

CITY OF PASADENA  
City Council Minutes  
April 25, 2011 – 5:30 P.M.  
City Hall Council Chamber

REGULAR MEETING

**OPENING:**

The Mayor called the regular meeting to order at 5:43 p.m.  
(Absent: Councilmembers Madison, Tornek)

On order of the Mayor, the regular meeting recessed  
at 5:43 p.m., to discuss the following closed sessions:

**CITY COUNCIL CONFERENCE WITH LABOR  
NEGOTIATORS** pursuant to Government Code  
Section 4957.6

**City Representatives: Mary Ellen Schubel, Arthur Chavez,  
Michael J. Beck**  
**Employee Organization: Pasadena Police Officers  
Association**

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

**Property Location: 78 North Marengo Avenue**  
**Agency Negotiators: Michael J. Beck, Steve Mermell**  
**Negotiating Party: Kevin Brogan for Trove Investments**  
**Under Negotiation: Price and terms of payment**

Councilmember Madison  
arrived at 6:26 p.m.

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

Vice Mayor Gordo was  
excused at 6:48 p.m.

On order of the Mayor, the regular meeting reconvened  
at 6:50 p.m. The Pledge of Allegiance was led by Porfirio  
Frausto.

**ROLL CALL:**

Councilmembers:

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

Staff:

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

**CEREMONIAL MATTERS**

Vice Mayor Gordo returned at 6:53 p.m.

Councilmember Madison reported on the Thousand Hearts Japan Relief Benefit Concert held on April 23, 2011 at the Pasadena Civic Auditorium to raise funds to assist those who had survived the recent earthquake and tsunami in Japan. He commended Patricia Kinaga and Peter Wong for their role in organizing the benefit efforts, along with various bar associations, businesses, performers, and community groups/members who contributed their services. Patricia Kinaga explained the Thousand Hearts theme, and submitted informational brochures on the benefit project.

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

Rian Williams, Pasadena resident, asked for a re-investigation of an incident involving himself and the Pasadena Police Department.

The Mayor suggested Mr. Williams contact Martin Gordon with the ACLU Pasadena-Foothills Chapter for assistance.

The City Attorney stated that Mr. William’s issue was not in the jurisdiction of the City Council.

James D. Smith, Pasadena resident, thanked the City for the opportunity to run for the City Council District 1 position in the March 8 election, and indicated that he was available to serve the City in any capacity that might present itself.

Timothy Bowles, Youth for Human Rights International representative, invited the community to a forum to be held on April 30, 2011 titled, “Youth and Violence and Human Rights – Creating Safer Communities through Education;” and submitted a flier on the event.

Roberta Martinez, Latino Heritage representative, invited the community to a fundraiser for Latino Heritage programs titled, “An Evening at the Danzon Supporting Latino Heritage;” and submitted a flier on the event.

**CONSENT CALENDAR**

Item reconsidered. (See Page 9 for action)

**COMMENT TO STATE HISTORIC PRESERVATION OFFICER ON THE LATE 19TH/EARLY 20TH CENTURY MULTIPLE PROPERTY DOCUMENTATION FORM, NOMINATION OF THREE HISTORIC DISTRICTS AND NINE INDIVIDUAL PROPERTIES FOR LISTING IN THE NATIONAL REGISTER OF HISTORIC PLACES, AND NOMINATION OF THE FREEMAN/ALLEN HOUSE TO THE NATIONAL REGISTER OF HISTORIC PLACES**

**AUTHORIZATION TO ENTER INTO A CONTRACT WITH VCI CONSTRUCTION FOR CIVIL CONSTRUCTION RELATED TO THE INSTALLATION OF ELECTRICAL EQUIPMENT FOR THE WATER AND POWER DEPARTMENT**

**Recommendation:**

(1) Acknowledge that the project is exempt from environmental

review, pursuant to the Guidelines of the California Environmental Quality Act, Public Resources Code Section 21080(b)(9), Administrative Code, Title 14, Chapter 3, Class 1, Section 15301, existing facilities, and Class 2, Section 15302, replacement or reconstruction; and  
 (2) Accept the bid dated November 2, 2010, submitted by VCI Construction, in response to Specifications LD-10-10 for the civil construction of overhead, underground and substation electrical conduit systems, vaults, and other miscellaneous civil work for the Water and Power Department, reject all other bids, and authorize a contract with VCI Construction for a period of two years or until \$2,000,000 is expended, whichever occurs first, with four additional one-year extensions, each not to exceed \$1,000,000 per year. (Contract No. 20,643)

**AUTHORIZATION TO ENTER INTO A CONTRACT WITH THE CITY OF LOS ANGELES DEPARTMENT OF TRANSPORTATION (LADOT) FOR SUPPLEMENTAL TRAFFIC CONTROL SERVICES AT SPECIAL EVENTS IN AN AMOUNT NOT TO EXCEED \$200,000 PER YEAR**

**Recommendation:**

(1) Authorize the City Manager to enter into a contract with the City of Los Angeles for a period of one year, with two optional one-year extensions, in an amount not to exceed \$200,000 per year for supplemental traffic control services at special events;  
 (2) Find the proposed contract is exempt from competitive bidding, pursuant to City Charter Section 1002(H), contracts with other governmental entities or their contractors; and  
 (3) Grant the proposed contract an exemption from the competitive selection process of the Competitive Bidding and Purchasing Ordinance, pursuant to Pasadena Municipal Code Section 4.08.049(A)(3), contracts with other governmental entities. (Contract No. 20,644)

**APPROVAL OF AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PASADENA AND THE PASADENA MANAGEMENT ASSOCIATION FOR THE TERM APRIL 1, 2008 THROUGH MARCH 17, 2014**

**Recommendation:** Approve an Amendment to the Memorandum of Understanding between the City of Pasadena and the Pasadena Management Association (PMA). (Agreement Amendment No. 19,782-2)

**CLAIMS RECEIVED AND FILED**

Claim No. 11,348	Debra Scott	\$	Not Stated
Claim No. 11,349	Mercury Insurance Company as subrogee for John M. Sutherland		1,224.41
Claim No. 11,350	Allstate Insurance as subrogee for Carl Forman		945.44
Claim No. 11,351	Gasper Vaccaro		25,000.00+
Claim No. 11,352	Paul Arthur		613.76
Claim No. 11,353	Interinsurance Exchange of the Automobile Club as subrogee for John Cleaves		4,780.39
Claim No. 11,354	Georgette Zraikat		Not Stated

Claim No. 11,355	John George	5,800.00
Claim No. 11,356	Charlie Davis, Sr. and Brenda Davis	Not Stated

PUBLIC HEARINGS SET

June 6, 2011, 7:30 p.m. – Amendment to the Schedule of Taxes, Fees and Charges for Fiscal Year 2012

June 6, 2011, 7:30 p.m. – Amendment to the General Fee Schedule for Fiscal Year 2012

It was moved by Councilmember Robinson, seconded by Councilmember Haderlein, to approve all items on the Consent Calendar. (Motion unanimously carried) (Absent: Councilmember Tornek)

**RECOMMENDATIONS  
FROM OFFICERS AND  
DEPARTMENTS**

**CONSIDERATION OF CALL FOR REVIEW OF A CODE ENFORCEMENT COMMISSION DECISION TO THE CITY COUNCIL REGARDING MODIFICATION OF THE BUSINESS OPERATING CONDITIONS FOR SUPER LIQUOR LOCATED AT 125 EAST ORANGE GROVE BOULEVARD (Vice Mayor Gordo)**

Vice Mayor Gordo stated his concerns regarding the modifications that the Code Enforcement Commission ordered regarding the business operating conditions for Super Liquor, and responded to questions.

The City Attorney clarified that Council’s consideration is limited to whether or not the above matter should be called for review to the City Council, not the merits of the Code Enforcement Commission’s modifications.

The following persons spoke in support of the call for review:

James MacQuarrie, Pasadena resident  
 Laura Liptak Barboza, Pasadena resident, submitted informational articles titled, “Liquor Stores and Community Health” and “Do Liquor Stores Increase Crime and Urban Decay? Evidence from Los Angeles.”  
 (Robert Tait, Michael Chill, Terrie MacQuarrie, and Abel Barboza stood in support, without speaking)

Amber Sanchez, Super Liquor legal counsel, spoke in opposition to the call for review.

It was moved by Vice Mayor Gordo, seconded by Councilmember Holden, to call this matter for review to the City Council. (Motion unanimously carried) (Absent: Councilmember Tornek)

**ADOPTION OF RESOLUTIONS TO BECOME A HEALTHY EATING ACTIVE LIVING (HEAL) CITY AND A LET’S MOVE! CITY**

**Recommendation:** It is recommended that the City Council adopt resolutions (attachments to the agenda report) to become a Healthy Eating Active Living (HEAL) City and to support preventative measures to fight obesity as set forth by the First Lady of the United States of America in the Let's Move! Campaign, in order to encourage physical activity and good nutrition. (Resolution No. 9108; Resolution No. 9109)

Dr. Eric Walsh, Director of Public Health Department, introduced the agenda item, and responded to questions.

Mary Urtecho-Garcia, Nutrition and Physical Activity Program, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

The City Attorney discussed the City's contracting restrictions under these two health campaigns.

The following persons spoke in support of the HEAL and Let's Move programs:

- Zachary Brooks, Renewing Environments for Nutrition Exercise and Wellness (RENEW) Youth Advocate
- Maria Roxanna Nava, RENEW Youth Advocate
- Jonathon Ramos, RENEW Youth Advocate
- Fawn Terry, RENEW Youth Advocate

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

**APPOINTMENT OF JOEL BRYANT TO THE ROSE BOWL OPERATING COMPANY (Mayor Nomination/District 3)**

**APPOINTMENT OF PERRY VIDALAKIS TO THE SOUTH LAKE PARKING PLACE COMMISSION (Mayor Nomination/District 7)**

It was moved by Councilmember Holden, seconded by Councilmember Robinson, to approve the above appointments. (Motion unanimously carried) (Absent: Councilmember Tornek)

**PUBLIC HEARINGS**

**PUBLIC HEARING: FISCAL YEAR 2012-2016 RECOMMENDED CAPITAL IMPROVEMENT PROGRAM BUDGET**

- Recommendation:** It is recommended that the City Council:
- (1) Open the public hearing on the City Manager's Recommended Fiscal Year (FY) 2012-2016 Capital Improvement Budget;
  - (2) Continue the public hearing to each subsequent regular meeting of the City Council at 7:30 p.m., until June 6, 2011, or

such other 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 FY 2012-2016 Capital Improvement Program Budget; and

(3) Refer the City Manager's Recommended FY 2012-2016 Capital Improvement Program Budget to the Finance Committee, and direct the meetings be noticed as joint meetings between the Finance Committee and the City Council.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on April 11, 2011 in the Pasadena Star-News; and no correspondence was received.

Councilmember Holden, Chair of the Finance Committee, provided an overview of the Recommended Capital Improvement Program (CIP) Budget as part of a PowerPoint presentation; reported that at the special joint meeting of the City Council and Finance Committee held on April 18, 2011 at 3:00 p.m., staff had reviewed the budgets for: Parks and Landscaping, Arroyo Projects, Streets and Streetscapes, and Transportation and Parking Facilities; and encouraged the public to attend the special joint meetings, which will be held at 3:00 p.m. each Monday.

The City Manager introduced a staff presentation involving the structural status of the City's fire stations; and noted that staff had distributed additional materials regarding this matter (a summary of the report on the structural study that had been performed on the fire stations and a matrix of the City's 8 fire stations). He discussed the CIP budget and funding implications for addressing the structural issues at Stations 32 and 39; noted that a report to the City Council on funding alternatives to address the fire station issues is planned for August 2011, and responded to questions.

Fire Chief Dennis Downs provided a PowerPoint presentation on the City Manager's priorities for recommended actions to be taken in response to a structural and functional study that was undertaken on the City's 8 fire stations. He pointed out the structural and functional deficiencies identified at Stations 32 and 39 and options for immediately handling these deficiencies; discussed the related functional changes that will occur; and responded to questions.

Councilmember Madison stressed the need to take whatever steps are needed to ensure that fire services continue to be provided for the neighborhood areas served by Stations 32 and 39.

Vice Mayor Gordo asked staff to provide additional information to the City Council regarding how the Fire Department plans to handle personnel deployment for emergency services, especially as this relates to Station 39, and the mutual aid agreement with the Los Angeles County Fire Department.

Councilmember Holden suggested staff explore grant opportunities for funding the construction and retrofitting that is called for, as well as communicating with the public and educating them on the funding needs related to all of the fire stations.

Councilmember Madison was excused at 8:36 p.m.

No one appeared for public comment.

By consensus and on order of the Mayor, the public hearing was continued to May 9, 2011 at 7:30 p.m.

**PUBLIC HEARING: ZONING CODE AMENDMENT – MAJOR PROJECT PROCESSING**

**Recommendation:** It is recommended that the City Council continue the public hearing to May 23, 2011 at 7:30 p.m.

By consensus and on order of the Mayor, the public hearing was continued to May 23, 2011 at 7:30 p.m.

**PUBLIC HEARING: CHANDLER SCHOOL MASTER PLAN AMENDMENT (1005 ARMADA DRIVE)**

**Recommendation:**

(1) Find that the proposed amendment to the Chandler School Master Plan involves minor changes that would not result in any further impacts, nor new significant environmental effects not previously addressed in the Mitigated Negative Declaration, which was approved by the City Council on June 16, 2008, and adopt the addendum to the Mitigated Negative Declaration (Attachment A of the agenda report);

(2) Adopt specific findings, including a finding of consistency with the goals and objectives of the General Plan and the applicable provisions and purposes of the Zoning Code (Attachment B of the agenda report); and

(3) Approve a resolution amending the Chandler School Master Plan, including the recommended revisions to two specific Conditions of Approval included in the body of the agenda report and in Attachment C of the agenda report. (Resolution No. 9110)

**Recommendation of Planning Commission:** On March 9, 2011, the Planning Commission recommended that the City Council approve the proposed amendment to the Master Plan by a majority vote (5-0-1), with Commissioner Hickambottom abstaining. The Planning Commission sought clarification of the parking agreement terms between Chandler School and the Rose Bowl Operating Company. The revised Condition of Approval No. 18 dealing with the provision of required parking reflects the Planning Commission recommendation.

The Mayor opened the public hearing.

The City Clerk reported 37 copies of the notice of public hearing were posted on April 7, 2011; 47 copies of the notice were mailed on April 7, 2011; and 1 letter in support of the master plan amendment was received.

Vince Bertoni, Director of Planning Department, introduced the agenda item.

Councilmember McAustin was excused at 8:47 p.m.

Antonio Gardea, Planner, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

No one appeared for public comment.

It was moved by Councilmember Haderlein, seconded by Councilmember Robinson, to close the public hearing. (Motion unanimously carried) (Absent: Councilmembers Madison, McAustin, Tornek)

Councilmember McAustin returned at 8:54 p.m.

It was moved by Councilmember Robinson, seconded by Councilmember Haderlein, to approve the staff recommendation. (Motion unanimously carried) (Absent: Councilmembers Madison, Tornek)

**CONSENT ITEM  
RECONSIDERED**

**COMMENT TO STATE HISTORIC PRESERVATION OFFICER ON THE LATE 19TH/EARLY 20TH CENTURY MULTIPLE PROPERTY DOCUMENTATION FORM, NOMINATION OF THREE HISTORIC DISTRICTS AND NINE INDIVIDUAL PROPERTIES FOR LISTING IN THE NATIONAL REGISTER OF HISTORIC PLACES, AND NOMINATION OF THE FREEMAN/ALLEN HOUSE TO THE NATIONAL REGISTER OF HISTORIC PLACES**

**Recommendation:** Authorize the transmittal of the letter from the Mayor to the State Historic Preservation Officer (SHPO) (Attachment B of the agenda report), in support of the adoption of the Late 19th/Early 20th Century Multiple Property Documentation Form, nomination of three historic districts and nine individual properties for listing in the National Register of Historic Places, and nomination of the Freeman/Allen House to the National Register of Historic Places.

**Recommendation of Historic Preservation Commission:** On Monday, April 4, 2011, the Historic Preservation Commission recommended that the City Council approve staff's recommendation.

Vice Mayor Gordo recused himself at 8:55 p.m., due to a conflict of interest.

Vice Mayor Gordo stated his realization that his home was located in the area of one of the historic designations, and asked that the City Council reconsider the above Consent item so that he could be excused from taking action.



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

## **INFORMATION ITEMS**

Vice Mayor Gordo returned at 8:56 p.m.

Councilmember Haderlein was excused at 9:14 p.m.

## **ROSE BOWL RENOVATION PROJECT UPDATE**

**Recommendation:** This report is for information only.

Vice Mayor Gordo, Rose Bowl Operating Company (RBOC) Board President, summarized the agenda report and responded to questions.

Darryl Dunn, General Manager of the Rose Bowl, highlighted the financials for the project, fundraising efforts, and outreach to the community; and responded to questions.

Porfirio Frausto, representing a community-based advisory group focused on the issue of hiring local people for the renovation project, discussed the group's efforts to maximize the number of local people hired for the renovation project; and indicated that the group will be providing recommendations involving proposed policy changes and actions the City can take to advance the goal to increase the hiring of local people for all local projects, to be presented at the May 4, 2011 meeting of the Economic Development and Technology Committee (EDTech).

The City Manager outlined the evolving development of a local hiring plan for City projects and legal issues involved with the contracting/hiring process, noted that changes in hiring policies/procedures could be implemented for the Rose Bowl project once they are approved by the City Council, and responded to questions.

Councilmember Holden expressed concerns regarding the speed at which the hiring plan is evolving, and suggested the City/RBOC sit down with the contractors to aggressively pursue a local hiring plan prior to bid selection.

Councilmember Robinson expressed her and the community's frustration with the level of local hiring that has been accomplished at this point in the project; stressed the need to take additional steps to achieve higher results for the local hire numbers, and to inform the public about the hiring numbers; and asked that Parsons provide the City Council with regular updates on the local hiring numbers.

Antonio Watson, Project Manager, responded to questions regarding the local hiring process for the renovation project.

Andy Green, Director of Finance Department, reported on the City's efforts with the Pasadena First Buy Local Program.

Councilmember McAustin commended the RBOC and General Manager for the transparency and outreach that has been brought to this project in keeping the public informed, and emphasized the need to address the \$12 million funding gap that currently exists.

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

Councilmember Haderlein returned at 9:44 p.m.

**EQUAL OPPORTUNITY IN EMPLOYMENT ANNUAL REPORT – JANUARY 1, 2010- DECEMBER 31, 2010**

**Recommendation:** The Equal Opportunity in Employment Annual Report is submitted for information only. This report is based on the calendar year 2010, and reflects all individuals employed in regular full-time positions during the reporting period of January 1 through December 31, 2010.

Vice Mayor Gordo was excused at 9:46 p.m.

Mary Ellen Schubel, Interim Director of Human Resources Department, reviewed the agenda report as part of a PowerPoint presentation; provided corrected copies of Tables I and IV (contained as part of the agenda report); and responded to questions.

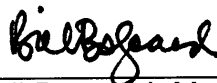
On order of the Mayor, the report was received and filed.

**COUNCIL COMMENTS**

Councilmember Holden thanked Councilmember Haderlein for his accomplishments and service to the City during his 12 years on the City Council.

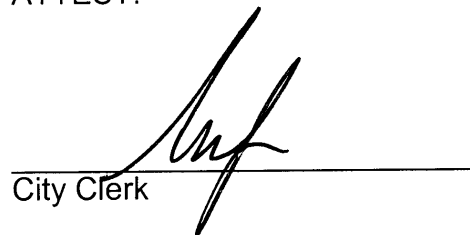
**ADJOURNMENT**

On order of the Mayor, the regular meeting of the City Council adjourned at 9:51 p.m.



\_\_\_\_\_  
Bill Bogaard, Mayor  
City of Pasadena

ATTEST:



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City Clerk