

CITY OF PASADENA
City Council Minutes
May 19, 2008 – 5:30 P.M.
City Hall Council Chamber

Teleconference Location:
Marriott Hotel Teaneck At Glenpoint, Room 903
100 Frank W Burr Boulevard
Teaneck, New Jersey

REGULAR MEETING

OPENING:

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

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

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

**City Representatives: Bernard K. Melekian and Karyn S.
Ezell**

**Employee Organization: Unrepresented Executive
Management Employees**

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL to
discuss pending litigation pursuant to Government Code
Section 54956.9(a)**

**Case Name: Los Angeles Engineering, Inc. v. City of
Pasadena**

Case No.: Los Angeles Superior Court Case No. BC382944

**CITY COUNCIL CONFERENCE REGARDING PUBLIC
EMPLOYMENT pursuant to Government Code Section
54957**

Employee Title: City Clerk

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

On order of the Mayor, the regular meeting reconvened at
6:32 p.m. The Pledge of Allegiance was led by Marvin
Schachter, Pasadena resident.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Steve Haderlein
Councilmember Victor Gordo
Councilmember Chris Holden (Returned at 6:34 p.m.)
Councilmember Steve Madison (Participated via
teleconference beginning at 6:32 p.m.)
Councilmember Margaret McAustin
Councilmember Jacque Robinson
Councilmember Sidney F. Tyler

Staff:

City Manager Bernard K. Melekian
City Attorney Michele Beal Bagneris
City Clerk Jane L. Rodriguez

CEREMONIAL MATTERS

Councilmember Holden
returned at 6:34 p.m.

Patsy Lane, Director of Human Services and Recreation Department, announced that All City Management Services (the City's contractor for providing school crossing guard services throughout the City) had named Ellis Cooper as the recipient of the 2007-2008 Outstanding School Crossing Guard of the Year award. Patricia Jaime and Debra Lucas, resource teachers at Longfellow Elementary School, commended Mr. Cooper for his dedication in keeping Longfellow students protected from traffic at this school site. Councilmember McAustin echoed the teachers' gratitude for Mr. Cooper's crossing guard efforts at the busy intersection of East Washington Boulevard and North Catalina Avenue.

The Mayor presented a Certificate of Recognition to Ellis Cooper, the crossing guard at Longfellow Elementary School, as the 2007-2008 Outstanding School Crossing Guard of the Year.

The Mayor presented a proclamation designating the week of May 18-24, 2008 as National Public Works Week. The proclamation was accepted by Martin Pastucha, Director of Public Works Department. Mr. Pastucha highlighted the training achieved by the City's MASH program participants and recognition received during the year by the City and Public Works Department for the City Hall seismic retrofit project, Washington Park renovation project, and Flint Wash Bridge project; and displayed the 2008 American Public Works Association poster honoring National Public Works Week.

The City Manager announced that memorial banners honoring the following young men from Pasadena who had fallen in the Iraq war would be dedicated during the Memorial Day services on May 26, 2008 in Memorial Park:

Dion Whitley, U.S. Marine Corps – an Eagle Scout through Troop 40, which is sponsored by the Pasadena Police Department

Rogelio Ramirez, U.S. Marine Corps – a member of the Police Activities League

Adam Rosema, U.S. Army – whose father was active in Rose Parade float building
Corey Hiltz, U.S. Army – son of Wayne Hiltz, retired Pasadena Police Department Deputy Chief and a close friend of Adam Rosema
Sergio Escobar, U.S. Marine Corps – who had worked hard at turning his life around

It was moved by Councilmember Gordo, seconded by Councilmember Tyler, to adjourn the meeting in memory of these young men. (Motion unanimously carried) (Absent: None)

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

Marvin Schachter, AARP and Pasadena Senior Advocacy Council representative, reminded the community of the upcoming State Primary Election to be held on June 3, 2008 and the City's prior actions in opposition to Proposition 98 and in support of Proposition 99 (both State measures on the topic of eminent domain); and urged Council to do whatever is needed to encourage the community to vote in this election.

Priscilla Flynn, Pasadena resident, expressed concerns regarding the traffic congestion in the Marengo Avenue/Arroyo Parkway/Del Mar Boulevard/Cordova Street/Green Street area that is impacted by current development, the design decisions that have been made for projects in the area, the decrease in affordable housing related to condo conversions, and the apparent lack of coordination in planning for the cumulative impacts of development occurring in the area.

The Mayor stated that after previous Council discussion regarding a project on Marengo Avenue area, staff had been asked to look into questions raised about phased development, managing the implications of construction, and design and compatibility issues.

Councilmember Holden noted that staff had also been asked to look into using this area as a special study zone to address the issues and questions that had been raised by the community.

The City Manager indicated that many of the above questions had been recently addressed through the weekly information letter to Council, and that staff was determining if there were other areas in the City that were experiencing circumstances similar to those on South Marengo Avenue so that development could take place in a more orderly fashion in the future.

James Peterson, Pasadena resident, expressed concerns regarding a project at 155 E. Cordova Avenue and the eviction of tenants at the project site; and submitted a copy of the "Tenant Protection Fact Sheet" that is provided by the City's Housing/Community Development Division.

Councilmember Gordo asked the City Manager to confirm the process and timing used for conversion projects as this relates to evicted tenants covered by the Pasadena Municipal Code on Tenant Protection.

Councilmember Madison indicated that his office has been in touch with Mr. Peterson (who is not a tenant affected by the project); and asked Mr. Peterson to have the tenants who have been affected by evictions to contact City staff and/or his field office regarding this matter.

The Mayor indicated that the City Manager will follow up on this matter.

CONSENT CALENDAR

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER CONTRACT WITH INNOVATIVE STORAGE SOLUTIONS FOR THE PURCHASE OF AN OUTDOOR RACKING SYSTEM TO STORE MATERIAL PARTS FOR THE WATER AND POWER DEPARTMENT

Recommendation of City Manager:

(1) Accept the bid dated March 28, 2008, submitted by Innovative Storage Solutions in response to the Specification dated January 10, 2008, for an outdoor racking system at the City Yards.

(2) Authorize a purchase order contract to Innovative Storage Solutions for an amount not to exceed \$375,000.

RESCISSION OF CONTRACT FOR THE PAINTING OF PLAYHOUSE DISTRICT STREET LIGHT POLES

Recommendation of City Manager: Rescind without penalty Contract No. 19,474 with Lightpole Restoration Specialists, Inc., for the Painting of Playhouse District Street Light Poles and authorize the City Manager to call for new bids.

Item discussed separately
at the request of
Councilmember Tyler.

CONTRACT AWARD TO WHEELER PAVING, INC., FOR THE SLURRY SEAL OF AREA "I" PARKING LOT - 2008 AT BROOKSIDE PARK FOR AN AMOUNT NOT TO EXCEED \$125,000

APPROVAL OF FINAL TRACT MAP NO. 066786, BEING AN 11-UNIT CONDOMINIUM PROJECT, AT 1018-1026 SOUTH MARENGO AVENUE

Recommendation of City Manager:

(1) Adopt a resolution to approve Final Tract Map No. 066786; and

(2) Authorize the City Clerk to execute the certificate on the map showing the City's approval of said map. (Resolution No. 8855)

APPROVE QUITCLAIM OF CITY'S EASEMENT AT FOOTHILL/ ROSEMEAD SHOPPING CENTER FOR WATER UTILITY PURPOSES

Recommendation of City Manager: It is recommended that, based upon the information provided in the agenda report, the City Council:

(1) Approve the City's Quitclaim to release and terminate the City of Pasadena's (City) water line easement on the prescribed real property located in the County of Los Angeles, State of California, being that portion of the land described in the document entitled "Grant of Easement", as recorded in Book 48713, page 126 of official records, in the office of the County Recorder of said County commonly known as Foothill/Rosemead Shopping Center.

(2) Authorize the City Manager or his designee to execute and record with the County Recorder the quitclaim deed on behalf of the City. (Deed No. 7759)

ADOPTION OF RESOLUTION SETTING A DATE FOR PUBLIC HEARING TO CONSIDER THE ESTABLISHMENT OF UNDERGROUND UTILITY DISTRICT NO. 08-1, ALPINE STREET, MARENGO AVENUE TO EL MOLINO AVENUE

Recommendation of City Manager: Adopt a resolution setting a date for a public hearing to consider the establishment of Underground Utility District No. 08-1, Alpine Street, Marengo Avenue to El Molino Avenue on July 14, 2008 at 7:30 p.m. (Resolution No. 8856)

AUTHORIZE THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY (METRO) FOR RECEIPT OF GRANT FUNDS UNDER SECTION 5317 NEW FREEDOM PROGRAM TO PURCHASE ONE DIAL-A-RIDE VEHICLE

Recommendation of City Manager: Authorize the City Manager to execute a Memorandum of Understanding with Los Angeles County Metropolitan Transportation Authority (METRO) to receive \$46,400 in grant funds under the Section 5317 New Freedom program. (Agreement No. 19,629)

Item discussed separately
at the request of
Councilmember Tyler.

AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH THE ARROYO SECO FOUNDATION TO IMPLEMENT PROPOSITION 40 GRANT

AUTHORIZATION TO APPLY FOR A GRANT WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) UNDER 49 U.S.C. SECTION 5310 PROGRAM FUNDING TO PURCHASE INTERACTIVE VOICE RESPONSE COMMUNICATION EQUIPMENT

Recommendation of City Manager: Adopt a resolution approving the submission of a grant application to the Department of Transportation (Caltrans), in the amount of \$290,000 to secure funding for the purchase of Interactive Voice Response for eleven Dial-A-Ride Vehicles. (Resolution No. 8857)

AUTHORIZE THE EXECUTION OF AN AGREEMENT WITH FIRST TRANSIT FOR THE TRANSFER OF VEHICLE OWNERSHIP OF FIVE VEHICLES

Recommendation of City Manager: Authorize the City Manager to execute an agreement with First Transit for the transfer of vehicle ownership of five vehicles from First Transit to the City of Pasadena. The transfer is made in consideration to the value paid by the City during the course of the use of the vehicles under contract service. (Agreement No. 19,630)

MINUTES APPROVED

April 28, 2008 (Special Joint Meeting)
 April 28, 2008
 May 5, 2008 (Special Joint Meeting)
 May 5, 2008

CLAIMS RECEIVED AND FILED

Claim No. 10,592	Charles Tran	\$	2,332.14
Claim No. 10,593	State Farm Insurance Companies for Shawn and Maura Mackey		3,691.83
Claim No. 10,594	Donald Tate		1,960.61
Claim No. 10,595	Jose Manuel Pleitez		Not stated
Claim No. 10,596	Gail Melom		10,000.00+
Claim No. 10,597	Theodore F. Reyes		254.00
Claim No. 10,598	Farmers Insurance Group for Michael J. Dooley		12,839.84
Claim No. 10,599	Rossie Stewart		75,000.00
Claim No. 10,600	Amal Zayat Arout		2,419.72
Claim No. 10,601	Stephen C. Barnes		1,975.00

PUBLIC HEARINGS SET

June 16, 2008, 7:30 p.m. - Chandler School Master Plan Amendment

June 23, 2008, 7:30 p.m. - Joint Public Hearing: Approval/Submittal of the Annual Action Plan (2008- 2009) as the Application and Statement of Projected Use of Funds for the U.S. Department of Housing and Urban Development (HUD); Community Development Block Grant (CDBG); Emergency Shelter Grant (ESG); Home Investment Partnership Act (HOME); and Certain Related Human Services Endowment Fund (HSEF) Allocations

It was moved by Councilmember McAustin, seconded by Vice Mayor Haderlein, to approve the Consent Calendar, with the exceptions of Item 3 (Contract with Wheeler Paving, Inc.) and Item 8 (Agreement with Arroyo Seco Foundation), which were discussed separately:

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

NOES: None

ABSENT: None

CONSENT ITEMS
DISCUSSED SEPARATELY

CONTRACT AWARD TO WHEELER PAVING, INC., FOR THE SLURRY SEAL OF AREA "I" PARKING LOT - 2008 AT BROOKSIDE PARK FOR AN AMOUNT NOT TO EXCEED \$125,000

Recommendation of City Manager:

(1) Accept the bid dated May 6, 2008 submitted by Wheeler Paving, Inc., for the Slurry Seal of Area "I" Parking Lot - 2008 at Brookside Park; reject all other bids received; and authorize the City Manager to enter into such contract for a not to exceed amount of \$125,000; and

(2) Acknowledge the project to be categorically exempt under Section 21084 of the California Environmental Quality Act (CEQA) in accordance with Article 19, Section 15301 (Class 1), subsection (c) of the Resources Agency of California Guidelines (repair of existing public streets and related facilities) pursuant to the findings of the Secretary of the Resources Agency 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. 19,631)

In response to Councilmembers Tyler's and Robinson's questions, Martin Pastucha, Director of Public Works Department, clarified the scope and financing for the project.

It was moved by Councilmember Tyler, seconded by Councilmember McAustin, to approve the City Manager's recommendation:

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

NOES: None

ABSENT: None

AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH THE ARROYO SECO FOUNDATION TO IMPLEMENT PROPOSITION 40 GRANT

Recommendation of City Manager: It is recommended that the City Council authorize the City Manager to execute an agreement with the Arroyo Seco Foundation to conduct the aforementioned projects on the City's behalf. (Agreement No. 19,632)

In response to Councilmember Tyler's questions, Martin Pastucha, Director of Public Works Department, clarified the scope and financing of the projects.

It was moved by Councilmember Tyler, seconded by Councilmember McAustin, to approve the City Manager's recommendation:

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

NOES: None

ABSENT: None

**RECOMMENDATIONS FROM
OFFICERS AND
DEPARTMENTS**

**COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
PROGRAM CITY SET-ASIDE RECOMMENDATION
(2008-2009)**

Recommendation of City Manager: It is recommended the City Council approve the 2008-2009 Community Development Block Grant (CDBG) Program City Set-Aside of \$1,762,057 with an allocation of \$874,000 to three eligible City administered projects and \$888,057 to three mandatory projects (Section 108 Loan Repayment, Repayment to General Fund for Economic Development Loan to the Episcopal Housing Alliance, and CDBG Program Administration).

The City Manager introduced the agenda item, and clarified the loan repayment for the Fair Oaks Renaissance Plaza Shopping Center project and the Community Development Block Grant (CDBG) Program Administration costs.

John DePew, Program Coordinator, reviewed the agenda report and responded to questions.

Jim Wong, Interim Housing Manager, clarified that use of CDBG Program Administration funds is currently separate and distinct from administrative costs for the City's affordable housing program and other programs provided by the Housing Division, and responded to questions.

Brief discussion followed on determination of the amount of the CDBG Program Administration funding allotment allowed by the Federal government, and disbursement and use of this funding.

It was moved by Councilmember Holden, seconded by Councilmember Robinson, to approve the City Manager's recommendation:

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

NOES: None

ABSENT: None

**ANNOUNCEMENT OF COUNCILMEMBERS TO SERVE ON
THE MUNICIPAL SERVICES COMMITTEE (Mayor Bogaard)**

The Mayor announced the following three members would serve on the Municipal Services Committee when it is re-established: Councilmembers Gordo and Tyler, with Councilmember McAustin as Chair.

The City Manager indicated staff welcomed the re-establishment of this Committee.

**ORDINANCE – FIRST
READING**

Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 2 TO ADD SECTION 2.05.200 TO THE PASADENA MUNICIPAL CODE TO RE-ESTABLISH THE COUNCIL MUNICIPAL SERVICES COMMITTEE”

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

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

NOES: None

ABSENT: None

**RECOMMENDATIONS FROM
OFFICERS AND
DEPARTMENTS**

Councilmember McAustin was excused at 7:26 p.m.

RESIGNATION OF BRUCE JIMENEZ FROM THE HISTORIC PRESERVATION COMMISSION (District 1 Nomination)

RESIGNATION OF GREGOR EDWARDS FROM THE RECREATION AND PARKS COMMISSION (District 1 Nomination)

REAPPOINTMENT OF NEIL SINGLA, M.D. TO THE PASADENA COMMUNITY ACCESS CORPORATION BOARD (Mayor Nomination)

REAPPOINTMENT OF PATTY WATSON-WOOD TO THE SENIOR COMMISSION (Agency Nomination)

REAPPOINTMENT OF GAIL ANDERSON TO THE COMMISSION ON THE STATUS OF WOMEN (District 7 Nomination)

REAPPOINTMENT OF JAMES IPEKJIAN TO THE HISTORIC PRESERVATION COMMISSION (District 7 Nomination)

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

REAPPOINTMENT OF JENNIFER HIGGINBOTHAM TO THE TRANSPORTATION ADVISORY COMMISSION (District 7 Nomination)

REAPPOINTMENT OF BETH LEYDEN TO THE PASADENA COMMUNITY ACCESS CORPORATION BOARD (PUSD Nomination)

APPOINTMENT OF ISHMAEL TRONE TO THE COMMUNITY DEVELOPMENT COMMITTEE (District 3 Nomination)

It was moved by Councilmember Holden, seconded by Councilmember Robinson, to accept the above resignations with regrets and to approve the above reappointments and

appointment:

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

NOES: None

ABSENT: Councilmember McAustin

Councilmember McAustin
returned at 7:27 p.m.

RECESS

On order of the Mayor, the regular meeting of the City Council
recessed at 7:27 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 7:28 p.m. (Absent: None)

ORDINANCES – ADOPTED

**Adopt “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 THE KENNEL CLUB OF PASADENA
DOG SHOW ON JUNE 1, 2008”** (Introduced by
Councilmember Gordo) (Ordinance No. 7141)

The above ordinance was adopted by the following vote:

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

NOES: None

ABSENT: None

Councilmember Gordo
recused himself at 7:29 p.m.,
due to a conflict of interest.

**Adopt “AN ORDINANCE OF THE CITY OF PASADENA
AMENDING THE ZONING CODE (TITLE 17) AND THE
OFFICIAL ZONING MAP OF THE CITY OF PASADENA
ESTABLISHED BY SECTION 17.20.020 OF THE PASADENA
MUNICIPAL CODE TO DELETE THE
WORKFORCE/AFFORDABLE HOUSING OVERLAY
DISTRICT”** (Introduced by Vice Mayor Haderlein) (Ordinance
No. 7142)

The above ordinance was adopted by the following vote:

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

NOES: None

ABSENT: Councilmember Gordo

PUBLIC HEARINGS

Councilmember Gordo
returned at 7:30 p.m.

**CONTINUED PUBLIC HEARING: ADOPTION OF THE
FISCAL YEAR 2009 - 2014 CAPITAL IMPROVEMENT
PROGRAM BUDGET**

Recommendation of City Manager:

(1) Adopt by resolution the FY 2009 - 2014 Capital Improvement Program budget as amended. This adopted budget shall go into effect immediately; and

(2) Approve a journal voucher amending the FY 2008 Capital Improvement Program budget resulting in a net decrease of the FY 2008 CIP appropriations by \$589,400 as detailed in Attachment III of the agenda report. (Resolution No. 8858; Journal Voucher No. 2008-25)

Recommendation of Advisory Bodies:

The Recommended FY 2009 - 2014 Capital Improvement Program (CIP) was presented to and received the support of the following commissions and committee: Recreation and Parks Commission, Hahamongna Watershed Park Advisory Committee, Transportation Advisory Commission, Northwest Commission, and Planning Commission.

- **Recreation and Parks Commission** – Staff presented the *Parks and Landscaping* and the *Arroyo Projects* sections of the City Manager's Recommended FY 2009 - 2014 CIP Budget to the Commission at their March 4, 2008 meeting. The Commission voted unanimously to endorse the *Parks and Landscaping* and the *Arroyo Projects* sections and recommended the City Council approve the following actions:
 - (1) Add the seven park needs areas as defined in the Green Space, Recreational and Parks Master Plan to the CIP for future funding; and
 - (2) Expand the scope of the Pasadena Avenue and Bellefontaine Median Landscaping project to include improvements to the west and east sides of St. John Avenue and Pasadena Avenue.
- **Hahamongna Watershed Park Advisory Committee** – Staff presented the *Arroyo Projects - Hahamongna* section of the CIP budget to the Committee at their March 4, 2008 meeting. The Committee voted to endorse the *Arroyo Projects - Hahamongna* section of the budget with an additional recommendation to re-evaluate the appropriateness of the new soccer fields in Hahamongna and to suspend any spending on these fields until an examination has been done.
- **Transportation Advisory Commission** – Staff presented the *Streets and Streetscapes* and *Transportation and Parking Facilities* sections of the CIP budget to the Commission at their March 7, 2008 meeting. The Commission voted to endorse these two sections.
- **Northwest Commission** – Staff presented three new projects that were located completely or partially in Northwest Pasadena to the Northwest Commission at their March 13, 2008 meeting. The Commission endorsed the three projects:
 - (1) Orange Grove Boulevard – Electrical System Undergrounding, Fair Oaks Avenue to Lake Avenue.
 - (2) Seismic Upgrade of Power Facilities; and
 - (3) Installation of Microturbine at Millard Pressure

- Reducing Station.
- **Planning Commission** – Staff presented 15 new projects to the Commission at their March 6, 2008 meeting. The Commission found all 15 projects consistent with the General Plan.

The Mayor announced now was the time for the continued public hearing.

The City Clerk reported no new correspondence had been received.

In response to Councilmember Madison's questions, the City Attorney reported that Councilmember Madison would have no conflict of interest on a median landscaping project in the Pasadena Avenue/Bellefontaine Avenue area contained in the Capital Improvement Program (CIP) Budget.

The City Manager introduced the agenda item, commented on the unanticipated investment earnings from the 2003 City Hall and Park Improvements (COPs) and the recommendation to hold the unallocated balance of \$2,037,484 from the COPs until Council could discuss unfunded priorities in June 2008. He noted that an option to transition sports fields from natural turf to artificial turf was being referred to the City/PUSD Staff Committee for discussion.

Martin Pastucha, Director of Public Works Department, reviewed the agenda report, noted that staff would follow up with a report to Council on the economics and feasibility of transitioning sports fields from natural turf to artificial turf, and responded to questions.

Steve Mermell, Acting Director of Finance Department, explained the unanticipated investment earnings from the 2003 City Hall and Park Improvements COPs and proposed use of these monies, and responded to questions.

Councilmember Tyler, Chair of the Finance Committee, commented on the Committee's deliberations/discussions on the unfunded status of the proposed ice skating rink and proposed urgent care facility projects, the funding of Neighborhood Traffic Management program costs for personnel under the recommended Fiscal Year 2009 Operating Budget, possible savings in transitioning sports fields from natural turf to artificial turf, and an option to use General Fund monies for parks in addition to the Residential Impact Fee funding. He clarified that the format of the CIP Budget appropriates new funds for projects that are not necessarily spent during the budget year; and commented on the format of the Water and Power Department budget that actually shows the monies that will be spent on identified projects during the

budget year, which, in his opinion, makes the Water and Power budget more understandable.

Councilmember Gordo noted that installation of artificial turf at Robinson Park and Villa Parke was contained in the current CIP Budget, with Hahamongna Watershed Park as another possibility for artificial turf. He suggested staff inform Council on how the Villa Parke and Hahamongna Watershed Park projects will be funded at some time in the future, and that Neighborhood Connections be involved in these discussions, since the surrounding neighborhood associations would be interested in park plans in their neighborhoods.

Councilmember McAustin asked that the gap areas of the City identified in the CIP as lacking a park within walking distance be considered as priorities when sports fields are discussed.

Vice Mayor Haderlein expressed support for continuing an increased level of funding for parks in the coming years.

Councilmember Holden cautioned about the need to engage in a balanced process when addressing unfunded priorities, suggested the City work with the Robinson family to rename Robinson Park after Jackie Robinson when groundbreaking occurs for this project, and discussed the improvements/funding needed to implement the Fair Oaks/Orange Grove Specific Plan.

The City Manager indicated that a report with recommendations on next steps for unfunded priorities would be presented to Council, and commented on the format of the CIP Budget.

Discussion followed on the issue of transitioning sports fields from natural turf to artificial turf, coordination with Pasadena Unified School District (PUSD) on sports fields and park areas, and possible funding mechanisms for park improvements and maintenance costs.

The following persons expressed support for funding of the proposed ice skating rink project and concerns regarding the current adequacy of the local skating rink/facility:

Lilly Lieu, Pasadena Hockey Association President
Archie Chin, Pasadena Hockey Association member

The City Manager reported on the City's commitment to the ice skating rink project; and Mr. Pastucha provided an update on the project redesign process, the construction bidding process, and an approximate timeframe for the project.

Vice Mayor Haderlein suggested information on the rink project, including a timeline, be posted on the City's web page in order to keep the public informed about the project.

Councilmember Gordo asked that Council be updated on the rink project, including lease/operating agreements and deal points, in closed session.

It was moved by Vice Mayor Haderlein, seconded by Councilmember Robinson, to close the public hearing. (Motion unanimously carried) (Absent: None)

It was moved by Councilmember Tyler, seconded by Vice Mayor Haderlein, to approve the City Manager's recommendation:

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

NOES: None

ABSENT: None

The Mayor thanked the Finance Committee and staff for their work on the CIP Budget.

PUBLIC HEARING: FISCAL YEAR 2009 RECOMMENDED OPERATING BUDGET

Recommendation of City Manager: It is recommended that the City Council:

(1) Open the public hearing and receive public comment on the City Manager's Recommended Fiscal Year 2009 Operating Budget; and

(2) Continue this public hearing to each subsequent regular meeting of the City Council at 7:30 p.m. until June 23, 2008, or such other late date as the City Council may determine, and at which time the City Council will be asked to close the public hearing and formally adopt the Operating Budget.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on April 28, 2008 in the Pasadena Star-News; and no correspondence was received.

Councilmember Madison was excused at 8:27 p.m.

The City Manager reviewed his transmittal letter to the Council that accompanied the agenda report and Recommended Fiscal Year (FY) 2009 Operating Budget; and thanked Steve Mermell, Acting Director of Finance Department, and Vic Erganian, City Treasurer, for their recent work in the bond insurance crisis involving the City's municipal bonds. He highlighted information on implementation of a zero-based budget process, strengthening of the audit system (fiscal and management), and analysis of unfunded priorities. He discussed the following

proposed significant changes to the FY 2009 Budget: 1) transfer of the Utility Users Tax (UUT) into the General Fund reserve, which would raise this reserve from 8% to 10%, 2) creation of a Housing Department, 3) funding of the Interagency Communications Interoperability System (ICIS), 4) transfer of Arts and Culture Section to the City Manager's Office to report to one of the Assistant City Managers, and 5) appropriation of \$850,000 from the General Fund to help sustain the Public Health Department. The City Manager commented on the future discussion regarding funding priorities to be held by Council prior to the Council retreat on July 12, 2008, and responded to questions regarding the proposed changes.

Steve Mermell, Director of Finance Department, provided an analysis of the trend in the City's revenues and expenses over a five-year period (projected through 2013) and the growing gap that is occurring, distributed a handout/table titled "General Fund – Financial Plan Fiscal Year 2009", and responded to questions regarding the five-year Financial Plan handout.

Discussion followed on funding the Public Health Department services and the value of these services, and the proposed increase in the General Fund reserve.

Councilmember Gordo asked staff to provide information on how the City funds health services, how other municipalities contract with the County for health services, the role of the County in the City's delivery of health services, and the impact on City residents if health services were provided by the County rather than the City.

The Mayor asked staff to provide, if available, an analysis of the relative quality of health services provided by the County vs. services provided by the City.

Councilmember McAustin suggested staff consider conducting a study that quantifies quality of life issues related to the services provided by the Public Health Department and the value of these services, with speculation as to how the services scenario might be impacted if the County were to provide these services.

The City Manager indicated that the information requested by the Mayor and Councilmembers Gordo and McAustin would be incorporated into the Public Health Department's presentation of its budget, where possible.

Vice Mayor Haderlein asked staff to provide a rationale for the proposed increase in the General Fund reserve, and asked that the handout provided by Mr. Mermell be posted on the City's web page for reference purposes.

Councilmember Tyler noted that it would be helpful if staff could prepare a number of possible models (using the five-year Financial Plan) of the financial impacts of probable scenarios for programs that Council might propose to fund in some manner, with this information available for the July Council retreat, if this is practical for staff to provide.

It was moved by Vice Mayor Haderlein, seconded by Councilmember Tyler, to continue the public hearing to June 2, 2008 at 7:30 p.m. (Motion unanimously carried)
(Absent: Councilmember Madison)

PUBLIC HEARING: SCHEDULE OF TAXES, FEES AND CHARGES

Recommendation of City Manager: It is recommended that the City Council approve the scheduled rate increases per the Schedule of Taxes, Fees and Charges attached to the agenda report.

The Mayor opened the public hearing.

The City Clerk reported the notice of the public hearing was published on April 5, 11, and 18, 2008 in the Pasadena Star-News; and no correspondence was received.

Steve Mermell, Acting Director of Finance Department, reviewed the agenda report.

Vice Mayor Haderlein was excused at 9:02 p.m.

Councilmember Tyler, Chair of the Finance Committee, commented on complaints from the public on the high level of fees charged by the City, and raised questions as to how the City's fees compare to the fees charged by other municipalities and whether the City is collecting fees that are owed.

The City Manager responded that the City's fees were high when compared with other cities in the County, and that these fees would be studied in conjunction with the budget structure study in the next 1-3 years.

Councilmember McAustin expressed support for offering preferences (reductions) for fees and licenses to Pasadena-owned businesses, and suggested Council agendize this matter for further discussion; and also suggested consideration of increasing the in-lieu fees to the point where paying a fee would not be a desirable option to avoid building affordable units.

The City Manager indicated staff would confirm whether or not preferences were currently being given to Pasadena-owned businesses, and suggested the in-lieu fees issue be discussed as a part of the development of a housing policy.

The City Attorney clarified the process that would need to be followed if Council proposed to adjust the in-lieu fees, as suggested by Councilmember McAustin.

The Mayor stated his understanding that the City had previously committed to an annual adjustment of the in-lieu fees based on the actual cost for constructing a new unit, rather than using the Consumer Price Index (CPI) as the basis; and asked staff to research this difference.

Councilmember Holden asked staff to provide information on whether the movie industry's use of the City has decreased and factors that might be involved in the decreased use.

No one appeared for public comment.

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

It was moved by Councilmember Tyler, seconded by Councilmember McAustin, to approve the City Manager's recommendation, with staff directed to review the basis for adjusting the in-lieu fees (actual cost for constructing a new unit or Consumer Price Index) and report to Council with this information:

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

NOES: None

ABSENT: Councilmember Madison, Vice Mayor Haderlein

PUBLIC HEARING: CONSIDER GRANTING NON-EXCLUSIVE SOLID WASTE FRANCHISES

Recommendation of City Manager: It is recommended that the City Council:

(1) Hold a public hearing to consider granting non-exclusive solid waste franchises to AAA Rubbish, Inc., Allan Company, Allied Waste Services, American Reclamation, A Rent-A-Bin, Athens Services, Consolidated Disposal, Crown Disposal Co., Haul-Away Rubbish, Nasa Services, Southland Disposal, Universal Waste Systems, Valley Vista Services and Ware Disposal;

(2) After closure of the public hearing, grant a franchise to all applicants from the date of execution through June 30, 2009, consistent with the Solid Waste Collection Franchise Ordinance; and

(3) Direct the City Attorney to prepare the necessary ordinance for the approved applications and authorize the City Manager to enter into the franchise agreements on or after the effective date of the ordinance approving such franchise.

The Mayor opened the public hearing.

The City Clerk reported that Resolution No. 8845 giving notice of the public hearing was published on April 28, 2008 in the Pasadena Star-News; and no correspondence was received.

No one appeared for public comment.

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

In response to Councilmember Tyler's questions, Martin Pastucha, Director of Public Works Department, confirmed that he had the authority to revoke the franchise of any franchisee that violates the conditions of the franchise agreement.

Councilmember Tyler asked staff to report on the franchisees' compliance with the diversion rate at the end of one year.

It was moved by Councilmember Holden, seconded by Councilmember Robinson, to approve the City Manager's recommendation:

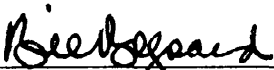
AYES: Councilmembers Gordo, Holden, McAustin,
Robinson, Tyler, Mayor Bogaard

NOES: None

ABSENT: Councilmember Madison, Vice Mayor Haderlein

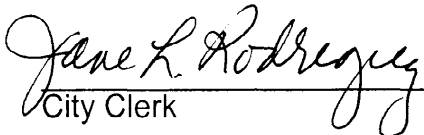
ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 9:15 p.m., in memory of the five young men from Pasadena who had fallen in the Iraq war (Dion Whitley, U.S. Marine Corps; Rogelio Ramirez, U.S. Marine Corps; Adam Rosema, U.S. Army; Corey Hiltz, U.S. Army; and Sergio Escobar, U.S. Marine Corps).



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



Jane L. Rodriguez
City Clerk