

CITY OF PASADENA
City Council Minutes
June 6, 2011 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

The Mayor called the regular meeting to order at 6:27 p.m.
(Absent: Councilmember Robinson)

On order of the Mayor, the regular meeting recessed
at 6:27 p.m., to discuss the following closed sessions:

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

**Agency Designated Representatives: Mary Ellen Schubel,
Arthur Chavez, Michael J. Beck
Employee Organization: Pasadena Fire Management
Association**

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

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

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

The above closed session item was not discussed.

On order of the Mayor, the regular meeting reconvened
at 6:46 p.m. The Pledge of Allegiance was led by Fire Chief
Dennis Downs.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Margaret McAustin
Councilmember Victor Gordo
Councilmember Chris Holden
Councilmember Steve Madison
Councilmember Gene Masuda
Councilmember Jacque Robinson (Absent)
Councilmember Terry Tornek

Staff:

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

CEREMONIAL MATTERS

The Mayor presented a proclamation declaring June 15, 2011 as Elder Abuse Awareness Day, which was received by Angie O'Brien, Senior Commission Chair.

The Mayor presented a proclamation declaring July 2011 as First Tee of Pasadena Month, which was received by Carlos Chacon, First Tee of Pasadena President.

Fire Captain Don Cervantes, Pasadena Fire Fighters Association President, paid tribute to Kevin Moore, senior fire engineer at Station 32, who recently suffered a fatal cardiac arrest.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Daniel Garcia, CRS advocate, expressed concerns regarding the need for affordable and accessible housing in Pasadena.

The Mayor indicated that the City Manager will be providing the City Council and public with information on the number of available accessible housing units in the City in the near future.

Intergarlictic ("Dianne"), Pasadena resident, spoke in support of the need for permanent protections for the wetlands of Hahamongna Watershed Park from actions being taken by the County of Los Angeles and the City.

CONSENT CALENDAR

CONTRACT AWARD TO HDR ENGINEERING, INC., FOR CONSULTANT SERVICES FOR DEVELOPMENT OF A ZERO WASTE STRATEGIC PLAN FOR A NOT TO EXCEED AMOUNT OF \$83,510

Recommendation:

- (1) Find that the project is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(3), general rule; and
- (2) Authorize the City Manager to enter into a contract with HDR Engineering, Inc., a consultant firm, to assist with the development of a Zero Waste Strategic Plan in an amount not to exceed \$83,510. (Contract No. 20,662)

APPROVAL OF FINAL TRACT MAP NO. 068073, BEING A 28-UNIT CONDOMINIUM PROJECT AT 107 SOUTH HOLLISTON AVENUE

Recommendation:

- (1) Adopt a resolution to approve Final Tract Map No. 068073; and
- (2) Authorize the City Clerk to execute the certificate on the map showing the City's approval of said map. (Resolution No. 9118)

Recommendation of Hearing Officer: The tentative map was approved on March 4, 2009, and the exercise of the right granted must be commenced within two years. The original entitlement was valid until March 4, 2011. In 2008, the State passed Senate Bill 1185, which automatically granted a one

year extension to all approved tentative maps. In 2009, the State passed Assembly Bill 333, which mandated that all tentative maps that have been approved and have not expired by July 15, 2009, and that will expire before January 1, 2021, shall be automatically extended by 24 months. This extension is in addition to the one year extension granted by Senate Bill 1185. Therefore, the amended expiration date of the subject final tract map is March 4, 2014.

CONTRACT AWARD TO VART CONSTRUCTION, INC., FOR OLD PASADENA STREETSCAPES AND ALLEY WALKWAY IMPROVEMENTS FOR AN AMOUNT NOT TO EXCEED \$427,505

Recommendation:

(1) Find that on April 2, 2011, the proposed project was found to be categorically exempt under the California Environmental Quality Act (CEQA) Guidelines in Section 15301(c), existing facilities, of the California Code of Regulations Title 14, Chapter 3. This exemption includes minor alterations involving negligible expansion of use beyond that previously existing, and there are no changed circumstances or new information which would require further environmental review; and

(2) Accept the bid dated May 18, 2011, submitted by Vart Construction, Inc., in response to the Project Specifications for the Old Pasadena Streetscapes and Alley Walkway Improvements, reject all other bids received, and authorize the City Manager to enter into such contract as is required for an amount not to exceed \$427,505. (Contract No. 20,663)

APPROVAL OF AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PASADENA AND THE SERVICE EMPLOYEES INTERNATIONAL UNION FOR THE TERM APRIL 27, 2011 THROUGH APRIL 26, 2013

Recommendation: Approve a successor Memorandum of Understanding (MOU) between the City of Pasadena and the Service Employees International Union (SEIU). (Agreement Amendment No. 20,307-1)

FINANCE COMMITTEE: AMENDMENTS TO FISCAL YEAR 2011 ADOPTED BUDGET

Recommendation:

(1) Amend the Fiscal Year (FY) 2011 Adopted Budget as detailed in the Proposed Budget Amendments section of the agenda report and summarized on Attachment A of the agenda report; and

(2) Increase Purchase Order No. 46032 with GP Petroleum by \$310,396 for a not to exceed amount of \$2,449,803. (Journal Voucher No. 2011-24)

FINANCE COMMITTEE: APPROVAL OF A JOURNAL VOUCHER AMENDING PROJECTS IN THE FISCAL YEAR 2011 CAPITAL IMPROVEMENT PROGRAM BUDGET

Recommendation: Approve a journal voucher with a net increase of \$2,535,789 amending fifteen projects in the Fiscal Year 2011 Capital Improvement Program Budget, as detailed on Attachment A of the agenda report. (Journal Voucher No. 2011-25)

CLAIMS RECEIVED AND FILED

Claim No. 11,370	Maureen Twyman	\$	225.00
Claim No. 11,371	Lorelei Montague		2,312.15
Claim No. 11,372	Ericka White		Not Stated
Claim No. 11,373	Josh Dirling		25,000.00+
Claim No. 11,374	Brenda Zarazua		414.74
Claim No. 11,375	Ana Rita Briseno		3,000.00
Claim No. 11,376	Samuel Wu		1,265.00
Claim No. 11,377	David Lamb		381.44
Claim No. 11,378	Luke L. Kurilich		3,782.56
Claim No. 11,379	Stephen Bratakos		6,500.00

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

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

RESIGNATION OF RALPH McKNIGHT FROM THE ARTS AND CULTURE COMMISSION (District 1 Nomination)

RESIGNATION OF JONATHAN LITVACK FROM THE PASADENA CENTER OPERATING COMPANY (Hotel Nomination)

APPOINTMENT OF MICHAEL WATKINS TO THE COMMUNITY DEVELOPMENT COMMITTEE (Tenant Nomination)

REAPPOINTMENT OF HORTENSE COOPER TO THE COMMUNITY DEVELOPMENT COMMITTEE EFFECTIVE JULY 1, 2011 (Tenant/Senior Nomination)

REAPPOINTMENT OF MARTIN GORDON TO THE HUMAN SERVICES COMMISSION EFFECTIVE JULY 1, 2011 (Agency Nomination)

REAPPOINTMENT OF THELMA JOHNSON TO THE ACCESSIBILITY & DISABILITY COMMISSION EFFECTIVE JULY 1, 2011 (District 1 Nomination)

REAPPOINTMENT OF TAMIKA FARR TO THE COMMISSION ON THE STATUS OF WOMEN EFFECTIVE JULY 1, 2011 (District 1 Nomination)

REAPPOINTMENT OF MARK PERSICO TO THE PLANNING COMMISSION EFFECTIVE JULY 1, 2011 (District 2 Nomination)

REAPPOINTMENT OF PETER J. WONG TO THE CODE ENFORCEMENT COMMISSION EFFECTIVE JULY 1, 2011 (District 3 Nomination)

REAPPOINTMENT OF ISHMAEL TRONE TO THE COMMUNITY DEVELOPMENT COMMITTEE EFFECTIVE JULY 1, 2011 (District 3 Nomination)

REAPPOINTMENT OF CAROL HUNT HERNANDEZ TO THE ENVIRONMENTAL ADVISORY COMMISSION EFFECTIVE JULY 1, 2011 (District 3 Nomination)

REAPPOINTMENT OF PAUL LITTLE TO THE ROSE BOWL OPERATING COMPANY EFFECTIVE JUNE 16, 2011 (District 3 Nomination)

REAPPOINTMENT OF LARISSA STEPANIANS TO THE SENIOR COMMISSION EFFECTIVE JULY 1, 2011 (District 7 Nomination)

REAPPOINTMENT OF LYLA L. WHITE TO THE ARTS AND CULTURE COMMISSION EFFECTIVE JULY 1, 2011 (Mayor Nomination/District 7)

REAPPOINTMENT OF GLOVIOELL ROWLAND TO THE CODE ENFORCEMENT COMMISSION EFFECTIVE JULY 1, 2011 (Mayor Nomination/District 1)

REAPPOINTMENT OF VINCE FARHAT TO THE PASADENA CENTER OPERATING COMPANY EFFECTIVE JULY 1, 2011 (Mayor Nomination/ District 6)

It was moved by Vice Mayor McAustin, seconded by Councilmember Gordo, to accept the above resignations with regrets, and approve the above appointment and reappointments. (Motion unanimously carried) (Absent: Councilmember Robinson)

RESOLUTION APPROVING ANNUAL REPORT OF THE ADVISORY BOARD OF THE PASADENA TOURISM BUSINESS IMPROVEMENT DISTRICT (DISTRICT), DECLARING ITS INTENTION TO LEVY ASSESSMENTS AGAINST HOTEL AND MOTEL BUSINESSES WITHIN THE DISTRICT FOR FISCAL YEAR 2012 AND SETTING A PUBLIC HEARING ON THE LEVY OF THE ASSESSMENTS FOR JUNE 20, 2011 AT 7:30 P.M.

Recommendation of Pasadena Center Operating Company:

It is recommended that the City Council adopt a resolution approving the annual report of the Advisory Board of the Pasadena Tourism Business Improvement District (the District) for Fiscal Year 2012, declaring its intention to levy assessments against hotel and motel businesses within the

District for Fiscal Year 2012 and setting a public hearing on the levy of the assessments on June 20, 2011, at 7:30 p.m. (Resolution No. 9119)

Michael Ross, Pasadena Center Operating Company (PCOC) Chief Executive Officer, summarized the agenda report.

It was moved by Councilmember Madison, seconded by Councilmember Gordo, to approve the Pasadena Center Operating Company recommendation. (Motion unanimously carried) (Absent: Councilmember Robinson)

**REPORTS AND COMMENTS
FROM COUNCIL
COMMITTEES**

FINANCE COMMITTEE

JOINT ACTION: ADOPT A RESOLUTION APPROVING THE PASADENA COMMUNITY DEVELOPMENT COMMISSION'S (PCDC) FISCAL YEAR 2012 ANNUAL OPERATING BUDGET AND FISCAL YEAR 2012 WORK PLAN

Recommendation: It is recommended that the City Council and the Pasadena Community Development Commission (Commission) take the following actions:

(1) Find that adopting a resolution approving the Pasadena Community Development Commission (PCDC) operating budget is exempt from the California Environmental Quality Act (CEQA) per Section 15061(b)(3); and

(2) Adopt a resolution, pursuant to Section 33606 of the Health and Safety Code, approving the PCDC FY 2012 Annual Operating Budget (as recommended in the City's 2012 Annual Operating Budget) and the FY 2012 Work Plan. The Commission's 2012 Annual Operating Budget includes a transfer to the Housing Department in the amount of \$2,995,466 of low and moderate income funds established for each redevelopment project area, pursuant to Section 33334.3 of the California Health and Safety Code. (Resolution No. CDR-277)

Recommendation of Community Development Committee: On May 26, 2011, the Community Development Committee (CDC) recommended that the Commission and City Council:

1. Approve the PCDC FY 2012 Annual Operating Budget and Work Plan;
2. Direct staff to collaborate with the Old Pasadena Management District (OPMD) and Public Works Department to evaluate re-directing portions of the proposed \$1 million Central Park Improvement Project to infrastructure improvements as identified by OPMD; and
3. Direct staff to develop long-term strategy solutions, such as bonded indebtedness, to fund the OPMD priorities and to fund park improvements that support the economic vitality of Old Pasadena.

Steve Mermell, Assistant City Manager, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

David Klug, Redevelopment Manager, responded to questions regarding the Villa-Parke project funding.

Steve Mulheim, Old Pasadena Management District (OPMD) President and Chief Executive Officer, spoke in support of the Community Development Committee's recommendation to re-direct some of the \$1 million in funding for the Central Park Improvement Project to other infrastructure improvements in the Old Pasadena redevelopment area that have been included in past annual budgets and yet remain unfunded and/or not completed.

The City Manager indicated that the City is moving forward with completing some of the infrastructure projects that OPMD had stated were a priority in the redevelopment area, with completion of the Central Park Master Plan also included in the project list.

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

PUBLIC HEARINGS

JOINT PUBLIC HEARING: ADOPT A RESOLUTION DETERMINING THAT PAYMENT BY THE PASADENA COMMUNITY DEVELOPMENT COMMISSION FOR PUBLIC IMPROVEMENTS WITHIN THE OLD PASADENA AND VILLA-PARKE COMMUNITY CENTER IS OF BENEFIT TO THE OLD PASADENA AND VILLA-PARKE REDEVELOPMENT PROJECT AREAS

Recommendation: It is recommended that the City Council and the Pasadena Community Development Commission (Commission) conduct a joint public hearing to take the following action: Adopt a resolution, pursuant to Section 33445 of the Health and Safety Code, approving payment by the Commission to allocate funds to implement potential public improvements within the Old Pasadena Project Area, as such payment is of benefit to the Old Pasadena Project Area; and to allocate funds to implement potential public improvements within the Villa-Parke Community Center for renovation of the existing gymnasium, as such payment is of benefit to the Villa-Parke Redevelopment Project Area. (Resolution Nos. 9120 and CDR-276)

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on May 23, 2011 in the Pasadena Star-News; and no correspondence was received.

Steve Mermell, Assistant City Manager, highlighted the agenda report.

No one appeared for public comment.

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

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

PUBLIC HEARING: SCHEDULE OF TAXES, FEES AND CHARGES

Recommendation: 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 public hearing was published on April 21 and 28, and May 5, 2011 in the Pasadena Journal; and no correspondence was received.

Daniel Garcia, CRS advocate, suggested the City relax fees for cars that help to protect the environment.

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

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

PUBLIC HEARING: ANNUAL AMENDMENTS TO THE GENERAL FEE SCHEDULE

Recommendation: Adopt by resolution the Fiscal Year 2012 General Fee Schedule. These amended fees shall take effect on July 1, 2011 except Planning Department fees for which the effective date of the increases shall be August 8, 2011. (Resolution No. 9121)

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on April 28, 2011 in the Pasadena Journal; and no correspondence was received.

No one appeared for public comment.

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

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

CONTINUED PUBLIC HEARING: ADOPTION OF FISCAL YEAR 2012 OPERATING BUDGET

Recommendation:

- (1) Adopt by resolution the City's Fiscal Year (FY) 2012 Operating Budget and FY 2012-2016 Capital Improvement Program as detailed in Exhibit A and B (attachments to agenda report) and as amended by the proposed revisions outlined in the background section of the agenda report or any changes passed by a motion of the City Council at the June 6, 2011 meeting;
- (2) Adopt a resolution determining the amount to be transferred from the Light and Power Fund to the General Fund for FY 2012; and
- (3) Direct the City Attorney to complete amendments to Title 2 to incorporate the organizational changes required as a result of the adopted FY 2012 budget within 30 days of adoption.

CONTINUED PUBLIC HEARING: ADOPTION OF FISCAL YEAR 2012-2016 CAPITAL IMPROVEMENT PROGRAM

The above two public hearings were discussed concurrently.

The Mayor announced that now was the time for the continued public hearings.

Councilmember Holden, Chair of the Finance Committee, reported that at the special joint meeting of the City Council and Finance Committee held on June 6, 2011 at 3:00 p.m., discussion occurred regarding the staff recommendation for the Fiscal Year (FY) 2012 Operating Budget, with the following recommendations added: include the same level of funding for the Arts Grant Program as contained in the FY 2011 Operating Budget; adjust the proposed Planning Department budget to retain a Senior Planner position that was originally eliminated in the FY 2012 initially recommended budget; and change the City's policy regarding Fire Department personnel that will result in a reduction of Fire personnel from 4 to 3 on fire trucks, on a temporary basis. He noted that discussion on the FY 2012-2016 Capital Improvement Program (CIP) budget highlighted the City's focus on, and commitment to, developing parking structures in the Playhouse District. He reported that the Finance Committee had unanimously supported the staff recommendation, including the additional recommendations listed above.

Andy Green, Director of Finance Department, reviewed the FY 2012 Budget Wrap-up (changes in the "Proposed Budgets" vs. "Initially Recommended Budgets and General Fund 5 Year Plan") as part of a PowerPoint presentation; and responded to questions.

The City Manager responded to questions regarding personnel costs, projected revenues, and the temporary policy change regarding the number of personnel on fire trucks and the level of Fire personnel staffing.

Councilmember Madison suggested that future budget reports include information on FTEs (types of vacant positions vs. filled positions that are eliminated). He expressed concerns regarding making a major policy change involving the required number of Fire personnel on a truck on such short notice and without review by the Public Safety Committee, and stated his opposition to this policy change based on public safety issues, the lack of notice to the community and opportunity for community input, and the lack of alternative budget options to consider prior to making the policy change.

Councilmember Gordo expressed concerns with the proposed shift from a 4-man crew to a 3-man crew on the fire trucks, and treating a budgetary action as a policy action.

Councilmember Holden also expressed concerns regarding the policy change on the crew size for fire trucks and the issue of this change being reviewed by the Public Safety Committee and the City Council prior to implementation.

The following persons spoke in opposition to the proposed policy change for fire truck crews/staffing levels:

Donald Cervantes, Pasadena Fire Fighters Association
President

Scott Austin, Pasadena Fire Fighters Association member

Fire Chief Dennis Downs discussed the impacts of the Department's proposed financial strategy, comparing daily and minimum staffing that can be implemented immediately, and the reorganization of the Fire Department through future civilianization of some sworn positions; and responded to questions.

Councilmembers Madison and Gordo suggested the policy change issue of reducing Fire personnel to 3 on a truck be reviewed by the Public Safety Committee, prior to the City Council taking action on this part of the proposed budget.

Vice Mayor McAustin indicated that the \$2 million in savings by the Fire Department resulting from the proposed change will

need to be identified in some other area if the reduction in fire truck staffing is not implemented, and that a sustainable level of staffing will need to be implemented that will meet budgetary restrictions.

Councilmember Tornek expressed concerns regarding the need for an opportunity for the public to become fully informed on the proposed policy change prior to the budget being adopted, and for alternative managed savings options to be presented.

Councilmember Gordo asked that all resource materials related to the proposed Fire personnel policy change be provided to the City Council to assist in future budget and Public Safety Committee deliberations.

Following discussion, it was moved by Councilmember Gordo, seconded by Councilmember Madison, to continue the public hearings to June 13, 2011 at 7:30 p.m. (Motion unanimously carried) (Absent: Councilmember Robinson)

PUBLIC HEARING: ADOPTION OF THE 2010 URBAN WATER MANAGEMENT PLAN

Recommendation:

(1) Find that the 2010 Urban Water Management Plan (UWMP) is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15282(v), which exempts from CEQA the preparation and adoption of urban water management plans pursuant to the Water Code;

(2) Hold a public hearing on June 6, 2011, to receive comments on the UWMP; and

(3) Adopt a resolution approve the UWMP prepared by the consultant, Camp, Dresser and McKee, Inc., immediately following the public hearing, and incorporating any changes the City Council deems necessary. (Resolution No. 9122)

Recommendation of Municipal Services Committee: On May 24, 2011, the Municipal Services Committee (MSC) was presented with information on the UWMP.

Recommendation of Environmental Advisory Commission: On May 17, 2011, the Environmental Advisory Commission (EAC) recommended that the Council adopt the City of Pasadena's 2010 Urban Water Management Plan, taking into consideration the public comments made during the meeting.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on April 6 and 13, 2011 in the Pasadena Star-News; and no correspondence was received.

Phyllis Currie, General Manager of Water and Power Department, introduced the agenda item, discussed water rate methodology and exploration of a simplified budget-based water rate system, and responded to questions regarding the 2010 Urban Water Management Plan (UWMP).

Elisa Ventura, Engineer/Water Services, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

Vice Mayor McAustin, Municipal Services Committee Chair, related some of the Committee's review and discussion of budget-based water rates and a simplified water rate system.

Councilmember Madison encouraged staff to move more quickly to a water rate system that will address the issues created by heavy water users.

No one appeared for public comment.

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

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

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 9:46 p.m., in memory of Don Kubly, former President of the Art Center College of Design; Kevin Moore, 32-year veteran of the Pasadena Fire Department; Matthew Fong, former State Treasurer and former Chair of the State Board of Equalization; and Austin Lacy, Pasadena High School student and football player.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk