

CITY OF PASADENA  
City Council Minutes  
October 24, 2011 – 5:30 P.M.  
City Hall Council Chamber

REGULAR MEETING

**OPENING:**

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

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

Councilmember Gordo  
arrived at 6:02 p.m.

**CITY COUNCIL CONFERENCE WITH REAL PROPERTY  
NEGOTIATORS pursuant to Government Code  
Section 54956.8**  
**Property Location: 924 East Washington Boulevard,  
Pasadena**  
**Agency Negotiators: Michael J. Beck, Steve Mermell**  
**Negotiating Party: Daniel Bryant**  
**Under Negotiation: Price and terms of payment**

The above closed session item was 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  
Councilmember Robinson.

**ROLL CALL:**

Councilmembers:

Mayor Bill Bogaard  
Vice Mayor Margaret McAustin  
Councilmember Victor Gordo  
Councilmember Chris Holden  
Councilmember Steve Madison (Absent)  
Councilmember Gene Masuda  
Councilmember Jacque Robinson  
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 the week of  
October 24-30, 2011 as, "Proud to Go Pink Week." The  
proclamation was received by Interim Fire Chief Calvin Wells  
and Firefighter Trey Sorensen.

The Mayor and Councilmember Gordo applauded the men and  
women of the Fire Department for taking the initiative in  
challenging the City and other Fire Departments as part of the  
Go Pink campaign.

**UPDATE ON THE STATUS OF THE GROUND TRANSPORTATION FACILITY AT THE BOB HOPE AIRPORT BY DAN FEGER, P.E. EXECUTIVE DIRECTOR, BOB HOPE AIRPORT AUTHORITY**

Councilmember Gordo was excused at 6:52 p.m.

Dan Feger, Burbank-Glendale-Pasadena Airport Authority Executive Director, provided an update, as part of a PowerPoint presentation, on a consensus-based outreach process for the Authority and the City of Burbank to develop a strategy for plans to modernize the airport terminal; develop ground access and transportation goals, including a Regional Intermodal Transportation Center (RITC) project; and continue with a Federal Aviation Regulation (FAR) Part 150 Study update involving aviation-related noise issues. He discussed the City of Pasadena's role in developing plans for future airport and land use at the site, including the B-6 vacant area, and possible changes to the current governance structure for the airport, especially as this relates to possible implementation of a supermajority vote system for approval of certain capital improvement projects at the airport; and responded to questions.

Councilmember Holden, Airport Authority Vice President, commented on the improved communications between the Authority and the City of Burbank in recent times; the shared benefits to the Authority, tri-cities, and region derived from the airport; and the opportunities for development/redevelopment of the B-6 property involving the Authority and the tri-cities (in both the development of the airport/terminal and land use redevelopment of some of the B-6 land for commercial enterprises). He stressed the role that Pasadena will play in shaping the land use plans for the B-6 property and future opportunities/benefits/revenues that may be realized by Pasadena derived from B-6 redevelopment options that will be negotiated.

Councilmember Tornek asked that the City be kept informed regarding the governance and development issues, and noted that there are many questions involving these issues that require answers in order to assist the City Council in determining how best to address Pasadena's interests in the airport and Authority as circumstances change.

On order of the Mayor, the information was received.

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

Frances Schneider Liau, Pasadena resident, expressed concerns regarding a recent code violation citation for overgrown vegetation that was issued to her regarding her drought tolerant garden; asked the City to review the City's Municipal Code regulations related to green practices and water conservation; and submitted her written statement.

The City Manager indicated that staff will provide a response to Ms. Liao's concerns regarding the City's green/conservation practices and policies.

Vice Mayor McAustin asked to receive a copy of the information that is provided to Ms. Liao.

## CONSENT CALENDAR

### **AUTHORIZATION TO ENTER INTO A CONTRACT WITH THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT (LASD) FOR SUPPLEMENTAL LAW ENFORCEMENT SERVICES FOR NEW YEAR'S ACTIVITIES**

**Recommendation:** Authorize the City Manager to enter into a contract not to exceed \$900,000 with the County of Los Angeles, for supplemental law enforcement services for New Year's activities. The proposed contract is exempt from competitive bidding, pursuant to City Charter Section 1002(H), and Pasadena Municipal Code Section 4.08.049(A)(3), contracts with other governmental entities. (Contract No. 20,817)

### **THREE SUBLEASE AGREEMENTS IN OLD PASADENA LOCATED AT 41 SOUTH DE LACEY AVENUE, 65 SOUTH RAYMOND AVENUE, AND 55 SOUTH RAYMOND AVENUE, RESPECTIVELY**

#### **Recommendation:**

(1) Find that the subleasing of 41 South De Lacey Avenue to Spitfire Restaurants, LLC, (doing business as Cheval Blanc Bistro), 65 South Raymond Avenue to Norman, Kristine and Robert Lew, (doing business as Sugar Fix Bakery), and 55 South Raymond Avenue to Alexander Strubinger, Amara Barroeta, and Miriam Alvarez, (doing business as Amara Chocolate & Coffee), are categorically exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15301, existing facilities; and

(2) Authorize the City Manager to execute three separate sublease agreements for Cheval Blanc, Sugar Fix, and Amara, incorporating the terms and conditions generally described in the agenda report, and to execute any other related agreements necessary to effectuate these transactions, including non-substantial revisions. (Agreement Nos. 20,818, 20,819, and 20,820)

### **AUTHORIZATION TO ENTER INTO A CONTRACT WITH THE COUNTY OF LOS ANGELES DEPARTMENT OF HEALTH SERVICES, HEALTHY WAY LA HEALTH CARE INITIATIVE MATCHED PROGRAM**

**Recommendation:** Authorize the City Manager to enter into a contract with the County of Los Angeles Department of Health Services, to participate as a provider in the Healthy Way LA Health Care Initiative Matched Program. (Contract No. 20,821)

CLAIMS RECEIVED AND FILED

Claim No. 11,478	Southern California Gas Company	\$	Not Stated
Claim No. 11,479	Russell Winn		187.00
Claim No. 11,480	Stephen J. Turanchik		Not Stated
Claim No. 11,481	State Farm as subrogee for Carlos Carrasco		4,518.82
Claim No. 11,482	Kimmy Lam		Not Stated
Claim No. 11,483	Mercury Insurance as subrogee for Victoria Castillo		2,899.36
Claim No. 11,484	Arby Nahapetian		1,117.79
Claim No. 11,485	AT&T Pacific Bell		648.62

PUBLIC HEARING SET

November 14, 2011, 7:30 p.m. – Major Change to Approved Project, Playhouse Plaza Commercial Development, 680 East Colorado Boulevard

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

**REPORTS AND COMMENTS FROM COUNCIL COMMITTEES**

FINANCE COMMITTEE

**ADOPTION OF A RESOLUTION OF THE CITY COUNCIL APPROVING THE AMENDED AND RESTATED CONTRIBUTION AGREEMENT BETWEEN THE CITY OF PASADENA AND THE PASADENA FIRE AND POLICE RETIREMENT SYSTEM AND AUTHORIZING THE ISSUANCE OF ONE OR MORE CITY OF PASADENA PENSION OBLIGATION DEBENTURES IN AN AMOUNT NOT TO EXCEED THE LESSER OF (I) \$50 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**

**Recommendation:**

- (1) Authorize the City Manager to enter into an amended and restated contribution agreement between the City and the Fire and Police Retirement System (FPRS) which:
- (a) Removes references to other pension systems operating under the County Employees Retirement Law of 1937; and
  - (b) Provides for investment return and inflation rate assumptions for the Fire and Police Retirement System to be set by the FPRS, not less than annually,

based on analysis performed by the System's Actuary and after seeking input from the City and the System's professional investment consultant.

(2) Adopt a resolution approving the Amended and Restated Contribution Agreement between the City of Pasadena and the Pasadena Fire and Police Retirement System and authorizing the issuance of one or more City of Pasadena Pension Obligation Debentures in an amount not to exceed \$50 million and the issuance of one or more series or subseries of the City of Pasadena Pension Obligation Bonds (POB's), to refund the debentures, 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; and Authorize the City Manager and/or the Director of Finance to initiate a validation action with respect to the bonds, if determined to be appropriate or required by bond counsel, in consultation with the City Attorney. (Agreement No. 20,823; Resolution No. 9152)

Councilmember Holden, Chair of the Finance Committee, reported that the Finance Committee supported the staff recommendation as the best approach to ensure that the City's obligations are properly covered and the most appropriate way to proceed.

Vic Erganian, Deputy Director of Finance Department/City Treasurer, reviewed the agenda report as part of a PowerPoint presentation.

Councilmember Tornek, Fire and Police Retirement System Board member, noted that this matter had been thoroughly vetted; congratulated the staff and Fire and Police Retirement System (FPRS) representatives in arriving at the best solution available, given the circumstances; and responded to questions.

Following discussion, it was moved by Councilmember Holden, seconded by Vice Mayor McAustin, to approve the staff recommendation. (Motion unanimously carried) (Absent: Councilmembers Gordo, Madison)

#### **ESCHEAT POLICY FOR UNCLAIMED MONEY**

**Recommendation:** Adopt the recommended City of Pasadena Escheat Policy for Unclaimed Money, and authorize the Director of Finance to transfer all unclaimed property, after proper notice, to the General Fund.

Councilmember Holden, Chair of the Finance Committee, highlighted the agenda report.

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

## PUBLIC HEARINGS

### **PUBLIC HEARING: TAX EQUITY AND FISCAL RESPONSIBILITY ACT (TEFRA) PUBLIC HEARING, APPROVAL OF MEMBERSHIP AGREEMENT WITH THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY, AND ADOPTION OF A RESOLUTION APPROVING THE ISSUANCE OF \$27,900,000 OF CALIFORNIA MUNICIPAL FINANCE AUTHORITY REVENUE OBLIGATIONS FOR THE BENEFIT OF MARANATHA HIGH SCHOOL**

**Recommendation:** It is recommended that the City Council:

- (1) Conduct a Tax Equity and Fiscal Responsibility Act public hearing; and
- (2) Adopt a resolution approving, authorizing, and directing execution of a Joint Exercise of Powers Agreement relating to the California Municipal Finance Authority (CMFA) and approving the issuance of revenue bonds or execution of a loan transaction by the CMFA for the purpose of financing or refinancing the acquisition, construction, and improvement of certain facilities for the benefit of Maranatha High School (the Borrower). (Resolution No. 9153; Agreement No. 20,822)

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on October 10, 2011 in the Pasadena Star-News; and no correspondence was received.

Andy Green, Director of Finance Department, introduced the agenda item.

Vic Erganian, Deputy Director/City Treasurer, summarized the agenda report as part of a PowerPoint presentation.

No one appeared for public comment.

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

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

**PUBLIC HEARING: SUBMISSION OF SUBSTANTIAL AMENDMENT TO 2008-2009 ANNUAL ACTION PLAN TO U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) TO REALLOCATE HOMELESS PREVENTION AND RAPID RE-HOUSING PROGRAM (HPRP) FUNDS**

**Recommendation:** Adopt a resolution authorizing the City Manager to:

- (1) Submit to the U.S. Department of Housing and Urban Development (HUD) a Substantial Amendment to the 2008-2009 Annual Action Plan to reallocate \$30,000 from Rapid Re-Housing to Homeless Prevention;
- (2) Increase appropriations in Account No. 235-684325-66-50983 (Homeless Prevention Program) in the amount of \$30,000, and decrease appropriations in Account No. 235-684325-66-50984 (Rapid Re-Housing Program) in the amount of \$30,000; and
- (3) Execute, and the City Clerk to attest, all related documents, agreements, and amendments. (Resolution No. 9154; Journal Voucher No. 2012-5)

**Recommendation of Human Services Commission:** The Human Services Commission, at its regular meeting on October 13, 2011, unanimously endorsed the staff recommendation.

The Mayor opened the public hearing.

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

Bill Huang, Director of Housing Department, introduced the agenda item, and responded to questions.

Anne Lansing, Project Planner, outlined the agenda report as part of a PowerPoint presentation.

No one appeared for public comment.

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

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

**RECOMMENDATIONS  
FROM OFFICERS AND  
DEPARTMENTS**

**CONSIDERATION OF AMENDMENTS TO COMMERCIAL  
PARKING CAPS AROUND THE SIERRA MADRE VILLA  
GOLD LINE STATION**

**Recommendation:** It is recommended that the City Council approve option no. 1, outlined in the agenda report, directing staff to initiate a citywide study of Transit Oriented Development (TOD) regulations upon adoption by the City Council of a General Plan Concept Plan and updated principles and polices.

Vince Bertoni, Director of Planning Department, introduced the agenda item, and responded to questions regarding the three options contained in the agenda report.

Stephanie DeWolfe, Deputy Director, reviewed the agenda report as part of a PowerPoint presentation.

Denver Miller, Principal Planner, responded to questions regarding various parking regulations.

The following persons spoke in support of eliminating and/or decreasing the restrictions in Transit Oriented Development (TOD) areas as quickly as possible:

Steve Marcussen, General Plan Update Advisory Committee member and commercial real estate broker speaking as an individual

Bob Oltman, East Pasadena commercial owners representative

The following persons spoke in support of the above staff recommendation to study this issue:

David Nazaryk, Trammell Crow Company Managing Director

Bill Ukropina, Pasadena resident

Councilmember Masuda emphasized the need to address the impacts of the spillover parking of nonresidents into residential neighborhoods.

Councilmember Tornek cautioned against modifying the parking regulations prior to determining the appropriate level of development intensity for East Pasadena through the General Plan and East Pasadena Specific Plan update processes.

Following discussion, it was moved by Councilmember Masuda, seconded by Councilmember Holden, to approve the staff recommendation. (Motion carried, with Councilmember Tornek objecting) (Absent: Councilmembers Gordo, Madison)



**REPORTS AND COMMENTS  
FROM COUNCIL  
COMMITTEES**

**LEGISLATIVE POLICY  
COMMITTEE**

**STAFF REVIEW OF COMMISSION-REQUESTED  
AMENDMENTS TO RULES AND REGULATIONS FOR  
TRANSPORTATION ADVISORY COMMISSION**

**Recommendation:** Adopt the proposed amendments to Rules and Regulations for the Transportation Advisory Commission (TAC), as set forth in Attachment A of the agenda report, and direct the City Attorney's Office to draft an ordinance modifying the corresponding sections of the Pasadena Municipal Code, regarding TAC purpose, qualifications, and the term of the TAC appointee to the Design Commission, to make them consistent with the TAC Rules and Regulations.

**Recommendation of Transportation Advisory Commission:** The Transportation Advisory Commission (TAC) reviewed the proposed amendments to the Commission's Rules and Regulations at its regular meetings of October 28, 2010, and January 27, 2011. The proposed amendments were approved by the seven members who were in attendance at the January 27, 2011 meeting and are set forth in Attachment B of the agenda report. Minor modifications, primarily for clarification and consistency with City Council practice, were made and incorporated into Attachment A of the agenda report, which has not been sent back to the TAC for further review.

Councilmember Holden was excused at 9:02 p.m.

The Mayor, Chair of the Legislative Policy Committee, introduced the agenda item.

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

**ORDINANCE – FIRST  
READING**

**Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA CREATING CHAPTER 8.65 OF THE PASADENA MUNICIPAL CODE TO REGULATE THE USE OF PLASTIC CARRYOUT BAGS AND RECYCLABLE PAPER BAGS AND PROMOTE THE USE OF REUSABLE BAGS"**

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

AYES: Councilmembers Masuda, Robinson, Tornek, Vice Mayor McAustin, Mayor Bogaard

NOES: None

ABSENT: Councilmembers Gordo, Holden, Madison

**COUNCIL COMMENTS**


Vice Mayor McAustin asked staff to provide information (via the City Manager's weekly newsletter) on the status of a sidewalk that was to be constructed from the exit of the Gold Line Parking facility, north to the building area that now houses A Noise Within Repertory Theatre group, as a part of the approved project.

The City Clerk announced that the Redistricting Task Force will hold its next special meeting on November 2, 2011 at Marshall High School (District 2).

The Mayor reported that on October 21, 2011, a ceremony to re-install the "Fork in the Road" (a local guerrilla public art piece) took place at its original location of Pasadena Avenue and St. Johns Avenue.

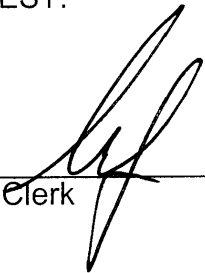
**ADJOURNMENT**

On order of the Mayor, the regular meeting of the City Council adjourned at 9:11 p.m., in memory of Jim Plotkin, founder and "Unofficial Mayor" of Old Pasadena, the business district that he helped to organize and revitalize.



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

ATTEST:

  
\_\_\_\_\_  
City Clerk