

CITY OF PASADENA
City Council Minutes
June 2, 2014 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

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

On order of the Mayor, the regular meeting recessed at 5:32 p.m., to discuss the following closed sessions:

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL
regarding pending litigation pursuant to Government
Code Section 54956.9(d)(1)
Name of Case: Lenkin v. City of Pasadena, et al.
LASC Case No.: BC493097

Councilmember Madison
arrived at 5:50 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: American Federation of State,
County and Municipal Employees (AFSCME) Local 858

**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

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

On order of the Mayor, the regular meeting reconvened
at 6:42 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 6:44 p.m.)
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**

No one appeared for public comment.

CONSENT CALENDAR

AUTHORIZATION TO ENTER INTO A CONTRACT WITH PACIFIC STATES CAST IRON PIPE COMPANY TO FURNISH AND DELIVER CEMENT-MORTAR LINED DUCTILE IRON PIPE FOR THE PASADENA WATER AND POWER DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$497,362 PER YEAR

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 2, 2014 submitted by Pacific States Cast Iron Pipe Company in response to Specification WD-14-02 to furnish and deliver cement-mortar lined ductile iron pipe to the Pasadena Water and Power Department ("PWP") and authorize the City Manager to issue a purchase order contract for a two-year period or until \$994,724 is expended to Pacific States Cast Iron Pipe Company, with two optional one-year extensions for a total amount of \$994,724, subject to the approval of the City Manager.

AUTHORIZATION TO ENTER INTO A CONTRACT WITH JONES CHEMICAL, INC., TO FURNISH AND DELIVER LIQUEFIED CHLORINE GAS FOR THE PASADENA WATER AND POWER DEPARTMENT

Recommendation:

- (1) Find that the proposed contract is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15301 (Existing Facilities);
- (2) Accept the bid dated March 25, 2014 submitted by Jones Chemical, Inc., ("JCI"), in response to the Notice Inviting Bids for furnishing and delivery of liquefied chlorine gas for the Pasadena Water and Power Department ("PWP"); and
- (3) Authorize the issuance of a purchase order contract for an amount not to exceed \$225,453 for an initial term of three years with an option for three additional one-year terms of \$75,151 each year at the discretion of the City Manager, and allowing for a unit price increase that shall not exceed the change in the rate of the current Producer Price Index ("PPI").

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER CONTRACT WITH THE HEWLETT-PACKARD COMPANY FOR THE PURCHASE OF 700 DESKTOP COMPUTERS

Recommendation:

(1) Find that the proposed contract 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 a purchase order contract with the Hewlett-Packard Company, in an amount not to exceed \$468,482 for the purchase of 700 desktop computers. Neither competitive bidding nor competitive selection is required pursuant to City Charter Section 1002(H), and Pasadena Municipal Code Section 4.08.049.

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER CONTRACT WITH EN POINTE TECHNOLOGIES SALES, INC., FOR CITRIX, VMWARE AND APPSENSE SOFTWARE LICENSING FOR THE CITY'S VIRTUAL DESKTOP INFRASTRUCTURE ENVIRONMENT

Recommendation:

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

(2) Accept the bid dated May 20, 2014 submitted by En Pointe Technologies Sales, Inc., in response to the specification to furnish Citrix, VMware and AppSense software licensing, reject all other bids received, and authorize the issuance of a purchase order contract in an amount not to exceed \$110,316.

RESIGNATION OF ROSE MARIE PICO FROM THE SENIOR COMMISSION (District 5 Nomination)

APPOINTMENT OF JOY RITTENHOUSE TO THE ACCESSIBILITY AND DISABILITY COMMISSION (District 3 Nomination)

RESOLUTION APPROVING THE ANNUAL REPORT OF THE ADVISORY BOARD OF THE PASADENA TOURISM BUSINESS IMPROVEMENT DISTRICT ("DISTRICT"), DECLARING ITS INTENTION TO LEVY ASSESSMENTS AGAINST HOTEL AND MOTEL BUSINESSES WITHIN THE DISTRICT FOR FISCAL YEAR 2015, AND SETTING A PUBLIC HEARING ON THE LEVY OF THE ASSESSMENTS FOR JUNE 16, 2014 AT 7:00 P.M.

Recommendation of the Pasadena Center Operating Company: It is recommended that the City Council adopt a resolution approving the annual report of the Advisory Board of the Pasadena Tourism Business Improvement District ("District") for Fiscal Year 2015, declaring its intention to levy assessments against hotel and motel businesses within the District for Fiscal Year 2015, and setting a public hearing on the levy of the assessments on June 16, 2014 at 7:00 p.m. (Resolution No. 9346)

MINUTES APPROVED

May 12, 2014 Special Meeting
 May 12, 2014
 May 19, 2014

CLAIMS RECEIVED AND FILED

Claim No. 12,168	David Marin Lopez	\$ 25,000.00+
Claim No. 12,169	Eva Zone	25,000.00+
Claim No. 12,170	Joe and Nancy Mercolino	1,000.00
Claim No. 12,171	National Ready Mixed Concrete	32,132.73
Claim No. 12,172	Kevin R. Highgate	25,000.00+
Claim No. 12,173	Ching Wong	Not Stated
Claim No. 12,174	Cheryll Wegge	650.00
Claim No. 12,175	Serena Hernandez	8,941.36
Claim No. 12,176	Luis Felipe Benitez	3,280.50
Claim No. 12,177	Laurie Youmans	25,000.00+
Claim No. 12,178	Akbar Akrami	21,902.95

PUBLIC HEARING SET

June 9, 2014, 7:00 p.m. – Designation of the House at 397 North Catalina Avenue as a Landmark

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

REPORTS AND COMMENTS FROM COUNCIL COMMITTEES

MUNICIPAL SERVICES COMMITTEE

Councilmember McAustin arrived at 6:44 p.m.

AUTHORIZATION TO ENTER INTO A CONTRACT WITH ARB, INC., FOR AN AMOUNT NOT TO EXCEED \$55,661,973 TO PROVIDE LABOR AND MATERIALS FOR THE GLENARM REPOWERING BALANCE OF PLANT DESIGN AND CONSTRUCTION

Recommendation:

(1) Find that on April 8, 2013, the City Council made findings pursuant to the California Environmental Quality Act ("CEQA") and certified the EIR for the Glenarm Repowering Project, adopted a Statement of Overriding Considerations, and approved the Repowering Project, the Glenarm Repowering Balance of Plant ("BOP") Design and Construction contract is a further discretionary action within the Repowering Project, and there are no changed circumstances or new information that would trigger further environmental review;

(2) Accept the bid dated April 8, 2014, from ARB, Inc., in response to Specifications LD-13-14 for providing labor and materials for the Glenarm Repowering BOP Design and Construction; and

(3) Authorize the City Manager to enter into a contract with ARB, Inc., for an amount not to exceed \$55,661,973. (Contract No. 21,842)

Councilmember McAustin, Chair of the Municipal Services Committee, introduced the agenda item. Phyllis Currie, General Manager of Water and Power Department, and Gurcharan Bawa, Assistant General Manager, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

Councilmember Kennedy commended staff for the work on the Project Labor Agreement (PLA) and on the terms negotiated for local hiring. He expressed concerns regarding the substantial increase in cost (from the project's estimated amount to the much higher bid proposal submitted by ARB, Incorporated) and whether the lowered \$5 million contingency for "unknown" costs associated with the project would be adequate.

Ms. Currie stated that the bid proposal submitted by ARB, Incorporated, was responsive to the bid document, indicated that projects of this magnitude have the potential to incur additional costs, however, noted that staff is confident that the \$5 million contingency will cover any over-run of expenses. She stated that staff will return to City Council and make recommendations on any required adjustments to the project's budget by reallocating funds from within the Power fund, with no impact to the General Fund or additional burden on the customer.

Ms. Currie also noted that the project's line of credit has not been established, noting that staff is currently doing some analysis to determine the amount, and stated that staff will return to City Council with this information in the near future.

Councilmember Gordo urged staff to clearly define in the contract what is considered "unknown" or an unforeseen circumstance, noting that the potential for contaminated soil being exposed during excavation is not an unforeseen circumstance.

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

PUBLIC HEARINGS

PUBLIC HEARING: RECOMMENDED ELECTRIC RATE INCREASES AND CHANGES TO THE ELECTRIC RATE STRUCTURE

Recommendation:

- (1) Find that the Public Hearing for Proposed Changes to the Electric Rates is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15273 (Rates, Tolls, Fares, and Charges);
- (2) Open a Public Hearing to receive public comment on the Recommended Electric Rate Increases and Charges to the Electric Rate Structure to:
 - a) Increase the Electric Distribution and Customer Charges;
 - b) Adjust the Electric Distribution and Customer Charge rate structure; and
 - c) Adjust the Residential Time-of-Use ("TOU") price and pricing periods.
- (3) Direct the City Clerk to report on written comments received from the public;
- (4) Close the Public Hearing;
- (5) Approve the aforementioned Recommended Electric Rate Increases and Charges to the Electric Rate Structure; and
- (6) Direct the City Attorney to prepare an amendment to the Light and Power Rate Ordinance ("Ordinance") implementing the changes to the electric rates described in the agenda report.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on May 9 and 16, 2014, in the Pasadena Star News; May 15 & 22, 2014, in the Pasadena Journal; May 15 & 22, 2014, in the Pasadena Weekly; 1 letter of opposition to the proposed electric rate increases was received by the City Clerk's Office.

The following persons expressed concerns regarding the proposed electric rate increases:

Michael D'Antuono, Chamber of Commerce, submitted written comments/concerns
Bob Menzies, Grace Lutheran Church

Phyllis Currie, General Manager of Water and Power Department, introduced the agenda item, and Shari Thomas, Assistant General Manager, summarized the agenda report as part of a PowerPoint presentation, and responded to questions.

Following discussion, Councilmember Kennedy reported that a community meeting will be held at the Pasadena Presbyterian Church on the proposed electric rate increases on June 18, 2014, at 6:30 p.m.

It was moved by Councilmember Tornek, seconded by Councilmember McAustin, to close the public hearing. (Motion unanimously carried) (Absent: None)

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

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

AUTHORIZATION TO ENTER INTO A CONTRACT WITH FIRST TRANSIT FOR THE OPERATION OF PASADENA'S FIXED-ROUTE AND DIAL-A-RIDE TRANSIT SERVICES FROM JULY 1, 2014 THROUGH JUNE 30, 2019

Recommendation:

- (1) Find that this action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3); and
- (2) Authorize the City Manager to enter into a five-year contract with First Transit to operate the City of Pasadena's fixed-route (Area Rapid Transit System or "ARTS") and Dial-A-Ride transit services for a period of five years from July 1, 2014 through June 30, 2019 for an amount not to exceed \$26,632,712, with one two-year option subject to the approval of the City Manager. Competitive bidding is not required pursuant to City Charter Article X, Section 1002(F), contracts for professional or unique services. (Contract No. 21,843)

Fred Dock, Director of Transportation, introduced the agenda item, and Valerie Gibson, Transportation Services Manager, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

Councilmember Kennedy suggested that staff consider providing to the City Council supporting documentation for all bidders to better assist the Council in making informed decisions for contract amounts as high as \$26 million.

In response to Councilmember Madison question regarding the rebranding of the Pasadena ARTS Buses, Mr. Dock noted that a report is forthcoming to the Municipal Services Committee (MSC) on June 24, 2014, with staff returning to the City Council shortly thereafter.

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

PUBLIC HEARINGS
(CONTINUED)

CONTINUED PUBLIC HEARING: FISCAL YEAR 2015
RECOMMENDED OPERATING BUDGET

Recommendation:

- (1) Receive public comments on the City Manager's Recommended Fiscal Year (FY) 2015 Operating Budget; and
- (2) Continue this public hearing to each subsequent regular meeting of the City Council at 7:00 p.m., until June 9, 2014 or such other date as the City Council may determine, and at which time the City Council will be asked to close the public hearing and formally adopt the FY 2015 Recommended Operating Budget.

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

Councilmember Tornek, Chair of the Finance Committee, reported on the special joint meeting of the City Council and Finance Committee held on June 2, 2014 at 2:00 p.m., and noted that the next scheduled special joint meeting of the City Council and Finance Committee will be held on June 9, 2014 at 2:00 p.m.

Louise Bell, Pasadena resident, expressed her gratitude to City staff for their efforts in advancing the development of youth in the Pasadena Unified School District, including the special education youth community, and asked for the City's consideration for adequate funding in its budget to continue this effort.

By consensus and on order of the Mayor, the City Council continued the public hearing to June 9, 2014 at 7:00 p.m.

CONTINUED PUBLIC HEARING: FISCAL YEAR 2015
RECOMMENDED GENERAL FEE SCHEDULE

Recommendation:

- (1) Receive public comments on the Fiscal Year (FY) 2015 Recommended General Fee Schedule; and
- (2) Continue this public hearing to each subsequent regular meeting of the City Council at 7:00 p.m., until June 9, 2014 or such other date as the City Council may determine, and at which time the City Council will be asked to close the public hearing and formally adopt the FY 2015 General Fee Schedule.

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

No one appeared for public comment.

By consensus and on order of the Mayor, the City Council continued the public hearing to June 9, 2014 at 7:00 p.m.

**CONTINUED PUBLIC HEARING: FISCAL YEAR 2015
RECOMMENDED SCHEDULE OF TAXES, FEES, AND
CHARGES**

Recommendation:

- (1) Receive public comments on the Fiscal Year (FY) 2015 Recommended Schedule of Taxes, Fees, and Charges; and
- (2) Continue this public hearing to each subsequent regular meeting of the City Council at 7:00 p.m., until June 9, 2014 or such other date as the City Council may determine, and at which time the City Council will be asked to close the public hearing and formally adopt the FY 2015 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.

By consensus and on order of the Mayor, the City Council continued the public hearing to June 9, 2014 at 7:00 p.m.

COUNCIL COMMENTS

Councilmember Tornek suggested that the work of the Special Task Force to provide a "Pasadena Alternative" to the Devil's Gate Dam Sediment Removal project was an excellent outcome and should be used as a model to address the alternatives being considered by METRO for the proposed 710 Freeway extension project. He suggested that a similar charge and goal for a Special Task Force would achieve two objectives, namely to develop a vastly improved "Pasadena Preferred Alternative" and to educate the public on issues related to the extension of the 710 Freeway, and asked that this item be agendaized for a future City Council discussion.

Councilmember Gordo added that such a discussion should include a process that will allow the City to lead with a more regional approach versus just a "Pasadena Alternative", noting the importance of working with neighboring municipalities affected by the 710 freeway issues.

In response to Councilmembers Tornek and Gordo's suggestions, the City Manager stated that staff will bring back a detailed report to the City Council, within a month, regarding a possible special task force.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 8:59 p.m.

Bill Bogaard, Mayor
City of Pasadena

ATTEST:

City Clerk