

CITY OF PASADENA
City Council Minutes
December 14, 2015 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Tornek called the regular meeting to order at 5:33 p.m.
(Absent: Councilmember Kennedy)

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

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

Agency Designated Representatives: Jennifer Curtis and Michael J. Beck

Employee Organization: Service Employees International Union, Local 721 (SEIU)

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

Agency Designated Representatives: Jennifer Curtis and Michael J. Beck

Employee Organization: Non-Represented Executive Management

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

Agency Designated Representatives: Jennifer Curtis and Michael J. Beck

Employee Organization: Pasadena Management Association (PMA)

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2) (one potential case)

CITY COUNCIL CONFERENCE REGARDING PUBLIC EMPLOYMENT pursuant to Government Code Section 54957

Position Title: City Manager

City Representative: Terry Tornek

**CITYCOUNCIL CONFERENCE REGARDING PUBLIC
EMPLOYEE PERFORMANCE EVALUATION pursuant to
Government Code Section 54957**

**Position Title and Unrepresented Employee: City
Attorney/City Prosecutor**

City Representative: Terry Tornek

**CITYCOUNCIL CONFERENCE REGARDING PUBLIC
EMPLOYEE PERFORMANCE EVALUATION pursuant to
Government Code Section 54957**

**Position Title and Unrepresented Employee: City Clerk
City Representative: Terry Tornek**

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

**CITY COUNCIL CONFERENCE WITH REAL PROPERTY
NEGOTIATORS**

pursuant to Government Code Section 54956.8

**Property Locations: 3160 East Del Mar Boulevard,
Pasadena**

Agency Negotiators: Michael J. Beck and Steve Mermell

Negotiating Party(ies): Margaret B. Martinez

Under Negotiation: Price and terms of payment

The above closed session item was not discussed.

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

**Agency Designated Representatives: Jennifer Curtis and
Michael J. Beck**

**Employee Organization: Laborers' International Union of
North America, Local 777 (LIUNA)**

The above closed session item was discussed following the conclusion of the regular meeting (see below).

On order of the Mayor, the regular meeting reconvened at 6:41 p.m. The pledge of allegiance was led by Vice Mayor Masuda.

ROLL CALL:

Councilmembers:

Mayor Terry Tornek

Vice Mayor Gene Masuda

Councilmember Victor Gordo

Councilmember Tyron Hampton

Councilmember John J. Kennedy (Absent)

Councilmember Steve Madison

Councilmember Margaret McAustin

Councilmember Andy Wilson

Staff:

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

CEREMONIAL MATTERS

The City Clerk administered the oath of office to Alison Everett as Accessibility and Disability Commissioner.

Jennifer Curtis, Director of Human Resources, Fred Dock, Director of Transportation, and Julie Gutierrez, Interim Director of Public Works/Assistant City Manager, introduced the following City employees and presented commendations for 35 years of dedicated service to Pasadena:

35 Years of Service

John Bertsche, Transportation Department
Clyde Scoby, Public Works Department
Donald Bradley, Water and Power Department
(not present)
David Jones, Water and Power Department (not present)
Mark Lang, Police Department (not present)
David Ledyard, Public Works Department (not present)

Michael Beck, City Manager, introduced and welcomed the new Director of Public Works, Ara Maloyan, and provided a brief description on Mr. Maloyan's professional background.

CONSENT CALENDAR

CONTRACT AWARD TO TERMINIX INTERNATIONAL COMPANY LIMITED PARTNERSHIP FOR PEST CONTROL SERVICES FOR A NOT-TO-EXCEED AMOUNT OF \$105,725

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) Accept the bid dated October 6, 2015, submitted by Terminix International Company Limited Partnership (Terminix) to provide pest control services for City facilities; and
- (3) Authorize the City Manager to enter into a contract with Terminix in a not-to-exceed amount of \$105,725 over a three-year period for pest control services. (Contract No. 30430)

Item discussed separately

CONTRACT AWARD TO RECON ENVIRONMENTAL, INC., FOR LOWER ARROYO HABITAT RESTORATION FOR AN AMOUNT NOT-TO-EXCEED \$110,000

RESCISSION OF CONTRACT AWARD TO HHS CONSTRUCTION, INC., FOR FIBER OPTIC SPLICING, TESTING, AND EMERGENCY TROUBLESHOOTING

Recommendation:

(1) Find that the proposed action (detailed in the agenda report) is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines, Section 15061(B)(3), General Rule; and

(2) Rescind the City Council's November 2, 2015 action authorizing award of a contract to HHS Construction, Inc., for fiber optic splicing, testing, and emergency troubleshooting.

Item discussed separately

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER CONTRACT WITH TEDRAS GLOBAL SOLUTIONS, LLC, TO PROVIDE PROJECT MANAGEMENT SERVICES FOR THE ENTERPRISE LAND MANAGEMENT SYSTEM PROJECT

Item discussed separately

CONTRACT AWARD TO VART CONSTRUCTION, INC., FOR MISCELLANEOUS CONCRETE REPAIR – 2016 PHASE II, FOR AN AMOUNT NOT-TO-EXCEED \$355,000

RESOLUTION AUTHORIZING SUBMITTAL OF AN APPLICATION TO THE LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT FOR CITIES EXCESS FUNDING FROM THE PARK BOND ACT OF 1992 AND 1996 (PROPOSITION A) IN THE AMOUNT OF \$500,000 FOR THE DESIDERIO PARK PROJECT

Recommendation:

(1) Find that the authorization to apply for grants is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3); and

(2) Adopt a resolution authorizing submittal of an application to the Los Angeles County Regional Park and Open Space District for Fifth Supervisorial District funding from the Park Bond Act of 1992 and 1996 (Proposition A) in the amount of \$500,000 for the Desiderio Park Project. (Resolution No. 9472)

AUTHORIZATION TO ENTER INTO MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF PASADENA AND 18 PUBLIC AGENCIES REGARDING DEVELOPMENT OF COORDINATED INTEGRATED MONITORING PROGRAM FOR UPPER LOS ANGELES RIVER WATERSHED AND AUTHORIZATION TO ENTER INTO MEMORANDUM OF UNDERSTANDING BETWEEN CITY OF PASADENA AND 11 PUBLIC AGENCIES REGARDING THE ADMINISTRATION AND COST SHARING FOR LOAD REDUCTION STRATEGY FOR THE RIO HONDO RIVER WATERSHED

Recommendation:

(1) Find the memorandum proposed in the agenda report to be exempt under the California Environmental Quality Act (CEQA) in accordance with Title 14, Chapter 3, Class 8, Section 15308, actions taken by regulatory agencies to assure the maintenance, restoration, enhancement, or protection of the environment;

(2) Authorize the City Manager to execute a Memorandum of Agreement (MOA) between the City of Pasadena and 18 public agencies regarding the development of the Coordinated Integrated Monitoring Program (CIMP) for the Upper Los Angeles River; and

(3) Authorize the City Manager to execute a Memorandum of Understanding (MOU) between the City of Pasadena and 11 public agencies regarding the administration and cost sharing for a Load Reduction Strategy (LRS) for the Rio Hondo River Watershed. (Contract Nos. 30433 and 30460)

AUTHORIZE ISSUANCE OF A PURCHASE ORDER TO ALTEC INDUSTRIES, INC., FOR THE PURCHASE OF ONE REPLACEMENT ARTICULATING TELESCOPIC 35-FOOT AERIAL DEVICE IN AN AMOUNT NOT-TO-EXCEED \$92,700

Recommendation:

(1) Find that the proposed 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 an exemption for this contract pursuant to Pasadena Municipal Code (PMC) 4.08.049(B) where the best interests of the City are served by a direct award of a contract without a competitive selection process. This contract is exempt from competitive bidding pursuant to the City Charter 1002(H), contracts with other governmental entities or their contractors for labor, material, supplies, or services; and

(3) Authorize the issuance of a purchase order to Altec Industries, Inc., (Altec) in an amount not-to-exceed \$92,700, for the purchase of one replacement articulating telescopic 35-foot aerial device mounted on a Ford truck with a service body.

FINANCE COMMITTEE: QUARTERLY INVESTMENT REPORT, QUARTER ENDING SEPTEMBER 30, 2015

Recommendation: This report is for information only.

FINANCE COMMITTEE: APPROVAL OF ANNUAL ADJUSTMENTS TO THE FISCAL YEAR 2016 SCHEDULE OF TAXES, FEES, AND CHARGES RELATED TO NEW YEAR'S DAY AND THE ROSE BOWL

Recommendation:

(1) Approve the scheduled rate increases effective February 1, 2016 for the Grandstand Permit Application, the Rose Bowl Admission Tax, and the New Year's Day Related Business Grandstand Seat Surcharge as set forth in the body of the agenda report; and

(2) Find that the proposed rate increases are exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines, Section 15061(b)(3).

Item discussed separately

FINANCE COMMITTEE: EXTENSION OF AGREEMENT NO. 18,934 WITH MODERN PARKING, INC., FOR THE MANAGEMENT OF THE HOLLY STREET, DEL MAR, PASEO SUBTERRANEAN, LOS ROBLES, AND MARENGO GARAGES

Item discussed separately

FINANCE COMMITTEE: EXTENSION OF AGREEMENT NO. 18,398 WITH THE OLD PASADENA MANAGEMENT DISTRICT FOR THE MANAGEMENT OF THE SCHOOLHOUSE, DE LACEY, AND MARRIOTT GARAGES

Item discussed separately

FINANCE COMMITTEE: AMENDMENT TO CONTRACT NO. 30116 WITH SCOTT FAZEKAS AND ASSOCIATES AND CONTRACT NO. 30144 WITH CSG CONSULTING, TO INCREASE THE TOTAL NOT-TO-EXCEED AMOUNT FOR EACH CONTRACT BY \$900,000 FROM \$1,350,000 TO \$2,250,000 FOR BUILDING AND FIRE PLAN REVIEW SERVICES

FINANCE COMMITTEE: AMEND FISCAL YEAR 2016 OPERATING BUDGET TO ADD 4.0 FULL-TIME EQUIVALENT (FTE) POSITIONS TO THE DEPARTMENT OF FINANCE

Recommendation:

- (1) Find that the proposed 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; and
- (2) Amend the FY 2016 Operating Budget to add 4.0 FTE's and \$130,000 from the Unappropriated General Fund balance for the new positions in the Department of Finance. (Budget Amendment No. 2016-16)

APPROVAL OF NON-REPRESENTED EXECUTIVE MANAGEMENT SALARY RESOLUTION

Recommendation:

- (1) Find that the proposed 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; and
- (2) Approve the Non-Represented Executive Management Salary Resolution. (Resolution No. 9473)

FINANCE COMMITTEE: AMENDMENTS TO FISCAL YEAR 2016 OPERATING ADOPTED BUDGET

Recommendation: It is recommended that the City Council amend the Fiscal Year (FY) 2016 Adopted Budget as detailed in the Proposed Budget Amendments section of the agenda report. (Budget Amendment No. 2016-17)

FINANCE COMMITTEE: APPROVE A JOURNAL VOUCHER AMENDING PROJECTS IN THE FISCAL YEAR 2016 CAPITAL IMPROVEMENT PROGRAM BUDGET AND INCREASE THE CONTRACT AMOUNT WITH HARDY AND HARPER BY \$50,000

Recommendation:

- (1) Find that the proposed actions are not "projects" as defined in the California Environmental Quality Act (CEQA), Public Resources Code Section 21065 and Section 15378(b)(4) and (5) of the State CEQA Guidelines and, as such, are not subject to environmental review;
- (2) Approve a journal voucher with a net increase of \$6,890,465 amending four projects in the Fiscal Year 2016 Capital Improvement Program Budget as detailed in the Fiscal Impact Section of the agenda report; and
- (3) Authorize the City Manager to amend Contract No. 22,117 with Hardy and Harper to increase the contract amount by \$50,000 for a new not-to-exceed amount of \$1,520,000 for additional work as part of the Preventive Maintenance – Asphalt Streets project. (Budget Amendment No. 2016-18; Contract No. 22,117-1)

MINUTES APPROVED

October 26, 2015

CLAIMS RECEIVED AND FILED

Claim No. 12,539	Chantal Roshetar	\$ Not stated
Claim No. 12,540	Sarkis Hovsepyan	25,000.00+
Claim No. 12,541	Maria Elia Cabuto	275.00
Claim No. 12,542	Rhonda Bevan	500.00

It was moved by Councilmember Gordo, seconded by Vice Mayor Masuda, to approve all items on the Consent Calendar, with the exception of Item 2 (Contract Award to Recon Environmental, Inc.), Item 4 (Authorization to Enter into a Purchase Order Contract with Tedras Global Solutions, LLC), Item 5 (Contract Award to Vart Construction, Inc.), Item 11 (Extension of Agreement No. 18,934 with Modern Parking, Inc.), Item 12 (Extension of Agreement No. 18,398 with the Old Pasadena Management District), and Item 13 (Amendment to Contract No. 30116 with Scott Fazekas and Associates and Contract No. 30144 with CSG Consulting) which were discussed separately. (Motion unanimously carried) (Absent: Councilmember Kennedy)

CONSENT ITEMS DISCUSSED SEPARATELY

CONTRACT AWARD TO RECON ENVIRONMENTAL, INC., FOR LOWER ARROYO HABITAT RESTORATION FOR AN AMOUNT NOT-TO-EXCEED \$110,000

Recommendation:

- (1) Find the project proposed in the agenda report to be categorically exempt under the California Environmental Quality Act (CEQA) in accordance with State CEQA Guidelines, Title

14, Chapter 3, Class 2, Section 15304, minor alterations to land, and Section 15333, small habitat restoration projects;

(2) Find the portion of the project consisting of installation of a natural barrier on the west side of the channel, to separate archery from other park uses, is also within the scope of the City's February 2, 2015 approval for the Lower Arroyo Archery Range, and that there are no changes to the project or to the circumstances under which it is undertaken, or new information that would warrant the need for evaluation under CEQA; and

(3) Accept the bid dated November 17, 2015, submitted by RECON Environmental, Inc., in response to the Project Specifications for Lower Arroyo Habitat Restoration, and authorize the City Manager to enter into such contract as is required for an amount not-to-exceed \$110,000. (Contract No. 30442)

The following persons expressed concerns regarding the proposed action:

Mitchell Tsai, Stewards of Public Land, submitted written material

Ann Scheid, Stewards of Public Land

Loren Pluth, Department of Public Works Project Manager, introduced the agenda item and reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

Following discussion, it was moved by Councilmember Gordo, seconded by Councilmember McAustin, to approve the staff recommendation. (Motion carried with Councilmember Madison objecting.) (Absent: Councilmember Kennedy)

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER CONTRACT WITH TEDRAS GLOBAL SOLUTIONS, LLC, TO PROVIDE PROJECT MANAGEMENT SERVICES FOR THE ENTERPRISE LAND MANAGEMENT SYSTEM PROJECT

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);

(2) Authorize the City Manager to enter into a purchase order contract with Tedras Global Solutions, LLC, to provide project management services for the enterprise Land Management System (LMS) project in an amount not-to-exceed \$150,000 for a one-year period commencing the date the contract is fully executed with two optional one-year extensions for an amount not-to-exceed of \$150,000 each, subject to approval by the City Manager without further Council consideration. Competitive bidding is not required pursuant to City Charter Article X Section 1002(F), contracts for professional or unique services; and

(3) Grant the proposed contract an exemption from the competitive selection process pursuant to Pasadena Municipal Code (PMC) Section 4.08.049(B), contracts for which the City's best interests are served.

Following discussion, it was moved by Councilmember McAustin, seconded by Councilmember Gordo, to approve the staff recommendation. (Motion unanimously carried) (Absent: Councilmember Kennedy)

CONTRACT AWARD TO VART CONSTRUCTION, INC., FOR MISCELLANEOUS CONCRETE REPAIR – 2016 PHASE II, FOR AN AMOUNT NOT-TO-EXCEED \$355,000

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 December 2, 2015, submitted by Vart Construction, Inc., in response to the Project Specifications for Miscellaneous Concrete Repair – 2016 Phase II, and authorize the City Manager to enter into such contract as is required for an amount not-to-exceed \$355,000. (Contract No. 30441)

In response to Councilmember Hampton's concerns, Julie Gutierrez, Assistant City Manager, stated that staff will include a notification to the City Council on bidding opportunities on large contracts in the City Manager's Weekly newsletter.

Following additional discussion, it was moved by Councilmember Gordo, seconded by Councilmember McAustin, to approve the staff recommendation. (Motion unanimously carried) (Absent: Councilmember Kennedy)

FINANCE COMMITTEE: EXTENSION OF AGREEMENT NO. 18,934 WITH MODERN PARKING, INC., FOR THE MANAGEMENT OF THE HOLLY STREET, DEL MAR, PASEO SUBTERRANEAN, LOS ROBLES, AND MARENGO GARAGES

Recommendation:

(1) Authorize the City Manager to extend Contract No. 18,934 with Modern Parking, Inc. (MPI), for the management of the Holly Street, Del Mar, Paseo Subterranean, Los Robles, and Marengo garages through no later than December 31, 2016;

(2) Find that the extension of Contract No. 18,934 with MPI is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines, Section 15061(b)(3); and

(3) To the extent this transaction could be considered a separate procurement subject to competitive selection, grant the proposed contract with MPI an exemption from the Competitive Selection process set forth in the Competitive Bidding and Purchasing Ordinance pursuant to Pasadena Municipal Code (PMC) Section 4.08.049(B), contracts for which the City's best interests are served. (Contract No. 18,934-9)

In response to Councilmember Wilson's concerns, Michael Beck, City Manager and Fred Dock, Director of Transportation Department, explained in detail the complicated issues surrounding management of the City's parking garages, but noted that it is anticipated the all issues will be resolved in the upcoming 2016 calendar year, at which time, staff will proceed with a formal bid process for management services of the parking garages.

Following discussion, it was moved by Councilmember Gordo, seconded by Councilmember Wilson, to approve the staff recommendation. (Motion unanimously carried) (Absent: Councilmember Kennedy)

FINANCE COMMITTEE: EXTENSION OF AGREEMENT NO. 18,398 WITH THE OLD PASADENA MANAGEMENT DISTRICT FOR THE MANAGEMENT OF THE SCHOOLHOUSE, DE LACEY, AND MARRIOTT GARAGES

Recommendation:

(1) Authorize the City Manager to extend Contract No. 18,398 for one year with the Old Pasadena Management District for the management of the Schoolhouse, De Lacey, and Marriott parking garages to December 31, 2016;

(2) Appropriate an additional \$100,000 in FY 2016 operating budget for garage management from the available unappropriated fund balance in Fund 407 – Off-Street Parking Facilities to Accounts Nos. 40724023-811400 (\$58,000 for School House), 40724024-811400 (\$33,000 for De Lacey), and 40724025-811400 (\$9,000 for Marriott), for a total revised garage management budget of \$2,433,800;

(3) Find that a contract with the Old Pasadena Management District for garage management is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines, Section 15301(Existing Facilities); and

(4) Find that competitive bidding is not required pursuant to City Charter Section 1002(F), Contracts for Professional or Unique Services. Grant the proposed contract an exemption from the Competitive Selection process of the Competitive Bidding and Purchasing Ordinance pursuant to Pasadena Municipal Code (PMC) Section 4.08.049(B), contracts for which the City's best interests are served. (Contract No. 18,398-3; Budget Amendment No. 2016-14)

Following discussion, it was moved by Councilmember Gordo, seconded by Councilmember Wilson, to approve the staff recommendation. (Motion unanimously carried) (Absent: Councilmember Kennedy)

FINANCE COMMITTEE: AMENDMENT TO CONTRACT NO. 30116 WITH SCOTT FAZEKAS AND ASSOCIATES AND CONTRACT NO. 30144 WITH CSG CONSULTING, TO INCREASE THE TOTAL NOT-TO-EXCEED AMOUNT FOR EACH CONTRACT BY \$900,000 FROM \$1,350,000 TO \$2,250,000 FOR BUILDING AND FIRE PLAN REVIEW SERVICES

Recommendation:

- (1) Find that the proposed action is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3), the general rule that CEQA only applies to projects that may have an effect on the environment;
- (2) Authorize the City Manager to amend Contract No. 30116 with Scott Fazekas and Associates by increasing the contract amount by \$900,000 thereby increasing the not-to-exceed amount from \$1,350,000 to \$2,250,000 for continued plan review services;
- (3) Authorize the City Manager to amend Contract No. 30144 with CSG Consulting by increasing the contract amount by \$900,000 thereby increasing the not-to-exceed amount from \$1,350,000 to \$2,250,000 for continued plan review services;
- (4) Appropriate \$300,000 from the Building Services Fund to the FY 2016 Planning and Community Development Operating Budget, Account No. 20421011-811500 for expenses related to building plan review services;
- (5) Appropriate \$300,000 from the Building Services Fund to the FY 2016 Fire Department Operating Budget, Account No. 20431005-811500 for expenses related to fire plan review services; and
- (6) Authorize the City Manager to extend either or both contracts for up to two additional one-year periods for a not-to-exceed amount of \$750,000, per consultant, per year, provided all terms and conditions remain unchanged. (Contract Nos. 30116-1 and 30144-1; Budget Amendment No. 2016-15)

The Mayor summarized the proposed action recommended by staff, and Vince Bertoni, Director of Planning and Community Development, responded to questions.

Councilmember Madison stated his preference for utilizing/hiring City staff for Plan Check Services as opposed to contracting work with Orange County firms given the costs associated with the contracts.

In response, Mr. Bertoni provided information on the challenges that the Department faces in terms of securing individuals for these highly specialized services and positions, as well as the ebb and flow of the work associated with development in the City but stated that staff will continue to monitor pending workload and to support a balance between contracting and hiring City staff.

Following discussion, it was moved by Councilmember McAustin, seconded by Councilmember Hampton, to approve the staff recommendation. (Motion unanimously carried) (Absent: Councilmember Kennedy)

REPORTS AND COMMENTS FROM COUNCIL COMMITTEES

FINANCE COMMITTEE

TRANSFER OF THE NON-ELDERLY DISABLED CATEGORY 2 VOUCHER PROGRAM TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Recommendation: It is recommended that the City of Pasadena as Successor Agency to the Pasadena Community Development Commission (the "City") take the following actions: (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) Approve a journal voucher amending the Fiscal Year (FY) 2016 Operating Budget of the Housing and Career Services Department by removing Non-Elderly Disabled Category 2 Voucher program ("NED 2") revenues and expenditures (Account No. 8105-220-684215-50129), resulting in a reduction in the Department's budget in the amount of \$331,608; (3) Approve the transfer of the NED 2 program to the U.S. Department of Housing and Urban Development ("HUD"); and (4) Authorize the City Manager to execute and the City Clerk to attest any and all documents to implement the transfer of the NED 2 program to HUD. (Budget Amendment No. 2016-19)

Mayor Tornek, Chair of the Finance Committee, briefly summarized the proposed action.

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

MUNICIPAL SERVICES COMMITTEE

RECOMMENDATION TO SET THE DATE OF JANUARY 25, 2016, AT 7:00 P.M., TO CONDUCT A PUBLIC HEARING TO TEMPORARILY IMPLEMENT A LEVEL 4 WATER SUPPLY SHORTAGE PLAN PURSUANT TO CHAPTER 13.10 OF THE PASADENA MUNICIPAL CODE

Recommendation:

(1) Find that the determination of a water supply shortage and implementation of recommended Water Supply Shortage Plans and additional water conservation measures pursuant to Pasadena Municipal Code ("PMC") Chapter 13.10 are categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines, Section 15307 (Actions by Regulatory Agencies for Protection of Natural Resources);

(2) Set the date of January 25, 2016, at 7:00 p.m., for a public hearing to determine that:

a. The planned shutdown of imported water supplies from the Metropolitan Water District of Southern California ("MWD") scheduled for February 29, 2016 through approximately March 9, 2016 constitutes a water supply shortage emergency condition pursuant to PMC 13.10.035;

b. The temporary implementation of the Level 4 Water Supply Shortage Plan (PMC 13.10.052) water conservation measures commencing February 25, 2016 through the actual date that imported water supplies from MWD are restored is appropriate to address the water supply shortage emergency;

c. The additional water conservation measures adopted by the City Council on June 1, 2015 shall remain in effect; and

d. The current Level 2 Water Supply Shortage water conservation measures shall resume upon termination of the temporary Level 4 Water Supply Shortage Plan measures.

Councilmember Gordo left the meeting at 7:54 p.m.

Eric Klinkner, Interim General Manager of Water and Power, introduced the agenda item, and Gary Takara, Principal Engineer, reviewed the agenda report as part of a PowerPoint presentation.

It was moved by Councilmember McAustin, seconded by Vice Mayor Masuda, to approve the staff recommendation, setting the public hearing for January 25, 2016 at 7:00 p.m. (Motion unanimously carried) (Absent: Councilmembers Gordo and Kennedy)

ORDINANCE – FIRST READING

Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA, CALIFORNIA, ADDING CHAPTER 8.77 TO THE PASADENA MUNICIPAL CODE PROHIBITING COMMERCIAL MARIJUANA ACTIVITY"

The following persons spoke in opposition to the proposed ordinance:

- Heidi Sulzdorf, Pasadena resident, submitted written material
- Susan O'Leary, Los Angeles County resident

The Mayor noted that the City Council previously agreed to revisit the issue of medical marijuana during the 2016 calendar year, specifically as it relates to whether or not the City should modify the prohibition of local dispensaries.

In response to Councilmember Hampton, the City Attorney noted that her office and the City Manager will work together to ensure the matter is brought back to the City Council for review within a year.

Following discussion, the above ordinance was offered for first reading by Councilmember McAustin:

AYES: Councilmembers Hampton, Madison, McAustin, Wilson, Vice Mayor Masuda, Mayor Tornek
NOES: None
ABSENT: Councilmembers Gordo and Kennedy

ORDINANCE – ADOPTED

Adopt “AN ORDINANCE OF THE CITY OF PASADENA AMENDING THE WATER RATE ORDINANCE, CHAPTER 13.20 OF THE PASADENA MUNICIPAL CODE” (Introduced by Councilmember Robinson on July 9, 2012) (Ordinance No. 7271)

The above ordinance was adopted by the following vote:

AYES: Councilmembers Hampton, Madison, McAustin, Wilson, Vice Mayor Masuda, Mayor Tornek
NOES: None
ABSENT: Councilmembers Gordo and Kennedy

COUNCIL COMMENTS

Councilmember McAustin reported on the Municipal Services Committee’s recent discussions on the issue regarding a local ban on polystyrene, with the Committee directing staff to conduct additional outreach to local businesses regarding the impact of the proposed polystyrene ban, as well as the potential increase to minimum wage.

Vice Mayor Masuda briefly reported on his recent District 4 community meeting held on November 19, 2015, thanked the City Manager for his participation, and highlighted several topics discussed.

Councilmember Wilson, on behalf of Councilmember Gordo, reported on a meeting of the Economic Development and Technology Committee regarding the potential establishment of a \$15 local minimum wage, noted that staff was asked to perform specific work/research on the matter, and to report back to the Committee with their findings, with the issue to come forward to the full City Council soon thereafter.

The Mayor reported that he recently attended a seminar in Boston, MA for new Mayors hosted by Harvard University and the United States Conference of Mayors, and will share some information learned, including best practices.

**CLOSED SESSION
(CONTINUED)**

On order of the Mayor, the regular meeting of the City Council recessed at 8:12 p.m. to discuss the closed session item listed below:

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

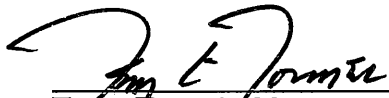
Agency Designated Representatives: Jennifer Curtis and Michael J. Beck

Employee Organization: Laborers' International Union of North America, Local 777 (LIUNA)

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

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 8:22 p.m.



Terry Tornek, Mayor
City of Pasadena

ATTEST:



City Clerk