

CITY OF PASADENA
City Council Minutes
July 16, 2007 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING: Mayor Bogaard called the regular meeting to order at 6:30 p.m. The Pledge of Allegiance was led by Councilmember Gordo.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Steve Haderlein
Councilmember Victor Gordo
Councilmember Chris Holden
Councilmember Steve Madison (Arrived at 6:36 p.m.)
Councilmember Margaret McAustin
Councilmember Jacque Robinson
Councilmember Sidney F. Tyler

Staff:

City Manager Cynthia Kurtz
City Attorney Michele Beal Bagneris
City Clerk Jane L. Rodriguez

CEREMONIAL MATTERS

Councilmember Madison arrived at 6:36 p.m.

The Mayor presented a commendation to Alfred Gottfeld in appreciation for his effort and expertise in assuring the elegance of the final restoration for the City Hall. Mr. Gottfeld thanked the City for this recognition.

Commission on the Status of Women Chair Cheryl Hubbard and Commissioner Wendy Fujihara Anderson announced the 30th anniversary edition of the Survival Guide, enumerated some of the issues being addressed by the Commission, and invited Council and the community to the Commission's 30th anniversary party to be held at the Western Justice Center on July 26, 2007.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Peter Adams, California Art Club Board President, thanked the Mayor for the beautiful grand reopening celebration for City Hall, invited the Council and community to the California Art Club's art exhibition and sale of plein air paintings to be held on July 22, 2007 in the City Hall Courtyard, and submitted an invitation with details on the art event.

Larry Faulkner, Pasadena resident, expressed concerns regarding the record keeping contained in the workforce utilization reports compiled by the Pasadena Humane Society.

Brief discussion followed on the Pasadena Humane Society contract.

The City Manager commented on staff's review of the Pasadena Humane Society contract services and records provided to the City; and noted that Mel Lim, Environmental Health Division Manager, had sent messages, letters, and emails and spoken with Mr. Faulkner regarding the reports.

The following persons expressed concerns regarding the community's need for an urgent care clinic (especially in the eastern part of the City north of the 210 Freeway), and asked Council to assist in supporting community efforts to locate a clinic on the former St. Luke Hospital property site that is currently for sale/lease:

Stacy Cahan, Pasadena resident
Irma Strantz, Pasadena resident
Phyllis Cozad, Pasadena resident

Ann Azer, Methodist Hospital (Arcadia) representative, informed Council about the Hospital's current expansion/renovation project.

The City Manager briefly discussed Huntington Memorial Hospital's expansion project, possible location of an urgent care facility on City-owned property on Del Mar Avenue, preservation of the historic St. Luke Hospital site, and possible location of a second urgent care site at St. Luke's when a new owner is identified.

At Vice Mayor Haderlein's request, the City Manager indicated she would meet with the above interested parties to apprise them of the status of various discussions regarding their request for an urgent care facility.

Councilmember Gordo noted the St. Luke site was zoned for institutional use and would require approval of a Planned Development if the occupancy were to change, and suggested the neighborhood association and neighbors be notified and become involved in the St. Luke process as soon as a developer comes forward.

CONSENT CALENDAR

CONTRACT AWARD TO JMA CONSTRUCTION COMPANY FOR ROSE BOWL DRIVE SLOPE AND WALL REPAIRS, ROSEMONT AVENUE TO NORTH ARROYO BOULEVARD FOR AN AMOUNT NOT TO EXCEED \$510,000

Recommendation of City Manager:

- (1) Accept the bid, dated June 19, 2007, submitted by JMA Construction Company for the Rose Bowl Drive Slope and Wall Repairs;
- (2) Reject all other bids received; and
- (3) Authorize the City Manager to enter into such contract for a "not to exceed" amount of \$510,000. (Contract No. 19,403)

Recommendation of Urban Forestry Advisory Committee:

The project was presented to the Urban Forestry Advisory Committee (UFAC) on August 7, 2006. UFAC requested that staff reduce the potential impacts to an existing eucalyptus tree located near the edge of the excavation. The excavation limits were modified, and staff believes that the tree will be minimally affected by the construction operations and will monitor the work to protect the tree's root structure.

RESOLUTION SETTING A DATE FOR PUBLIC HEARING TO CONSIDER THE ESTABLISHMENT OF UNDERGROUND UTILITY DISTRICT NO. 07-1 WILSON AVENUE, CALIFORNIA BOULEVARD TO ARDEN ROAD

Recommendation of City Manager: Adopt a resolution setting a date for a public hearing to consider the establishment of Underground Utility District No. 07-1, Wilson Avenue, California Boulevard to Arden Road on August 6, 2007, 7:30 p.m. (Resolution No. 8759)

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER CONTRACT WITH SANOFI PASTEUR TO ACQUIRE VACCINES FOR TRAVEL IMMUNIZATIONS

Recommendation of City Manager: Authorize the issuance of a Purchase Order Contract with Sanofi Pasteur for the period July 1, 2007 through June 30, 2008 not to exceed \$111,500 for the purchase of travel vaccines.

Competitive bidding is not required pursuant to City Charter Section 1002(C), contracts for labor, materials, supplies or services available from only one vaccine manufacturer.

AUTHORIZATION TO ENTER INTO CONTRACTS WITH JOHN T. MALLOY, INC., AND J. DE SIGIO CONSTRUCTION, INC., TO PROVIDE LABOR AND MATERIALS FOR WATER MAIN LINE INSTALLATIONS IN ARDEN ROAD, ORANGE GROVE BOULEVARD, HILL AVENUE, SAN PASQUAL STREET, LUNDY AVENUE, EARLHAM STREET, AND MENTOR STREET FOR THE WATER AND POWER DEPARTMENT, SPECIFICATION WD-07-03

Recommendation of City Manager:

(1) Accept the bid dated June 11, 2007 submitted by John T. Malloy, Inc., in response to Specification WD-07-03 for providing labor and materials for Water Main Line Installations in Arden Road, Hill Avenue, San Pasqual Street, Lundy Avenue, and Mentor Street for the Water and Power Department;

(2) Accept the bid dated June 11, 2007 submitted by J. De Sigio Construction, Inc., in response to Specification WD-07-03 for providing labor and materials for Water Main Line Installations in Orange Grove Boulevard and Earlham Street for the Water and Power Department;

- (3) Reject all other bids;
- (4) Authorize the City Manager to enter into a contract between the City of Pasadena (City) and John T. Malloy, Inc., not to exceed \$1,306,275; and
- (5) Authorize the City Manager to enter into a contract between the City and J. De Sigio Construction, Inc., not to exceed \$470,870. (Contract Nos. 19,405 and 19,406)

AUTHORIZATION TO ENTER INTO A CONTRACT WITH RED OAK CONSULTING TO PROVIDE COMPREHENSIVE WATER COST OF SERVICE AND RATE DESIGN STUDIES FOR AN AMOUNT NOT TO EXCEED \$109,000

Recommendation of City Manager: Authorize the City Manager to enter into a contract with Red Oak Consulting to provide a comprehensive Water Cost of Service and Rate Design Study (WCOS) for the Pasadena Water and Power Department (PWP) for an amount not to exceed \$109,000. This contract is exempt from competitive bidding pursuant to City Charter Section 1002(F), contracts for professional services or unique services. (Contract No. 19,407)

MINUTES APPROVED

- April 30, 2007 (Special Joint Meeting)
- April 30, 2007
- May 7, 2007
- May 14, 2007 (Special Joint Meeting)
- May 14, 2007 (Special Meeting)
- May 21, 2007 (Special Joint Meeting)
- May 21, 2007
- May 28, 2007

CLAIMS RECEIVED AND FILED

Claim No. 10,393	Kyle West	\$	500.00
Claim No. 10,394	David Gladden		1,254.22
Claim No. 10,395	Pasadena Tournament of Roses c/o Traci Ridling		2,150.50
Claim No. 10,396	State Farm Insurance		Not Stated
Claim No. 10,397	Linda Marie Love		150,000,000.00
Claim No. 10,398	Mercury Insurance Group as subrogee for Alejandra Olivares		6,552.70
Claim No. 10,399	Alvin L. Smith		901.43
Claim No. 10,400	Odie Armstrong		65.00
Claim No. 10,401	Marlon Simpson		289.00
Claim No. 10,402	Deven Callum		1,382.54
Claim No. 10,403	Sevan Plumbing Inc./ Antranik Tatikian		3,159.36
Claim No. 10,404	Farmers Insurance as subrogee for Yamchi Hung		13,078.91
Claim No. 10,405	Margaret Miramontes		61.22
Claim No. 10,406	Billie E. Underwood		463.83
Claim No. 10,407	Beverly E. Brewton-King		Not Stated

PUBLIC HEARINGS SET

July 23, 2007, ~~7:30~~ 7:00 p.m. – An Extension of the Interim Urgency Ordinance of the City of Pasadena Temporarily

Prohibiting the Issuance of Permits for the Placement, Construction, and Modification of Ground-Mounted Commercial Wireless Facilities in Residential Zoning Districts

August 6, 2007, 7:30 p.m. – 2007 Report on Water Quality Public Health Goals, pursuant to Section 116470(c) of the California Health and Safety Code

The City Clerk noted the time of the July 23, 2007 public hearing listed above should be corrected to read 7:00 p.m.

It was moved by Vice Mayor Haderlein, seconded by Councilmember Tyler, to approve all items on the Consent Calendar, with the above correction in time to 7:00 p.m. for the July 23, 2007 public hearing. (Motion unanimously carried) (Absent: None)

OLD BUSINESS

ADOPT THE CENTRAL PARK MASTER PLAN AND APPROVE THE NEGATIVE DECLARATION

Recommendation of City Manager:

- (1) Adopt the Central Park Master Plan; and
- (2) Approve the Initial Study and the Negative Declaration prepared for the Central Park Master Plan and direct the City Clerk to certify the Notice of Determination and Negative Declaration and file these documents with the Los Angeles County Registrar-Recorder/County Clerk.

The City Manager introduced the agenda item, and responded to questions regarding the financing of park improvements.

Martin Pastucha, Director of Public Works Department, clarified use of the 2008 Capital Improvement Program (CIP) Budget allocation for the Central Park improvements; and responded to questions regarding the proposed improvements, funding for the improvements, and management of the park.

Todd Holmes, Landscape Architect, responded to questions regarding the prioritized improvement list and costs for artificial turf for the lawn bowling green.

Kathy Woods, Parks and Natural Resources Supervisor, responded to questions regarding special events held in the park.

Discussion followed on the total area of the park to be dedicated for lawn bowling use, funding for the park improvements, possible adjustments to the prioritized improvement list, and matching the proposed park uses with the contemporary needs of park users.

Councilmember Tyler expressed concerns regarding the total area taken up by the lawn bowling area and retaining the

possibility of two lawn bowling greens in the Master Plan; and suggested possible elimination of the second lawn bowling green in order to free up more space for general public use.

Mr. Pastucha discussed the proposal to renovate the southern lawn bowling green with artificial turf and the possibility of relocating the northern lawn bowling green in natural turf only if the artificial surface for the southern green is not built.

Councilmember Madison noted the citizens' committee/public input on the lawn bowling area strongly supported the Plan as written to include possible relocation of the northern lawn bowling green to the lawns area of the park.

Councilmember Gordo opined that the priority for use of artificial turf should be focused on existing athletic fields where the use would be maximized and open to the public.

Councilmember Holden suggested that in August of 2007, Council schedule an agenda item that focuses on a discussion of the various master park plans, costs for implementing the workplans, and identification of revenues and funding for the plans; and then consider turning this matter over to a citizens' group to study a proposal for a park bond measure.

The City Manager noted the Finance Committee would be discussing an unfunded priority report at its meeting of July 23, 2007, which would include the parks funding topic, with the matter to be then discussed by Council to determine a process to decide what the City's highest priorities will be for unfunded priorities and what should be presented to the voters, if the Council decides this is the step to take.

The following person spoke in support of the lawn bowling greens:

Lucy Hino, Altadena resident

It was moved by Councilmember Madison, seconded by Councilmember Tyler, to approve the staff recommendation, as amended to change the priority of two items on page 15 of the Central Park Master Plan, Section VII., Phasing of Improvements, Prioritized Improvement List: Item 16 (Remove north lawn bowling green) and Item 17 (Synthetic turf surfacing – south lawn bowling green) to be moved in priority to the top of the "B" category items. (Motion unanimously carried) (Absent: None)

PUBLIC HEARING

PUBLIC HEARING: CONSIDERATION OF ADOPTION OF NEW FEDERAL STANDARDS RELATING TO ELECTRIC UTILITIES UNDER THE PUBLIC UTILITIES REGULATORY POLICIES ACT AND THE ENERGY POLICY ACT OF 2005

FOR THE WATER AND POWER DEPARTMENT

Recommendation of City Manager: It is recommended that the City Council, following a public hearing, adopt a resolution which:

(1) Finds that Pasadena Water and Power Department existing rates and policies are in compliance with four of the five new federal standards added by the Energy Policy Act of 2005 amendments to the Public Utility Regulatory Policies Act of 1978; and

(2) Determines not to adopt certain aspects of the Smart Metering standard and directs staff to evaluate the cost effectiveness of offering additional Time of Use pricing schedules and Smart Metering technology in the future. (Resolution No. 8760)

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on April 30, 2007 in the Pasadena Star-News; and no correspondence was received.

The City Manager introduced the agenda item.

Fred Lyn, Legislative and Regulatory Affairs Manager, reviewed the agenda report, noted staff was conducting a cost-of-service study (which includes an evaluation of the use of smart meters) that would be presented to Council in the next 6-8 months, and responded to questions.

Phyllis Currie, Director of Water and Power Department, clarified the implementation cost considerations related to staff's recommendation not to switch to Smart Metering at this time, noted that private energy providers were evaluating the technology and computer software involved with Smart Metering that might be used to set a standard for the City's future use, discussed possible implementation and benefits of the Smart Metering program, and responded to questions.

Vice Mayor Haderlein stressed the need to educate the community on the City's goal to reduce energy usage, and requested the cost-of-service study be referred to the Environmental Advisory Commission (EAC) for review.

Ms. Currie agreed to present the cost-of-service study to the EAC prior to its presentation to Council.

Discussion followed on the City's rate structure and current meter capability, benefits of Smart Metering and Time Of Use pricing, and moving energy conservation forward for both residential and commercial customers.

No one appeared for public comment.

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

It was moved by Councilmember Tyler, seconded by Councilmember Madison, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: None)

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

CONTRACT AWARD TO MANUEL BROS., INC., A QUANTA SERVICES CO., FOR THE STATE ROUTE (SR) 710 MITIGATION TRAFFIC CONTROL AND MONITORING SYSTEM – INTELLIGENT TRANSPORTATION SYSTEMS (ITS) PROJECT, FOR AN AMOUNT NOT TO EXCEED \$5,000,000

The City Manager indicated there had been a protest filed involving the above contractor, and staff was gathering additional information.

Vice Mayor Haderlein expressed concerns regarding the delay, and asked that this contract be moved forward expeditiously.

Councilmember Holden noted that any deficiencies on the part of the contractor could affect the contract going forward.

On order of the Mayor, the above item was held to the meeting of July 23, 2007 at the request of the City Manager.

COMMENT TO STATE HISTORIC PRESERVATION OFFICER ON THE NOMINATION OF THE ROYAL LAUNDRY BUILDING (443 SOUTH RAYMOND AVENUE) TO THE NATIONAL REGISTER OF HISTORIC PLACES

Recommendation of City Manager: It is recommended that the City Council authorize the transmittal of a report – with noted recommendations – from the Historic Preservation Commission to the State Historic Preservation Officer (SHPO) in support of the nomination of the Royal Laundry Building to the National Register of Historic Places.

Recommendation of Historic Preservation Commission: The Historic Preservation Commission reviewed a final draft of the National Register nomination for the Royal Laundry Building, 443 South Raymond Avenue, Pasadena, at its meeting on June 18, 2007 and recommended that the City Council forward a recommendation approving the nomination to the State Historic Preservation Officer, with the following recommendations:

- The period of significance in Section 8 of the National Register nomination form should be extended to 1955, to include the overhead/drive-through sign, which is also locally designated as a historic sign.

- Section 7 should include information on the overhead/drive-through sign, and additional description of the interior detailing of the "Call Office" of the drive-in building. Also, the original but now missing metal letters on the projecting canopy should be described in Section 7.
- An article on the building from the publication "Laundry Age," October 1939, which is on file with the Planning and Development Department, should be included in Section 9 of the registration form.

The City Manager introduced the agenda item.

Richard Bruckner, Director of Planning and Development Department, summarized the agenda report.

It was moved by Councilmember Madison, seconded by Councilmember Holden, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: None)

APPOINTMENT OF MICHELLE RICHARDSON-BAILEY TO THE NORTHWEST COMMISSION (District 1 Nomination)

The Mayor announced that Councilmember Robinson had withdrawn the above nomination.

On order of the Mayor, the above appointment was pulled from the agenda.

RESIGNATION OF VICTOR HARRIS FROM THE ENVIRONMENTAL ADVISORY COMMISSION (District 2 Nomination)

RESIGNATION OF MILENA ALBERT FROM THE CODE ENFORCEMENT COMMISSION (District 1 Nomination)

REAPPOINTMENT OF CHARLES THOMAS TO THE HUMAN SERVICES COMMISSION (Agency Nomination)

REAPPOINTMENT OF JOSEPH FEINBLATT TO THE HISTORIC PRESERVATION COMMISSION (Washington Square Nomination)

APPOINTMENT OF THELMA T. REYNA TO THE NORTHWEST COMMISSION (District 3 Nomination)

APPOINTMENT OF LARISSA STEPANIANS TO THE SENIOR COMMISSION (District 7 Nomination)

APPOINTMENT OF TERRIE ANN ALLEN TO THE HUMAN RELATIONS COMMISSION (District 3 Nomination)

APPOINTMENT OF FELIPE O. INFANTE TO THE HUMAN RELATIONS COMMISSION (District 1 Nomination)

It was moved by Vice Mayor Haderlein, seconded by Councilmember Gordo, to accept the above resignations with regrets, and approve the above reappointments and appointments. (Motion unanimously carried) (Absent: None)

RESIGNATION OF TIM ALDERSON FROM THE RECREATION AND PARKS COMMISSION (District 4 Nomination)

Vice Mayor Haderlein asked to postpone the above resignation until the Parks Master Plan matter is resolved in order to allow Mr. Alderson the opportunity to consider the final report on the Master Plan.

On order of the Mayor, the above resignation was held to a future meeting.

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 8:19 p.m. to the regular meeting of the Community Development Commission.

RECONVENED

On order of the Mayor, the regular meeting of the City Council reconvened at 8:29 p.m. (Absent: None)

INFORMATION ITEMS

EQUAL OPPORTUNITY IN EMPLOYMENT ANNUAL REPORT: JANUARY 1, 2006 – DECEMBER 31, 2006

Recommendation of City Manager: The Equal Opportunity in Employment Annual Report is submitted for information only. This report is based on the calendar year 2006, and reflects all individuals employed in regular full-time positions during the reporting period of January 1 through December 31, 2006.

ANNUAL REPORT ON CITY PROCUREMENT – CALENDAR YEAR 2006

Recommendation of City Manager: It is recommended that the City Council receive the annual report on City Procurement for calendar year 2006.

The above two agenda items were discussed concurrently.

The City Manager introduced the agenda items, and responded to questions on tracking the hiring and training of local employees by contractors for local projects (a required local hiring program for projects involving the City's participation in funding and a voluntary hiring program for private projects). She noted that information on the hiring programs could be presented to Council at a future meeting.

Karyn Ezell, Director of Human Resources Department, reviewed the Equal Opportunity in Employment Annual Report.

Larry Hammond, Purchasing Administrator, reviewed the Annual Report on City Procurement and responded to questions. Mr. Hammond agreed to follow up on Councilmember Holden's suggestion that the City set up a consortium to focus on expanding outreach to diverse vendors.

Discussion followed on outreach to minority vendors about the opportunity to do business with the City and on the hiring of local employees by contractors.

On order of the Mayor, the reports were received and filed.

PUBLIC COMMENT
(Continued)

The following persons expressed concerns regarding human rights violations in China; alleged persecution of reporters, journalists, human rights lawyers, and/or Falun Gong members; and inclusion of a float from China in the 2008 Rose Parade:

Peggy Chane, Visual Artists Guild member, submitted a letter from Reporters Without Borders dated July 16, 2007 regarding these concerns, and asked Council to agendize this issue.

Ann Lau, Visual Artists Guild Chair

Maxine Russell, Calabasas resident speaking as an individual for Justice for Americans in China, submitted informational materials about her son Darren's murder that occurred in China, and asked Council to agendize this issue.

Lucas Kamp, Amnesty International Group 22 representative, submitted a letter dated July 16, 2007 with informational materials regarding these concerns, and asked Council to agendize this issue.

John Li, Caltech Falun Gong Club representative, submitted a statement of concerns from the Club, and asked Council to agendize this issue.

Tseten Phanucharas, Los Angeles Friends of Tibet President, submitted a statement of concerns, and asked Council to agendize this issue.

Michael Yuen, China Ministries International representative, asked Council to agendize this issue.

Shizhong Chen, Conscience Foundation representative

Daniel Wang, Pasadena resident

The Mayor noted the Tournament of Roses is an independent organization that has control in making decisions regarding the Rose Parade, rather than the City; and commented on the parties who were promoting China's float entry.

The City Manager clarified that the City approves the parade route but does not have any authority involving the parade itself.

Councilmember Madison expressed condolences to Ms. Russell on the loss of her son, and stated that Council does not condone human rights violations.

Councilmember Holden requested the issues raised by the various speakers be referred to the Human Relations Commission for their recommendation on an appropriate response from the City.

Councilmember Gordo suggested the Human Relations Commission communicate with the Tournament of Roses as an adjunct to discussion of the issues.

Vice Mayor Haderlein suggested the Sister Cities Committee also be included in the discussion of the issues.

The City Manager indicated this matter could be referred to staff or a Commission without violating the Brown Act.

Following discussion and by Council consensus, the Mayor indicated he would correspond with the Chair of the Human Relations Commission about agendaizing the Commission's discussion of human rights violations issues involving China, with representatives from the Tournament of Roses and Sister Cities Committee to be included in the discussion, and with the Human Relations Commission to present a recommendation to Council in 90 days on how to proceed in responding to the issues that have been raised.

ANNOUNCEMENT

The Mayor confirmed the following standing Council Committee appointments to become effective at the time of this announcement:

Public Safety Committee:

Vice Mayor Steve Haderlein (Chair)
Steve Madison
Margaret McAustin
Jacque Robinson

Economic Development and Technology Committee:

Victor Gordo (Chair)
Mayor Bill Bogaard
Steve Madison
Jacque Robinson

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 9:35 p.m., in memory of Christine Harris, dedicated and dynamic Community Services Supervisor and Director of the Jackie Robinson Community Center.

Bill Bogaard

Bill Bogaard, Mayor
City of Pasadena

ATTEST:

Jane Rodriguez

City Clerk