

CITY OF PASADENA
City Council Minutes
October 6, 2014 – 5:00 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 5:03 p.m. (Absent: Vice Mayor Robinson)

On order of the Mayor, the regular meeting recessed at 5:03 p.m. to discuss the following closed sessions:

Vice Mayor Robinson arrived at 5:34 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

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

On order of the Mayor, the regular meeting reconvened at 6:33 p.m. The Pledge of Allegiance was led by Councilmember Masuda.

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 6:34 p.m.)
Councilmember Terry Tornek

Staff:

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

CEREMONIAL MATTERS

Councilmember McAustin arrived at 6:34 p.m.

The Mayor presented a proclamation declaring October 2014 as "Bullying Prevention Awareness Month", which was received by Mercy Santoro, Director of Human Services and Recreation, and Commander John Perez, Pasadena Police Department.

The Mayor reminded the community that "ArtNight" is being held on October 10, 2014 from 6 p.m. - 10p.m., where individuals can enjoy free art, music, and entertainment, and noted that additional information can be found at www.artnightpasadena.org.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Reverend Michael Burnes, Pasadena resident, expressed concerns regarding Pasadena Unified School District school buses that were parked at Linda Vista School, which have now been relocated due to complaints received from residents in the area, and encouraged residents to work together in a similar fashion to address the parked buses in Northwest Pasadena.

Todd Palmquist, Executive Director of the San Gabriel Valley Consortium on Homelessness, invited the City Council to the "5th Annual Homeless Summit" to be held on November 13, 2014, at the First Church of the Nazarene, asked that the City Council consider issuing a proclamation declaring the third week of November as "Homeless Awareness Week", and submitted written material.

Nat Nehdar, Chair of the Human Relations Commission, invited the community and the City Council to the "16th Annual Peace through Music" concert on November 8, 2014, with the theme of the concert dedicated to anti-bullying in conjunction with "Bullying Prevention Awareness Month", and submitted material.

CONSENT CALENDAR

CLAIMS RECEIVED AND FILED

Claim No. 12,261 Evelyn Heck \$55,622.67

PUBLIC HEARINGS SET

October 27, 2014, 7:00 p.m. – Designation of 2350 East Orange Grove Boulevard as a Landmark

October 27, 2014, 7:00 p.m. – Designation of 833-861 South Orange Grove Boulevard as a Landmark

October 27, 2014, 7:00 p.m. – Designation of 377 Arroyo Terrace as a Landmark

October 27, 2014, 7:00 p.m. – Designation of 1350 Linda Ridge Road as a Landmark

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

**REPORTS AND
COMMENTS FROM
COUNCIL COMMITTEES**

LEGISLATIVE POLICY
COMMITTEE

DIRECT THE CITY ATTORNEY TO PREPARE AN ORDINANCE WITHIN 30 DAYS TO ALLOW FOR THE ELECTRONIC AND PAPERLESS FILING OF CAMPAIGN FINANCE DISCLOSURE STATEMENTS BY ELECTED OFFICIALS, CANDIDATES, OR COMMITTEES

Recommendation:

(1) Find that the proposed action is exempt from the California Environmental Quality Act (CEQA) in accordance with section 15061 (d)(3), the general rule that CEQA only applies to projects that may have an effect on the environment; and

(2) Direct the City Attorney to prepare an ordinance within 30 days allowing for the electronic and paperless filing of campaign finance disclosure statements by elected officials, candidates, and committees.

The Mayor introduced the agenda item, and Mark Jomsky, City Clerk, provided an overview of the agenda report as part of a PowerPoint presentation, and responded to questions.

The following persons spoke in favor of the proposed action:

Marna Cornell, League of Women Voters, Pasadena area

Michelle White, American Civil Liberties Union (ACLU) and Affordable Housing Services (AHS)

Councilmember McAustin stated her support for the proposed action, and expressed appreciation to the City Clerk for his work, as well as to all the community members that were involved in the project.

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

ORDINANCE – ADOPTED

Adopt “AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTER 10.48 OF THE PASADENA MUNICIPAL CODE REGARDING SPEED LIMITS IN THE CITY OF PASADENA” (Introduced by Councilmember McAustin) (Ordinance No. 7246)

The above ordinance was adopted by the following vote:

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

NOES: None

ABSENT: None

Adopt “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)” (Introduced by Councilmember Madison) (Ordinance No. 7247)

The above ordinance was adopted by the following vote:

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

NOES: None

ABSENT: None

REPORTS AND
COMMENTS FROM
COUNCIL COMMITTEES
(CONTINUED)

LEGISLATIVE POLICY
COMMITTEE

PROPOSITION 47 ON THE NOVEMBER 2014 STATE BALLOT

Recommendation: It is recommended that the City Council oppose Proposition 47, the Safe Neighborhood and Schools Act (SNSA) of 2014.

Legislative Policy Committee Recommendation: At the regular meeting of September 25, 2014, the Legislative Policy Committee voted to forward this item to the City Council for consideration, without a recommendation.

Phillip Sanchez, Pasadena Police Chief, introduced the agenda item, and Tracey Ibarra, Police Lieutenant, provided an overview of the agenda report as part of a PowerPoint presentation, and responded to questions.

Councilmember Tornek stated that he would like to better understand the basis of the City Council’s analysis of ballot measures, and whether it is the City’s practice to take a position on all ballot measures.

The following persons spoke in opposition to the staff recommendation:

Dale Gronemeier, ACT
Tarek Shawky, Vision 20/20
Forest Brandt, Vision 20/20
Marna Cornell, League of Women Voters

Gary L. Moody, National Association for the
Advancement of Colored People (NAACP)
Wyatt Whitlock, Vision 20/20
Mike de la Rocha, Vote Safe—Sponsor of Proposition 47
Dr. Jessica S. Cobb, Pasadena resident
Gwendolyn Jones, American Civil Liberties Union
(ACLU)
Josh Liddy, Pasadena resident
Dianne Prado, Pasadena resident
Reverend Dr. Timothy Murphy, Progressive Christians
Uniting and Justice Not Jails
Brian Biery, Vision 20/20 Initiative
Michelle White, American Civil Liberties Union (ACLU)
and Affordable Housing Services (AHS)
Jeannette Miyamoto, Altadena resident
Hilda Boulware, Pasadena resident
Ed Bacon, Pasadena resident
Michael Cornwell, Pasadena resident
Alastair Greeves, Pasadena resident
Dominick Correy, Pasadena resident
Reverend Tera Little, Throop Unitarian Universalist
Church
Mikala Rahn, Founder of Learning Works Charter
School and Homeboy Industries
Rabbi Jonathan Klein, Clergy and Laity United for
Economic Justice California (CLUE – Pasadena)

Vice Mayor Robinson thanked the Police Department and the public for their input on the matter, highlighted the benefits associated with Proposition 47, such as the opportunity for individuals with non-violent offenses to gain employment and housing, and urged the City Council to support Proposition 47.

Councilmember Masuda expressed concerns regarding Proposition 47, specifically as it relates to public safety, noting the potential for an increase in crime as a result of the ballot measure if approved by the voters.

Councilmember Kennedy commented on Proposition 47, and indicated that it is the first step to improving the current “broken” system, enabling non-violent offenders an opportunity to be rehabilitated and to demonstrate that they are upright citizens.

Councilmember Madison voiced concerns regarding some aspects of Proposition 47, specifically relating to retroactivity and the potential to re-open an overwhelming number of legal cases without the necessary resources to

manage them, and misguided perceptions relating to the seriousness of crimes. However, he stated his support for the ballot measure, noting that a sentencing reform is necessary.

Councilmember Tornek and McAustin stated their opposition to the City Council taking formal positions on state-level ballot measures, but noted that the analysis of Proposition 47 was educational to both the City Council and the community, and offered their support for the ballot measure.

Councilmember McAustin also suggested that at a future meeting a discussion should occur on whether or not the City Council should consider guidelines for the City's involvement in legislative policy issues at the state or federal level.

Members of the City Council thanked the Pasadena Police Department for their work on the matter.

Councilmember Gordo provided statistical data relating to the prison population, incarceration rate, percentage of budget expended on corrections, and the construction costs of new prisons. He also highlighted some of the reduced penalties proposed under Proposition 47.

The Mayor reviewed the published overall trends relating to a decrease in crime and incarceration rates, and noted that Proposition 47 is a move in the right direction to refine the criminal justice system.

Following discussion, it was moved by Vice Mayor Robinson, seconded by Councilmember Kennedy, to support Proposition 47. (Motion carried, with Councilmember Masuda objecting) (Absent: None)

MUNICIPAL SERVICES COMMITTEE

Councilmembers Kennedy and Madison were excused at 9:28 p.m., and left the dais.

AB2514 ENERGY STORAGE SYSTEM PROCUREMENT TARGETS AND POLICIES

Recommendation:

(1) Find that the proposed action is not a project subject to the California Environmental Quality Act (CEQA) as defined in Section 21065 of CEQA and Section 15378 of the State CEQA Guidelines and, as such, no environmental document pursuant to CEQA is required for the project;

(2) Find that it is not appropriate at this time to establish procurement targets for energy storage systems to be procured by Pasadena Water and Power ("PWP") due to lack of cost-effective viable options; and

(3) Direct PWP staff to continue to look for appropriate opportunities to encourage the cost-effective deployment of viable energy storage systems, and to make new recommendations to the City Council regarding cost-effective and viable energy storage system procurement targets and policies, if any, at least once every three years.

Councilmember McAustin introduced the agenda item and briefly highlighted the discussion held at the Committee level.

Following a brief discussion, it was moved by Councilmember McAustin, seconded by Councilmember Tornek, to approve the staff recommendation. (Motion unanimously carried) (Absent: Councilmembers Kennedy and Madison)

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

Councilmembers Kennedy and Madison returned at 9:32 p.m.

MANDATORY SPAY/NEUTER ORDINANCE FOR ALL DOGS AND CATS OVER SIX MONTHS OF AGE — SUPPLEMENTAL INFORMATION INCLUDING INITIAL YEAR CANVASSING DATA REPORTED BY PASADENA HUMANE SOCIETY

Recommendation:

- (1) Receive canvassing data reported by Pasadena Humane Society (PHS) for its initial year of the program and other supplemental information;
- (2) Direct the Public Works Department to establish a fee differential and initiate an amendment to the General Fee Schedule such that a dog license for an unaltered animal is \$60 more than spayed/neutered animals as part of the fiscal year 2016 General Fee Schedule;
- (3) Direct the Department of Public Works and Pasadena Humane Society (PHS) to provide an update on the proposed ordinance one year from implementation; and
- (4) Conduct first reading of the mandatory spay/neuter ordinance for all dogs and cats over six months of age.

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

Elizabeth Richer Campo, Senior Vice President of the Pasadena Humane Society (PHS), reported on its first-year dog license canvassing efforts, provided information related to enforcement, education, low cost/subsidized spay/neuter services, and responded to questions.

Steven McNall, President/CEO of the Pasadena Humane Society, highlighted the benefits of a mandatory spay/neuter ordinance, stated that PHS fees are extremely reasonable compared to a veterinarian cost for spay/neuter services, and expressed appreciation to the City for considering the proposed ordinance.

The following persons spoke in favor of a mandatory spay/neuter ordinance:

Tracy Reiman, People for the Ethical Treatment of Animals (PETA)
Dr. Linnaea Scott, DVM, Pasadena resident
Marie Lange, South Pasadena resident
Jessika Lauren, Pasadena resident
Teresa Cooper, Los Angeles resident
Eric Deardorff, Ventura resident
Erich Eilenberger, Los Angeles resident
Christina Cho, Pasadena resident
Bruce Wieland, Los Angeles resident
Casey Kern, Burbank resident
Jackie Horrnick, Pasadena resident
Gretchen Keller, Pasadena resident
Katie Arth, Venice resident
Lauren Thomasson, Los Angeles resident
Dr. Armaiti May, DVM, Los Angeles resident
Lisa Lange, Pasadena resident
Alicia Woempner, Glendale resident
Heather Faraid, Los Angeles resident
Hal Weiss, Pasadena resident
Veronica Ferrantelli, Pasadena resident
Micah Lachtman, Pasadena resident
Reverend Tera Little, Throop Unitarian Universalist Church
Rabbi Jonathan Klein, Faith Action for Animals
Michael Cornwell, Pasadena resident

The following persons spoke in opposition to, and/or, expressed concerns regarding the mandatory spay/neuter ordinance:

Florence Blecher, California Responsible Pet Owners' Coalition
Sally Lewis, Kennel Club of Pasadena
Patricia W. Cobb, Kennel Club of Pasadena
Lois MacDonald, Altadena resident
John Fowler, San Marcos resident
Dr. Dana Bleifer, DVM, Pasadena resident, submitted material

Josh Liddy, Pasadena resident
Dianne Prado, Pasadena resident
Marla Tauscher, Pasadena resident
Marion Bradshaw, Jack Bradshaw Dog Shows and
Pasadena Kennel Club
Tina Clark, Glendale resident
Sarah Bixler, Pasadena resident
Carol Hamilton, residence unknown
Linda Sneed, residence unknown
Annie Wildmoser, Los Angeles resident
Nancy Reardon, Pasadena resident
Deb Ebbersten, Los Angeles County

Councilmember Madison reiterated his concerns as it relates to unaltered dogs, and thanked the City staff and the Pasadena Humane Society for all their hard work on this important matter.

Councilmember Tornek, Councilmember Kennedy, and Vice Mayor Robinson expressed concerns regarding the proposed ordinance.

Following discussion, it was moved by Councilmember Madison, seconded by Councilmember McAustin, to approve items 1 thru 3 of the staff recommendation:

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

NOES: None

ABSENT: None

ORDINANCE – FIRST READING

Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA ADDING CHAPTER 6.09 TO TITLE 6 OF THE PASADENA MUNICIPAL CODE REQUIRING ALL DOGS AND CATS WITHIN THE CITY TO BE SPAYED OR NEUTERED”

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

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

NOES: Councilmembers Kennedy, Tornek, Vice Mayor Robinson

ABSENT: None

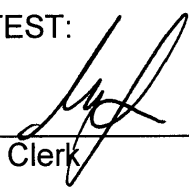
ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 11:16 p.m., in memory of Charles "Buddy" Bereal, a community activist, former Pasadena Branch President of the National Association for the Advancement of Colored People (NAACP), and mentor to youth in the Pasadena area; and Elias Huerta Galvan, former Principal of John Muir High School, Assistant Superintendent of the Norwalk-La Mirada Unified School District, and member of the Pasadena Commission on Human Need and Opportunity, where he was instrumental in establishing a program that assisted students with limited English language skills.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk