

CITY OF PASADENA
City Council Minutes
July 27, 2015 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Tornek called the regular meeting to order at 5:42 p.m.
(Absent: Councilmember Gordo)

On the order of the Mayor, the regular meeting recessed at 5:42 p.m. to discuss the following closed sessions:

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

Agency Designated Representatives: Kristi Recchia and Michael J. Beck

Employee Organization: Association of Clerical and Technical Employees/Laborer's International Union of North America (PACTE/LIUNA)

Councilmember Gordo arrived at 5:53 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: Service Employees International Union (SEIU)

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

Agency Designated Representatives: Kristi Recchia and Michael J. Beck

Employee Organization: Non-Represented Executive Management, and Non-Represented Non-Management

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

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

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

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 7:01 p.m. The pledge of allegiance was led by Councilmember McAustin.

ROLL CALL:

Councilmembers:

Mayor Terry Tornek
Vice Mayor Gene Masuda
Councilmember Victor Gordo
Councilmember Tyron Hampton
Councilmember John J. Kennedy
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 Edgar Gutierrez as Recreation and Parks Commissioner.

**PUBLIC COMMENT ON
MATTERS NOT ON THE
AGENDA**

Christina Griffin, Los Angeles resident, spoke on behalf of Unite Here, Local 11, and advocated for a labor peace agreement for the YWCA rehabilitation project.

Reverend Samuel Pullen, Pasadena resident, spoke in support of a labor peace agreement for the YWCA rehabilitation project, advocated for workers' rights to organize, and requested the City require local hiring practices for the YWCA project.

Laila Goring, Community Outreach Manager for the AIDS Healthcare Foundation, spoke on behalf of HIV positive patients, requested that the HIV/AIDS Clinic in Pasadena remain open, and offered to assist in finding funding solutions.

Miki Jackson, AIDS Healthcare Foundation, spoke in support of the Pasadena HIV/AIDS Clinic in Pasadena and offered the support of AIDS Healthcare Foundation to continue care in Pasadena for HIV/AIDS patients.

In response to the speaker comments regarding the Pasadena HIV/AIDS Clinic closure, Councilmember Gordo stated that the City was in the process of working with Los Angeles County to secure a Federally Qualified Healthcare Center (FQHC) provider to run the Clinic (replacing the City), ensuring that the services would remain in the City and at that location.

CONSENT CALENDAR

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER CONTRACT WITH THE CITY OF GLENDALE FOR COSTS ASSOCIATED WITH LIFECYCLE UPDATES TO THE CITY'S RADIO COMMUNICATIONS SYSTEM

Recommendation:

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

(2) Find that the proposed contract is exempt from competitive bidding and selection requirement pursuant to City Charter Section 1002(h), and Pasadena Municipal Code Section 4.08.049(A)(3), contracts with other governmental entities; and

(3) Authorize the issuance of a purchase order contract with the City of Glendale for costs associated with lifecycle updates to the City's radio communications system in an amount not-to-exceed \$170,331.

AMENDMENT TO PURCHASE ORDER NO. 1160192 WITH ENVIRONMENTAL SCIENCE ASSOCIATES (ESA), TO INCREASE THE TOTAL NOT-TO-EXCEED AMOUNT BY \$25,670, FROM \$70,935 TO \$96,605 FOR THE PREPARATION OF ENVIRONMENTAL DOCUMENTS FOR A PROPOSED PROJECT AT 277 NORTH EL MOLINO AVENUE

Recommendation:

(1) Authorize the City Manager to amend Purchase Order No. 1160192 with Environmental Science Associates (ESA) by increasing the total not-to-exceed amount by \$25,670, from \$70,935 to \$96,605 for continued preparation of environmental documents related to a proposed project at 277 North El Molino Avenue;

(2) To the extent this transaction could be considered a separate procurement subject to competitive selection, grant the proposed purchase order with ESA an exemption from the Competitive Selection process set forth in the Competitive Bidding and Purchasing Ordinance pursuant to Pasadena Municipal Code Section 4.08.049(B), purchase order for which the City's best interests are served; and

(3) Find that the amendment to the purchase order with ESA is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3), General Rule.

PURCHASE ORDER CONTRACT AWARD TO I COLOR PRINTING & MAILING, INC., TO FURNISH PRINTING SERVICES NOT-TO-EXCEED \$181,998

Recommendation:

(1) Find that the proposed action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines in accordance with Title 14, Chapter 3, Class 1, Section 15301; and

(2) Accept the bid dated November 18, 2014, submitted by I Color Printing & Mailing, Inc., in response to the notice to furnish labor and materials for Printing Services, and authorize

the City Manager to issue a purchase order contract to I Color Printing & Mailing, Inc., in an amount not-to-exceed \$181,998 for a one-year term, renewable at the discretion of the City Manager for an additional year, also not-to-exceed an annual amount of \$181,998.

ESTABLISHMENT OF A RESIDENTIAL PREFERENTIAL PERMIT PARKING PROGRAM IN THE WEST DEL MAR BOULEVARD NEIGHBORHOOD (DISTRICT "M") WITHIN WHICH PREFERENTIAL PARKING PRIVILEGES WOULD BE GRANTED TO RESIDENTS IN THE NEIGHBORHOOD

Recommendation:

- (1) Find that the proposed action is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15301, Existing Facilities; and
- (2) Adopt a resolution establishing a new residential preferential permit parking district along the south side of West Del Mar Boulevard between South Orange Grove Boulevard and South St. John Avenue. (Resolution No. 9447)

FINANCE COMMITTEE: RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE PURCHASE AGREEMENT FOR PARKING METER EQUIPMENT, A LEASE SCHEDULE, A LEASE SCHEDULE ADDENDUM REGARDING SELF INSURANCE, SCHEDULE A-1, A PREPAYMENT SCHEDULE ADDENDUM, A CERTIFICATE OF INCUMBENCY, A PROCEEDS DISBURSEMENT AUTHORIZATION AND RELATED INSTRUMENTS AND OTHER DOCUMENTS IN CONNECTION THEREWITH

Recommendation: It is recommended that the City Council adopt a resolution:

- (1) Authorizing a Lease Purchasing Agreement for Parking Meter Equipment in an amount not-to-exceed \$112,924 with JP Morgan/Chase;
- (2) Authorizing the execution and delivery of a Lease Purchase Agreement, a Lease Schedule, a Lease Schedule Addendum regarding Self-Insurance, Schedule A-1, a Prepayment Schedule Addendum, a Certificate of Incumbency, a Proceeds Disbursement Authorization, and Agency Agreement, an Arbitrage Certificate, and other documents in connection thereto;
- (3) Authorizing the City Manager or the Director of Finance to execute the documents on behalf of the City; and
- (4) Find that the proposed actions are exempt from review pursuant to the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(3). (Resolution No. 9447)

FINANCE COMMITTEE: JOINT ACTION: 2015-2016 INVESTMENT POLICY

Recommendation: It is recommended that the City Council and the Successor Agency to the Pasadena Community Development Commission:

- (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; and
- (2) Adopt the City Treasurer's Statement of Investment Policy and Investment Strategy for Fiscal Year 2015-2016.

Item discussed separately

FINANCE COMMITTEE: AUTHORIZATION TO ENTER INTO A CONTRACT WITH INTER-CON SECURITY, INC., FOR CITYWIDE PARKING ENFORCEMENT SERVICES IN AN AMOUNT NOT-TO-EXCEED \$2,902,366 FOR THE INITIAL THREE-YEAR TERM

APPOINTMENT OF GENE MASUDA AS CITY OF PASADENA NON-VOTING REPRESENTATIVE TO THE METRO GOLD LINE FOOTHILL EXTENSION CONSTRUCTION AUTHORITY SERVING AT THE PLEASURE OF THE CITY COUNCIL FOR A TERM OF FOUR YEARS, COMMENCING AUGUST 1, 2015
(Mayor Nomination)

APPOINTMENT OF ROBIN ALLEN TO THE SENIOR COMMISSION (District 2 Nomination)

APPOINTMENT OF CARRIE CHASTEEN-ELFARRA TO THE HISTORIC PRESERVATION COMMISSION EFFECTIVE AUGUST 7, 2015 (Mayor Nomination/District 1)

REAPPOINTMENT OF RAPHY TIMOUR TO THE DEFERRED COMPENSATION OVERSIGHT COMMITTEE EFFECTIVE SEPTEMBER 1, 2015 (City Council Nomination)

REAPPOINTMENT OF TIFFANY OWENS TO THE ARTS AND CULTURE COMMISSION (Mayor Nomination)

MINUTES APPROVED

March 30, 2015
April 6, 2015

CLAIMS RECEIVED AND FILED

Claim No. 12,452	Jeffery S. Horton	\$	Not Stated
Claim No. 12,453	Geico Insurance as subrogee for Sunil Desilva		3,830.32
Claim No. 12,454	Sherena Alcaraz-Rua		669.90
Claim No. 12,455	Robert L. (Bob) Loza		225.00

Item discussed separately

PUBLIC HEARINGS SET

August 17, 2015, 7:00 p.m. – Zoning Code Amendment – Proposed Elimination of the Advisory 50% Design Review Step from the Design Review Process, and Preliminary Consultation Process Changes

August 24 2015, 7:00 p.m. – Adoption of the 2015 Annual City of Pasadena Self Certification Report in Conformance with the Congestion Management Program (CMP) for Los Angeles County and the 2015 Local Development Report in Accordance with Government Code Section 65089

It was moved by Councilmember Gordo, seconded by Councilmember Wilson, to approve all items on the Consent Calendar, with the exception of Item 8 (Authorization to Enter into a Contract with Inter-Con Security, Inc., for Citywide Parking Enforcement Services), and Item 15 (Claims Received and Filed), which were discussed separately. (Motion unanimously carried) (Absent: None)

**CONSENT ITEMS
DISCUSSED SEPARATELY**

FINANCE COMMITTEE: AUTHORIZATION TO ENTER INTO A CONTRACT WITH INTER-CON SECURITY, INC., FOR CITYWIDE PARKING ENFORCEMENT SERVICES IN AN AMOUNT NOT-TO-EXCEED \$2,902,366 FOR THE INITIAL THREE-YEAR TERM

Recommendation:

- (1) Find that the authorization to enter into a contract with Inter-Con Security, Inc., for citywide parking enforcement services 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 contract without competitive bidding pursuant to City Charter Section 1002(F), contracts for professional or unique services, with Inter-Con Security, Inc., for citywide parking enforcement services on designated streets, lots and parking structures in an amount not-to-exceed \$2,902,366 for the initial three-year term, with an estimated annual contract amount of \$967,455;
- (3) Appropriate an additional \$234,143 in Fiscal Year 2016, to be included in the existing Fiscal Year 2016 adopted budget of \$641,449 for parking enforcement services, from the available fund balance in Fund 101 Parking Enforcement to Account No. 10124006-811400; and
- (4) Authorize the City Manager to extend the contract for up to two additional one-year terms, without further City Council approval, provided any increases do not exceed the increase in the change in the Los Angeles-Riverside-Orange County consumers price index for the preceding 12-month period. (Contract No. 30099 and JE No. 627)

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

CLAIMS RECEIVED AND FILED	AND	Claim No. 12,452	Jeffery S. Horton	\$	Not Stated
		Claim No. 12,453	Geico Insurance as subrogee for Sunil Desilva		3,830.32
Councilmember Gordo was recused at 7:14 p.m.	was	Claim No. 12,454	Sherena Alcaraz-Rua		669.90
		Claim No. 12,455	Robert L. (Bob) Loza		225.00

It was moved by Councilmember Madison, seconded by Councilmember McAustin, to receive and file the above claims. (Motion unanimously carried) (Absent: Councilmember Gordo)

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

Councilmember Gordo returned at 7:15 p.m.

CONSIDERATION OF A FUTURE AGENDA ITEM REGARDING POTENTIAL CITY ACTION TO ESTABLISH A LOCAL MINIMUM WAGE FORMULA IN THE CITY OF PASADENA (Mayor Tornek)

Mayor Tornek introduced the item, provided an overview of the potential action to agendaize a future item on the topic of establishing a local minimum wage in Pasadena, and outlined his suggestion regarding a process to consider the issue on the merits should the request for a future agenda item be approved, with the item to be discussed and the related issues to be vetted by the Economic Development and Technology Committee (EDTech) prior to the full City Council's discussion and consideration.

Councilmember Gordo stated his support for a full discussion, as well as the Mayor's suggestion that the issue be initially discussed by EDTech, with the Committee to conduct public meetings and invite all stakeholders, for a comprehensive review and recommendation by the Committee, prior to the full City Council's consideration.

Councilmember Hampton stated his support for a community-based discussion (via a citizen panel) in addition to EDTech's full vetting of the issue prior to City Council consideration.

The following individuals spoke in support of the City Council's consideration of a local minimum wage:

- Peter Dreir, Pasadenans for Livable Wage, and provided written information
- Rabbi Jonathan Klein, Clergy & Laity United for Economic Justice (CLUE)

Pastor Kerwin Manning, Pasadena
Juliana Serrano, Pasadenans for Livable Wage/All Saints Church
Marge Nichols, Pasadena League of Women Voters
Gary Moody, National Association for the Advancement of Colored People (NAACP)
Elizabeth Pomeroy, Pasadena resident
Rabbi Marvin Gross, Pasadena resident
Janeth Herrera Bucio, Coalition for Humane Immigrant Rights of Los Angeles (CHIRLA)
Alice Stanford, Unite Here, Local 11
Sophia Cheng, Restaurant Opportunities Center
Kevin Litwin, L & R Group of Companies
Denise Robb, Ph.D., Throop Church

Councilmember McAustin requested that input from the business community be a point of emphasis (suggesting an independent discussion held by business districts, the Chamber of Commerce, and other businesses in the City to collect and provide comprehensive comments to EDTech) in order to facilitate an inclusive discussion regarding consideration and implementation of a local minimum wage policy.

In addition, the Mayor asked that EDTech consider the issues of wage theft, policy carve-outs for non-profits and small businesses, youth wages, trainee wages, and non-tipping for restaurant service workers (as suggested by Councilmember McAustin).

Councilmember Gordo stated that the Committee's initial meeting will focus on compiling a list of the various issues and impacts surrounding an increase to the minimum wage, with a calendar to be developed to plan and organize future single-purpose meetings dedicated to public comment and discussion (to be held in various locations in the City), so that those interested are able to clearly follow the process and participate whenever desired.

Councilmember Kennedy stated his support for establishing a local minimum wage of \$15 per hour (similar to actions taken by the City and County of Los Angeles) and urged the City Council to move forward expeditiously. He spoke in opposition to sending this matter to the EDTech Committee, and advocated instead for a community process, suggesting an independent citizen-based panel lead the discussion, including such stakeholders as local business interests, experts from educational institutions (e.g. Caltech and Pasadena City College), non-profit community representatives, and stakeholders that have been involved in this issue (CHIRLA and Clergy organizations).

Following discussion, on order of the Mayor, and by consensus of the City Council, the matter was referred to the Economic Development and Technology Committee (EDTech) as the central point of debate, with direction to EDTech to completely vet the issues related to increasing minimum wage in the City, with the Committee to conduct public meetings, solicit input from all stakeholders, and to provide a recommendation to the full City Council for consideration and action at a future meeting, and with the Mayor and City Manager to work together to identify a citizen panel that can study the issue and support the work of EDTech, allowing for a collaborative, holistic, and comprehensive discussion on establishing a local minimum wage formula for the City of Pasadena.

**REPORTS AND COMMENTS
FROM COUNCIL
COMMITTEES**

AUTHORIZATION TO ENTER INTO A CONTRACT WITH TYLER TECHNOLOGIES, INC., TO FURNISH AND DELIVER AN ENTERPRISE LAND MANAGEMENT SYSTEM

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 three-year contract with Tyler Technologies, Inc., to provide software, licenses, and implementation and support services for an enterprise Land Management System (LMS) in an amount not-to-exceed \$2,058,079, which includes the base contract amount and fifteen percent for contingencies. Competitive bidding is not required pursuant to City Charter Article X Section 1002(F), Contracts for professional and unique services;
- (3) Amend the Fiscal Year 2016 Capital Improvement Program (CIP) Budget to increase the total estimated cost for the LMS Project, 71152, by \$1,666,225 to \$4,866,225;
- (4) Approve a journal voucher appropriating \$539,687 to the LMS Project, 71152, from the Building Fund (204); and
- (5) Authorize the addition of five new limited-term full-time equivalent (FTE) positions to the Department of Information Technology FY2016 Operating Budget funded by the LMS Project, 71152 in the Project Management Fund (301), increasing the department total FTE count from 79.50 to 84.50, and authorize staff to make necessary adjustments to the budget. (Contract No. 30054 and Budget Amendment No. 2016-02)

Phillip Leclair, Director of Information Technology, and Vince Bertoni, Director of Planning and Community Development, introduced the agenda item, and Asim Mohammed, Information Technology Manager, reviewed the agenda report as part of a PowerPoint presentation.

In response to Councilmember Hampton, Mr. Bertoni stated that staff will engage in extensive outreach to ensure that the public is aware changes and enhancements at the Permit Center.

Following questions related to the procurement process, Councilmember Kennedy urged staff to utilize site-visits of similarly sized cities when evaluating products/vendor services, and to provide City Council with additional information and criteria, such as costs variances between products/vendor proposals, used during the evaluation period to determine the recommended product/vendor.

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

BRIEF REPORTS FROM REPRESENTATIVES/ REQUESTS FOR FUTURE AGENDA ITEMS

Councilmember Wilson provided information regarding meetings he attended with community members concerning Airbnb and upcoming discussions that will be brought forward to address issues and consider best practices for temporary rental properties in the City.

Councilmember Hampton requested that staff provide information as part of the agenda report on the bid amounts submitted by vendors for low bid and Request for Proposal projects.

CLOSED SESSION (CONT.)

On order of the Mayor, the regular meeting of the City Council recessed at 9:39 p.m. to discuss the closed session item listed below:

Councilmember Gordo was excused at 10:12 p.m., and left the meeting.

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2) (one potential case)**

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 10:45 p.m.

Terry Tornek, Mayor
City of Pasadena

ATTEST:

City Clerk