

CITY OF PASADENA  
City Council Minutes  
April 2, 2012 – 5:30 P.M.  
City Hall Council Chamber

REGULAR MEETING

**OPENING:**

Mayor Bogaard called the regular meeting to order at 5:55 p.m.  
(Absent: Councilmembers Gordo, Holden)

On order of the Mayor, the regular meeting recessed at 5:55 p.m., to discuss the following closed session:

**CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS** pursuant to Government Code Section 54957

Agency Designated Representatives: Julie A. Gutierrez, Michael J. Beck

Councilmember Holden arrived at 6:10 p.m.

Employee Organizations: Unrepresented Management Top, Middle and Professional Employees, Technical and Administrative, Confidential and Clerical, Non-Represented, Hourly, American Federation of State, County and Municipal Employees (AFSCME) Local 858, International Brotherhood of Electrical Workers (IBEW) Local 18, International Union of Operating Engineers (IUOE) Local 501, Pasadena Management Association (PMA), Pasadena Fire Fighters Association (PFFA) Local 809, Pasadena Firefighters Management Association (PFMA), Pasadena Police Officers Association (PPOA), Pasadena Police Sergeants Association (PPSA), Service Employees International Union (SEIU) Local 721, and Pasadena Association of Clerical and Technical Employees, affiliated with the Laborer's International Union of North America (PACTE/LIUNA) Local 777

The above closed session item was discussed, with no reportable action at this time.

On order of the Mayor, the regular meeting reconvened at 6:41 p.m. The Pledge of Allegiance was led by Councilmember Masuda.

**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  
City Attorney Michele Beal Bagneris  
City Clerk Mark Jomsky

**CEREMONIAL MATTERS**

The City Clerk administered the oath of office to Carl Sprayberry as member of the Pasadena Center Operating Company Board.

The Mayor presented a proclamation declaring April 13, 2012 as Older Adults Day, which was received by Angie O'Brien, Senior Commission Chair; Sam Thomas, 2012 Conference on Aging Chair; and Marvin Schachter, Senior Advocacy Council of Pasadena representative. The group provided information on the 2012 Conference on Aging to be held on April 13, 2012, and submitted flyers for the event.

Police Chief Phillip Sanchez recognized, and the Mayor presented certificates to, the following persons who had been honored by California Attorney General Kamala Harris:

Harry Kouladjian, Volunteer, received a commendation for his 25 years of volunteer service to the Police Department.

Deputy Chief Darryl Qualls and Officer Anthony Russo were honored for their efforts in establishing the Pasadena/Altadena Reintegration Council and Enforcement Team (parole reintegration program).

Lieutenant John Dewar, and members of the Special Enforcement Section, received an award as the California SWAT Team of the Year, with acknowledgment also given for their efforts to reduce gang activity and eliminate nuisance locations within the City.

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

Larry Faulkner, Pasadena resident, expressed concerns regarding the lack of information on animal control/patrolling by Pasadena Humane Society (PHS), and whether PHS is fulfilling its contract with the City.

LaRonda Hartfield, Los Angeles resident, asked the City Council to do the right thing for City residents.

**CONSENT CALENDAR**

**CONTRACT AWARD TO VART CONSTRUCTION, INC. FOR MISCELLANEOUS CONCRETE REPAIR – 2012 IN THE CITY OF PASADENA FOR AN AMOUNT NOT TO EXCEED \$758,730**

**Recommendation:**

(1) Find that on January 11, 2012, the proposed project was found to be categorically exempt under California Environmental Quality Act (CEQA) Guidelines in Section 15301(c), existing facilities, of the California Code of Regulations Title 14, Chapter 3. This exemption includes

minor alterations involving negligible expansion of use beyond that previously existing, and there are no changed circumstances or new information which would require further environmental review; and

(2) Accept the bid dated March 21, 2012 submitted by Vart Construction Inc., in response to the Project Specifications for the Miscellaneous Concrete Repair – 2012, reject all other bids received, and authorize the City Manager to enter into such contract as is required for an amount not to exceed \$758,730. (Contract No. 20,972)

**CONTRACT AWARD TO FREEWAY ELECTRIC INC. FOR NORTH MARENGO AVENUE BICYCLE BOULEVARD IMPROVEMENTS PROJECT FOR AN AMOUNT NOT TO EXCEED \$129,000**

**Recommendation:**

(1) Find the proposed project to be categorically exempt under the California Environmental Quality Act (CEQA) in accordance with Section 15301 (Class 1), subsection(c) of the Resources Agency of California Guidelines, minor alterations involving negligible expansion or no use beyond that previously existing, pursuant to the findings of the Secretary of the Resources Agency; and

(2) Accept the bid dated February 29, 2012 submitted by Freeway Electric, Inc., in response to the Specifications for North Marengo Avenue Bicycle Boulevard Improvements project, reject all other bids received, and authorize the City Manager to enter into such contract as is required for an amount not to exceed \$129,000. (Contract No. 20,973)

**FINANCE COMMITTEE: AMENDMENTS TO FISCAL YEAR 2012 ADOPTED BUDGET AND GENERAL FEE SCHEDULE**

**Recommendation:**

(1) Amend the Fiscal Year 2012 Adopted Budget as detailed in the Proposed Budget Amendments section of the agenda report and in Attachment A of the agenda report - Detail of Budget Amendments Items;

(2) Amend Purchase Order No. 49292 with GP Petroleum, to increase the contract by \$715,537 for a total not to exceed \$2,855,241;

(3) Amend the General Fee Schedule for the Enterprise Zone Employment Vouchers (Fee No. 444) from \$104 to \$102; and

(4) Authorize the Fire Chief to sign agreement with California Environmental Protection Agency for Electronic Reporting Grant. (Agreement No. 20,974; Journal Voucher No. 2012-20)

**FINANCE COMMITTEE: AUTHORIZATION TO REDUCE APPROPRIATION OF CAPITAL IMPROVEMENT PROGRAM FUNDS FROM MISCELLANEOUS WATER SYSTEM IMPROVEMENT (1006) PROJECT AND RECYCLED WATER (1013) PROJECT AND INCREASE APPROPRIATION OF**

**FUNDS TO CONVERT CHLORINATION STATIONS TO CHLORAMINES (1031) PROJECT**

**Recommendation:**

- (1) Find that the reappropriation of funds from Miscellaneous Water System Improvement (1006) project and Recycled Water (1013) project to Convert Chlorination Stations to Chloramines (1031) project is categorically exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(3), general rule;
- (2) Reduce appropriation by \$100,000 from the Miscellaneous Water System Improvement (1006) project and \$250,000 from the Recycled Water (1013) project; and
- (3) Increase appropriation by \$350,000 to the Convert Chlorination Stations to Chloramines (1031) project. (Journal Voucher No. 2012-21)

**FINANCE COMMITTEE: QUARTERLY INVESTMENT REPORT, QUARTER ENDING DECEMBER 31, 2011**

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

**APPOINTMENT OF NOAM MAITLESS TO THE DESIGN COMMISSION (Mayor Nomination/District 4)**

Item discussed separately at the request of Councilmember Madison.

**APPOINTMENT OF TERRY TORNEK TO THE BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY (City of Pasadena Nomination)**

**APPOINTMENT OF JESS SEGOVIA TO THE TRANSPORTATION ADVISORY COMMISSION (Mayor Nomination/District 7)**

**APPOINTMENT OF ANNE WOLF TO THE COMMISSION ON THE STATUS OF WOMEN (District 6 Nomination)**

CLAIMS RECEIVED AND FILED

Claim No. 11,623	Rudy Saenz	\$ 352.00
Claim No. 11,624	AT&T	Not Stated

PUBLIC HEARINGS SET

May 14, 2012, 7:00 p.m. – Amendments to the General Fee Schedule for Fiscal Year 2013

May 21, 2012, 7:00 p.m. – Amendments to the Schedule of Taxes, Fees and Charges for Fiscal Year 2013

May 21, 2012, 7:00 p.m. – Recommended Fiscal Year 2013 Operating Budget

It was moved by Vice Mayor McAustin, seconded by Councilmember Robinson, to approve the Consent Calendar, with the exception of Item 8 (Appointment of Terry Tornek), which was discussed separately. (Motion unanimously carried) (Absent: None)

**CONSENT ITEM DISCUSSED SEPARATELY**

**APPOINTMENT OF TERRY TORNEK TO THE BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY (City of Pasadena Nomination)**

Councilmember Madison acknowledged Councilmember Tornek's qualifications for the appointment, but expressed reasons for his disappointment that Councilmember Robinson had not received the nomination for this appointment.

Councilmember Robinson indicated that she had previously spoken with Councilmember Tornek and would be abstaining in the vote on the appointment.

The Mayor outlined his goals in determining the appointment nomination.

Following discussion, it was moved by Councilmember Gordo, seconded by Vice Mayor McAustin, to approve the above appointment. (Motion carried, with Councilmember Robinson abstaining) (Absent: None)

**PUBLIC HEARING**

**PUBLIC HEARING: RECOMMENDED CITY COUNCIL REDISTRICTING PLAN AND FINAL REPORT FROM REDISTRICTING TASK FORCE**

**Recommendation of Redistricting Task Force:** The Redistricting Task Force recommends that the City Council:

- (1) Receive and review the Redistricting Task Force's recommended redistricting plan (Redistricting Plan), map, and related demographic data sheet (Attachment B "Recommended Redistricting Plan approved March 7, 2012 by the Redistricting Task Force");
- (2) Hold a public hearing to receive public comment on the Redistricting Plan;
- (3) As appropriate, direct the City Attorney to prepare an ordinance for formal adoption of the final Redistricting Plan; and
- (4) Set a public hearing on Monday, April 30, 2012 at 7:00 p.m. to approve the final redistricting plan and give first reading to the ordinance adopting such plan.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on March 19, 2012 in the Pasadena Star-News; and since the adoption of the Recommended Redistricting Plan by the Redistricting Task Force, 1 letter with general comments, 25 letters in opposition to the Plan based on concerns that the Plan unfairly impacts District 4, and 3 letters advocating for creation of a Downtown City Council District were received, with an additional 47 letters received and distributed during the Task Force process.

Bill Crowfoot, Redistricting Task Force Chair, reviewed the agenda report as part of a PowerPoint presentation.

The City Clerk outlined the process for adoption of the Redistricting Plan, and responded to questions.

Theresa Fuentes, Assistant City Attorney, responded to questions regarding the Plan adoption process.

The following persons spoke in opposition to the recommended Plan and expressed various concerns that the Plan unfairly impacts District 4:

Hilda Fong, Pasadena resident  
Dr. Angel Medina, Pasadena resident  
Nat Nehdar, Human Relations Commission Chair  
Andy Zartarian, Armenian Community Coalition General Secretary  
Jack Levy, Pasadena resident  
Barbara Nanney, Pasadena resident  
Harald Zechner, Pasadena resident

Jonathan Edwards, Downtown Pasadena Neighborhood Association (DPNA) representative (accompanied by various DPNA members), spoke in opposition to the recommended Plan and in support of creating a Downtown City Council District.

David George Gevorkyan, Armenian National Committee of America (ANCA)-Pasadena Chapter representative, spoke in support of the recommended Plan. (He was accompanied by ANCA-Pasadena Chapter members: Shoghig Yepremian, Shahe Bezdjian, A. Shanlian, Harout Derhagopian, and Armen Khachadour, who submitted cards supporting Mr. Gevorkyan's comments, but did not speak.)

Richard McDonald, Redistricting Task Force Vice Chair, highlighted the Task Force's discussions/deliberations in balancing the population numbers and attempting to not disrupt existing communities of interest/neighborhood associations; addressed the various issues/concerns raised by the public speakers (whether all districts should continue to touch on or encompass Colorado Boulevard, maintaining current communities of interest, formation of a Downtown Central District, and alleged unfair impacts on District 4); and responded to questions.

David Ely, National Demographics Corporation (redistricting consultant), responded to questions regarding the redistricting process as this relates to the development of the recommended Plan.

Councilmember Masuda articulated his concerns regarding the criteria that all districts touch on or encompass Colorado Boulevard, and whether it was presented to the public in a transparent manner; stated his opposition to the recommended Plan based on the unfair impacts to District 4; and asked that the Redistricting Task Force be directed to reconsider the recommended Plan.

Members of the City Council expressed appreciation to the Redistricting Task Force and staff for their dedication to this work; noted that all districts were impacted in some way by the redistricting process, as evidenced by Attachment G of the agenda report; and indicated that the City will need to heed the changes that have taken place and will be occurring in the City's central downtown area during the next 10 years and as the General Plan revision process is concluded, in order to ensure that this area is adequately represented in future policy decisions.

It was moved by Councilmember Gordo, seconded by Councilmember Madison, to close the public hearing. (Motion unanimously carried) (Absent: None)

Following discussion, it was moved by Councilmember Gordo, seconded by Councilmember Madison, to approve the Redistricting Task Force recommendation. (Motion carried, with Councilmember Masuda objecting) (Absent: None)

The Mayor thanked the DPNA for their efforts in representing the interests of those living an urban lifestyle in the City's downtown area.

**RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS**

**ADOPT FINDINGS FOR THE CITY COUNCIL'S JULY 25, 2011 DECISION RELATING TO SUPER LIQUOR'S REQUEST TO MODIFY THEIR CONDITIONS OF OPERATION**

**Recommendation:** It is recommended that the City Council rescind its decision of July 25, 2011 and make a new decision supported by findings based upon the evidence presented at the July 25th hearing.

The City Attorney reviewed the agenda report and responded to questions.

Following discussion, it was moved by Councilmember Gordo, seconded by Councilmember Holden, to approve the staff recommendation. (Motion unanimously carried) (Absent: None)

**REPORTS AND COMMENTS FROM COUNCIL COMMITTEES**

**BUDGET UPDATE FOR FISCAL YEAR 2012 AND 2013**

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

FINANCE COMMITTEE

Andy Green, Director of Finance Department, highlighted the agenda report as part of a PowerPoint presentation, clarified that the windstorm costs are not included in the current calculations, and responded to questions.

The City Manager noted that the "After Action Report" on the budget implications of the windstorm costs will be presented to the City Council at the meeting of April 16, 2012, discussed the correlation between taking the proposed budgetary actions and maintaining the City's strong bond rating, and responded to questions.

Councilmember Tornek asked that staff provide the fiscal year 2013 budgetary information in sufficient time for the City Council to review the materials prior to the April 30 and May 21 joint City Council/Finance Committee meetings on the Capital Improvement Program Budget and Operating Budget presentations (respectively).

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

**AUDIT COMMITTEE: FISCAL YEAR JUNE 30, 2011 SINGLE AUDIT AND PASADENA COMMUNITY ACCESS CORPORATION FINANCIAL STATEMENTS**

**Recommendation:** It is recommended that the following audit reports for the year ending June 30, 2011 be received by the City Council:

- (1) City of Pasadena Single Audit Report on Federal Awards; and
- (2) Pasadena Community Access Corporation Annual Financial Statements.

Andy Green, Director of Finance Department, and Bob Ridley, Controller, introduced the agenda item.

Eric Berman, Brown Armstrong Accountancy Corporation Principal Partner (consultant), summarized the single audit report and Pasadena Community Access Corporation (PCAC) financial statement as part of a PowerPoint presentation, and responded to questions.

Vice Mayor McAustin asked staff to provide information on the corrective action that is being taken in regards to the ambulance charges collection system, when sufficient numbers have been generated.

Phil Hopkins, Pasadena Community Access Corporation (PCAC) Board President, reported on the transitions that are occurring in PCAC's reporting of its finances and operations.

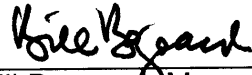
Vice Mayor McAustin was excused at 10:55 p.m.



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


**ADJOURNMENT**

On order of the Mayor, the regular meeting of the City Council adjourned at 10:58 p.m.



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Bill Bogaard, Mayor  
City of Pasadena

ATTEST:

  
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City Clerk