

CITY OF PASADENA
City Council Minutes
July 23, 2007 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING AND JOINT MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 5:45 p.m.
(Absent: Councilmembers Holden, Madison)

On order of the Mayor, the regular meeting recessed at 5:45 p.m., to discuss the following closed sessions:

Councilmember Madison
arrived at 6:04 p.m.

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

City Representatives: Karyn S. Ezell and Arthur Chavez
Employee Organization: American Federation of State, County and Municipal Employees, Local 858

CITY COUNCIL CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8

Property: 1622-1630 North Lake Avenue, Pasadena
Negotiating Parties: Cynthia Kurtz; Roza Avesyan
Under Negotiation: Price and Terms

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 6:35 p.m. The Pledge of Allegiance was led by Councilmember Madison.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Steve Haderlein
Councilmember Victor Gordo
Councilmember Chris Holden (Absent)
Councilmember Steve Madison
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

Fred Alcantar, Pasadena Sister Cities Committee member, introduced the following students visiting from Ludwigshafen, Germany: Yasmin Akbal and Agnes Flick; and from Jarvenpaa,

Finland: Tytti Turpeinen and Markus Salonen. The students expressed their appreciation for the City's hospitality and the opportunities offered by this experience.

The City Clerk administered the oaths of office to Felipe O. Infante as Human Relations Commissioner, Thelma T. Reyna as Northwest Commissioner, and Larissa Stepanians as Senior Commissioner.

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

Nora Lansing, Altadena student, expressed concerns regarding businesses in Old Pasadena leaving their doors open while the air conditioning is being used and the negative impact of this activity on the environment given the concerns regarding global warming, and asked Council to consider an ordinance prohibiting this activity.

The following persons expressed concerns regarding allegations of China's ongoing violations of human rights and the inclusion of a China Olympics float in the 2008 Rose Parade:

Daniel Wang, Pasadena resident
Henry Zhang, Alhambra resident, distributed informational materials.

Jarvis Emerson, representing Assemblymember Anthony Portantino, announced the Women In Business Awards 2007 winners from Pasadena in the following categories:

Arts and Entertainment: Tara Sandler and Jennifer Davidson (Pie Town Productions)

Small Businesswoman of the Year: Jeanette McDonald Henderson (Jeanette Henderson Realty) and Elizabeth Portela Holder (Brits Restaurant)

Corporate Woman of the Year: Jaylene Moseley (J.L. Moseley Company) and Deborah Jones (Tanaka Investment Group)

Most Inspirational: Doreen Garcia (Casa de Las Amigas and Marchelle L. Sellers (Pasadena Ronald McDonald House)

Non-Profit Employee of the Year: Linda Lavin (Women at Work)

Non-Profit Executive Director of the Year: Mikala Rahn, PhD (Learning Works!)

Science: Flora Dunaian (Western Medical Supply Inc.)

Mr. Emerson invited Council to attend the Awards 2007 luncheon to be held on September 28, 2007.

Larry Faulkner, Pasadena resident, expressed concerns regarding the data keeping methods used by the Pasadena Humane Society.

The Mayor discussed the general methodology for Pasadena Humane Society's records reporting and the Society's efficient and cost effective services that are provided to the City.

Councilmember Gordo asked for a presentation to the Public Safety Committee on the Pasadena Humane Society's reports to the City so that the public may better understand the data and reporting system.

The City Manager indicated staff would bring some of the reports to the Committee when this can be scheduled in the future.

CONSENT CALENDAR

CONTRACT AWARD TO S. PARKER ENGINEERING, INC., FOR CONSTRUCTION OF MEMORIAL PARK PLAYGROUND IN THE AMOUNT OF \$330,000

Recommendation of City Manager:

- (1) Accept the bid, dated July 11, 2007, submitted by S. Parker Engineering, Inc., in response to the Specifications for Memorial Park Playground;
- (2) Reject all other bids received; and
- (3) Authorize the City Manager to enter into a contract not to exceed \$330,000 that includes the base bid of \$307,438 and \$22,562 for any additional work the City may order pursuant to the project specifications. (Contract No. 19,409)

The City Manager acknowledged Kaiser Permanente's grant to be used to fund these improvements in Memorial Park (exercise equipment and playground construction).

Martin Pastucha, Director of Public Works Department, responded to questions regarding the location of the playground equipment.

AUTHORIZE PURCHASE ORDER WITH WONDRIES FLEET GROUP FOR PURCHASE OF THREE REPLACEMENT CHEVROLET TAHOE POLICE VEHICLES FOR A TOTAL OF \$103,262

Recommendation of City Manager:

- (1) Authorize the issuance of a purchase order to Wondries Fleet Group in an amount not to exceed \$103,262 for the purchase of three 2007 Chevrolet Tahoe Police Vehicles; and
- (2) Grant the proposed purchase order an exemption from competitive bidding pursuant to City Charter Section 1002(H), contracts with other governmental entities or their contractors for labor, materials, supplies or services.

AUTHORIZE PURCHASE ORDER WITH PASADENA FORD FOR PURCHASE OF EIGHT NEW POLICE VEHICLES FOR A TOTAL OF \$192,355

Recommendation of City Manager:

- (1) Authorize the issuance of a purchase order to Pasadena

Ford in an amount not to exceed \$192,355 for the purchase of eight 2007 Crown Victoria Police Vehicles; and
(2) Grant the proposed purchase order an exemption from competitive bidding pursuant to City Charter Section 1002(H), contracts with other governmental entities or their contractors for labor, materials, supplies or services.

SUSPENSION OF THE NOISE ORDINANCE RELATING TO THE PASADENA HUMANE SOCIETY WIGGLE WAGGLE WALK, TO BE HELD AT BROOKSIDE PARK ON SUNDAY, SEPTEMBER 30, 2007

Recommendation of City Manager:

(1) Acknowledge that the proposed Pasadena Humane Society Wiggle Waggle Walk and the lifting of the Noise Ordinance are categorically exempt under California Environmental Quality Act (CEQA) Guidelines Section 15323, Normal Operations of Facilities for Public Gatherings; and
(2) Adopt an ordinance to suspend the Noise Ordinance by permitting amplified sound on a Sunday beginning at 8:30 a.m. and a Notice of Exemption and hold the first reading of same on Monday, July 23, 2007, with respect to the proposed Pasadena Humane Society Wiggle Waggle Walk to be held at Brookside Park on Sunday, September 30, 2007 from 8:30 a.m. - 2:00 p.m.

Item discussed separately at the request of the City Manager.

ROSEMEAD BOULEVARD RELINQUISHMENT

MINUTES APPROVED

June 4, 2007
June 11, 2007

CLAIMS RECEIVED AND FILED

Claim No. 10,408	Lucrecia Agundez	\$	Not Stated
Claim No. 10,409	Susan McIntire		Not Stated

It was moved by Vice Mayor Haderlein, seconded by Councilmember Tyler, to approve the Consent Calendar, with the exception of Item 5 (Rosemead Boulevard Relinquishment), which was discussed separately. (Motion unanimously carried) (Absent: Councilmember Holden)

CONSENT ITEM DISCUSSED SEPARATELY

ROSEMEAD BOULEVARD RELINQUISHMENT

Recommendation of City Manager: It is recommended that the City Council support the relinquishment of the portion on Rosemead Boulevard that is within the City limits from Caltrans to the City of Pasadena.

The City Manager summarized the agenda report and responded to questions.

Bahman Janka, Transportation Administrator, responded to questions regarding the project.

It was moved by Vice Mayor Haderlein, seconded by Councilmember Gordo, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: Councilmember Holden)

OLD BUSINESS

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

Recommendation of City Manager: It is recommended that the City Council accept the bid dated April 17, 2007, submitted by Manuel Bros., Inc., a Quanta Services Company, in response to the Plans and Specifications for the Traffic Control and Monitoring System-ITS Project; reject all other bids received; and authorize the City Manager to enter into a contract not to exceed \$5,000,000, which includes the base bid of \$4,751,100 and \$248,900 for any additional work the City may order pursuant to the project plans and specifications.

The City Manager introduced the agenda item, distributed a memorandum from her office to the City Council dated July 23, 2007 containing additional information regarding the protest filed by the International Brotherhood of Electrical Workers (IBEW), and responded to questions.

Steve Wright, Assistant City Engineer, reviewed the agenda report and responded to questions.

Martin Pastucha, Director of Public Works Department, responded to questions regarding the work history of the lowest bidder (Manuel Bros., Inc.), work to be performed under the contract, the lowest bidder's work history with the City of Los Angeles, and the process for re-bidding the contract.

Barbara Gadbois, Esq., Gibbs, Giden, Locher & Turner LLP as legal counsel for the City, discussed the legal implications of the apprenticeship program required by State law and the process for determining if a bidder is responsible, and responded to questions. She noted that staff and legal counsel had reviewed the facts of the labor classification, the license, and the apprenticeship issues in a legal context and the consensus was that this did not rise to the level of nonresponsibility.

The City Attorney clarified the due process to be followed if the contract is not awarded to the lowest bidder and responded to questions regarding the process.

Discussion followed on the work history of the lowest bidder on a City of Los Angeles contract, violations incurred by the lowest bidder, the amount of electrical work to be performed on the project, work to be performed by subcontractors, the State requirement for participation in the apprenticeship program on public works projects, issues related to wage classification disputes for this and similar projects, the scope of the project, the process for not rewarding a contract to the lowest bidder, and the process and timeframe for rebidding the contract.

Councilmember Gordo expressed concerns regarding whether the lowest bidder is responsive as it relates to this particular contract, and possible misclassification of labor and lack of participation in an apprenticeship program by the lowest bidder in the past.

Councilmember Madison expressed concerns regarding the prior history of misclassification by the bidder and possible nonresponsibility of the lowest bidder.

The following persons expressed opposition to the proposed contract award to Manuel Bros., Inc.:

Patrick Owens, IBEW Local 11 representative, submitted a letter from the Department of Industrial Relations dated May 10, 2006 regarding approved apprenticeship programs.

Tim Erno, Terno, Inc. representative

Kim Craft, IBEW Local 11 representative

The following persons spoke in support of the proposed contract award to Manuel Bros., Inc.:

Philip Putnam, Esq., Monteleone & McCrory, LLP as legal counsel for Manuel Bros., Inc., submitted a copy of State Business and Professions Code §7056, General engineering contractor.

Logan Teal, Manuel Bros. Inc. Vice President-Operations

Discussion continued on the use of a class A vs. class C-10 contractor's license for the project, requirements for use of apprentices as part of the contract, and options for the lowest bidder to implement an apprenticeship program.

Councilmember Madison suggested the item be held to allow time for staff to return with additional information relative to Council's concerns/questions regarding the lowest bidder (e.g., work history and violations with the City of Los Angeles project), and stated his opinion that there is a prima facie case that the lowest bidder is not responsible.

The City Manager outlined a timeframe for staff to receive and review additional information in response to Council's questions and to provide Council with a recommendation that would include all available information.

Councilmember Tyler expressed doubt that a finding could be made that the lowest bidder was nonresponsive.

Vice Mayor Haderlein expressed concerns regarding a delay in approving the contract; and asked legal counsel to provide a timeframe for legal action that might arise out of not awarding the contract to the lowest bidder.

It was moved by Councilmember Tyler, seconded by Councilmember McAustin, to approve the City Manager's recommendation. (Motion failed, with Councilmembers Gordo, Madison, Robinson objecting) (Absent: Councilmember Holden)

Councilmember McAustin expressed concerns regarding inclusion of the issue of the C-10 license in the consideration for awarding this contract.

It was moved by Councilmember Madison, seconded by Councilmember Gordo, to give tentative notice of nonresponsibility to Manuel Bros., Inc., with Manuel Bros., Inc. to respond to the City within one week to Council's questions regarding the following issues: labor compliance with the City of Los Angeles contract, implementation of an apprenticeship program, and the extent to which the C-10 contractor's license applies to the contract, with the understanding that staff will perform due diligence on the issues of responsiveness and responsibility, and with Council to determine appropriate action on the bid/contract at the meeting of August 6, 2007. (Motion carried, with Councilmember McAustin, Vice Mayor Haderlein objecting) (Absent: Councilmember Holden)

REPORTS AND COMMENTS FROM COUNCIL COMMITTEES

FINANCE COMMITTEE

AUTHORIZATION TO ENTER INTO A CONTRACT WITH GAS EQUIPMENT SYSTEMS, INC., TO PROVIDE LABOR AND MATERIALS FOR CONSTRUCTION OF A COMPRESSED NATURAL GAS (CNG) FUELING STATION Recommendation of City Manager:

- (1) Accept the bid dated May 4, 2007, submitted by Gas Equipment Systems, Inc., and authorize a contract with Gas Equipment Systems, Inc., in an amount not to exceed \$886,695 for the construction of a CNG Fueling Station; and reject all other bids;
- (2) Amend the FY 2008 Capital Improvement Program to increase the total estimated cost of the *Installation of Time-fill/Fast-fill Refueling System at City Yards (71542)* project from \$1,000,000 to \$1,487,368; and
- (3) Approve a journal voucher recognizing and appropriating

\$422,368 from the Fleet Maintenance Fund (503) balance to the *Installation of Time-fill/Fast-fill Refueling System at City Yards (71542)* project to fund construction. (Contract No. 19,410; Journal Voucher No. 2008-1)

Councilmember Tyler, Chair of the Finance Committee, reviewed the agenda report.

It was moved by Councilmember Tyler, seconded by Vice Mayor Haderlein, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: Councilmember Holden)

PUBLIC HEARING

PUBLIC HEARING: AN EXTENSION OF THE URGENCY ORDINANCE TEMPORARILY ADOPTING A MORATORIUM ON PERMITS FOR GROUND-MOUNTED COMMERCIAL WIRELESS FACILITIES IN RESIDENTIAL ZONES

Recommendation of City Manager: It is recommended that the City Council approve an extension of the urgency ordinance which temporarily prohibits the issuance of permits for ground-mounted commercial wireless facilities in residential zones.

ORDINANCE – FIRST READING

Conduct first reading of “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”

The above agenda item and first reading of an ordinance were discussed concurrently.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on July 13, 16, and 19, 2007 in the Pasadena Star-News; and one letter in opposition was received.

The City Manager summarized the agenda report.

The following persons spoke in support of the ordinance extension, and expressed concerns and/or asked questions:

Joan Dooley, Save the Hill Neighborhood Alliance member
Nadine Rondinella, Pasadena resident
Freddie Hannan, Save the Hill Neighborhood Alliance member
Miriam Nakamura-Quan, Pasadena resident

The City Manager responded to questions raised by the public speakers regarding staff's review of the issues related to the wireless facilities and opportunities for community input.

It was moved by Councilmember Tyler, seconded by Councilmember Madison, to close the public hearing. (Motion unanimously carried) (Absent: Councilmember Holden)

It was moved by Councilmember Tyler, seconded by Councilmember Madison, to approve the City Manager's recommendation and offer the above ordinance for first reading:

AYES: Councilmembers Gordo, Madison, McAustin, Robinson, Tyler, Vice Mayor Haderlein, Mayor Bogaard

NOES: None

ABSENT: Councilmember Holden

PUBLIC HEARINGS

PUBLIC HEARING: DESIGNATION OF 1205 SOUTH OAKLAND AVENUE AS A LANDMARK

Recommendation of City Manager:

(1) Acknowledge that the designation of a historic resource is categorically exempt from the California Environmental Quality Act under Class 8, Actions by Regulatory Agencies for Protection of the Environment (CEQA Guidelines, Article 19, Section 15308);

(2) Find that the house at 1205 South Oakland Avenue is significant under criterion "C" for designation as a landmark (Pasadena Municipal Code Section 17.62.040 C) because it embodies the distinctive characteristics of Pueblo Revival residential architecture;

(3) Approve the designation of the property at 1205 South Oakland Avenue as a landmark;

(4) Adopt a resolution approving a Declaration of Landmark Designation for 1205 South Oakland Avenue, Pasadena, California;

(5) Authorize the Mayor to execute a Declaration of Landmark Designation for 1205 South Oakland Avenue, Pasadena, California; and

(6) Direct the City Clerk to record the Declaration with the Los Angeles County Recorder. (Resolution No. 8761)

Recommendation of Historic Preservation Commission: On May 21, 2007, at a noticed public hearing, the Historic Preservation Commission voted unanimously to recommend approval of the designation of 1205 South Oakland Avenue as a landmark under criterion "C" of Pasadena Municipal Code Section 17.62.040.

The Mayor opened the public hearing.

The City Clerk reported 20 copies of the notice of public hearing were posted on July 5, 2007; 70 copies of the notice were mailed on July 5, 2007; and no correspondence was received.

Kevin Johnson, Planner, summarized the agenda report.

No one appeared for public comment.

It was moved by Councilmember Tyler, seconded by Councilmember Gordo, to close the public hearing. (Motion unanimously carried) (Absent: Councilmember Holden)

It was moved by Councilmember Tyler, seconded by Councilmember Gordo, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: Councilmember Holden)

PUBLIC HEARING: DESIGNATION OF 373 MIRA VISTA TERRACE AS A LANDMARK

Recommendation of City Manager:

- (1) Acknowledge that the designation of a historic resource is categorically exempt from the California Environmental Quality Act under Class 8, Actions by Regulatory Agencies for Protection of the Environment (CEQA Guidelines, Article 19, Section 15308);
- (2) Find that the property at 373 Mira Vista Terrace is significant under criterion "C" for designation as a landmark (Pasadena Municipal Code Section 17.52.040) as being exceptional in the embodiment of the distinctive characteristics of an Arts and Crafts period house in the Swiss chalet subtype designed by architect J. Constantine Hillman;
- (3) Approve the designation of the property at 373 Mira Vista Terrace as a landmark;
- (4) Adopt a resolution approving a Declaration of Landmark Designation for 373 Mira Vista Terrace, Pasadena, California;
- (5) Authorize the Mayor to execute a Declaration of Landmark Designation for 373 Mira Vista Terrace, Pasadena, California; and
- (6) Direct the City Clerk to record the Declaration with the Los Angeles County Recorder. (Resolution No. 8762)

Recommendation of Historic Preservation Commission: On May 21, 2007, at a noticed public hearing, the Historic Preservation Commission voted unanimously to recommend approval of the designation of 373 Mira Vista Terrace as a landmark under criterion "C" of Pasadena Municipal Code Section 17.62.040.

The Mayor opened the public hearing.

The City Clerk reported 11 copies of the notice of public hearing were posted on July 5, 2007; 47 copies of the notice were mailed on July 5, 2007; and no correspondence was received.

Kevin Johnson, Planner, summarized the agenda report.

No one appeared for public comment.

It was moved by Councilmember Tyler, seconded by Vice Mayor Haderlein, to close the public hearing. (Motion unanimously carried) (Absent: Councilmember Holden)

It was moved by Councilmember Gordo, seconded by Vice Mayor Haderlein, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: Councilmember Holden)

PUBLIC HEARING: ADOPTION OF THE 2007 ANNUAL CITY OF PASADENA SELF CERTIFICATION REPORT IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM FOR LOS ANGELES COUNTY AND THE 2007 LOCAL DEVELOPMENT REPORT IN ACCORDANCE WITH GOVERNMENT CODE SECTION 65089

Recommendation of City Manager:

- (1) Adopt a resolution finding the City in conformance with the Congestion Management Program (CMP) for the County of Los Angeles;
- (2) Adopt the 2007 Local Development Report in accordance with California Government Code Section 65089 (Attachment A of the agenda report); and
- (3) Direct staff to file the CMP Local Development Report with the Los Angeles County Metropolitan Authority (Metro). (Resolution No. 8763)

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on July 9, 2007 in the Pasadena Star-News; and no correspondence was received.

Mark Yamarone, Interim Director of Transportation Department, reviewed the agenda report and responded to questions.

Councilmember Madison commented on the need for the City to continue to improve traffic management as this relates to land management/development.

No one appeared for public comment.

It was moved by Councilmember Gordo, seconded by Councilmember Tyler, to close the public hearing. (Motion unanimously carried) (Absent: Councilmember Holden)

It was moved by Councilmember Gordo, seconded by Councilmember Robinson, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: Councilmember Holden)

CONTINUED PUBLIC HEARING: TO CONSIDER GRANTING NON-EXCLUSIVE SOLID WASTE FRANCHISES

Recommendation of City Manager: It is recommended that the City Council continue the public hearing to September 17, 2007 at 7:30 p.m.

In response to Councilmember Gordo's question, the City Manager indicated that the issues of increased bulky item pick ups and options for recovery of related costs for this service would not be part of the public hearing on solid waste franchises but would be addressed in a separate report to Council.

It was moved by Councilmember Tyler, seconded by Vice Mayor Haderlein, to continue the public hearing to September 17, 2007 at 7:30 p.m. (Motion unanimously carried) (Absent: Councilmember Holden)

RECESS/JOINT MEETING

On order of the Mayor, the regular meeting of the City Council recessed at 9:05 p.m. to a joint meeting with the Community Development Commission. (Absent: Councilmember Holden)

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

JOINT ACTION: CONFIRMATION OF ALLOCATION OF FEDERAL HOME PROGRAM (FY 2007-2008) FUNDS IN THE AMOUNT OF \$181,673 FOR COMMUNITY HOUSING DEVELOPMENT ORGANIZATION SET-ASIDE CATEGORY

Recommendation of City Manager/Chief Executive Officer:

It is recommended that the City Council/Pasadena Community Development Commission confirm the approval of an allocation of federal HOME program funds (FY 2007-2008) in the amount of \$181,673 for the Community Housing Development Organization set-aside category.

Brian Williams, Assistant City Manager, responded to questions regarding the organizations who will receive the allocated funds.

It was moved by Councilmember Madison, seconded by Councilmember Gordo, to approve the City Manager's/Chief Executive Officer's recommendations. (Motion unanimously carried) (Absent: Councilmember Holden)

RECONVENED

On order of the Mayor, the joint meeting with the Community Development Commission adjourned at 9:06 p.m. and the regular meeting of the City Council reconvened at this time. (Absent: Councilmember Holden)

**RECOMMENDATIONS FROM
OFFICERS AND
DEPARTMENTS**

**DESIGNATION OF COUNCILMEMBER SID TYLER AS
VOTING DELEGATE FOR THE 2007 LEAGUE OF
CALIFORNIA CITIES ANNUAL CONFERENCE ON
SEPTEMBER 5, 2007 THROUGH SEPTEMBER 8, 2007, IN
SACRAMENTO, CALIFORNIA**

It was moved by Vice Mayor Haderlein, seconded by Councilmember McAustin, to designate Councilmember Sid Tyler as voting delegate for the 2007 League of California Cities Annual Conference. (Motion unanimously carried) (Absent: Councilmember Holden)

**RESIGNATION OF JESSICA VALENTINE FROM THE
ACCESSIBILITY AND DISABILITY COMMISSION (District 1
Nomination)**

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

**APPOINTMENT OF ELIZABETH POMEROY TO THE
LIBRARY COMMISSION (District 2 Nomination)**

**APPOINTMENT OF MILENA ALBERT TO THE HUMAN
RELATIONS COMMISSION (Mayor Nomination)**

**APPOINTMENT OF KHATCHIK CHAHINIAN TO THE
PASADENA COMMUNITY ACCESS CORPORATION
BOARD (District 4 Nomination)**

It was moved by Vice Mayor Haderlein, seconded by Councilmember Gordo, to accept the above resignations with regrets and approve the above appointments. (Motion unanimously carried) (Absent: Councilmember Holden)

**ROSE BOWL OPERATING COMPANY (RBOC) AND
PASADENA CENTER OPERATING COMPANY (PCOC)
ORDINANCE CHANGES RELATED TO TERM LIMITS AND
MEMBERSHIP**

Recommendation of Mayor: It is recommended that City Council direct the City Attorney to prepare amendments to the applicable sections of the Pasadena Municipal Code in order to accomplish the following:

(1) With respect to the Rose Bowl Operating Company: (A) to create a new position on the Board of Directors of the Rose Bowl Operating Company to be filled by a Councilmember; (B)

to eliminate term limits for members of the RBOC Board designated by the Tournament of Roses, UCLA, the City Manager and by the City Council as the Councilmember representative; and (C) to clarify that reappointment to the Board in a different representative capacity is not subject to the stated term limits.

(2) With respect to the Pasadena Center Operating Company: (A) to eliminate term limits for the member of the Pasadena Center Operating Company Board designated by the City Council; and (B) to clarify that reappointment to the Board in a different representative capacity is not subject to the stated term limits.

The Mayor reviewed the agenda report.

It was moved by Vice Mayor Haderlein, seconded by Councilmember Tyler, to approve the Mayor's recommendation. (Motion unanimously carried) (Absent: Councilmember Holden)

Vice Mayor Haderlein was excused at 9:11 p.m.

CONSIDERATION OF A CALL FOR REVIEW OF A HEARING OFFICER DECISION TO THE BOARD OF ZONING APPEALS REGARDING A MODIFICATION TO CONDITIONAL USE PERMIT NO. 4117, TO ALLOW FOR THE ON-SITE SALE AND CONSUMPTION OF FULL ALCOHOL IN CONJUNCTION WITH THE OPERATION OF THE PREVIOUS MICROBREWERY RESTAURANT (42 SOUTH DE LACEY AVENUE, UNION CATTLE COMPANY) (Councilmember Madison)

Councilmember Madison explained his reasons for asking for a review of the Hearing Officer's findings regarding the modification to the Conditional Use Permit.

It was moved by Councilmember Madison, seconded by Councilmember Gordo, to call this matter for review to the Board of Zoning Appeals. (Motion unanimously carried) (Absent: Councilmember Holden, Vice Mayor Haderlein)

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 9:12 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 9:13 p.m. (Absent: Councilmember Holden, Vice Mayor Haderlein)

ORDINANCE – FIRST READING

Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA SUSPENDING SECTIONS 9.36.220 AND 9.36.230 OF THE PASADENA MUNICIPAL CODE RELATING TO LIMITATIONS ON HOURS OF OPERATION OF

AMPLIFIED SOUND ON A SUNDAY, FROM 8:30 A.M. - 10:00 A.M., AND NOISE SOURCES FOR A PERMITTED EVENT AT BROOKSIDE PARK ON SUNDAY, SEPTEMBER 30, 2007 (THE PASADENA HUMANE SOCIETY WIGGLE WAGGLE WALK)"

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

AYES: Councilmembers Gordo, Madison, McAustin, Robinson, Tyler, Mayor Bogaard

NOES: None

ABSENT: Councilmember Holden, Vice Mayor Haderlein

COUNCIL COMMENTS

Vice Mayor Haderlein returned at 9:15 p.m.

Councilmember Madison discussed a recent pit bull dog incident in the City and asked that this matter be referred to the Public Safety Committee regarding the issue of regulating dangerous dogs and specific breeds of dogs.

Councilmember McAustin expressed support for the referral to the Public Safety Committee and exploration of regulating pit bull dogs to the fullest extent of the law.

RECESS/JOINT MEETING

On order of the Mayor, the regular meeting of the City Council recessed at 9:20 p.m. to a joint meeting with the Environmental Advisory Commission (EAC). (Absent: Councilmember Holden)

The Mayor welcomed members of the EAC.

Michael Hurley, Chair of the EAC, offered opening remarks regarding the newly-formed Commission, and applauded staff and the community for their enthusiastic participation in the initial work of the Commission.

OVERVIEW OF UNITED NATIONS URBAN ENVIRONMENTAL ACCORDS AND THE U.S. MAYOR'S CLIMATE PROTECTION AGREEMENT AND THE ENVIRONMENTAL ADVISORY COMMISSION'S ROLE IN IMPLEMENTATION

REPORT FROM THE CHAIR OF THE ENVIRONMENTAL ADVISORY COMMISSION REGARDING THE COMMISSION'S WORK

The above two agenda items were discussed concurrently.

The City Manager introduced the agenda item, agreed to provide a status report on the needs assessment for a new transit maintenance facility in response to Vice Mayor Haderlein's question, and responded to questions regarding trip reductions and traffic reduction strategies.

Alice Sterling, Senior Project Manager, provided an overview of staff activities involving obligations/goals to be reached under the United Nations (UN) Urban Environmental Accords and the U.S. Mayor's Climate Protection Agreement and as described in the City's actions shown in the Green City Action Plan. Ms. Sterling responded to questions regarding education of the public on these issues.

The following person expressed support for prompt and forceful action in addressing global warming issues:

David Czamanske, Sierra Club-Pasadena Group Conservation Co-Chair, submitted informational materials regarding climate/environmental issues.

Phyllis Currie, General Manager of Water and Power Department, responded to questions regarding renewable energy goals and possible deregulation of the energy markets again.

Eric Klinkner, Assistant General Manager, responded to questions regarding solar power projects.

Commissioner Roger Gray stressed the need to solicit public input on environmental issues and proposed actions to be taken by the City and individuals, and to shift the paradigm in looking at the issues and possible solutions/steps to be taken.

Councilmember McAustin suggested the EAC be proactive in providing information that would assist individuals in living greener.

Councilmember Gordo suggested the City keep a list of resources that are credible and efficient in providing services/materials related to green issues, and the EAC advise Council on what initial steps can be taken as part of the incremental change to becoming a green city and meeting the City's stated objectives.

The Mayor encouraged the EAC to monitor changes in developments/technology that impact the economic feasibility of progressive actions that address environmental issues.

Discussion followed on public outreach and education regarding environmental issues, steps that the public can take to become involved in addressing these issues, the need for public input on green issues and strategies, the role of the EAC in tracking progress on the Green City Action Plan, implementation of an annual report card/progress report that holds the City accountable for the Plan's objectives/actions, initiation of a paradigm shift in looking at environmental issues and possible solutions, the role of the EAC as an advocate for

environmental and conservation issues, a process for assessing the value of the proposed actions to be taken and determining where and when incremental changes can be made, the need to balance the environmental workplan with Council's fiduciary responsibility to ratepayers/residents, the need to achieve sustainability standards, and changes in the economic assessments and benefits of going green as technology and information is developed in the future.

On order of the Mayor, the report was received and filed.

DEFER CONSIDERATION OF THE 2007 INTEGRATED RESOURCE PLAN

Recommendation of City Manager: It is recommended that the City Council defer consideration of the Draft 2007 Integrated Resource Plan (IRP) until certain underlying policies and principles are reviewed and adopted by City Council, as necessary or appropriate. The IRP Executive Summary is attached as Exhibit 1 of the agenda report and the full report is posted on the Internet at PWPweb.com.

Recommendation of Environmental Advisory Commission:

(1) Postpone action on the proposed 2007 IRP and immediately establish a process to review Pasadena Water and Power (PWP) policies and City Council policy directives in order to clearly align policies and the IRP with the City's Urban Environmental Accord goals.

(2) Begin thinking about how to transform Pasadena's utility for the 21st Century; to adopt policies that connect the dots between where Pasadena gets its power, the environmental impact, and how to meet the increasing need for energy with strategies that are long term and sustainable; and for City Council to form meaningful, strategic partnerships with City and other technological leaders to take advantage of innovative green and clean power solutions for the benefit of our community and our future.

(3) Provide resources to support an independent study of the renewable energy goals for the City, including an examination of the potential for local renewable energy generation from City, residential, commercial and other institutional properties, and for procurement of renewable energy from remote sources as part of the RPS goals for PWP, and provide a substantial stakeholder in-put process. The study should include the feasibility of various technology options for local renewable energy generation and procurement from remote sources, the financial and economic implications for various renewable energy goals, and the policy mechanisms necessary for implementation.

(4) Conduct research, analysis and planning to identify the benefits of increased energy efficiency efforts and to identify any feasible options that may be exercised regarding the City's long-term contracts for fossil fuels, with the goal of reducing reliance on this form of energy, which is polluting communities in other areas.

The City Manager introduced the agenda item; and responded to questions regarding local energy generation, the process for moving forward with the review of policies and principles, and the implementation of programs.

Eric Klinkner, Assistant General Manager, provided an overview of the development process for the Draft Pasadena Water and Power Integrated Resource Plan 2007 (IRP), summarized the agenda report, and responded to questions.

Commissioner Carol Carmichael discussed the EAC/IRP Ad Hoc Committee's review of the IRP as presented in the EAC memorandum dated July 17, 2007 (Exhibit 4 of the agenda report); commented on issues involving renewables and the proposed actions to be taken by the City; and described EAC's proposed independent study of the issues that would include a broad stakeholder engagement.

Phyllis Currie, General Manager of Pasadena Water and Power Department, responded to questions regarding the timeline for additional study as proposed by the EAC, and the City's participation in discussions regarding greenhouse gas legislation.

Discussion followed on the independent study process and timeframe, the need for community involvement in the study process, exploration of strategies to curb emissions while still creating emissions, and options for implementation of programs while further study is being conducted.

The following persons spoke in support of deferring consideration of the IRP and/or expressed concerns regarding renewables issues:

David Czamanske, Sierra Club-Pasadena Group Conservation Co-Chair, submitted copies of letters in support of the deferral of consideration on the IRP and comments on the IRP.

Sharon Howard, Pasadena Global Warming Action Group Co-Founder

The following persons spoke in support of implementing the IRP:

Sam Sassounian, Pasadena resident
Khachik (Chris) Demirchyan, Pasadena resident

Following brief discussion, it was moved by Councilmember Madison, seconded by Councilmember Gordo, to approve the City Manager's recommendation, with the incorporation of the Environmental Advisory Commission's recommendation, with staff to work with the Environmental Advisory Commission on

the independent study and process for going forward, and with staff and the Commission to report back to Council with recommendations. (Motion unanimously carried) (Absent: Councilmember Holden)

The Mayor thanked the staff and EAC for their initial work on this matter.

PRESENTATION ON SOUTHERN CALIFORNIA WATER CONDITIONS AND PASADENA'S VOLUNTARY WATER CONSERVATION PROGRAM

The Mayor introduced the agenda item.

Tim Brick, Board Chair of the Metropolitan Water District of Southern California (MWD), provided a PowerPoint presentation on the status of water resources, the drought/water crisis, and the need to immediately reduce water usage by 10%; and responded to questions.

Nancy Long, Account Manager for Water and Power Department, discussed local water conservation issues, outreach activities to educate residents about conservation, and implementation of water conservation incentives and strategies; discussed the City's water shortage procedures set out in Pasadena Municipal Code Chapter 13.10 (a copy of which was distributed); and responded to questions.

Richard Bruckner, Director of Planning and Development Department, discussed water conservation as this relates to standards for green buildings and new/remodeled constructions (residential and commercial) and educating the public on steps that can taken.

The City Manager indicated that Municipal Code changes, which will be mandatory rather than voluntary, involving water conservation needs will be recommended when the City adopts the International Building Code in January 2008.

Phyllis Currie, General Manager of Water and Power Department, commented on State and regional issues related to water conservation and the City's water supply.

On order of the Mayor, the information was received and filed.

CLOSING REMARKS

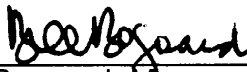
Chair Hurley thanked Council for providing the opportunity for the joint meeting and discussion.

The Mayor commented on the benefits of discussions held with Council's advisory bodies and the input that is provided and received.

Councilmember McAustin suggested a future joint meeting be scheduled with the Design Commission.

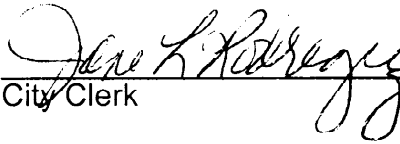
ADJOURNMENT

On order of the Mayor, the joint meeting with the Environmental Advisory Commission adjourned at 11:37 p.m. and the regular meeting of the City Council adjourned at this time.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk