

CITY OF PASADENA
City Council Minutes
November 2, 2015 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Tornek called the regular meeting to order at 5:31 p.m.
(Absent: Councilmember Kennedy)

On the order of the Mayor, the regular meeting recessed at 5:31 p.m. to discuss the following closed sessions:

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

**Agency Designated Representatives: Michael J. Beck
Employee Organizations: Laborers' International Union of North America, Local 777 (LIUNA)**

The above closed session item was not discussed

Councilmember Kennedy arrived at 5:42 p.m.

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

**Agency Designated Representatives: Michael J. Beck
Employee Organizations: Service Employees International Union, Local 721 (SEIU)**

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

**Agency Designated Representatives: Michael J. Beck
Employee Organizations: American Federation of State, County and Municipal Employees, Local 858 (AFSCME)**

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 6:31 p.m. The pledge of allegiance was led by Councilmember Kennedy.

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 oaths of office to Ann Rector as Human Services Commissioner, Barbara Richardson King as Northwest Commissioner, and Howard Haberman as member of Pasadena Center Operating Company Board.

Bob Machuca, Senior Regional Manager of the Los Angeles County Economic Development Corporation (LAEDC), spoke on behalf of the Organization to honor Pasadena as a finalist for its "2015 Most Business Friendly City in Los Angeles County" award in the large city category (population of 67,000 and over), recognized the City for its leadership and commitment to economic development/business friendliness, and presented the City with a plaque. He also presented a certificate from Los Angeles County Supervisor Michael Antonovich on behalf of the Los Angeles County Board of Supervisor regarding the above-mention award.

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

Eugene Hutchins, Community Engagement and Institutional Giving Manager for MUSE/IQUE, thanked the City Council for its support of ArtNight and other cultural affairs events/programs in the City.

Sandy Greenstein, Board President of the Pasadena Senior Center, and Raul Martinez, Deputy Director, provided information on the Pasadena Senior Center's 55th Year Anniversary, noted an increase in the senior population, highlighted the activities available to seniors at various locations in the City, and submitted written material.

Sam De Sylva, President of the Pasadena Police Officers Association, spoke on retention issues involving Pasadena police officers, thanked the Police Chief, City Manager, and City Council for their support, and commented on the use of body cameras.

Vice Mayor Masuda and Councilmember Madison expressed gratitude to the Pasadena Police Officers for their work.

Meena Pennington, Pasadena Neighborhood Coalition (PNC), expressed concerns regarding the anticipated El Nino and the City's preparedness for such an event, requested that a public presentation be made to the City Council regarding the City's emergency plan on the matter, and submitted written material.

In response to Ms. Pennington, Councilmembers Gordo, Hampton, and Kennedy agreed on the need to disseminate more information to the community, asked that a televised workshop on the City's preparedness efforts for an El Nino be agendized for a future date, including information on the potential impacts to the City's urban forest.

Councilmember Madison announced that he will be holding a community forum at the Pasadena Convention Center on December 1, 2015, regarding El Nino preparedness.

Councilmember Kennedy suggested that a comprehensive discussion on the City plans be agendized at the Public Safety Committee, and that there be forum that includes experts from CalTech and the Federal Government.

Brad MacNeil, Pasadena Museum of History, and Tom Coston, Light Bringer Project, spoke regarding the success of a recent ArtNight fall event, and thanked the City for their support.

CONSENT CALENDAR

Item discussed separately

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER CONTRACT WITH PINNACLE, INC., FOR REPLACING AUDIOVISUAL TECHNOLOGY IN THE CITY COUNCIL CHAMBER

Item discussed separately

APPROVAL OF THE SUBMISSION OF THE 2015 CONTINUUM OF CARE HOMELESS ASSISTANCE APPLICATION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

Item discussed separately

AUTHORIZATION TO ENTER INTO A CONTRACT WITH HHS CONSTRUCTION, INC., FOR FIBER OPTIC SPLICING, TESTING, AND EMERGENCY TROUBLESHOOTING FOR THE CITY'S FIBER OPTIC NETWORK

Item discussed separately

AUTHORIZATION TO ENTER INTO A CONTRACT WITH ROBERTSON'S READY MIX TO FURNISH AND DELIVER CONCRETE MATERIALS IN AN AMOUNT NOT-TO-EXCEED \$249,202 PER YEAR (SPECIFICATION WD-15-06)

AUTHORIZATION TO ENTER INTO CONTRACTS WITH STANTEC CONSULTING SERVICES, CAROLLO ENGINEERS, INC., AND RMC WATER AND ENVIRONMENT CONSULTING FIRMS TO PROVIDE GENERAL ENGINEERING SERVICES FOR VARIOUS PROJECTS

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);

(2) Find that the proposed contracts are exempt from the competitive bidding process pursuant to the City Charter, Section 1002(f), contracts for professional or unique services; and

(3) Authorize the City Manager to enter into contracts with Stantec Consulting Services, Carollo Engineers, Inc., and RMC Water and Environment to provide engineering services for projects included in the approved Capital Improvement Program ("CIP") budget for engineering services on a per-project basis as set forth in the adopted CIP; with each contract not-to-exceed \$3,000,000 for three years with one optional one-year extension not-to-exceed \$1,000,000 that shall apply only for the purpose of completing any Task Order issued prior to the expiration of the initial three-year contract period. (Contract Nos. 30353, 30354, and 30355)

RESIGNATION OF PATRICIA KEANE FROM THE RECREATION & PARKS COMMISSION (District 2 Nomination)

RESIGNATION OF ROBERT B. MILLER FROM THE PASADENA COMMUNITY ACCESS CORPORATION BOARD EFFECTIVE OCTOBER 30, 2015 (Pasadena City College Nomination)

MINUTES APPROVED

August 17, 2015
August 24, 2015

CLAIMS RECEIVED AND FILED

Claim No. 12,508	Eric A. Placencia	\$ 1,750.00
Claim No. 12,509	Gary Thieltges	2,866.74
Claim No. 12,510	Anthony Robles	Not Stated
Claim No. 12,511	Son Ly	25,000.00+
Claim No. 12,512	Nathalie Quach	791.19

It was moved by Councilmember Gordo, seconded by Vice Mayor Masuda, to approve all items on the Consent Calendar, with the exception of Item 1 (Authorization to Enter into a Purchase Order Contract with Pinnacle, Inc.), Item 2 (Approval of the Submission of the 2015 Continuum of Care Homeless Assistance Application), Item 3 (Authorization to Enter into a Contract with HHS Construction, Inc.), and Item 4 (Authorization to Enter into a Contract with Robertson's Ready Mix), which were discussed separately. (Motion unanimously carried) (Absent: None)

CONSENT ITEMS DISCUSSED SEPARATELY

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER CONTRACT WITH PINNACLE, INC., FOR REPLACING AUDIOVISUAL TECHNOLOGY IN THE CITY COUNCIL CHAMBER

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 Pinnacle, Inc., to furnish and deliver software, hardware, and services for an audiovisual (AV) system for an amount not-to-exceed \$290,462, which includes the base contract amount and ten percent for contingencies. Competitive bidding is not required pursuant to City Charter, Article X, Section 1002(F), Contracts for Professional or Unique Services.

Phillip Leclair, Director of Information and Technology, introduced the agenda item, and Bryan Sands, Deputy Chief Information Officer, reviewed the agenda report, and responded to questions.

Following discussion, Councilmember Hampton applauded staff for their efforts in reaching out to local vendors to bid on the project, and urged staff to continue this effort.

Councilmember Kennedy expressed concerns that the City Council (the "end users") was not given an opportunity to provide input on what he/she would like to see in terms of improved technology and/or preferred features, and requested that such an opportunity be provided.

Councilmember Wilson suggested, if possible, that staff look at installations at other cities to get an idea of what it will look like once completed.

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

APPROVAL OF THE SUBMISSION OF THE 2015 CONTINUUM OF CARE HOMELESS ASSISTANCE APPLICATION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

Recommendation:

It is recommended that the City Council adopt a resolution:

- (1) Authorizing the filing with the U.S. Department of Housing and Urban Development (HUD), the 2015 Continuum of Care (CoC) Homeless Assistance Application for a funding request in the amount of \$3,411,155 for sixteen projects; and
- (2) Authorizing the City Manager to execute, and the City Clerk to attest, the 2015 CoC Homeless Assistance Application and all other related documents, agreements, and amendments. (Resolution No. 9469)

Bill Huang, Director of Housing and Career Services, introduced the agenda item, and Anne Lansing, Project Planner, summarized the agenda report as part of a PowerPoint presentation, and responded to questions.

Councilmember Hampton expressed concerns with the "criminalization of homelessness" and the need to address some issues that exist locally, stated that it is important that the City does not lose funding from the U.S. Department of Housing and Urban Development (HUD) given the solution to homelessness is affordable housing, and suggested that perhaps the City can work with HUD prior to adopting ordinances that address concerns related to the issue of homelessness.

Councilmembers Gordo and Madison stated their disagreement with the notion that the City is prohibited from adopting ordinances/policies that address homeless related issues, such as public health/safety and drug use, to avoid potentially losing HUD funding, with Councilmember Gordo stating his interest in reviewing the criteria associated with such action, noting that there should be a distinction between homeless individuals actively seeking assistance/services and chronic and/or problem homeless individuals.

In response to Councilmember Gordo, Mr. Huang noted that the City can address homeless related issues such as public health/safety and drug use, however, stated the importance for the ordinance to be written in a manner not to "criminalize the homeless", and to be sure that it applies to everyone.

Councilmember McAustin stressed the need for the City to have enforcement measures in place to address homeless problems, with Mr. Huang highlighting efforts being made to address the matter.

Following discussion, Councilmember Gordo urged staff to be more aggressive in enforcing the City's municipal code and public safety regulations.

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

AUTHORIZATION TO ENTER INTO A CONTRACT WITH HHS CONSTRUCTION, INC., FOR FIBER OPTIC SPLICING, TESTING, AND EMERGENCY TROUBLESHOOTING FOR THE CITY'S FIBER OPTIC NETWORK

Recommendation:

- (1) Find that the following proposed action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines, Section 15061(b)(3), General Rule;
- (2) Authorize the City Manager to enter into a contract with HHS Construction, Inc., for a period of two years or until \$155,000 is expended, whichever occurs first; and
- (3) Grant the proposed contract an exemption from the competitive selection process of the Competitive Bidding and Purchasing Ordinance pursuant to Pasadena Municipal Code Section 4.08.049(B), contracts for which the City's best interests are served. (Contract No. 30350)

Olden Denham, Pasadena resident, spoke regarding the proposed action, and inquired why the contract was exempted from the competitive bid process.

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

AUTHORIZATION TO ENTER INTO A CONTRACT WITH ROBERTSON'S READY MIX TO FURNISH AND DELIVER CONCRETE MATERIALS IN AN AMOUNT NOT-TO-EXCEED \$249,202 PER YEAR (SPECIFICATION WD-15-06)

Recommendation:

- (1) Find that the project is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines, Section 15301 (Existing Facilities); and
- (2) Accept the bid dated October 5, 2015, submitted by Robertson's Ready Mix, in response to Specification WD-15-06, to furnish and deliver concrete materials for the Water and Power Department ("PWP"), and authorize the City Manager to enter into a contract with Robertson's Ready Mix for an amount not-to-exceed \$249,202 per year for an initial period of one year with an option for three additional one-year terms of \$249,202 each at the approval of the City Manager. (Contract No. 30368)

Councilmembers Hampton and Kennedy urged staff to do more outreach to local vendors to provide them an opportunity to bid on City contracts, inquired if the local vendor "Ashcraft Company" had an opportunity to bid on the proposed project, with Councilmember Kennedy requesting that information regarding outreach efforts be included in future agenda reports.

In response to Councilmember Kennedy, the City Manager noted that he will look into whether or not Ashcraft Company submitted a bid for consideration.

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

**REPORTS AND COMMENTS
FROM COUNCIL
COMMITTEES**

**AMEND THE LIGHT AND POWER RATE ORDINANCE TO
ESTABLISH AN ECONOMIC DEVELOPMENT RATE
SCHEDULE**

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; and

(2) Direct the City Attorney to prepare an amendment to Pasadena Municipal Code ("PMC") Chapter 13.04, the Light and Power Rate Ordinance to include an Economic Development Rate Schedule as described in the agenda report.

Recommendation of the Municipal Services Committee: At the October 27, 2015 meeting, the Municipal Services Committee ("MSC") approved staff recommendations. As requested by MSC, additional information has been provided regarding the typical electrical usage of current customers in the classifications that would qualify for the proposed economic development rate incentives in Attachment A to the agenda report.

Eric Klinkner, Interim General Manager of Water and Power, introduced the agenda item, and Eric Duyshart, Economic Development Manager, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

Following discussion, Councilmember McAustin, Chair of the Municipal Services Committee, briefly highlighted the discussion held at the Committee level on the matter.

Councilmember Wilson noted that the restaurant category would qualify for large portion of the proposed economic development rate incentives, and suggested that staff consider whether there should be a limit set.

Councilmember McAustin asked staff to report back to the Municipal Services Committee in 1-year with information related to the success of the program, including a breakdown of the use of the program by business category.

Following additional discussion, it was moved by Councilmember McAustin, seconded by Vice Mayor Masuda, to approve the staff recommendation, with staff to report back to the Municipal Services Committee in 1-year with information

related to the success of the program, including a breakdown of the use of the program by business category. (Motion unanimously carried) (Absent: None)

PUBLIC HEARING

PUBLIC HEARING: AMENDMENT TO THE ANNUAL ACTION PLAN (2015-2016) FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG)

Recommendation: It is recommended that upon close of the public hearing the City Council approve the submission to the U.S. Department of Housing and Urban Development (HUD) of an Amendment to the Annual Action Plan (2015-2016) as described in the agenda report.

The City Clerk opened the public hearing and reported that the notice of public hearing was published on October 8, 15, 22, and 29, 2015 in the Pasadena Journal; October 8 and 22, 2015 in the Star News; and no correspondence was received by the City Clerk's Office regarding the recommended action.

William Huang, Director of Housing and Career Services, introduced the agenda item and summarized the agenda report as part of a PowerPoint presentation, and responded to questions.

No one appeared for public comment.

Following discussion, Councilmember Hampton inquired about the noticing requirements for public hearings, expressed concern that the community may not be aware of public hearings given the lack of presence/participation. In response, Mark Jomsky, City Clerk, explained that the City must meet the legal noticing requirements for all public hearings, and described the efforts made to notify the public of the subject public hearing.

Following discussion, it was moved by Councilmember Gordo, seconded by Councilmember McAustin, to close the public hearing. (Motion unanimously carried) (Absent: None)

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

ORDINANCE – ADOPTED

Adopt “AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTER 2.120 (SENIOR COMMISSION) OF THE PASADENA MUNICIPAL CODE, INCREASING THE MEMBERSHIP OF THE SENIOR COMMISSION FROM 11 TO 13 MEMBERS” (Introduced by Councilmember Kennedy) (Ordinance No. 7270)

The above ordinance was adopted by the following vote:
AYES: Councilmembers Gordo, Hampton, Kennedy,
Madison, McAustin, Wilson, Vice Mayor Masuda,
Mayor Tornek
NOES: None
ABSENT: None

**BRIEF REPORTS FROM
REPRESENTATIVES/
REQUESTS FOR FUTURE
AGENDA ITEMS**

Councilmember Madison reported on the recent meeting of the Burbank-Glendale-Pasadena Airport Authority Commission, and highlighted several significant steps the Commission has taken in moving forward with the replacement terminal project.

Councilmember Kennedy commented on the recent suicide on the Colorado Street Bridge, and requested that staff provide information on prevention efforts for such incidents.

Councilmember Hampton requested that staff bring forward a report to the City Council regarding efforts to address mental health issues in the community, and separately, thanked the City staff, Pasadena Unified School District (PUSD) and the community for their support/participation at his recently held City Council District 1 meeting.

Councilmember Wilson reported on a recently held event at the Pasadena City College (PCC) by the organization "STEAM:Coders" (S-Science, T-Technology, E-Engineering, A-Art, and M-Math), and publicly thanked and congratulated the founder, Raymond Ealy, for a successful event. Councilmember Kennedy also stated his support for the organization and its work.

The Mayor expressed gratitude to the City staff for their work on the successful fall festival event at Victory Park.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 9:23 p.m.

Terry Tornek, Mayor
City of Pasadena

ATTEST:

City Clerk