




OFFICE OF THE CITY CLERK

TO: Honorable Mayor and City Council
FROM: Mark Jomsky, City Clerk 
DATE: December 8, 2014
RE: Approved Minutes of September 29, 2014 City Council Meeting

The City Clerk's Office was notified by the Public Works Department that the minutes of September 29, 2014 contained missing information regarding the motion approved by the City Council as it relates to the Non-Exclusive Solid Waste Collection Franchise System and composting haulers.

Currently, the motion as written in the adopted minutes states the following:

"It was moved by Councilmember Gordo, seconded by Councilmember Tornek, to approve the staff recommendation, with staff to issue the five-year notice to general haulers, exempting construction and demolition/inert haulers from receiving the five-year notice at this time, with staff to send an inquiry to C & D haulers to gauge the level of interest should the hauler list be opened in the future. (Motion unanimously carried) (Absent: Vice Mayor Robinson)"

Following discussion with Public Works, and reviewing the video of the meeting, the City Clerk's Office is recommending the minutes be revised and re-adopted, with the following changes (underline and strike-through):

Page 10, last paragraph, "The Mayor suggested that staff proceed with the 5-year notice as it relates to general haulers only, excluding C & D and composting haulers, and noted that inert haulers are not required to be regulated by the City. He also indicated that such action does not preclude the City from pursuing public interests in the future as the industry changes."

Page 11, second paragraph, (MOTION), "It was moved by Councilmember Gordo, seconded by Councilmember Tornek, to approve the staff recommendation, with amended by directing staff to issue the five-year notice to general haulers only, exempting construction and demolition/inert and composting haulers from receiving the five-year notice at this time, with staff to send an inquiry to C & D haulers to gauge the level of interest should the hauler list be opened in the future. (Motion unanimously carried) (Absent: Vice Mayor Robinson)"

The complete and revised minutes are attached for your review and approval.

CITY OF PASADENA
City Council Minutes
September 29, 2014 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 5:33 p.m. (Absent: Councilmember Madison and Vice Mayor Robinson)

On order of the Mayor, the regular meeting recessed at 5:33 p.m. to discuss the following closed sessions:

Councilmember Madison
arrived at 5:44 p.m.

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

Agency Designated Representatives: Kristi Recchia and Michael J. Beck

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

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 two closed session items were discussed, with no reportable action at this time.

On order of the Mayor, the regular meeting reconvened at 7:06 p.m. The Pledge of Allegiance was led by Councilmember McAustin.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Jacque Robinson (Absent)
Councilmember Victor Gordo
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

CEREMONIAL MATTERS

The City Clerk administered the oaths of office to Justin Jones as Human Relations Commissioner, C. Scott Boone as member of Rose Bowl Operating Company Board, and Michael O'Brien as Historic Preservation Commissioner.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Floyd Folven, Pasadena resident, expressed concerns regarding public safety issues, and his appreciation to the City for clarifying some financial information in its recent weekly newsletter, and submitted written material.

The following individuals spoke on behalf of Pasadena Association of Clerical and Technical Employees (PACTE/LIUNA) Local 777, and stated their disappointment with the City, noting that employees have not received a salary increase in six years, and asked that the City re-consider a salary increase for PACTE employees:

Hasmik Grigoryan, PACTE/LIUNA, Local 777
Sandra Carter, PACTE/LIUNA, Local 777
Jennifer Wozniak, PACTE/LIUNA, Local 777, submitted material

CONSENT CALENDAR

AUTHORIZATION TO ENTER INTO A CONTRACT WITH SAN JOAQUIN CHEMICALS, INC., TO PROVIDE A WATER TREATMENT PROGRAM AND CHEMICALS FOR THE BROADWAY AND GLENARM POWER PLANTS

Recommendation:

- (1) Find that contracting with San Joaquin Chemicals, Inc. to provide a water treatment program and chemicals for the Broadway and Glenarm Power Plants 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 enter into a contract with San Joaquin Chemicals, Inc. to provide a water treatment program and chemicals for the Broadway and Glenarm Power Plants in an amount not-to-exceed \$186,000 over a period of three years or until the funds have been expended; with two 2-year extensions, each for \$124,000 subject to approval by the City Manager, for a total cost of \$434,000. Each extension is for two years or until the \$124,000 is expended, whichever occurs first. The proposed contract is exempt from competitive bidding pursuant to City Charter Article X Section 1002 (f)

Contracts for professional or unique services and complies with Competitive Bidding and Purchasing Ordinance, Pasadena Municipal Code, Chapter 4.08 and the Living Wage Ordinance, Pasadena Municipal Code, Chapter 4.11. (Contract No. 22,011)

FINANCE COMMITTEE: AUTHORIZATION TO INCREASE THE NOT TO EXCEED AMOUNT OF CONTRACT NO. 21,494 WITH CARING CHOICE, INC., AND CONTRACT NO. 21,495 WITH ENVOY HEALTH CARE FOR THE PROVISION OF HOMEMAKER AND CERTIFIED NURSING ASSISTANT SERVICES

Recommendation: It is recommended that the City Council:

(1) Find that the action proposed in the agenda report is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3) as it will not have a potentially significant environmental effect and, therefore, falls under the "general rule" exemption;

(2) Authorize the City Manager to increase the not to exceed amount of Contract No. 21,494 with Caring Choice, Inc., by \$250,000 thereby bringing the total not to exceed amount to \$450,000;

(3) Authorize the City Manager to increase the not to exceed amount of Contract No. 21,495 with Envoy Health Care by \$375,000 thereby increasing the not to exceed amount to \$710,000; and

(4) Appropriate \$625,000 from the unappropriated Health Fund balance to the Health Department's Fiscal Year 2015 Operating Budget AIDS Medi-Cal Waiver Program (Account No. 8114-203-563270) and Home-Based Case Management Program (Account No. 8114-203-563273) (Contract Nos. 21,494-1 and 21,495-1; Journal Voucher No. 2015-5)

APPOINTMENT OF CHERYL HUBBARD TO THE SENIOR COMMISSION (Mayor Nomination/District 1)

APPOINTMENT OF ALAN LOOMIS TO THE DESIGN COMMISSION (Mayor Nomination/District 1)

CLAIMS RECEIVED AND FILED

Claim No. 12,253	Gwendolyn Gladhart	\$10,000.00+
Claim No. 12,254	Carmen Durazo	2,000.00
Claim No. 12,255	Vasiliki Moutzouridis	2,345.67
Claim No. 12,256	Law Offices of Luis A. Carrillo, Attorney for Patrick Saavedra	Not Stated

Claim No. 12,257	Billy Ray Burton	25,000.00+
Claim No. 12,258	Maria Luz Palanca	Not Stated
Claim No, 12,259	Ingeborg Talbert	6,797.08
Claim No. 12,260	Ashley Brin	Not Stated

PUBLIC HEARING SET

October 27, 2014, 7:00 p.m. – Amendments to the Pasadena Municipal Code (including Title 2 and Title 17, the Zoning Code), to clarify review authority and procedures related to compliance with the California Environmental Quality Act

It was moved by Councilmember McAustin, seconded by Councilmember Masuda, to approve all items on the Consent Calendar. (Motion unanimously carried) (Absent: Vice Mayor Robinson)

PUBLIC HEARINGS

PUBLIC HEARING: VILLA ESPERANZA MASTER PLAN – 2116 EAST VILLA STREET

Recommendation:

- (1) Adopt the findings in the draft Initial Environmental Study (Attachment F of the agenda report), that with the incorporation of mitigation measures, the Master Plan will have no significant or unavoidable impacts and adopt the Mitigated Negative Declaration;
- (2) Adopt by resolution the Specific Findings for a General Plan Amendment to change the land use designation of the site from Neighborhood Commercial and Medium Density Residential (0-16 dwelling units/net acre) to Institutional;
- (3) Direct the City Attorney to draft an ordinance within 60 days consistent with the provisions set forth herein, amending the zoning of the consolidated building site from Commercial Limited (CL) and Multi-family Residential – 16 (RM-16) to Public and Semi-Public (PS) zoning;
- (4) Adopt by resolution the Specific Findings for the approval of the Villa Esperanza Master Plan acknowledging that the Master Plan, as conditioned, is consistent with the General Plan and Zoning Ordinance; and
- (5) Approve the Private Tree Removal Permit, acknowledging that the replacement tree canopy is sustainable over the long term by adhering to the adopted replacement matrix.

Planning Commission Recommendation:

On August 13, 2014, the Planning Commission voted unanimously to recommend approval of the Master Plan to the City Council. The Commission discussed the duration of construction activities, the scale of the two-story administrative/parking structure in relation to adjacent

buildings, parking, traffic impacts, and the compatibility of school use with adjacent single-family uses. The Commission requested a block wall be constructed along the property line separating school uses from residential uses.

Design Commission Recommendation:

On May 27, 2014, the Design Commission voted unanimously to recommend approval of the Master Plan to the Planning Commission. The Commission determined that the project is generally consistent with the Citywide Design Principles and the Design Guidelines for Neighborhood Commercial and Multi-family Residential Districts and that further fine tuning of the design will resolve any minor architectural contextual issues that remain. Based on the existing design review thresholds in the Zoning Code, each of the new buildings on the campus will require design review by the Planning Director, subject to be called up by the Design Commission. (Resolution Nos. 9377 and 9378)

The Mayor opened the public hearing.

The City Clerk reported 78 copies of the notice were posted on September 12, 2014; 116 copies of the notice were mailed on September 12, 2014; and 2 letters (1 letter of support and 1 letter in opposition) were received by the City Clerk's Office regarding the recommended action.

Vince Bertoni, Director of Planning and Community Development, introduced the agenda item, and Ha Ly, Associate Planner, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

Kelly White, Chief Executive Officer (CEO) of Villa Esperanza Services, responded to questions regarding parking and traffic issues, given the proposed increase in the student population.

The following persons spoke in support of the Villa Esperanza Master Plan:

Marilyn Buchanan, Villa Esperanza
Jim McDermott, Pasadena resident
Don Nollar, Pasadena resident
Irene Albeck, Pasadena resident
Dottie Nelson, Villa Esperanza Services
Debbie Meymarian, Pasadena resident
Kelly White, CEO of Villa Esperanza Services

The following person spoke in opposition to the Villa Esperanza Master Plan:

Terri Alcala, Pasadena resident

Councilmember Gordo stressed the need for staff and the architect to work together to ensure that adequate buffering exists between the proposed project and adjacent single-family residences, with attention given to the development of a traffic plan, in an effort to lessen the impacts on the neighbors.

Following discussion, it was moved by Councilmember McAustin, seconded by Councilmember Kennedy, to close the public hearing. (Motion unanimously carried) (Absent: Vice Mayor Robinson)

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

OLD BUSINESS

NEW TRANSPORTATION PERFORMANCE MEASURES TO BE USED FOR TRANSPORTATION IMPACT ANALYSIS AND THRESHOLDS OF SIGNIFICANCE UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Note to public: This item will not be considered at this time but will be continued to the meeting of October 27, 2014.

By consensus, and on order of the Mayor, the above item was continued to October 27, 2014.

PUBLIC HEARINGS (CONTINUED)

PUBLIC HEARING: DETERMINE A WATER SUPPLY SHORTAGE EXISTS, ESTABLISH A 20% CONSERVATION TARGET AND IMPLEMENT LEVEL 1 WATER SUPPLY SHORTAGE MEASURES AS DESCRIBED IN PASADENA MUNICIPAL CODE (“PMC”) SECTION 13.10.040

Recommendation: It is recommended that the City Council, following a public hearing, reaffirm the action taken on July 28, 2014:

(1) Find that the determination of a water supply shortage and implementation of Level 1 Water Supply Shortage water conservation measures are categorically exempt from the California Environmental Quality Act

("CEQA") pursuant to State CEQA Guidelines Section 15307 (Actions by Regulatory Agencies for the Protection of Natural Resources);

(2) Determine that a water supply shortage exists pursuant to PMC 13.10.035;

(3) Determine that a water conservation target of 20% is necessary;

(4) Determine that the Level 1 Water Supply Shortage (PMC 13.10.040) water conservation measures are appropriate to address the water shortage; and

(5) Adopt implementation of the Level 1 Water Supply Shortage measures by way of public proclamation (Attachment A of the July 28, 2014 agenda report).

Municipal Services Committee Recommendation: On July 22, 2014, the Municipal Services Committee ("MSC") unanimously moved to recommend the City Council adopt staff's recommendations, with the additional clarification that the year 2013 be established as the baseline for the 20% water conservation target.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on September 18, 2014 in the Pasadena Star News; and 2 letters stating concerns regarding the proposed action were received for the initial public hearing held on July 28, 2014.

The City Clerk reported that due to a publishing error, the City Council is being asked to reaffirm the City Council's actions that were taken at the public hearing held on July 28, 2014 regarding this matter, and noted that the Municipal Services Committee recommendation to utilize 2013 as the baseline for the City's 20% water conservation target should be clearly stated as part of the motion.

No one appeared for public comment.

Councilmember McAustin suggested that the details as to how the City addresses the issue of water conservation with the larger water users be referred to the Municipal Services Committee for further discussion.

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

It was moved by Councilmember Kennedy, seconded by Councilmember Gordo, to approve the staff recommendation to reaffirm the City Council action on July 28, 2014, including providing flexibility to large water users such as the Rose Bowl/Brookside Golf Course and Annandale Golf Course, and utilize 2013 as the baseline to achieve the 20% reduction of water use. (Motion unanimously carried) (Absent: Vice Mayor Robinson)

ORDINANCE – FIRST READING

Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING SECTIONS 10.48.010 AND 10.48.030 OF THE PASADENA MUNICIPAL CODE REGARDING SPEED LIMITS IN THE CITY OF PASADENA”

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

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

Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLES 3 AND 4 OF THE PASADENA MUNICIPAL CODE TO UPDATE THE LIST OF PARKS AND OPEN SPACE AREAS ON WHICH RESIDENTIAL IMPACT FEES MAY BE EXPENDED (DESIDERIO NEIGHBORHOOD PARK)”

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

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

REPORTS AND COMMENTS FROM COUNCIL COMMITTEES

MUNICIPAL SERVICES

DIRECT CITY ATTORNEY TO PREPARE AMENDMENTS TO CHAPTERS 8.60 AND 8.61 OF THE PASADENA MUNICIPAL CODE; OPEN FRANCHISE SYSTEM TO COMPOSTING HAULERS; MAINTAIN THE CLOSED SYSTEM FOR SOLID WASTE AND CONSTRUCTION AND DEMOLITION HAULERS FOR ANOTHER THREE YEARS; AND PLACE ALL EXISTING FRANCHISEES ON FIVE-YEAR NOTICE TO GRANT EXCLUSIVE RIGHTS TO SOLID WASTE DISPOSAL AND PROPOSED NEW COMPOSTING HAULERS ONCE THE FIVE-YEAR NOTICE EXPIRES WITH THE EXCEPTION OF CONSTRUCTION AND DEMOLITION HAULERS

Recommendation:

(1) Find that the Non-Exclusive Solid Waste Collection Franchise System Ordinance is categorically exempt from the California Environmental Quality Act (CEQA). A Notice of Exemption has been filed with the Los Angeles County Clerk;

(2) Direct the City Attorney to draft an amendment to Chapters 8.60 (“Solid Waste”) and 8.61 (“Solid Waste Collection Franchise System”) of the Pasadena Municipal Code (PMC) and return to the City Council within 90 days to open the Non-Exclusive Solid Waste Collection Franchise System to composting haulers and for other administrative changes per Attachment D of the agenda report;

(3) Open Non-Exclusive Solid Waste Collection Franchise System to composting haulers for processing organic, yard waste, and other compostable material to state approved/permitted composting facilities;

(4) Retain the closed Non-Exclusive Solid Waste Collection Franchise System for solid waste haulers and construction and demolition (C&D) haulers and direct staff to report back in three years to City Council with the next review of authorized haulers to ensure competitive pricing and options for solid waste recycling and disposal; and

(5) Direct the City Manager to officially place franchisees on notice of the City’s intent to consider the modification of the current Non-Exclusive Solid Waste Collection Franchise System at the time the 5-year notice expires pursuant to California Public Resource Code Section 49520, which allows local agencies to grant exclusive operating rights to solid waste disposal and proposed new composting haulers, with the exception of haulers that collect construction and demolition debris/material.

Municipal Services Committee Recommendation:

On September 9, 2014, the Municipal Services Committee (MSC) unanimously recommended that the City Council approve the recommendations contained in this report and moved the item forward to the City Council for consideration. The Committee also requested that staff review the definition of organics contained in the report presented to the Committee in response to public comment at the meeting.

Siobhan Foster, Director of Public Works, introduced the agenda item and summarized the agenda report as part of a PowerPoint presentation, and responded to questions.

Councilmember McAustin, Chair of the Municipal Services Committee, briefly highlighted the discussion held at the Committee level, and commended staff for their work on this matter, specifically as it relates to addressing the concerns of the public.

The following individuals spoke in opposition to, and/or, expressed concerns regarding the proposed action:

Christine Lenches-Hinkel, Waste Less Living
Porfirio Frausto, Waste Less Living
Diane Gale Whiffen, Waste Less Living
Tim Martinez, Arroyo Seco Foundation
Janet Randolph, Pasadena resident
Joy Potter, Clean Up America
Donnie Potter, Altadena resident

The following individuals spoke in favor of the proposed action:

Gary M. Clifford, City of Industry resident

Councilmember Kennedy suggested that this issue be tabled for 30 to 60 days to allow staff time to meet with two businesses, "Clean Up America" and "Waste Less Living", to address concerns and further investigate additional business opportunities.

Councilmember Gordo expressed concerns regarding Construction and Demolition (C&D) haulers being lumped together with haulers in general, noting that there are differences between the two, specifically in terms of education and public outreach.

Councilmember Masuda stated that he would like for staff to have further discussions with "Waste Less Living" to discuss how they can exist differently under the current rules.

Councilmember Tornek stated his support for the staff recommendation, opposed opening up the C & D haulers system/list to an unlimited number of haulers, noting the administrative impact such action will create, and commended the staff for their work on this complicated matter.

The Mayor suggested that staff proceed with the 5-year notice as it relates to general haulers only, excluding C & D and composting haulers, and noted that inert haulers are not required to be regulated by the City. He also indicated that such action does not preclude the City from pursuing public interests in the future as the industry changes.

Councilmember Gordo urged staff to review the C & D and inert hauler list, and inquired if the City has any discretion to not act if the C & D hauler list is opened for a limited period of time and the number of companies exceeds a reasonable number of haulers for the City. In response to Councilmember Gordo, Brad Fuller, Assistant City Attorney, noted that the City will have to allow all qualified haulers to be added to the list.

It was moved by Councilmember Gordo, seconded by Councilmember Tornek, to approve the staff recommendation, amended by directing staff to issue the five-year notice to general haulers only, exempting construction and demolition/inert and composting haulers from receiving the five-year notice at this time, with staff to send an inquiry to C & D haulers to gauge the level of interest should the hauler list be opened in the future. (Motion unanimously carried) (Absent: Vice Mayor Robinson)

Councilmember Kennedy commented on the suggestion to open the C & D list for a short period of time, and requested that staff confirm whether or not the City has the discretion to eliminate all responders. Mr. Fuller stated that he will research the matter and report back to the City Council with his findings.

INFORMATION ITEM

WORKSHOP SESSION PROVIDING AN UPDATE ON CITY WATER ISSUES

Recommendation: The agenda report is for information only. No City Council action is required.

Shan Kwan, Water Services Assistant General Manager, introduced Cynthia Kurtz, City's representative on the Metropolitan Water District (MWD) Board, who provided a brief report on the MWD, including information on water issues such as water conservation incentives/rebates, drought challenges, Proposition 1 Water Bond, and the Bay Delta Conservation Plan as part of a PowerPoint presentation.

Shan Kwan, Water Services Assistant General Manager, and Eric Klinkner, Assistant General Manager of Water and Power, provided information on the regional and statewide drought impacts, water use trends, and water system infrastructure improvements as part of a PowerPoint presentation, and responded to questions.

Councilmember McAustin stressed the need for the City to set a stronger example in terms of water conservation, and

asked that staff bring forward to the Municipal Services Committee suggestions as to how the City can conserve water, specifically in the City public green spaces. In response, Phyllis Currie, General Manager of Water and Power, indicated that staff will report back to the Municipal Services Committee on October 14, 2014, with the requested information.

Councilmember Tornek also stated that the City should do more in terms of long-term water conservation, inquired about the City's efforts as it relates to enforcement and pricing for users at the upper level of water use, noting there has been zero citations issued. He also suggested that the City return to five tiers of pricing to encourage users to use less water.

Councilmember Madison commented on pricing and strongly recommended implementing a budget-based water rate system, and inquired about groundwater issues and rights.

Following discussion, by consensus and on order of the Mayor, the report was received and filed.

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

SUPPORT FOR PROPOSITION 1: THE WATER QUALITY, SUPPLY, AND INFRASTRUCTURE IMPROVEMENT ACT OF 2014

Recommendation:

(1) Find that the action proposed in the agenda report is exempt from the California Environmental Quality Act pursuant to state CEQA Guidelines Sections 15061(b)(3) (general rule); and

Support Proposition 1 – The Water Quality, Supply, and Infrastructure Improvement Act of 2014 set for the November 2014 ballot.

Phyllis Currie, General Manager of Water and Power, provided a brief overview of Proposition 1: Water Quality, Supply and Infrastructure Improvement Act of 2014.

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

REPORTS AND COMMENTS FROM COUNCIL COMMITTEES (CONTINUED)

APPROVE A PROJECT CONTINGENCY AMOUNT OF \$2,500,000 FOR EXISTING CONTRACTS RELATED TO THE LOCAL GENERATION REPOWERING PROJECT – PHASE II (“CIP 3194”) AND AUTHORIZE THE CITY

MUNICIPAL SERVICES

MANAGER TO AMEND AND/OR APPROVE CHANGE ORDERS FOR SUCH CONTRACTS IN AMOUNTS NOT TO EXCEED THE PROJECT CONTINGENCY AMOUNT; INCREASE THE BUDGET BY \$5,000,000; APPROVE AN ADDITIONAL APPROPRIATION OF \$10,000,000 TO CIP 3194 FOR FISCAL YEAR 2015 TO BE PROVIDED FROM A \$5,000,000 APPROPRIATION FROM THE LIGHT AND POWER FUND BALANCE AND THE TRANSFER OF \$5,000,000 OF PREVIOUSLY APPROVED APPROPRIATIONS FROM VARIOUS LIGHT AND POWER FUND CAPITAL IMPROVEMENT PROJECTS TO CIP 3194

Recommendation:

(1) Find that, on April 8, 2013, the City Council made findings pursuant to the

California Environmental Quality Act ("CEQA") and certified the Environmental Impact Report ("EIR") for the Glenarm Repowering Project, adopted a Statement of Overriding Considerations, and approved the Repowering Project, and there are no changed circumstances or new information that would trigger further environmental review;

(2) Approve a project contingency of \$2,500,000 for the existing contracts

listed in Table-1 of Exhibit -1 of the agenda report related to and approved for CIP 3194;

(3) Authorize the City Manager to amend and/or approve change orders for

existing contracts listed in Table -1 of Exhibit -1 of the agenda report related to CIP 3194 in an amount not to exceed \$2,500,000;

(4) Approve an increase in the budget for the Local Generation Repowering

Capital Project No. 3194 by \$5,000,000 from \$131,904,183 to \$136,904,183. The increase will be financed by a planned Letter of Credit and subsequent bond issuance; and

(5) Approve a journal voucher increasing the FY 2015 appropriations for the

Local Generation Repowering Capital Project No. 3194 by \$10,000,000 as follows:

(a) \$5,000,000 from the Light and Power Fund Balance

(b) \$5,000,000 by reducing existing appropriations as detailed in the agenda report

Municipal Services Committee Recommendation:

On September 23, 2014, the Municipal Services Committee by majority vote, recommended that the City Council approve the staff recommendations. (Contract Nos. 20,118-1, 20,119-3, 20,208-2, 21,472-1, 21,637-1, and 21,842-1; Journal Voucher No. 2015-6)

Phyllis Currie, Water and Power General Manager, introduced the agenda item, and Gurcharan Bawa, Assistant General Manager, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

Councilmember Tornek stated his opposition to increasing the budget contingency amount by \$5 million, noting that the request is premature and unjustified at this time.

Councilmember McAustin, Chair of the Municipal Services Committee, noted the importance of having a contingency budget that will allow flexibility in managing such a fast-moving project, and noted that the Committee will continue to receive monthly reports on when and how the contingency budget is spent.

Councilmember Madison reiterated his previously stated concerns regarding utilization of the contingency budget to cover the budget shortfall.

Councilmember Gordo stated his support of the Municipal Services Committee recommendation and the suggestion by the Mayor for staff to update the full City Council on the status of the project should the project exceed the remaining \$4.2 million contingency budget amount.

The City Manager reminded the City Council that a monthly detailed report is included in the weekly newsletter regarding the project. However, he noted that a report will be brought forward as an information item to the City Council should the project exceed the \$4.2 million.

Following discussion, it was moved by Councilmember Masuda, seconded by Councilmember McAustin, to approve the staff recommendation, with the Municipal Services Committee to continue to monitor the project and the spending of the contingency amount, with direction to staff to report back to the full City Council in the event the project exceeds the \$4.2 million undesignated contingency.

AYES: Councilmembers Gordo, Madison, Masuda, McAustin, Mayor Bogaard

NOES: Councilmembers Kennedy and Tornek

ABSENT: Vice Mayor Robinson

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 12:28 a.m.

Bill Bogaard, Mayor
City of Pasadena

ATTEST:

City Clerk