

CITY OF PASADENA
City Council Minutes
August 15, 2011 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 5:54 p.m.
(Absent: Councilmembers Gordo, Madison, Robinson)

On order of the Mayor, the regular meeting recessed at 5:54 p.m., to discuss the following closed sessions:

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

Property Location: 733 N Fair Oaks Avenue, Pasadena
Agency Negotiators: Michael J. Beck, Steve Mermell
Negotiating Parties: Jim Hansen
Under Negotiation: Price and terms of payment

Councilmember Gordo arrived at 6:02 p.m.

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

Case Name: Jhae (Super Liquor) v. City of Pasadena
Case No: LASC BC413887

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 6:32 p.m. The Pledge of Allegiance was led by City Attorney Michele Beal Bagneris.

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

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

No one appeared for public comment.

CONSENT CALENDAR

CONTRACT AWARD TO ALL AMERICAN ASPHALT FOR THE RESURFACING OF STREETS AT VARIOUS LOCATIONS – 2011 FOR AN AMOUNT NOT TO EXCEED \$1,777,000

Recommendation:

(1) Acknowledge the project to be categorically exempt under Section 21084 of the Public Resources Code in accordance with Article 19, Section 15301, Class 1, subsection (c), repair of existing public streets, pursuant to the findings of the Secretary of the Resources Agency, and a Notice of Exemption for the project has been filed with the Los Angeles County Clerk on May 18, 2011; and

(2) Accept the bid dated August 3, 2011, submitted by All American Asphalt in response to the Project Specifications for the Resurfacing of Streets at Various Locations – 2011, reject all other bids received, and authorize the City Manager to enter into such contract as is required for an amount not to exceed \$1,777,000. (Contract No. 20,743)

APPROVAL OF UPDATED GUIDELINES FOR THE TAXPAYER PROTECTION ACT (PASADENA CITY CHARTER, ARTICLE XVII) TO REFLECT CHANGES IN THE PUBLIC BENEFIT THRESHOLD AMOUNTS NECESSITATED BY CHANGES IN THE CONSUMER PRICE INDEX

Recommendation: It is recommended that the public benefit threshold amounts cited in the Guidelines for Implementation of The Taxpayer Protection Act (TPA) be adjusted to reflect changes in the Consumer Price Index (CPI).

CONTRACT AWARD TO DIGITAL NETWORKS GROUP, INC., FOR DESIGN AND IMPLEMENTATION OF AUDIO/VISUAL TECHNOLOGY IN THE NEW PASADENA WATER AND POWER OPERATIONS BUILDING AT THE CITY YARDS

Recommendation:

(1) Accept the proposal dated September 28, 2010 submitted by Digital Networks Group, Inc., in response to the Request for Proposals for Emergency Operations Center (EOC)/ Multi-Purpose Room Technology Support;

(2) Reject all other proposals received; and

(3) Authorize the City Manager to enter into a contract without competitive bidding, pursuant to City Charter Section 1002(F), contracts for professional or unique services, with Digital Networks Group, Inc., for the purchase and implementation of audio/visual technology in an amount not to exceed \$322,561; which includes \$307,201 for the base scope of services and \$15,360 (or 5%) for any additional services the City may request. (Contract No. 20,744)

AUTHORIZATION TO INCREASE THE AMOUNT OF CONTRACT NO. 20,095 WITH RINCON CONSULTANTS, INC. TO COMPLETE THE ENVIRONMENTAL IMPACT

**REPORT FOR THE ALL SAINTS EPISCOPAL CHURCH
MASTER DEVELOPMENT PLAN**

Recommendation:

- (1) Find that the proposed contract amendment is exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15061, general rule; and
- (2) Authorize the City Manager to amend Contract No. 20,095 with Rincon Consultants, Inc., to increase the not to exceed amount from \$97,000 to \$114,500, an increase of \$17,500, for the completion of the Environmental Impact Report for the All Saints Episcopal Church Master Development Plan. (Contract Amendment No. 20,095-2)

**AUTHORIZATION TO ENTER INTO CONTRACTS WITH
CITY LIGHT AND POWER FOR ELECTRICAL
CONSTRUCTION AND INSPECTIONS 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 (CEQA) 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;
- (2) Accept the bid dated November 2, 2010 submitted by City Light & Power, in response to Specifications LD-10-10, Item A, for installing overhead equipment for the Water and Power Department (PWP), reject all other bids, and authorize a contract with City Light & Power for a period of two years or until \$2,000,000 is expended, whichever comes first, with four optional one-year extensions, each not to exceed \$1,000,000 per year;
- (3) Accept the bid dated November 2, 2010 submitted by City Light & Power, in response to Specifications LD-10-10, Item B, for installing underground equipment for PWP, reject all other bids, and authorize a contract with City Light & Power for a period of two years or until \$2,000,000 is expended, whichever comes first, with four optional one-year extensions, each not to exceed \$1,000,000 per year;
- (4) Accept the bid dated November 2, 2010 submitted by City Light & Power, in response to Specifications LD-10-10, Item C, for installing electrical equipment at substations for PWP, reject all other bids, and authorize a contract with City Light & Power for a period of two years or until \$1,000,000 is expended, whichever comes first, with four optional one-year extensions, each not to exceed \$500,000 per year;
- (5) Accept the bid dated November 2, 2010 submitted by City Light & Power, in response to Specifications LD-10-10, Item D, for General Order 165 (GO 165) inspections for PWP, reject all other bids, and authorize a contract with City Light & Power for a period of two years or until \$1,000,000 is expended, whichever comes first, with four optional one-year extensions,

each not to exceed \$500,000 per year; and
(6) Accept the bid dated November 2, 2010 submitted by City Light & Power, in response to Specifications LD-10-10, Item E, for Geographic Information System (GIS) inspections for PWP, reject all other bids, and authorize a contract with City Light & Power for a period of two years or until \$1,000,000 is expended, whichever comes first, with four additional one-year extensions, each not to exceed \$500,000 per year. (Contract Nos. 20,745; 20,746; 20,747; 20,748; and 20,749)

APPROVAL OF AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PASADENA AND INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS FOR THE TERM JULY 1, 2010 THROUGH JUNE 30, 2013

Recommendation: Approve a successor Memorandum of Understanding (MOU) between the City of Pasadena and the International Brotherhood of Electrical Workers (IBEW) for the term of July 1, 2010 through June 30, 2013. (Agreement No. 20,750)

FINANCE COMMITTEE: MONTHLY EXTENSION OF CONTRACT NO. 20,483 WITH THE PASADENA HUMANE SOCIETY (PHS) FOR POUNDMASTER SERVICES

Recommendation:

- (1) Authorize payment to Pasadena Humane Society (PHS) for Poundmaster services rendered from July 1, 2011 to present totaling \$133,478.75; and
- (2) Authorize the City Manager to extend the provisions of Contract No. 20,483, without competitive bidding, pursuant to City Charter Section 1002(F), contracts for professional or unique services, with the Pasadena Humane Society for Poundmaster services on a month-to-month basis for a period of up to 12 months at an amount not to exceed \$88,985.83 per month, the same as currently paid; and
- (3) Grant this contract extension 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. (Contract Amendment No. 20,483-1)

FINANCE COMMITTEE: PURCHASE OF CITY PROPERTY INSURANCE FOR THE PERIOD JULY 1, 2011 – JUNE 30, 2012

Recommendation:

- (1) Authorize the City Manager to purchase property insurance under a joint public agency purchase program established by the City's Broker of Record, Alliant Insurance Services, at an annual premium of \$398,135, without competitive bidding, pursuant to City Charter Section 1002(H), contracts with other governmental entities or their contractors;
- (2) Authorize the City Manager to purchase property insurance

for the Power Plant (not as part of the joint purchase program) at a projected annual premium of \$573,625 for the term July 1, 2011 to June 30, 2012. Competitive bidding is not required, pursuant to City Charter Section 1002(F), contracts for professional or unique services; and
 (3) Grant the proposed contracts 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

June 6, 2011
 June 13, 2011

CLAIMS RECEIVED AND FILED

Claim No. 11,421	Rusnak-Pasadena	\$ 202,154.50
Claim No. 11,422	Karina Nazarian	25,000.00+
Claim No. 11,423	Marianela Odette Villa	25,000.00+
Claim No. 11,424	Marianela Odette Villa on behalf of minor Nicholas Ortiz	25,000.00+
Claim No. 11,425	Karina Ortiz	25,000.00+
Claim No. 11,426	Jaime Rene Dorado Ortega	204.60
Claim No. 11,427	Marilyn Gonzalez	Not Stated
Claim No. 11,428	Genaro De La Torre	Not Stated
Claim No. 11,429	Freddy Blanco	Not Stated
Claim No. 11,430	Miguel Rosas	Not Stated
Claim No. 11,431	Adan Sanchez	Not Stated

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

REPORTS AND COMMENTS FROM COUNCIL COMMITTEES

FINANCE COMMITTEE

FUND BALANCE POLICY

Recommendation:

- (1) Approve the Fund Balance Policy (attached to the agenda report); and
- (2) Approve a resolution modifying the Fund Balance Policy for the General Fund. (Resolution No. 9136)

Councilmember Holden, Chair of the Finance Committee, introduced the agenda item.

Andy Green, Director of Finance Department, highlighted the agenda report.

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

ADOPTION OF A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE ISSUANCE OF ONE OR MORE CITY OF PASADENA PENSION OBLIGATION DEBENTURES IN AN AMOUNT NOT TO EXCEED THE LESSER OF (I) \$65 MILLION OR (II) THE AMOUNT REQUIRED TO ACHIEVE A FUNDING LEVEL FOR THE CITY OF PASADENA FIRE AND POLICE RETIREMENT SYSTEM OF 85%, AND THE ISSUANCE OF ONE OR MORE SERIES, OR SUBSERIES, OF CITY OF PASADENA PENSION OBLIGATION BONDS, APPROVING THE FORM OF, AND AUTHORIZING THE EXECUTION OF, A TRUST AGREEMENT, BOND PURCHASE AGREEMENT, AND CONTINUING DISCLOSURE AGREEMENT, AND APPROVING THE FORM OF, AND AUTHORIZING THE DISTRIBUTION OF, A PRELIMINARY OFFICIAL STATEMENT, AND AUTHORIZING CERTAIN MATTERS RELATING THERETO

At the request of the City Manager and on order of the Mayor, the above item was held to the Council meeting of September 12, 2011.

JOINT ACTION: FIRST AMENDMENT TO STANDBY BOND PURCHASE AGREEMENT RELATED TO PASADENA PUBLIC FINANCING AUTHORITY TAXABLE VARIABLE RATE DEMAND LEASE REVENUE BONDS (PASEO COLORADO PARKING FACILITIES), SERIES 2000

Recommendation: It is recommended that the City Council and the Pasadena Public Financing Authority:

(1) Approve the First Amendment to the existing Standby Bond Purchase Agreement (SBPA) with KBC Bank for a term of three years at an annual fee of 0.58% on the outstanding principal of the bonds; and

(2) To the extent that the proposed amendment of the SBPA could be considered subject to a new competitive selection process, grant the proposed amendment an exemption from the competitive selection process of the Competitive Bidding and Purchasing Ordinance, Pasadena Municipal Code Chapter 4.08, pursuant to Section 4.08.049(B), contracts for which the City's best interests are served.

Andy Green, Director of Finance Department, introduced the agenda item, and responded to questions regarding the current bond market.

Vic Erganian, Deputy Director/City Treasurer, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

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

**RECOMMENDATIONS
FROM OFFICERS AND
DEPARTMENTS**

**DESIGNATION OF VOTING DELEGATE AND ALTERNATE
FOR THE LEAGUE OF CALIFORNIA CITIES ANNUAL
CONFERENCE ON SEPTEMBER 21-23, 2011 IN SAN
FRANCISCO, CALIFORNIA**

It was moved by Councilmember Tornek, seconded by Vice Mayor McAustin, to designate the Mayor as Voting Delegate for the League of California Cities Annual Conference, with no designation of an alternate to be made at this time. (Motion unanimously carried) (Absent: Councilmember Robinson)

ORDINANCE – ADOPTED

Adopt “AN ORDINANCE OF THE CITY OF PASADENA TO COMPLY WITH PART 1.9 OF DIVISION 24 OF THE CALIFORNIA HEALTH AND SAFETY CODE RELATED TO REDEVELOPMENT AND TAKING CERTAIN ACTIONS IN CONNECTION THEREWITH” (Introduced by Councilmember Holden) (Ordinance No. 7212)

The Mayor provided a brief update of the legal actions related to the State’s redevelopment legislation that are currently underway.

The above ordinance was adopted by the following vote:
AYES: Councilmembers Gordo, Holden, Madison, Masuda, Tornek, Vice Mayor McAustin, Mayor Bogaard
NOES: None
ABSENT: Councilmember Robinson

**RECOMMENDATIONS
FROM OFFICERS AND
DEPARTMENTS**

**CONSIDERATION OF A PROPOSAL FOR A 9/11
MEMORIAL AT NEW YORK DRIVE** (Councilmember Masuda)

Dan Rix, City Engineer, provided an overview of the Memorial to 9/11 two-phase concept proposed by John McDannel, District 4 resident, as part of a PowerPoint presentation; and responded to questions.

The following persons spoke in support of the 9/11 memorial:

John McDannel, Pasadena resident
Jim Osterling, Altadena resident
Bob Pindroh, Pasadena resident
Dan Moran, Pasadena Masonic Lodge Master
Mark Henzel, Pasadena Optimist Club President speaking
as an individual
Kenneth Hill, Pasadena Rotary Club President

Councilmember Gordo suggested that the concept be vetted by the pertinent advisory bodies that would usually consider all of the relevant issues of the proposed memorial prior to the matter coming before the City Council for consideration.

The City Manager noted that, if street naming was a part of the concept, this would initially be part of a staff level administrative process before coming to the City Council; and that the Design Commission would review proposed permanent monuments, if they were included in the concept.

Councilmember Tornek suggested that the City handle administratively the placement of some type of temporary signage on New York Drive, in order to deal with the time sensitive nature of placing some type of memorial at that general site as part of the recognition of the 10th anniversary of the September 11, 2001 events.

Following discussion, it was moved by Councilmember Masuda, seconded by Councilmember Gordo, to refer the proposed concept for a 9/11 memorial at New York Drive to the Arts and Culture Commission for their review and recommendation, and to direct staff to erect temporary signage on New York Drive prior to September 11th, pending the outcome of the Commission's review of the proposed concept and recommendation to the City Council. (Motion unanimously carried) (Absent: Councilmember Robinson)

INFORMATION ITEM

REPORT ON THE RESULTS OF THE 2010 CENSUS AND IMPACT ON REDISTRICTING

Recommendation: This report is for information only and is intended to provide useful information to support the City Council's recently-initiated redistricting effort.

Steve Mermell, Assistant City Manager, introduced the agenda item.

Anna Jacobsen, City Intern from the University of Southern California, reviewed her study of the City's 2010 Census data/information as part of a PowerPoint presentation, and responded to questions.

Mr. Mermell summarized preliminary home affordability data as part of a PowerPoint presentation; noted that further analysis of this data will be performed; responded to questions; and submitted a handout titled, "PUSD Demographics: Number of Enrolled Children."

Bill Trimble, Senior Planner, responding to questions on the housing data.

The City Attorney responded to questions regarding the Census data's use during the redistricting process.

The City Clerk announced the timeframe and general workplan for the Redistricting Task Force, and responded to questions about the redistricting process.

The City Manager responded to questions regarding trends that emerged from the preliminary demographics data, and commended Anna Jacobsen for her work on the Census data.

Councilmember Holden observed that data on the City's Armenian community should also be analyzed as part of the demographics.

Mr. Mermell indicated that staff will research the City's prior gathering of data on the Armenian population, since this group is not represented/included in the Census data that is gathered.

Discussion focused on the changing demographics, use of the data for planning future programming/services and budgets, and addressing the needs of a diverse community.

Bill Crowfoot, Redistricting Task Force Chair, and Richard McDonald, Vice Chair, asked the City Council to have staff confirm any discrepancies in the Census figures related to the gap between occupancy vs. vacancy numbers that might have occurred during the time that the Census was conducted; and to provide guidance on this possible undercounting as it relates to the acceptable percentage variation involving equal representation for the Council districts.

Councilmember Holden was excused at 8:28 p.m.

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

PUBLIC HEARING

CONTINUED PUBLIC HEARING: APPEAL OF PROPOSED WIRELESS TELECOMMUNICATIONS FACILITY AT GRAND AVENUE AND CALIFORNIA BOULEVARD (IE05372C)

Recommendation: It is recommended that the City Council continue the public hearing to September 12, 2011 at 7:30 p.m.

It was moved by Vice Mayor McAustin, seconded by Councilmember Madison, to continue the public hearing to September 12, 2011 at 7:30 p.m. (Motion carried, with Councilmember Tornek abstaining) (Absent: Councilmembers Holden, Robinson)

INFORMATION ITEM

CITY COUNCIL WORKSHOP ON THE INFORMATION TECHNOLOGY STRATEGIC PLAN

Recommendation: This report is submitted for information only.

The City Manager introduced the agenda item, and responded to questions regarding various aspects of the Information Technology Strategic Plan.

Dianah Neff, Interim Chief Information Officer of Information Technology Department, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

The Mayor suggested staff explore use of a community-based group to collaborate on information technology issues and innovations.

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

COUNCIL COMMENTS

Councilmember Madison asked for a briefing from the Rose Bowl Operating Company (RBOC) to the City Council on the public's speculation that there might be a role for the Rose Bowl to play if a professional football team comes to the Los Angeles area.


ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 9:29 p.m.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk