

CITY OF PASADENA
City Council Minutes
February 7, 2011 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 5:36 p.m. (Absent: Councilmembers Holden, Madison, Vice Mayor Gordo)

On order of the Mayor, the regular meeting recessed at 5:36 p.m., to discuss the following closed sessions:

Councilmember Holden arrived at 5:38 p.m.

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

Councilmember Madison and Vice Mayor Gordo arrived at 5:44 p.m.

Agency Designated Representatives: Mary Ellen Schubel, Arthur Chavez, and Michael J. Beck
Employee Organization: International Brotherhood of Electrical Workers, Local 18

Councilmember Tornek was excused at 6:27 p.m.

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL REGARDING PENDING LITIGATION pursuant to Government Code Section 54956.9(a)
Case Name: Pasadenans for a Livable City and Pasadena Heritage v. City of Pasadena and Pasadena City Council;
Real Parties in Interest: Pasadena Office, LLC, IDS Real Estate Group; and Does 1 to 5
Case No.: Los Angeles Superior Court No. BS 124250

Councilmember Holden was excused at 6:48 p.m.

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 6:48 p.m. The Pledge of Allegiance was led by Councilmember McAustin.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Victor Gordo
Councilmember Steve Haderlein (Absent)
Councilmember Chris Holden (Returned at 6:53 p.m.)
Councilmember Steve Madison
Councilmember Margaret McAustin
Councilmember Jacque Robinson
Councilmember Terry Tornek

Staff:

City Manager Michael J. Beck
City Attorney Michele Beal Bagneris
City Clerk Mark Jomsky

CEREMONIAL MATTERS

Councilmember Holden returned at 6:53 p.m.

The Mayor presented a proclamation declaring February 2011 as Bright Futures Scholars Month. The proclamation was received by Dr. Sandra Thomas, Quality of Life Center, Inc. Founder and Chief Executive Officer. Dr. Thomas acknowledged the delegation of participating students who were present, announced that Councilmember Robinson had consented to serve as a mentor, and thanked the City Council for supporting this program. George Duran, Pasadena High School student, and Amairany Gonzalez, Blair IB School student, presented certificates of appreciation to Mayor Bogaard, Councilmember Holden, and City Manager Michael Beck for their service as mentors in the Scholars Program.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

John Brace, Pasadena resident and business owner, expressed concerns regarding unlicensed landscapers/gardeners who are operating within the City.

The City Manager noted that the City has been working on ways to improve identification of contractors operating with and without a City business license, and will be providing a report to Council in the future. He noted that staff will follow up with Mr. Brace regarding this issue.

Vice Mayor Gordo asked staff to provide Council with a memorandum outlining the City's ability to ensure that a landscaper/gardener has complied with the necessary State licensing requirements.

CONSENT CALENDAR

AUTHORIZATION TO ENTER INTO A CONTRACT WITH AMAX CONTROL FOR PROVIDING LABOR AND MATERIALS TO RENOVATE THE GLENARM FOUNTAIN

Recommendation:

- (1) Find that the proposed project is categorically exempt under the California Environmental Quality Act (CEQA), in accordance with Title 14, Chapter 3, Section 15301, Class 1, existing facilities; and
- (2) Accept the bid dated October 25, 2010, submitted by Amax Control in response to Specifications LD-10-1, for providing labor and materials to renovate the Glenarm fountain; reject all other bids received; and authorize the City Manager to enter into a contract as is required for an amount not to exceed \$198,000. (Contract No. 20,592)

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER CONTRACT WITH TANKO STREETLIGHTING SERVICES FOR THE PURCHASE OF ENERGY EFFICIENT RETROFIT STREET LIGHT LUMINAIRES FOR AN AMOUNT NOT TO EXCEED \$550,000

Recommendation:

- (1) Find that the contract is exempt from the California Environmental Quality Act (CEQA) review in accordance with Article 5, Section 15061, subsection (b), part 3 of the

Resources Agency of California, as it will not have a potentially significant effect on the environment and therefore falls under the general rule exemption;

(2) Authorize the City Manager to enter into a purchase order contract with Tanko Streetlighting Services, for the purchase of energy efficient retrofit street light luminaires for an amount not to exceed \$550,000; and

(3) Find that the proposed purchase order contract is exempt from competitive bidding, pursuant to City Charter Section 1002(H), contracts with other governmental entities or their contractors for labor, materials, supplies, or services.

Item discussed separately,
due to request for public
comment.

AMENDMENT TO THE MASTER STREET TREE PLAN FOR THE FREEWAY SIDES OF CORSON AND MAPLE STREETS TO ALLOW FOR QUERCUS SPP, OAK SPECIES, IN LIEU OF THE MAGNOLIA GRANDIFLORA, MAGNOLIA

RE-ADOPTION OF A RESOLUTION AUTHORIZING AN APPLICATION FOR THE HABITAT CONSERVATION FUND PROGRAM IN THE AMOUNT OF \$100,000 FOR THE LOWER ARROYO TRAILHEAD PROJECT AT THE PARKER MAYBERRY BRIDGE

Recommendation: Re-adopt a resolution authorizing an application for the Habitat Conservation Fund Program in the amount of \$100,000 for the Lower Arroyo Trailhead project at the Parker Mayberry Bridge. (Resolution No. 9093)

AUTHORIZATION TO ENTER INTO PURCHASE ORDER CONTRACTS WITH DELL MARKETING LP FOR THE PURCHASE OF 114 DESKTOP COMPUTERS, AND WITH PIPS TECHNOLOGY FOR THE PURCHASE OF 4 AUTOMATED LICENSE PLATE READERS (ALPR) AND A CAMERA UPGRADE TO THE EXISTING ALPR

Recommendation:

(1) Authorize the issuance of a purchase order contract to Dell Marketing LP, in an amount not to exceed \$120,990 for the purchase of 114 new desktop computers. Competitive bidding is not required, pursuant to City Charter Section 1002 (H), contracts with other governmental entities or their contractors for labor, materials, supplies, or services, under Western States Contracting Alliance (WSCA) – B27160;

(2) Authorize the issuance of a purchase order contract to PIPS Technology, a Federal Signal Company, in an amount not to exceed \$122,797 for the purchase of 4 automated license plate readers (ALPR) and a camera upgrade for 1 existing ALPR. The proposed purchase is exempt from competitive bidding, pursuant to City Charter Section 1002 (H), contracts with other governmental entities or their contractors for labor, materials, supplies, or services; and

(3) Grant the proposed contracts an exemption from the competitive selection process of the Competitive Bidding and Purchasing Ordinance, pursuant to Pasadena Municipal Code

Section 4.08.049(B), contracts for which the City's best interests are served.

MINUTES APPROVED

January 24, 2011

CLAIMS RECEIVED AND FILED

Claim No. 11,305	Desery Alvarado	7,565.00
Claim No. 11,306	Richard Wilson	337.00
Claim No. 11,307	Thomas Kearney and Melinda Kearney	Not Stated
Claim No. 11,308	Anne M. Alderson	Not Stated

PUBLIC HEARING SET

February 28, 2011, 7:30 p.m. – Temporary Suspension of Present Level 1 Water Shortage Plan (PMC 13.10.040) and Temporary Implementation of a Level 4 Water Shortage Plan (PMC 13.10.052) Pursuant to Chapter 13.10 of the Pasadena Municipal Code in Preparation of Planned Shutdown of Imported Water

It was moved by Councilmember Tornek, seconded by Councilmember McAustin, to approve the Consent Calendar, with the exception of Item 3 (Amendment to the Master Street Tree Plan), which was discussed separately. (Motion unanimously carried) (Absent: Councilmember Haderlein)

CONSENT ITEM DISCUSSED SEPARATELY

Vice Mayor Gordo recused himself at 7:06 p.m., due to a conflict of interest.

AMENDMENT TO THE MASTER STREET TREE PLAN FOR THE FREEWAY SIDES OF CORSON AND MAPLE STREETS TO ALLOW FOR QUERCUS SPP, OAK SPECIES, IN LIEU OF THE MAGNOLIA GRANDIFLORA, MAGNOLIA

Recommendation:

(1) Find that tree planting is categorically exempt under California's Administrative Code Chapter 14, Title 3, Section 15061(b)(3); and

(2) Amend the Master Street Tree Plan on Corson Street and Maple Street on the freeway sides, to allow for *Quercus spp*, Oak Species, in lieu of the *Magnolia grandiflora*, Magnolia tree.

Recommendation of Urban Forestry Advisory Committee:

On November 10, 2010, the Urban Forestry Advisory Committee (UFAC) voted to reject the staff recommendation to amend the Master Street Tree Plan on Corson Street and Maple Street on the freeway sides, which would allow for the planting of the *Quercus spp*, Oak Species, in lieu of the *Magnolia grandiflora*, Magnolia tree; and instead supported a recommendation presented by a UFAC member to allow the *Podocarpus gracilior*, Fern Pine, in lieu of the *Magnolia grandiflora*, Magnolia tree. The vote was three to two, with the two dissenting committee members supporting the staff recommendation of *Quercus spp*, Oak Species.

Recommendation of Design Commission: On April 26, 2010, the Design Commission voted unanimously to support the staff recommendation and UFAC in the choice of the *Quercus spp*, Oak Species, which includes the following: *Quercus agrifolia*, Coast Live Oak; *Quercus engelmannii*, Engelmann Oak;

Quercus suber, Cork Oak; *Quercus virginiana*, Southern Live Oak; and additionally any other Oak species can be planted, such as the *Quercus lobata*, Valley Oak. On December 13, 2010, the Design Commission again voted unanimously to support the staff recommendation to amend the Master Street Tree Plan on Corson Street and Maple Street on the freeway sides, to allow for *Quercus spp*, Oak Species, in lieu of the *Magnolia grandiflora*, Magnolia tree.

The following persons spoke in support of the proposed Master Street Tree Plan Amendment:

Victor Aguilar, Pasadena resident
Roy Leisure, Urban Forestry Advisory Committee (UFAC)
member speaking as an individual
Ann Scheid, UFAC member speaking as an individual

Councilmember McAustin suggested that the role of UFAC be reviewed to determine if the expectations and benefits of the committee are being met as intended when the committee was originally established.

It was moved by Councilmember McAustin, seconded by Councilmember Robinson, to approve the staff recommendation. (Motion unanimously carried) (Absent: Councilmember Haderlein, Vice Mayor Gordo)

INFORMATION ITEMS

Vice Mayor Gordo returned at 7:10 p.m.

INFORMATION REGARDING CLOSURE OF WASHINGTON POST OFFICE LOCATED AT 1355 NORTH MENTOR AVENUE

Councilmember McAustin introduced the agenda item, expressed concerns regarding the public notice of the closure that was given to the neighborhood that is served by the Washington Post Office, and described her communications with Congressman Adam Schiff regarding the closure process.

The City Clerk presented general information developed by City staff regarding the post office as part of a PowerPoint presentation.

Teresa Lamb Simpson, representing Congressman Adam Schiff's Office, summarized the concerns expressed, and questions raised, by Congressman Schiff in his letter to the United States Post Office (USPS) Sierra Coastal District Office regarding the process, regulations, and guidelines followed in the proposed closure of the Washington Post Office, and submitted a copy of Congressman Schiff's letter.

Alicia Delgadillo, USPS Sierra Coastal District Manager of Consumer Affairs, Art Now, USPS Officer In Charge-Pasadena Post Office, and Barbara Sabedra, Customer Service

representative, explained the actions that had been taken involving the closure of the Washington Post Office and the various classifications of post office facilities, and responded to questions. Ms. Delgadillo indicated that she would relay the information gathered from the public speakers to USPS corporate communications.

The following persons expressed opposition to, and concerns regarding, the closure of the Washington Post Office:

G.D. Stanislawski, Pasadena resident and owner of the post office site
Karen Harling, Pasadena resident
Michael Evans, American Postal Workers Union Legislative Director
Laura Fuller, Washington Post Office retail sales employee speaking as an individual
Rob Senger, Pasadena resident
Beverly Foster, Pasadena resident and property manager
Roy Tucker, Pasadena resident
Jim Bratcher, Pasadena resident
Sue Scranton, Pasadena resident and property manager
Jan Spears, Pasadena resident
Joe Feinblatt, Washington Square Neighborhood Association Immediate Past President
Janet Nippell, Pasadena resident
Gina Keating, Pasadena resident
Michael Kouri, Pasadena resident
Don Bremner, Pasadena resident
Doreen Lazicki, Go Ye Fellowship representative
Neil Lavick, Pasadena resident representing apartment tenants
Joel Stoup, Pasadena resident
Carol Polanskey, Bungalow Heaven Neighborhood Association President, read and submitted a letter dated January 24, 2011, from the Association to Congressman Schiff.
Paris Dixon, Pasadena resident

Councilmember McAustin reiterated her concerns regarding the closure of the Washington Post Office, and suggested that the City send a letter of strong support for the post office to remain open to Congressman Schiff and asking the Congressman to keep the City informed on information being provided by the USPS. She also asked Ms. Delgadillo to provide the City with all of the information that is developed for and provided to Congressman Schiff regarding this matter.

Vice Mayor Gordo suggested that the City send a letter to the USPS administrative officials asking that the USPS responses to Congressman Schiff's questions and concerns regarding the closure and process that was followed by the USPS, and that

the City also send letters to our Senators asking that they look into this matter on the City's behalf.

Councilmember Holden suggested that the City contact the USPS person with authority and request that the scheduled closure of the post office be stopped until such time as the closure process issues can be addressed and the facts on the property lease and closure can be determined.

The Mayor indicated that he and the City Manager will follow through with the above suggestions.

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

CITY COUNCIL WORKSHOP ON AFFORDABLE HOUSING

Bill Huang, Director of Housing Department, provided a PowerPoint presentation on various affordable housing issues (funding priorities, potential inclusionary housing modifications, the proposed Project Housed program, and permanent funding sources for affordable housing). He outlined the working principles used by the Department and various types of affordable housing programs developed and implemented by the City, discussed the need to take a regional approach to homelessness and affordable housing issues, and responded to questions.

Anne Lansing, Project Planner, responded to questions regarding the City's annual homeless count.

Jim Wong, Senior Project Manager, responded to questions regarding the housing trust fund and inclusionary housing fee regulations.

The City Manager responded to questions regarding the status of the housing trust fund balance, and production of affordable housing.

Bill Trimble, Senior Planner, responded to questions regarding the City's review of second dwelling unit (granny flat) regulations.

Vice Mayor Gordo asked staff to provide Council with the Regional Housing Needs Assessment (RHNA) numbers for other cities in our region, to be used in showing the status of other cities in meeting their RHNA targets. He expressed support for developing an incentive that would encourage developers to build their affordable housing units onsite.

Councilmember Madison suggested that the City consider restoring staffing for a third Homeless Outreach Psychiatric Evaluation (HOPE) team, as funding becomes available.

Councilmember Holden suggested staff explore incentivizing construction of affordable housing in nonresidential areas, and asked staff to provide Council with the number of homeless children reflected in the annual homeless count.

The following persons expressed concerns regarding various affordable housing issues:

Marvin Schachter, AARP California and Senior Advocacy Council of Pasadena representative
Jill Shook, Pasadena resident

On order of the Mayor, the information was received.

**RECOMMENDATIONS
FROM OFFICERS AND
DEPARTMENTS**

RESIGNATION OF STEVE HADERLEIN FROM THE FIRE AND POLICE RETIREMENT SYSTEM BOARD (City Council Nomination)

RESIGNATION OF RICHARD CHINEN FROM THE ROSE BOWL OPERATING COMPANY BOARD (Tournament of Roses Nomination)

It was moved by Councilmember Madison, seconded by Councilmember Robinson, to accept the above resignations with regrets. (Motion unanimously carried) (Absent: Councilmember Haderlein)

**ORDINANCE – FIRST
READING**

Conduct first reading of “AN UNCODIFIED ORDINANCE OF THE CITY OF PASADENA GRANTING A NON-EXCLUSIVE FRANCHISE FOR POLICE TOWING TO A-CAR AUTO”

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

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

NOES: None

ABSENT: Councilmember Haderlein

INFORMATION ITEM

Councilmember Holden recused himself at 9:57 p.m., due to a conflict of interest.

PREDEVELOPMENT PLAN REVIEW FOR CONSTRUCTION OF A 150-ROOM EXTENDED-STAY TYPE HOTEL AT 233 NORTH FAIR OAKS AVENUE

Recommendation: This report is provided for information only.

Bill Trimble, Senior Planner, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

The City Manager responded to questions regarding the requested sidewalk width for the proposed project and the need for additional hotels in the downtown area.

Steve Mermell, Assistant City Manager, responded to questions regarding the status of the adjoining parcel of land on Walnut Avenue, and the current Transient Occupancy Tax (TOT) and Tourism Business Improvement District (TBID) rates applicable to the proposed project.

Robert Olson, R.D. Olson Development (developer), spoke in support of the proposed project, and submitted informational materials.

Vice Mayor Gordo asked staff to provide Council with information on current TOT rates for comparable cities (via the City Manager's weekly newsletter), and to consider possible traffic light/reconfiguration options to address traffic safety issues for the intersection of Corson Street at West Walnut Avenue. He also asked that the issue of possible changes in the agreement between the City and the Pasadena Center Operating Company (PCOC) regarding the distribution of collected TOT monies be referred to the Economic Development and Technology Committee for review.

The Mayor suggested that staff begin exploring funding sources for the upcoming Civic Center Ballroom Restoration project that will be coming up for discussion.

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

COUNCIL COMMENTS

The City Clerk provided information on the sample ballot pamphlets and permanent vote by mail ballots that will be received by registered voters, and announced the deadlines for voter registration and requesting vote by mail ballots for the March 8, 2011 City and Pasadena Unified School District Consolidated Primary Nominating Election. He noted that the public can contact the City Clerk's Office for information regarding the election.

Councilmember McAustin suggested the City explore use of an all mail election process for future elections.

Councilmember Robinson asked staff to provide Council (via the City Manager's weekly newsletter) with an update on the status of the public benefits program developed for the Rose Bowl Renovation project, and an update on the status of the Economic Development and Technology Committee's review of possible expansion of the City's First Source Local Hiring program.

In response to Councilmember Robinson's question, Vice Mayor Gordo, Rose Bowl Operating Company (RBOC) President, indicated that the community meeting to be held by the RBOC regarding a discussion of issues involving the local hiring component for the Rose Bowl Renovation project is

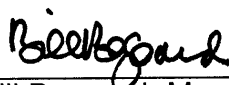
being coordinated with Joe Brown, NAACP Pasadena President, with a date yet to be confirmed.

RECESS/ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council recessed at 10:35 p.m., to discuss the following closed session and thereafter adjourned at 11:28 p.m.:

**CITY COUNCIL CONFERENCE REGARDING PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code Section 54957
Title: City Manager**

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



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk