

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

REGULAR MEETING

**OPENING:**

The Mayor called the regular meeting to order at 6:32 p.m. The Pledge of Allegiance was led by the Mayor.

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL REGARDING PENDING LITIGATION** pursuant to Government Code Section 54956.9(a)  
**Case Name:** Pasadena Coalition for a Responsible Development v. City of Pasadena and City Council of Pasadena; Real Parties in Interest Park Place Commercial, LP; and Does 1 through 25  
**Case No.:** Los Angeles Superior Court No. BS 130039

The above closed session item was not discussed.

**ROLL CALL:**

Councilmembers:

Mayor Bill Bogaard  
Vice Mayor Margaret McAustin  
Councilmember Victor Gordo (Absent)  
Councilmember Chris Holden  
Councilmember Steve Madison (Arrived at 6:49 p.m.)  
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**

Jan Sanders, Director of Libraries and Information Services Department, provided a brief history of Pasadena's One City, One Story annual reading campaign. The Mayor announced the 2012 program selection of People of the Book by Geraldine Brooks.

**RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS**

**ADOPTION OF A RESOLUTION RATIFYING THE CITY MANAGER'S DECLARATION OF LOCAL EMERGENCY**  
**Recommendation:** It is recommended that the City Council adopt a resolution in support of ratifying the City Manager's Declaration of a Local Emergency issued on December 1, 2011. (Resolution No. 9164)

The Mayor introduced the agenda item.

Councilmember Madison arrived at 6:49 p.m.

The City Manager reviewed the agenda report and provided an update on the recent windstorm event as part of a PowerPoint presentation, and responded to questions.

The following persons expressed concerns regarding ongoing problems with power outages and other windstorm damages and/or the City's effectiveness in responding to extreme local emergencies:

Miriam Nakamura-Quan, Pasadena resident  
Geoffrey Commons, Pasadena resident  
David Snyder, Pasadena resident  
Keith Russell, Pasadena resident  
Doug Owens, Pasadena resident  
Raymond Quan, Pasadena resident  
Ned Boyer, Pasadena resident

Vice Mayor McAustin stressed the need for improved communications, and suggested staff explore the use of volunteers on the ground as one facet of a communications system to be used during emergencies.

Phyllis Currie, General Manager of Water and Power Department, described the Department's efforts in addressing the initial power problems and those problems that still exist, and indicated that staff will use the post-emergency assessment to improve the Department's future response to local emergencies/disasters.

Andy Green, Director of Finance Department, responded to questions regarding possible reimbursement of certain costs related to the declared disaster.

Councilmember Tornek expressed concerns regarding the City's decision to resume the enforcement of overnight parking restrictions, and suggested that enforcement be suspended until the tree and brush removal is more complete.

The City Manager indicated that staff will take another look at the parking enforcement situation.

The Mayor joined Vice Mayor McAustin and Councilmember Madison in expressing gratitude for the professionalism and dedication shown by City employees, and the community's gratitude for the tremendous amount of work that has been accomplished since the windstorm took place.

It was moved by Councilmember Madison, seconded by Vice Mayor McAustin, to approve the staff recommendation, and formally affirm the community's gratitude for the dedicated efforts of the City's staff during the emergency. (Motion unanimously carried) (Absent: Councilmembers Gordo, Robinson)

**PUBLIC HEARING**

Vice Mayor McAustin was excused at 8:04 p.m.

**PUBLIC HEARING: ADOPTION OF A ZONE CHANGE TO DESIGNATE A LANDMARK DISTRICT OVERLAY FOR THE RAYMOND-ESTHER LANDMARK DISTRICT (LD-19)**

The Mayor indicated that Councilmember Gordo had requested that the public hearing be continued until such time that he can be present for the discussion.

It was moved by Councilmember Madison, seconded by Councilmember Masuda, to continue the public hearing to December 12, 2011 at 7:00 p.m. (Motion unanimously carried) (Absent: Councilmembers Gordo, Robinson, Vice Mayor McAustin)

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

Vice Mayor McAustin returned at 8:09 p.m.

Tim Bowles, Youth for Human Rights International Executive Director, invited the community to a Human Rights Day forum to be held on December 10, 2011 titled, "Terrorism and Civil Liberties – Defining Freedom in the Post 9-11 World"; and submitted a flier on the event.

**CONSENT CALENDAR**

**AUTHORIZATION TO ENTER INTO A CONTRACT WITH THE CITY OF WEST COVINA, WEST COVINA SERVICES GROUP FOR A NOT TO EXCEED AMOUNT OF \$135,000 TO PROVIDE SOFTWARE MAINTENANCE AND SERVICE FOR THE POLICE COMPUTER AIDED DISPATCH (CAD) AND RECORDS MANAGEMENT SYSTEM (RMS)**

**Recommendation:**

- (1) Find that the authorization to enter into a professional contract is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(3); and
- (2) Authorize the City Manager to execute a contract with the City of West Covina, West Covina Services Group, for annual software maintenance and service in an amount not to exceed \$135,000 for fiscal year 2012, with two optional one-year extensions in an amount not to exceed \$157,500 in fiscal year 2013 and \$170,000 in fiscal year 2014. 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 government entities. (Contract No. 20,867)

**REJECTION OF ALL BIDS FOR THE RENTAL OF UNIFORMS FOR THE WATER AND POWER DEPARTMENT**

**Recommendation:** Reject all bids received October 25, 2011, in response to Specifications No. LD-11-7 for the purchase of uniforms for the Water and Power Department.

Item discussed separately at the request of Councilmember Tornek.

**AUTHORIZE THE PURCHASE OF FIFTEEN COMPRESSED NATURAL GAS BUSES FOR THE PASADENA AREA RAPID TRANSIT SYSTEM FOR AN AMOUNT NOT TO EXCEED \$4,473,000**

**CLAIMS RECEIVED AND FILED**

Claim No. 11,498	AT & T	\$ 1,781.58
Claim No. 11,499	AT & T	Not Stated
Claim No. 11,500	California Institute of Technology	5,395.00
Claim No. 11,501	Allstate as Subrogee for Deborah Hagman	650.00
Claim No. 11,502	May Fontenot	Not Stated

It was moved by Councilmember Tornek, seconded by Vice Mayor McAustin, to approve the Consent Calendar, with the exception of Item 3 (Purchase of Fifteen Compressed Natural Gas Buses), which was discussed separately. (Motion unanimously carried) (Absent: Councilmembers Gordo, Robinson)

**CONSENT ITEM DISCUSSED SEPARATELY**

**AUTHORIZE THE PURCHASE OF FIFTEEN COMPRESSED NATURAL GAS BUSES FOR THE PASADENA AREA RAPID TRANSIT SYSTEM FOR AN AMOUNT NOT TO EXCEED \$4,473,000**

**Recommendation:**

- (1) Find that the purchase of these vehicles is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15302, replacement of existing transit facilities involving negligible or no expansion of capacity;
- (2) Authorize the issuance of a purchase order contract to Creative Bus Sales without competitive bidding, pursuant to City Charter Section 1002(H), contracts with other government entities or their contractors, in an amount not to exceed \$4,473,000 for the purchase of ten 32-foot and five 25-foot buses, all of which operate on compressed natural gas; and
- (3) Grant the proposed purchase order contract 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.

In response to Councilmember Tornek's questions, Fred Dock, Director of Transportation Department, Valerie Gibson, Acting Transit Manager, and the City Manager clarified the proposed financing and replacement of most of the Pasadena Area Rapid Transit System (ARTS) bus fleet.

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

**ORDINANCE – ADOPTED**

**Adopt "AN ORDINANCE OF THE CITY OF PASADENA AMENDING SECTION 10.45.027, OF THE PASADENA MUNICIPAL CODE, TO ALLOCATE NO FEE (OFFICIAL CITY BUSINESS) PARKING PLACARDS ON THE BASIS OF NEED BY CITY DEPARTMENT AND COUNCIL RATHER**

**THAN BY STAFF CLASSIFICATION”** (Introduced by Councilmember Robinson) (Ordinance No. 7216)

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

**PUBLIC HEARING**

Councilmember Tornek recused himself at 8:21 p.m., due to a conflict of interest.

**CONTINUED PUBLIC HEARING: APPEAL OF PROPOSED WIRELESS TELECOMMUNICATIONS FACILITY AT GRAND AVENUE AND CALIFORNIA BOULEVARD (IE 05372C)**

**Recommendation:**

- (1) Find that this action is statutorily exempt from the California Environmental Quality Act (CEQA), per Section 15268, ministerial projects; and
- (2) Approve the application to allow the installation of a wireless telecommunications facility on top of an existing wood utility pole at the northeast corner of Grand Avenue and California Boulevard with mitigations.

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

Vice Mayor McAustin announced that, although she was not present at the November 14, 2011 meeting when this item was last discussed, she had reviewed the written record and video of the meeting and was informed on this item.

Siobhan Foster, Director of Public Works Department, introduced the agenda item.

Richard Yee, Principal Engineer, highlighted staff's prior study of possible wireless telecommunications facility sites, reviewed the additional study of an alternative facility location on California Boulevard as part of a PowerPoint presentation, and responded to questions.

The City Manager responded to questions regarding the various proposed facility sites.

Dan Rix, City Engineer, responded to questions regarding the facility site location issues.

The following persons spoke in opposition to the proposed site, and/or expressed concerns:

Gretchen Brickson, Pasadena resident (appellant), asked for the public hearing to be continued one week to allow time to hold a meeting (that had been scheduled and then necessarily cancelled) with the staff, City's consultant, and interested neighbors regarding another

alternative that would use two smaller poles to be located at two sites (Arroyo Boulevard/La Loma Road and Orange Grove Boulevard/California Boulevard)  
Miriam Nakamura-Quan, Pasadena resident  
Dr. Raymond Quan, Pasadena resident

The following persons spoke in support of the proposed site:

Rob Searcy, T-Mobile representative (applicant)  
Linda Paul, T-Mobile Real Estate and Zoning Manager  
Ross Selvidge, Pasadena resident, submitted a flier on the proposed Wi-Fi antenna installation

Councilmember Madison stated his support for continuing the public hearing to allow time for the applicant, appellant, neighbors, staff, and consultant to meet for further discussion of alternatives to the current proposed facility site.

Councilmember Holden asked staff to provide a complete and thorough analysis of the two pole site option when this matter comes back to the City Council.

Following discussion, it was moved by Councilmember Madison, seconded by Councilmember Holden, to continue the public hearing to December 12, 2011 at 7:00 p.m. (Motion unanimously carried) (Absent: Councilmembers Gordo, Robinson, Tornek)


## ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 9:04 p.m., in memory of Charles D. Miller, former Chief Executive Officer of Avery Dennison Corporation and philanthropist; and Patricia Rostker, advocate for justice and equal rights and community activist for services for the elderly.



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Bill Bogaard, Mayor  
City of Pasadena

ATTEST:

  
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City Clerk