

CITY OF PASADENA
City Council Minutes
August 13, 2007 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 5:46 p.m. (Absent: Councilmembers Gordo, Holden, Madison)

On order of the Mayor, the regular meeting recessed at 5:46 p.m., to discuss the following closed session:

Councilmember Madison arrived at 6:04 p.m.

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL regarding significant exposure to litigation pursuant to Government Code Section 54956.9(b)(1): Two potential cases

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

On order of the Mayor, the regular meeting reconvened at 6:44 p.m. The Pledge of Allegiance was led by Councilmember Robinson.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Steve Haderlein
Councilmember Victor Gordo (Absent)
Councilmember Chris Holden (Absent)
Councilmember Steve Madison
Councilmember Margaret McAustin (Returned at 6:47 p.m.)
Councilmember Jacque Robinson
Councilmember Sidney F. Tyler

Staff:

City Manager Cynthia Kurtz
City Attorney Michele Beal Bagneris
Senior Assistant City Clerk Mark Jomsky

CEREMONIAL MATTERS

Councilmember McAustin returned at 6:47 p.m.

The Senior Assistant City Clerk administered the oath of office to Elizabeth Pomeroy as Library Commissioner.

Councilmember Madison explained the First Tee of Pasadena program (a chapter of a national junior golf program) held through the cooperation of the Rose Bowl Operating Company (RBOC), American Golf, Brookside Golf Club and John Wells Golf Shop. He introduced the First Tee Board members who were present: Kenny James, Blair Salisbury, Bob Baderian (Executive Director), Darryl Dunn (Vice President), and Omel Nieves (President); and David Sams (Program Director).

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

The Mayor presented a proclamation designating September 2007 as First Tee of Pasadena Month, which was accepted by Omel Nieves, who described youth participation in the program and the core values being taught along with new golf skills, acknowledged the First Tee youth who were present, and thanked the many organizations and persons who contributed to the success of the program.

David Davis, Pasadena resident, described an incident involving the theft of personal property from a number of participants in the 2007 Drum Corps International competition that had taken place in Pasadena during the past week; described efforts involving the Tournament of Roses, Rose Bowl Operating Company, and various individuals to raise money for restitution of the stolen items; and announced that donations could be sent to his address to be collected and sent on to the drum corps group from Milwaukee, Wisconsin.

The Mayor thanked Mr. Davis for his efforts in rectifying the theft situation.

D. Harry Montgomery, Typecraft, Wood & Jones, Inc. President, outlined problems with the business's underground vault and options to correct the problems, and submitted a letter dated August 13, 2007 stating his concerns about the available option proposed by the City.

The City Manager indicated that Mr. Montgomery had received a miscommunication in regards to the underground vault issue and staff would contact him about solving the issue.

Vice Mayor Haderlein asked to be kept advised of the status of the solution to Mr. Montgomery's vault problem.

Reverend Michael Burnes, Pasadena Panthers President, thanked the City for its assistance in moving the team's storage shed, outlined the team's problems with locating available field space usage within the City, and asked the City for assistance in obtaining an area for practice use.

The City Manager indicated staff would contact Rev. Burnes about the field use issue.

LaRonda Little, Pasadena resident, described her new business located in her home in Northwest Pasadena and the need to locate a building in order to provide permanent jobs in the City.

The following persons asked for Council support for retaining the Present Perfect Nursery at its current location on Edison-owned property:

Al Toma, Present Perfect Nursery owner
Michael Coppess, Pasadena resident, submitted a map of the site area.

The following persons expressed concerns regarding helicopter noise in residential areas and the need to address the noise issue:

Lorraine Montgomery, Pasadena resident
Stephen Lipira, Pasadena Neighborhood Coalition Vice Chair. (It was noted, for the record, that an email discussing the noise concerns and dated August 11, 2007 had been received from Mr. Lipira.)

The City Manager offered a brief comment on the City's helicopter usage, and indicated staff was working with the Public Safety Committee on the helicopter noise issue.

Vice Mayor Haderlein confirmed that the Public Safety Committee would be meeting at the heliport to receive a demonstration and discuss the noise issue.

CONSENT CALENDAR

APPROVAL OF FINAL VESTING TRACT MAP NO. 066826 FOR THE CONVERSION OF AN EXISTING MIXED-UNIT PROJECT CONSISTING OF TWO RETAIL SPACES AND 28 APARTMENTS INTO TWO RETAIL PARCELS AND 28 CONDOMINIUM UNITS AT 712 EAST WALNUT STREET

Recommendation of City Manager: Adopt a resolution to:

- (1) Approve Final Vesting Tract Map No. 066826; and
- (2) Authorize the City Clerk to execute the certificate on the map showing the City's approval of said map. (Resolution No. 8767)

APPROVAL OF VESTING FINAL TRACT MAP NO. 066395 FOR THE CONVERSION OF 18 EXISTING APARTMENT UNITS INTO 16 CONDOMINIUM UNITS AT 84 NORTH WILSON AVENUE

Recommendation of City Manager: Adopt a resolution to:

- (1) Approve Final Vesting Tract Map No. 066395; and
- (2) Authorize the City Clerk to execute the certificate on the map showing the City's approval of said map. (Resolution No. 8768)

APPROVAL OF FINAL TRACT MAP NO. 062283, BEING A MIXED-USE PROJECT TO CREATE FIVE AIR PARCELS, AT 355 EAST COLORADO BOULEVARD AND 380 EAST UNION STREET

Recommendation of City Manager: Adopt a resolution to:

- (1) Approve Final Tract Map No. 062283;
- (2) Accept the offer of easement dedications for street purposes as shown on said map; and
- (3) Authorize the City Clerk to execute the certificate on the

map showing the City's approval of said map. (Resolution No. 8769)

AUTHORIZATION TO PURCHASE TWO DIGITAL PRINTING SYSTEMS

Recommendation of City Manager: Authorize the issuance of a purchase order to Oce – North America, Inc., in an amount not to exceed \$362,575 for the purchase of Oce 6250 digital black and white printing system and one Oce CS650 digital color printing system. Competitive bidding is not required pursuant to City Charter Section 1002(H), contracts with other governmental entities or their contractors for labor, material, supplies or services.

Item discussed separately at the request of Councilmember Madison.

CONTRACT AWARD TO SULLY MILLER CONTRACTING COMPANY, FOR THE STATE ROUTE 710 MITIGATION PROJECT – ARROYO PARKWAY ENHANCEMENT FOR AN AMOUNT NOT TO EXCEED \$7,100,000; AND AMEND CONTRACT NO. 18,210 WITH RBF CONSULTING TO INCREASE THE TOTAL NOT TO EXCEED AMOUNT BY \$60,000 FROM \$766,000 TO \$826,000 FOR ASSISTANCE DURING CONSTRUCTION OF THE ARROYO PARKWAY ENHANCEMENT PROJECT

Item discussed separately at the request of Councilmember Madison.

CONTRACT AWARD TO VASILJ, INC., DBA IVANKO FOR ARROYO PARKWAY MIDDLE SEWER CONSTRUCTION FOR AN AMOUNT NOT TO EXCEED \$700,000

APPROVAL OF APPLICATION AND RESOLUTION TO THE RESOURCES AGENCY OF THE STATE OF CALIFORNIA FOR THE LOS ANGELES RIVER PARKWAY GRANT PROGRAM FOR THE SYCAMORE GROVE PERIMETER TRAIL PROJECT AT HAHAMONGNA WATERSHED PARK IN THE ARROYO SECO

Recommendation of City Manager: Approve the City of Pasadena's application and adoption of a resolution to the Resources Agency of the State of California for the Los Angeles River Parkway Grant Program in the amount of \$423,500 for the Sycamore Grove Perimeter Trail Hahamongna Watershed Park in the Arroyo Seco. (Resolution No. 8770)

Recommendation of Recreation and Parks Commission: At their special meeting on September 12, 2006, the Recreation and Parks Commission recommended to the City Council support of a grant application to the State of California Resources Agency's Habitat Conservation Fund Program for the implementation of the Westside Trails Project. The City of Pasadena was not successful in receiving this grant.

At their regular meeting of August 7, 2007, staff provided an update to the Commission advising that the project now identified as the Sycamore Grove Perimeter Trail in Hahamongna Watershed Park was being re-submitted through

the Los Angeles River Parkway Grant Program. The Recreation and Parks Commission reaffirmed their support for this project and grant application.

RESOLUTION FOR THE COLORADO EDUCATIONAL AND CULTURAL FACILITIES AUTHORITY REVENUE BONDS FOR MARANATHA HIGH SCHOOL

Recommendation of City Manager: Adopt a resolution re-approving the issuance of the Colorado Educational and Cultural Facilities Authority Revenue Bonds, Series 2007, in an aggregate principal amount not to exceed \$32 million to be used to finance or refinance the acquisition, construction, improvement, furnishings and equipping of certain educational facilities and certain other matters relating thereto. (Resolution No. 8771)

Item discussed separately at the request of Councilmember McAustin.

AUTHORIZATION TO ENTER INTO A CONTRACT WITH THE PLANNING CENTER TO PROVIDE PROFESSIONAL CONSULTING SERVICES IN THE PREPARATION OF THE GENERAL PLAN HOUSING ELEMENT UPDATE (2006-2014)

Item discussed separately at the request of Councilmember Robinson.

APPROVAL OF THE AGREEMENT BETWEEN THE CITY OF PASADENA AND THE COALITION OF MISCELLANEOUS NON-SAFETY UNIONS AND ADOPTION OF A RESOLUTION AMENDING THE SALARY RESOLUTION TO MODIFY RETIREMENT BENEFIT COST SHARING METHODOLOGY; AND ADOPTION OF A RESOLUTION TO PAY AND REPORT THE VALUE OF THE EMPLOYER PAID MEMBER CONTRIBUTION FOR MISCELLANEOUS NON-SAFETY EMPLOYEES

CLAIMS RECEIVED AND FILED

| | | | |
|------------------|--------------------|----|------------|
| Claim No. 10,416 | Leigh S. Rosenberg | \$ | Not Stated |
| Claim No. 10,417 | Ronald A. Carson | | 53,349.00 |
| Claim No. 10,418 | John Chan | | 3,500.00 |
| Claim No. 10,419 | Ruthee Goldkorn | | 32,000.00 |
| Claim No. 10,420 | John F M Rodriguez | | Not Stated |

It was moved by Vice Mayor Haderlein, seconded by Councilmember McAustin, to approve the Consent Calendar, with the exceptions of Item 5 (Contract with Sully Miller Contracting Company), Item 6 (Contract with Vasilj, Inc. dba Ivanko), Item 9 (Contract with The Planning Center), and Item 10 (Agreement with Coalition of Miscellaneous Non-Safety Unions), which were discussed separately. (Motion unanimously carried) (Absent: Councilmembers Gordo, Holden)

CONSENT ITEMS DISCUSSED SEPARATELY

Councilmember Madison recused himself at 7:32 p.m., due to a conflict of interest.

CONTRACT AWARD TO SULLY MILLER CONTRACTING COMPANY, FOR THE STATE ROUTE 710 MITIGATION PROJECT – ARROYO PARKWAY ENHANCEMENT FOR AN AMOUNT NOT TO EXCEED \$7,100,000; AND AMEND CONTRACT NO. 18,210 WITH RBF CONSULTING TO INCREASE THE TOTAL NOT TO EXCEED AMOUNT BY

\$60,000 FROM \$766,000 TO \$826,000 FOR ASSISTANCE DURING CONSTRUCTION OF THE ARROYO PARKWAY ENHANCEMENT PROJECT

Recommendation of City Manager:

(1) Accept the bid dated August 1, 2007, submitted by Sully Miller Contracting Company, in response to the Plans and Specifications for the SR 710 Mitigation Project – Arroyo Parkway Enhancement; reject all other bids received; and authorize the City Manager to enter into a contract not to exceed \$7,100,000 which includes the base bid of \$6,461,286 and \$638,714 for any additional work the City may order pursuant to the project plans and specifications; and

(2) Amend Contract No. 18,210 with RBF Consulting to increase the total not to exceed amount by \$60,000 from \$766,000 to \$826,000 for additional scope of work to provide assistance during construction of the SR 710 Mitigation Project – Arroyo Parkway Enhancement. (Contract No. 19,424; Contract Amendment No. 18,210-2)

CONTRACT AWARD TO VASILJ, INC. DBA IVANKO FOR ARROYO PARKWAY MIDDLE SEWER CONSTRUCTION FOR AN AMOUNT NOT TO EXCEED \$700,000

Recommendation of City Manager:

(1) Accept the bid dated July 24, 2007, submitted by Vasilj, Inc. dba Ivanko, for Arroyo Parkway Middle Sewer Construction; reject all other bids received; and authorize the City Manager to enter into such contract for a “not to exceed” amount of \$700,000;

(2) Grant Dominguez General Engineering Inc., the apparent low bidder, their request to withdraw their bid on the basis of clerical error, and authorize the Office of the City Clerk to return the bid bond.

(3) Acknowledge the project to be statutorily exempt under the California Environmental Quality Act (CEQA) in accordance with Title 14, Chapter 3, Section 15282(k); and authorize the City Manager to execute and the City Clerk to file a Notice of Exemption for the project with the Los Angeles County Clerk. (Contract No. 19,425)

The above two agenda items were discussed concurrently.

The City Manager indicated staff would confirm whether the Vasilj, Inc. dba Ivanko contract is covered under the Taxpayer Protection Amendment of 2000 (TPA) and whether there would be a need to include this contract in the monthly TPA report to each member of the Council.

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

