

CITY OF PASADENA
City Council Minutes
January 9, 2012 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 5:40 p.m.
(Absent: Councilmembers Madison, Masuda)

On order of the Mayor, the regular meeting recessed at 5:40 p.m., to discuss the following closed session:

Councilmember Masuda
arrived at 5:59 p.m.

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

Property Location: 191 North Los Robles Avenue
Agency Negotiators: Michael J. Beck, Steve Mermell
Negotiating Party: Russell D. Urban
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 6:31 p.m. The Pledge of Allegiance was led by Deputy Police Chief Darryl Qualls.

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
Councilmember Terry Tornek

Staff:

City Manager Michael J. Beck
Chief Assistant City Attorney Nicholas Rodriguez
City Clerk Mark Jomsky

CEREMONIAL MATTERS

Deputy Police Chief Darryl Qualls introduced Sergeant Paul W. Carpenter, who will be serving as Sergeant-at-Arms as a part of the Police Department's training program for sergeants; and thanked Sergeant Terysa Rojas for her service over the past 3 months.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Genevieve Clavreul, Pasadena resident, expressed concerns regarding the lack of traffic/pedestrian control in the area of Euclid Avenue and Colorado Boulevard as the crowds were leaving the Rose Parade.

The City Manager indicated that this information will be used in future parade planning.

Mary Dee Romney, Pasadena resident, expressed concerns regarding the City's process for identifying the temporary and permanent sites/solutions for addressing the Fire Station 39 closure, and submitted photos of the proposed temporary location in a residential area.

Councilmember Madison provided background information about a public meeting that was held regarding the proposed location of temporary fire/medical services at a residence in the Fire Station 39 service area.

CONSENT CALENDAR

CONTRACT AWARD TO RE-PIPE CALIFORNIA, INC., FOR 2011-2012 SEWER RELINING FOR AN AMOUNT NOT TO EXCEED \$316,500

Recommendation:

(1) Acknowledge the project to be categorically exempt under the California Environmental Quality Act (CEQA) in accordance with Title 14, Chapter 3, Class 1, Section 15301, minor alterations of existing public facilities involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination; and

(2) Accept the bid dated November 16, 2011, submitted by Re-Pipe California, Inc., for the 2011-2012 Sewer Relining, reject all other bids received, and authorize the City Manager to enter into such contract for an amount not to exceed \$316,500. (Contract No. 20,891)

AUTHORIZATION TO ENTER INTO AN AGREEMENT FOR MAINTENANCE OF LANDSCAPE AREA WITHIN STATE HIGHWAY RIGHT-OF-WAY FOR THE SOUTH ACCESS PEDESTRIAN CORRIDOR IMPROVEMENTS FROM COLORADO BOULEVARD TO THE SIERRA MADRE VILLA LIGHT RAIL STATION PROJECT

Recommendation: Authorize the City Manager to execute an Agreement for Maintenance of Landscape Area within State Highway Right-of-Way for the South Access Pedestrian Corridor Improvements from Colorado Boulevard to the Sierra Madre Villa Light Rail Station project. (Agreement No. 20,892)

TRANSFER OF MISCELLANEOUS TRANSFER DRAIN 91, UNIT 4, LINES A AND B STORM DRAIN FACILITIES TO THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT

Recommendation:

(1) Acknowledge the Notice of Determination filed with the Los Angeles County Clerk on December 14, 2006 for the Caltech Final Supplemental Environmental Impact Report (FEIR) and Amendments to the Caltech Master Development Plan, which included the Schlinger Chemistry Building project, in

compliance with Section 21108 or Section 21152 of the Public Resources Code; and

(2) Adopt a resolution by at least seven votes (Section 8160 of the Water Code requires a four-fifths vote) requesting that the Los Angeles County Flood Control District accept transfer of Miscellaneous Transfer Drain (MTD) 91, Unit 4, Lines A and B, and authorizing the City Manager to execute all necessary documents to effectuate said transfer, including but not limited to the quitclaim of easements to the County. (Resolution No. 9170)

FINANCE COMMITTEE: AUTHORIZATION TO RECOGNIZE AND APPROPRIATE FUNDS FOR SOFTWARE TO ENHANCE THE LOS ANGELES REGIONAL INTEROPERABILITY COMMUNICATION SYSTEM (RICS) USING STATE HOMELAND SECURITY GRANT PROGRAM (SHSGP) GRANT FUNDS

Recommendation: Recognize and appropriate \$500,000 from the 2008 SHSGP to the Fire Grants Fund 230, Project 91140, for a future purchase of radio software and hardware for the Los Angeles RICS. (Journal Voucher No. 2012-14)

FINANCE COMMITTEE: AMENDMENTS TO THE GENERAL FEE SCHEDULE

Recommendation: Amend the General Fee Schedule to increase the fee for Birth and Death Certificates resulting from state-mandated increases to these fees.

MINUTES APPROVED

December 5, 2011
 December 12, 2011
 December 19, 2011
 December 26, 2011
 January 2, 2012

CLAIMS RECEIVED AND FILED

Claim No. 11,511	William and Elena Hermanson	\$ 2,925.00
Claim No. 11,512	Kerbyn Romero	2,578.91
Claim No. 11,513	Simba K. Fox	673.18
Claim No. 11,514	Michael Stanley Glick	1,014.00
Claim No. 11,515	Khari Stallworth	929.00
Claim No. 11,516	Law Offices of Robert A. Stutman, PC for Mercury Insurance Group	200,000.00
Claim No. 11,517	Scott Ferguson	240.00
Claim No. 11,518	21st Century Insurance as Subrogee for Dorothy Buckner	2,878.32
Claim No. 11,519	Lawrence W. and Dinah J. Crispo	347.34
Claim No. 11,520	Don and Urte Barker	2,500.00
Claim No. 11,521	Christian Saldana	10,000.00
Claim No. 11,522	Carol J. Mandossian	Not Stated
Claim No. 11,523	Anthony Bell	127.00

Claim No. 11,524	Robert E. Wetzel	900.00
Claim No. 11,525	Himalayan Café (Himalayan Group, Inc.)	35,000.00
Claim No. 11,526	Richard Morrell	25,000.00+
Claim No. 11,527	Matthew Alan Deuel	10,000.00+
Claim No. 11,528	Gabriela Moreno Lopez	5,000.00
Claim No. 11,529	Jose Santiago Zelaya	Not Stated
Claim No. 11,530	Southern California Gas Company	700.53
Claim No. 11,531	Southern California Gas Company	384.64
Claim No. 11,532	Eddie Johnson	25,000.00+
Claim No. 11,533	Beverly McAfee	256.82
Claim No. 11,534	Diego Guzman	820.00
Claim No. 11,535	Mary Pat Scanlon	Not Stated
Claim No. 11,536	Jeffrey M. Smith	3,279.50
Claim No. 11,537	Hilary Kingston	5,005.00
Claim No. 11,538	Ivette Izquierdo	232.80
Claim No. 11,539	Stanley Real Estate	1,624.00
Claim No. 11,540	Stanley Real Estate	2,422.00
Claim No. 11,541	Arroyo Properties	1,850.00
Claim No. 11,542	Tomisha Hunt-Waters	Not Stated
Claim No. 11,543	Sarkis Dghalian	Not Stated
Claim No. 11,544	Sherrell R. Bennett	9,500.00
Claim No. 11,545	Ben Chang	2,500.00
Claim No. 11,546	Sergio Praslin	720.00

PUBLIC HEARING SET

April 16, 2012, 7:00 p.m. – Approval and Submittal of the Public Housing Agency Annual Plan (2012) to the U.S. Department of Housing and Urban Development

It was moved by Councilmember Gordo, seconded by Vice Mayor McAustin, to approve all items on the Consent Calendar. (Motion unanimously carried) (Absent: None)

ORDINANCE – FIRST READING

Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF PASADENA ESTABLISHED BY SECTION 17.20.020 OF THE PASADENA MUNICIPAL CODE (RAYMOND-ESTHER LANDMARK OVERLAY DISTRICT)”

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

AYES: Councilmembers Gordo, Holden, Madison, Masuda, Robinson, Tornek, Vice Mayor McAustin, Mayor Bogaard

NOES: None

ABSENT: None

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

AMBASSADOR WEST ENTITLEMENTS – TIME EXTENSION

The Chief Assistant City Attorney explained the legal necessity for the City Council to schedule and conduct a public hearing regarding this matter.

By consensus and on order of the Mayor, the above item was pulled from the agenda, with the understanding that a public hearing on this matter will be scheduled for January 30, 2012 at 7:00 p.m.

**REPORTS AND COMMENTS
FROM COUNCIL
COMMITTEES**

FINANCE COMMITTEE

JOINT ACTION: FISCAL YEAR JUNE 30, 2011 ANNUAL FINANCIAL REPORTS

Recommendation: It is recommended that the following audit reports for the fiscal year ending June 30, 2011 be received by the City Council and/or Pasadena Community Development Commission (PCDC):

- (a) Comprehensive Annual Financial Report
- (b) Pasadena Community Development Commission Annual Financial Report
- (c) Management Letter – City of Pasadena
- (d) Pasadena Center Operating Company Basic Financial Statements
- (e) Rose Bowl Operating Company Basic Financial Statements
- (f) Pasadena Fire and Police Retirement System Report and Audited Financial Statements and Required Supplemental Information
- (g) Air Quality Improvement Fund Financial and Compliance Report
- (h) Independent Accountant's Report on Agreed-Upon Procedures Applied to Appropriation Limit Worksheets
- (i) Independent Accountant's Report on Agreed-Upon Procedures Applied to Employee Deductions for the Internal Revenue Code Section 457 Deferred Compensation Program
- (j) The Auditors Communications with the City's Audit and Finance Committees

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

Eric Berman, Brown Armstrong Accountancy Corporation Principal Partner, highlighted the audit and various financial statements/reports as part of a PowerPoint presentation, and responded to questions.

The Chief Assistant City Attorney clarified the legal status of the Pasadena Community Access Corporation (PCAC), Rose Bowl Operating Company (RBOC), and Pasadena Center Operating Company (PCOC) as instrumentalities of the City.

The City Manager indicated that this is the first year that the PCAC will be incorporated into the City's audit and budget process, and responded to questions.

Andy Green, Director of Finance Department, noted that the PCAC will now be handled in the same manner as the City's two operating companies, as this relates to the audit/budget process; and responded to questions.

Bob Ridley, Controller, responded to questions regarding the PCAC's operations.

Councilmember Madison expressed concerns regarding PCAC's accounting practices and financial reporting, and asked the Finance Department staff to work closely with PCAC to ensure that best practices are being used.

The Mayor suggested that the PCAC audit be presented to the Finance Committee and/or City Council when this is available.

By consensus and on order of the Mayor, the above reports were received and filed.

PUBLIC HEARING

Councilmember Tornek recused himself at 7:26 p.m., due to a conflict of interest.

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

Recommendation:

- (1) Find that this action is statutorily exempt from the California Environmental Quality Act (CEQA) per Section 15268, ministerial projects; and
- (2) Deny the appeal and 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.

The City Clerk reported that 1 additional letter in support of, and 1 letter in opposition to, the appeal had been received since this matter was last discussed on December 5, 2012.

Richard Yee, Principal Engineer, summarized the agenda report, provided an update on the evaluations of the various facility site alternatives, and responded to questions.

Dan Rix, City Engineer, responded to questions regarding the proposed facility location and its compliance with the City's telecommunications ordinance.

Javan Rad, Assistant City Attorney, briefly discussed some of the Federal restrictions that must be taken into consideration in applying and/or modifying the City's telecommunications ordinance.

The following persons spoke in support of the application:

Rob Searcy, T-Mobile representative (applicant)
Bill Yeomans, Pasadena resident
Susan Babcock, Pasadena resident
Barbara Ellis, Pasadena resident
Ross Selvidge, Pasadena resident

The following persons spoke in opposition to the application:

Dr. Raymond Quan, Pasadena resident
Dana Ostenson, Pasadena resident
Miriam Nakamura-Quan, Pasadena resident
Gretchen Brickson, Pasadena resident (appellant)
Gabriel Yeung, Pasadena resident

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

Councilmembers Madison, Gordo, and Holden expressed concerns regarding staff's recommended facility site location, possible conflicts of the application/staff recommendation with the City's telecommunications ordinance, and the adequacy of the public's participation in the current process for determining wireless telecommunications facility sites; and stated their opposition to the proposed site.

Following discussion, it was moved by Vice Mayor McAustin, seconded by Councilmember Masuda, to approve the staff recommendation:

AYES: Councilmembers Masuda, Robinson, Vice Mayor McAustin, Mayor Bogaard
NOES: Councilmembers Gordo, Holden, Madison
ABSENT: Councilmember Tornek
(Motion failed)

The Chief Assistant City Attorney and Mr. Rad confirmed that, if an affirmative action is not approved by the City Council, the decision of the Public Works Director to approve the application stands.

Councilmember Gordo asked that staff review the issues raised over the course of the public hearing regarding the telecommunications ordinance (e.g., impacts of grade variances in facility site area, site location on side vs. front yard, obstructions of view from houses in immediate area of

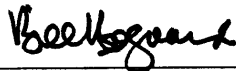
facility, and replacement of existing poles); and provide a report to the Economic Development and Technology (EDTech) Committee, with recommendations on possible changes to the ordinance if warranted.

COUNCIL COMMENTS

Councilmember Robinson announced a public meeting to be held on January 10, 2012 at the Jackie Robinson Community Center regarding the possible closure of the Mack Robinson Post Office. She also announced the District 1 Annual Mix and Mingle event to be held on January 11, 2012.


ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 8:29 p.m., in memory of Oscar Antonio Palmer, educator in the Pasadena Unified School District for 30+ years and activist in the Latino community; Sandra Lewis Knox, advocate for special needs children, former Executive Director of Pasadena Neighborhood Housing Services, and a founding member of Women in Action; and Bob O'Rourke, long-time public relations executive at Caltech and active in the Chamber of Commerce and Pasadena Forward.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk