committee, and the City Council as a whole, on the progress of the project, noted that he is hopeful that the City will be successful in obtaining tax credits in order to move the project forward, and thanked everyone involved in the project for their time and effort.

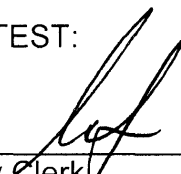
ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 8:53 p.m.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk