

CITY OF PASADENA  
City Council Minutes  
December 12, 2011 – 5:30 P.M.  
City Hall Council Chamber

REGULAR MEETING

**OPENING:**

Mayor Bogaard called the regular meeting to order at 5:42 p.m.  
(Absent: Councilmember Robinson)

On order of the Mayor, the regular meeting recessed at 5:42 p.m., to discuss the following closed sessions:

**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**

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

**Property Locations: Assessor Parcel Numbers**  
5864-032-903, 5864-029-900, 5864-013-900, 5754-037-800,  
5754-030-003, 5754-030-800, 5754-030-802, 5754-030-803,  
5754-009-800, 5754-012-800, 5754-013-800, 5754-013-801,  
5754-013-802, 5754-014-029, 5754-006-023, 5754-006-800,  
5754-005-800, 5754-005-801, 5752-022-005, 5752-022-803,  
5752-022-903, 5752-022-004, 5752-022-005, 5752-022-800,  
5752-015-800, 5752-015-801, 5752-007-800, 5752-006-800,  
5752-002-800, 5751-019-800, 5751-020-801, 5751-020-803,  
5751-020-804, 5751-021-800, 5751-021-905, 5751-021-002,  
5751-021-052, 5751-022-801, 5751-022-900, 5860-013-800,  
and 5857-020-801

**Agency Negotiator: Michael J. Beck**

**Negotiating Parties: Marissa Castro-Salvati and Bill Farley**

**Under Negotiation: Price and terms of payment**

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

**Property: 400 East Green Street, 155 East Green Street, and 300 East Colorado Boulevard**

**Agency Negotiator: Michael J. Beck**

**Negotiating Party: James Farrell**

**Under Negotiation: Price and terms of payment**

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

On order of the Mayor, the regular meeting reconvened at 6:44 p.m. The Pledge of Allegiance was led by Steve Mermell, Assistant City Manager.

**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**

Phyllis Currie, General Manager of Water and Power Department, acknowledged Glenn Boggs for his 40 years of services as a PWP employee, and the Mayor presented a commendation to Mr. Boggs for his dedicated service. Mary Ellen Schubel, Interim Director of Human Resources Department, recognized Barbara Ayala (who was not in attendance) for her 35 years of service to the Libraries and Information Services Department.

Nat Nehdar, Human Relations Commission Chair, and Vice Chair Terrie Allen, announced that the Commission had selected Aspires West to receive the 2011 Model of Unity Award, in recognition of the organization's commitment to providing educational assistance to the community's youth. The Mayor presented a proclamation for the Award to Dr. Jacqueline Jacobs, President.

The following persons joined Councilmember Gordo and the Mayor in honoring the memory of Raul Borbon, local social justice activist:

Roberta Martinez, Latino Heritage Executive Director  
Susana Zamorano, widow of Raul Borbon  
Raul Añorve, Instituto de Educación Popular del Sur de California (IDEPSCA) founder, speaking as an individual

The City Manager provided an update on the City's recovery efforts related to the impacts of the recent major windstorm event; noted that Governor Brown had declared a state of emergency for the area; provided information for residents/businesses to use in reporting storm-related damage costs to the Los Angeles County Office of Emergency Management; distributed informational materials that were

presented to the California Emergency Management Agency (Cal EMA); and responded to questions regarding the current response to, and after-the-event analysis of, the storm event.

Councilmember Masuda thanked Siobhan Foster, Director of Public Works Department, and her employees for their assistance in the clearing of debris in the Upper Hastings Ranch area prior to the neighborhood's traditional Holiday Light Up event.

Councilmember Madison asked that staff's analysis of the windstorm event include an internal review and discussion of the issues that arose from the power outages and the steps taken to restore power.

Phyllis Currie, General Manager of Water and Power Department, provided information on the status of those residents who are currently without power.

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

Michael Evans, American Postal Workers Union representative, expressed concerns regarding the possible closing of the Mack Robinson Post Office (processing center in Pasadena), and asked for the City Council's assistance in persuading the United States Postal Services (USPS) to re-schedule a community input meeting on this matter that is set for December 29, 2011 at the Pasadena Convention Center.

The Mayor noted that the City had already sent a letter to the USPS asking for a change in the date of the meeting, expressing concerns regarding the limited opportunity for adequate public input/comment on the closure issue.

**CONSENT CALENDAR**

**CONTRACT AWARD TO NTH GENERATION COMPUTING, INC. FOR THE INFRASTRUCTURE REPLACEMENT PROGRAM (NETWORK)**

**Recommendation:**

- (1) Find that the awarding of a contract for the Infrastructure Replacement Program (Network) is exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15061(b)(3);
- (2) Accept the proposal dated October 31, 2011 submitted by Nth Generation Computing, Inc., in response to the Request for Proposals for Infrastructure Replacement Program (Network);
- (3) Reject all other proposals received; and
- (4) Authorize the City Manager to enter into a contract with Nth Generation Computing, Inc., for the purchase and implementation of network infrastructure in an amount not to exceed \$246,393, which includes \$223,994 for the base scope of services and \$22,399 (10%) for contingency. Competitive bidding is not required, pursuant to City Charter Section 1002(F), professional or unique services.

**CONTRACT AWARD TO ALLIANCE INTEGRATED TECHNOLOGY FOR THE INFRASTRUCTURE REPLACEMENT PROGRAM (STORAGE)**

**Recommendation:**

- (1) Find that the awarding of a contract for the Infrastructure Replacement Program (Storage) is exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15061(b)(3);
- (2) Accept the proposal dated October 31, 2011 submitted by Alliance Integrated Technology, in response to the Request for Proposals for Infrastructure Replacement Program (Storage);
- (3) Reject all other proposals received; and
- (4) Authorize the City Manager to enter into a contract with Alliance Integrated Technology, for the purchase and implementation of storage infrastructure in an amount not to exceed \$727,560, which includes \$661,419 for the base scope of services and \$66,141 (10%) for contingency. Competitive bidding is not required, pursuant to City Charter Section 1002(F), professional or unique services.

**CONTRACT AWARD TO AGILE360 (A DIVISION OF ENTISYS SOLUTIONS., INC.) FOR THE DESKTOP REPLACEMENT PROGRAM (VDI)**

**Recommendation:**

- (1) Find that the awarding of a contract for the Virtual Desktop Infrastructure component of the Desktop Replacement Program is exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15061(b)(3);
- (2) Accept the proposal dated October 31, 2011 submitted by Agile360 (a division of Entisys Solutions, Inc.), in response to the Request for Proposals for the Desktop Replacement Program;
- (3) Reject all other proposals received; and
- (4) Authorize the City Manager to enter into a contract with Agile360 (a division of Entisys Solutions, Inc.), for the purchase and implementation of Virtual Desktop Infrastructure in an amount not to exceed \$435,881, which includes \$396,255 for the base scope of services and \$39,626 (10%) for contingency. Competitive bidding is not required, pursuant to City Charter Section 1002(F), professional or unique services.

**FINANCE COMMITTEE: AUTHORIZE THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE CALIFORNIA STATE DEPARTMENT OF TRANSPORTATION WITH THE RECEIPT OF GRANT FUNDING AND IMPLEMENTATION OF THE SAFE ROUTES TO SCHOOL PROGRAM**

**Recommendation:**

- (1) Find that the following proposed actions are exempt from review, pursuant to the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(3);

(2) Authorize the City Manager to execute an agreement with the California State Department of Transportation with the receipt of grant funding and implementation of the Safe Routes to School Program; and

(3) Recognize and appropriate \$250,000 to Budget Account No. 101-773100-95080-85 for the Safe Routes to School Grant. (Agreement No. 20,873; Journal Voucher No. 2012-10)

**FINANCE COMMITTEE: RECOGNITION AND APPROPRIATION OF THE UNIVERSITY OF CALIFORNIA BERKELEY, SAFE TRANSPORTATION RESEARCH AND EDUCATION CENTER GRANT**

**Recommendation:** Amend the Police Department's fiscal year 2012 operating budget by recognizing \$103,772 in grant funds awarded by the State of California Office of Traffic Safety–University of California Berkeley, Safe Transportation Research and Education Center to Account No. 6497-101-402200-91155, and appropriate the funds as follows: \$95,400 to Account No. 8011-101-402200-91155 Overtime Pay and \$8,372 to Account No. 8101-101-402200-91155 Materials and Supplies. (Journal Voucher No. 2012-11)

Item discussed separately at the request of Councilmember Gordo.

**ADOPT A RESOLUTION TO EXPAND THE CURRENT BOUNDARIES OF THE PASADENA ENTERPRISE ZONE**

**AWARD OF PURCHASE ORDER CONTRACT TO EXECUTIVE AIR TAXI CORPORATION FOR THE PURCHASE OF TWO BELL HELICOPTER MAIN ROTOR BLADES IN AN AMOUNT NOT TO EXCEED \$142,568.75**

**Recommendation:** Accept the lone bid dated November 21, 2011 submitted by Executive Air Taxi Corporation, for the purchase of the two Bell Helicopter Main Rotor Blades, and authorize the City Manager to issue a purchase order contract to Executive Air Taxi Corporation in an amount not to exceed \$142,568.75.

Item discussed separately due to request for public comment.

**FINANCE COMMITTEE: AUTHORIZE THE CITY MANAGER TO EXECUTE ALL AGREEMENTS WITH THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY ASSOCIATED WITH THE RECEIPT OF GRANT FUNDING AND IMPLEMENTATION AND MANAGEMENT OF ZERO EMISSION VEHICLE CHARGING STATIONS**

**FINANCE COMMITTEE: RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A MASTER LEASE PURCHASE AGREEMENT FOR AREA RAPID TRANSIT SYSTEM BUSES, A LEASE SCHEDULE, A LEASE SCHEDULE ADDENDUM REGARDING INSURANCE, VEHICLE INSURANCE ADDENDUM AND PREPAYMENT SCHEDULE ADDENDUM, A CERTIFICATE OF INCUMBENCY, A PROCEEDS DISBURSEMENT**

**AUTHORIZATION, AN AGENCY AGREEMENT, AN ARBITRAGE CERTIFICATE AND OTHER DOCUMENTS IN CONNECTION THEREWITH**

**Recommendation:** It is recommended that the City Council adopt a resolution:

(1) Authorizing a Master Lease Purchase Agreement for Area Rapid Transit System (ARTS) Buses in an amount not to exceed \$2,073,000 with JP Morgan/Chase Bank;

(2) Authorizing the execution and delivery of a Master Lease Purchase Agreement, a Lease Schedule, a Lease Schedule Addendum, a Certificate of Incumbency, a Proceeds Disbursement Authorization, an Agency Agreement, an Arbitrage Certificate, and other documents in connection thereto; and

(3) Authorizing the City Manager or the Director of Finance to execute the documents on behalf of the City. (Resolution No. 9165; Agreement No. 20,874)

**FINANCE COMMITTEE: ANNUAL ADJUSTMENTS TO THE ROSE BOWL ADMISSIONS TAX, THE GRANDSTAND SEAT SURCHARGE, AND THE GRANDSTAND PERMIT APPLICATION**

**Recommendation:** Approve the scheduled rate increases effective February 1, 2012 for the Grandstand Permit Application, the Rose Bowl Admissions Tax, and the New Year's Day Related Business Grandstand Seat Surcharge, as set forth in the agenda report.

**FINANCE COMMITTEE: QUARTERLY INVESTMENT REPORT, QUARTER ENDING SEPTEMBER 30, 2011**

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

**MINUTES APPROVED**

November 14, 2011  
November 21, 2011  
November 28, 2011

**CLAIMS RECEIVED AND FILED**

Claim No. 11,503	Schifrin, Gagnon & Dickey as Subrogee for AT&T	\$ 219.82
Claim No. 11,504	Edith Arteaga	5,000.00
Claim No. 11,505	Tadashi Takara	500.00
Claim No. 11,506	Adrianna Jimenez	Not Stated
Claim No. 11,507	Edward G. Paniagua	907.00
Claim No. 11,508	Victoria Lacsamana	2,170.00
Claim No. 11,509	AAA Northern California, Nevada & Utah Insurance Exchange as Subrogee for Jesse Murphy	843.62
Claim No. 11,510	Dori Swope	2,000.00

It was moved by Councilmember Gordo, seconded by Councilmember Madison, to approve the Consent Calendar, with the exceptions of Item 7 (Expand the Current Boundaries of the Pasadena Enterprise Zone) and Item 9 (Agreements for Zero Emission Vehicle Charging Stations), which were discussed separately. (Motion unanimously carried) (Absent: Councilmember Robinson)

**CONSENT ITEMS  
DISCUSSED SEPARATELY**

Councilmember Gordo recused himself at 7:57 p.m., due to a conflict of interest.

**ADOPT A RESOLUTION TO EXPAND THE CURRENT BOUNDARIES OF THE PASADENA ENTERPRISE ZONE**

**Recommendation:**

- (1) Adopt a resolution to expand the current boundaries of the Pasadena Enterprise Zone;
- (2) Approve the recommended commercial/industrial areas in Attachment B of the agenda report for inclusion in the Pasadena Enterprise Zone; and
- (3) Authorize staff to prepare all documents required for submittal to the State of California for consideration of expansion of the Pasadena Enterprise Zone. (Resolution No. 9166)

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

**FINANCE COMMITTEE: AUTHORIZE THE CITY MANAGER TO EXECUTE ALL AGREEMENTS WITH THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY ASSOCIATED WITH THE RECEIPT OF GRANT FUNDING AND IMPLEMENTATION AND MANAGEMENT OF ZERO EMISSION VEHICLE CHARGING STATIONS**

**Recommendation:**

- (1) Find that the following proposed actions are exempt from review, pursuant to the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(3);
- (2) Authorize the City Manager to execute all agreements with the Los Angeles County Metropolitan Transit Authority (Metro) with the receipt of grant funding and the implementation and management of the program respectively;
- (3) Recognize and approve a journal voucher appropriating the Metro grant for \$573,830 to Budget Account No. 8114-101-772100; and
- (4) Approve a journal voucher amending the Fiscal Year 2012 Operating Budget by recognizing and appropriating \$7,094 from the Pasadena Water and Power Public Benefit Program Fund No. 8176-410-831700-0914-22-21235 to Budget Account No. 8114-101-772100. (Agreement No. 20,875; Journal Voucher No. 2012-12)

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

Mike Bagheri, Transportation Development Manager, summarized the agenda report as part of a PowerPoint presentation, and responded to questions.

The following persons expressed concerns regarding the drawn-out implementation and timing of the proposed program:

Richard Teebay, Pasadena resident  
Enid Joffe, Clean Fuel Connection, Inc. President

Fred Dock, Director of Transportation Department, clarified the timing and implementation for the program is linked to the guidelines/restrictions required by the Los Angeles County Metropolitan Transit Authority (Metro) grant.

Councilmember Tornek urged staff to move as quickly as possible to implement the program.

It was moved by Councilmember Tornek, seconded by Vice Mayor McAustin, to approve the staff recommendation, with the understanding that the program will be implemented expeditiously. (Motion unanimously carried) (Absent: Councilmembers Gordo, Robinson)

## **PUBLIC HEARINGS**

Councilmember Gordo returned at 8:11 p.m.

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

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

- (1) Find that the application for a zone change to create a landmark district is categorically exempt from the environmental review, pursuant to the Guidelines of the California Environmental Quality Act (CEQA), Section 15308, Class 8, actions by regulatory agencies for protection of the environment;
- (2) Find the proposed Raymond-Esther Landmark District meets the criteria for designation as a Landmark District, pursuant to Section 17.62.040(F) of the Pasadena Municipal Code, and approve the landmark district designation and the zoning map overlay for the Raymond-Esther Landmark District, LD-19, as shown in Attachment A of the agenda report;
- (3) Adopt a resolution approving a Declaration of Landmark District Designation for Raymond-Esther Landmark District, Pasadena, California;
- (4) Authorize the Mayor to execute the Declaration of Landmark District Designation for Raymond-Esther Landmark District, Pasadena, California;



(5) Direct the City Clerk to record the declaration with the Los Angeles County Recorder; and

(6) Direct the City Attorney to prepare an ordinance within 60 days amending the official zoning map of the City of Pasadena established by Section 17.20.020 of the Pasadena Municipal Code to designate the landmark district with the LD-19 overlay zone. (Resolution No. 9167)

**Recommendation of Historic Preservation Commission:** At a public hearing on October 17, 2011, the Historic Preservation Commission determined that the proposed Raymond-Esther landmark district meets the criteria for designation in Section 17.62.040, Pasadena Municipal Code and unanimously recommended approval of the designation.

**Recommendation of Planning Commission:** At a public hearing on September 9, 2011, the Planning Commission found that the proposed zone change to create a landmark district is consistent with the General Plan and the purposes of the zoning code, certified the final petition with the signatures from at least 51 percent of the property owners, and voted unanimously to recommend that the City Council approve designation of the Raymond-Esther landmark district.

The Mayor opened the public hearing.

The City Clerk reported 5 copies of the public hearing notice were posted on November 18, 2011; 7 copies of the notice were mailed on November 18, 2011; and 1 letter in support of and 6 letters (5 of which were from 1 person) in opposition to the proposed landmark district were received.

Emily Stadnicki, Senior Planner, reviewed the agenda report as part of a PowerPoint presentation, confirmed that the properties located at 570 North Raymond Avenue and 595 North Raymond Avenue were not included as a part of the proposed landmark district, outlined the new provisions that will be implemented as a part of the landmark district proposal process, and responded to questions.

The following persons expressed concerns regarding the landmark district process and the conduct/actions of the Historic Preservation Commission, and asked that the 570 North Raymond Avenue property be removed from the National Register of Historic Places listing:

Jose Rodriguez, Pasadena resident  
Maria Rodriguez, Pasadena resident  
Herminia Ortiz, Pasadena resident representing her daughter (Sophia)

Ms. Stadnicki clarified that the 570 North Raymond Avenue property is included in a City ordinance designating all properties designed by architects Greene and Greene as historic properties, and that the house was not listed in the National Register.

The following persons spoke in support of the landmark district:

Chris Baer, Pasadena resident, also speaking for his mother (Nona)  
Philip Kay, Pasadena resident  
Laurie Kay, Pasadena resident

Vince Bertoni, Director of Planning Department, noted that this designation provides a higher layer of protection in preserving and protecting these homes, highlighted the benefits available to historic property owners under the Mills Act, and explained the steps that were taken by staff to correct a public noticing error.

Councilmember Gordo asked that staff send a written response to Mr. Rodriguez regarding each issue that was raised in his correspondence to the City.

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)

Councilmember Tornek recused himself at 8:50 p.m., due to a conflict of interest.

Councilmember Gordo was excused at 8:51 p.m.

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

**Recommendation:** At the request of the applicant, the public hearing will be continued to January 9, 2012, at 7:00 p.m.

It was moved by Councilmember Madison, seconded by Councilmember Holden, to continue the public hearing to January 9, 2012 at 7:00 p.m. (Motion unanimously carried) (Absent: Councilmembers Gordo, Robinson, Tornek)

**RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS**

Councilmembers Gordo and Tornek returned at 8:52 p.m.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA CONFIRMING THE AWARD OF ITS WATER REVENUE REFUNDING BONDS, 2011A SERIES**

**Recommendation:** It is recommended that the City Council adopt a resolution confirming the award of its Water Revenue Refunding Bonds, 2011A Series. (Resolution No. 9168)

Councilmember Holden was excused at 8:52 p.m.

Vic Erganian, Deputy Director of Finance Department/City Treasurer, highlighted the agenda report as part of a PowerPoint presentation, and submitted a revised resolution that included updated information from the bond sale.

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

**REPORTS AND COMMENTS  
FROM COUNCIL  
COMMITTEES**

**FINANCE COMMITTEE**

**AMENDMENT OF THE FY 2012 CAPITAL IMPROVEMENT PROGRAM TO REVISE THE REPLACEMENT OF FIRE STATION NO. 39 PROJECT NAME AND SCOPE TO SEISMIC RETROFIT AND REHABILITATION OF FIRE STATION NO. 39; AND APPROPRIATE \$1,900,000 TO THIS REVISED PROJECT (CIP PROJECT 71807)**

**Recommendation:**

- (1) Find that the project is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15301, existing facilities and Section 15331, historical resource restoration/rehabilitation;
- (2) Amend the FY 2012 Capital Improvement Program (CIP) Replacement of Fire Station No. 39 (71807) to rename the project to Seismic Retrofit and Rehabilitation of Fire Station No. 39 and modify the description;
- (3) Appropriate \$1,656,599 to CIP Project 71807, Seismic Retrofit and Rehabilitation of Fire Station No. 39 from the Charter Capital Fund and authorize staff to make necessary adjustments to the budget;
- (4) Approve a journal voucher to transfer \$243,401 of Unallocated Charter Capital fund balance to the Seismic Retrofit and Rehabilitation of Fire Station No. 39 (71807); and
- (5) Adopt a resolution authorizing reimbursement of costs spent on this project from bond proceeds if a bond is issued to pay for various types of public improvements for which this project would be eligible. (Journal Voucher No. 2012-13; Resolution No. 9169)

**Recommendation of Public Safety Committee:** On November 21, 2011, this item was presented for information only to the Public Safety Committee. The Committee did not make a formal recommendation, but provided a statement of support for Retrofit of the Station and recommended the item be forwarded to the City Council for full discussion.

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

Vice Mayor McAustin emphasized that budgetary issues will now require that capital improvement projects be re-prioritized to meet the constraints being placed on the City's available funds.

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

## PUBLIC HEARING

**PUBLIC HEARING: CONSIDERATION TO ADOPT A PROGRAM OF ENFORCEMENT FOR THE PASADENA WATER AND POWER DEPARTMENT PURSUANT TO SECTION 399.30(e) OF THE PUBLIC UTILITIES CODE REVISED RECENTLY BY THE ENACTMENT OF THE CALIFORNIA RENEWABLE ENERGY RESOURCES ACT, SENATE BILL X1-2**

**Recommendation:** It is recommended that, following a public hearing, the City Council:

- (1) Find that the adoption of the Enforcement Program, pursuant to Section 399.30(e) of the Public Utilities Code, is exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15061(b)(3); and
- (2) Adopt the proposed Enforcement Program for the Pasadena Water and Power Department, pursuant to Section 399.30(e) of the Public Utilities Code.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on November 9, 2011 in the Pasadena Star-News; and no correspondence was received.

Phyllis Currie, General Manager of Water and Power Department, introduced the agenda item.

Councilmember Gordo was excused at 9:29 p.m.

Gurcharan Bawa, Assistant General Manager/Power Supply, reviewed the agenda report as part of a PowerPoint presentation.

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

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

## COUNCIL COMMENTS

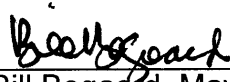
Councilmember Madison asked that staff review the tree ordinance as this relates to the tree damage that occurred during the recent windstorm, with a report to be provided to the Public Safety Committee.

The City Manager indicated that, once the post-windstorm analysis is completed, a report on the event will be presented to the Public Safety Committee in March/April 2012; and that information on the types of trees that were damaged could be presented as a part of this analysis, or as a separate report with proposed changes to the tree ordinance, if warranted. He also indicated that the Pasadena Community Foundation had teamed with the Pasadena Beautiful Foundation to raise funds for replacement of destroyed trees on City property, and thanked these foundations for their unsolicited assistance in addressing the severe tree damage that occurred.


Vice Mayor McAustin suggested that the City plan a citywide Arbor Day event to highlight the City and community efforts to replenish the tree canopy damaged by the storm.

**ADJOURNMENT**

On order of the Mayor, the regular meeting of the City Council adjourned at 9:36 p.m., in memory of Raul Borbon, community activist and advocate for education and immigration issues.

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

ATTEST:

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