

CITY OF PASADENA
City Council Minutes
May 21, 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: Councilmember Madison)

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

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – CONSIDERATION OF INITIATION OF LITIGATION pursuant to subdivision (c) of Government Code Section 54956.9 (two potential cases)

The Mayor announced the following action on the above closed session item:

It was moved by Vice Mayor McAustin, seconded by Councilmember Tornek, to authorize the initiation of two lawsuits; with the action, defendants, and other specifics to be disclosed upon request, once the actions are formally commenced. (Motion unanimously carried) (Absent: Councilmember Madison)

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – SIGNIFICANT EXPOSURE TO LITIGATION pursuant to subdivision (b) of Government Code Section 54956.9 (one potential case)

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

On order of the Mayor, the regular meeting reconvened at 6:39 p.m. The Pledge of Allegiance was led by Councilmember Holden.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Margaret McAustin
Councilmember Victor Gordo
Councilmember Chris Holden
Councilmember Steve Madison (Arrived at 6:47 p.m.)
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 May 21-26, 2012 as National Public Works Week, which was received by Siobhan Foster, Director of Public Works Department, on behalf of the City's dedicated Public Works employees.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Mary Dee Romney, Pasadena resident, expressed concerns regarding a disputed water bill and the unsatisfactory customer service experience she had with Water and Power (W&P) personnel.

In response to Councilmember Holden's questions, the City Manager outlined his understanding of the resolution that he thought had been reached by the resident and W&P staff; and noted that W&P customer service is regularly monitored, and there does not appear to be a pattern of complaints with customer service at this time.

Councilmember Madison arrived at 6:47 p.m.

Sam Gennaway, Pasadena resident, announced that an open house meeting on the SR-710 Study-Alternative Analysis Phase will be held on May 30, 2012 at the Rose Bowl Visitor's Locker Room, and submitted an information flyer on the event.

In response to Councilmember Madison's questions, the City Manager indicated that the Public Information Officer will send out a press release on the open house meeting.

Herminia Ortiz, Pasadena resident, expressed concerns regarding possible negative impacts of the City's cuts in the funding of after-school programs, and asked the City to provide needed funding for youth programs.

CONSENT CALENDAR

APPOINTMENT OF BRYANT B. LYLES TO THE NORTHWEST COMMISSION (District 3 Nomination)

CLAIMS RECEIVED AND FILED

Claim No. 11,653	Samuel Gendler	\$	Not Stated
Claim No. 11,654	Kimberly M. Bullock		Not Stated
Claim No. 11,655	Kimberly King		Not Stated
Claim No. 11,656	Edgar Guzman Luna		Not Stated
Claim No. 11,657	Robert Loitz		Not Stated
Claim No. 11,658	Rosalind Place HOA		1,000.00
Claim No. 11,659	Kenneth Chang		25,000.00+
Claim No. 11,660	Basam Hamzeh		25,000.00+

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

**REPORTS AND COMMENTS
FROM COUNCIL
COMMITTEES**

FINANCE COMMITTEE

**AMENDMENTS TO FISCAL YEAR 2012 ADOPTED BUDGET
Recommendation:**

- (1) Amend the Fiscal Year 2012 Adopted Budget as detailed in the Proposed Budget Amendments section of the agenda report;
- (2) In regard to Item 2 in the background section of the agenda report:
 - (a) Authorize the issuance of a purchase order to Seagrave Apparatus, LLC, in an amount not to exceed \$130,568 for the purchase of two new compressed air foam systems; competitive bidding is not required, pursuant to City Charter Section 1002(C), contracts for labor, materials, supplies or services available from only one vendor;
 - (b) Find that this action is exempt from California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(3), the general rule that CEQA only applies to projects that may have an effect on the environment; and
 - (c) 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 4.08.048(B), contracts for which the City's best interests are served; and
- (3) Regarding Item 3 of the background section of the agenda report:
 - (a) Authorize an increase to Purchase Order No. 49401 with Logans Marketing, in an amount not to exceed \$198,700 for the purchase of slurry and cold mix required to complete the last 1,500 feet of main line pipe installation in the county area served by Pasadena Water and Power (PWP); and
 - (b) Find that this action is exempt from CEQA, pursuant to State CEQA Guidelines Section 15061(b)(3), the general rule that CEQA only applies to projects that may have an effect on the environment. (Journal Voucher No. 2012-25)

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

Andy Green, Director of Finance Department, summarized the agenda report as part of a PowerPoint presentation.

It was moved by Councilmember Holden, seconded by Vice Mayor McAustin, to approve the staff recommendation. (Motion unanimously carried) (Absent: None)

PUBLIC HEARINGS

**CONTINUED PUBLIC HEARING: ANNUAL AMENDMENTS
TO THE GENERAL FEE SCHEDULE**

Recommendation: Receive public comment and continue the public hearing to each subsequent regular meeting of the City Council until June 4, 2012, or such other later date as the City

Council may determine, at which time the City Council will be asked to close the public hearing and formally adopt the General Fee Schedule.

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

No one appeared for public comment.

It was moved by Councilmember Gordo, seconded by Councilmember Robinson, to continue the public hearing to June 4, 2012 at 7:00 p.m. (Motion unanimously carried) (Absent: None)

PUBLIC HEARING: SCHEDULE OF TAXES, FEES AND CHARGES

Recommendation: Receive public comment and continue the public hearing to each subsequent regular meeting of the City Council until June 4, 2012, or such other later date as the City Council may determine, at which time the City Council will be asked to close the public hearing and formally adopt the Schedule of Taxes, Fees, and Charges.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on April 5, 12, and 19, 2012 in the Pasadena Journal; and no correspondence was received.

No one appeared for public comment.

It was moved by Vice Mayor McAustin, seconded by Councilmember Tornek, to continue the public hearing to June 4, 2012 at 7:00 p.m. (Motion unanimously carried) (Absent: None)

CONTINUED PUBLIC HEARING: APPROVAL OF THE ANNUAL ACTION PLAN (2012-2013) AND RELATED FUNDING ALLOCATIONS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM; EMERGENCY SHELTER GRANT (ESG) PROGRAM; HOME INVESTMENT PARTNERSHIP ACT (HOME); AND HUMAN SERVICES ENDOWMENT FUND (HSEF)

Recommendation: It is recommended that upon close of the public hearing the City Council adopt a resolution:
(1) Approving the Annual Action Plan (2012-2013) as an application to the U.S. Department of Housing and Urban Development for funding under the federal Community Development Block Grant (CDBG), Emergency Shelter Grant (ESG), and Home Investment Partnership Act (HOME) programs;

(2) Approving an application for CDBG Entitlement funds in the amount of \$1,753,607; the allocation of the CDBG current year program income of \$303,828; and the reprogramming of CDBG carryover funds that were not allocated in previous years, in the amount of \$192,690 for a total of \$2,250,125 for the 2012-2013 CDBG program activities. Specific agency and City Set-Aside awards can be found in Attachments A, B and C of the agenda report; and

(3) Authorizing the City Manager to execute, and the City Clerk to attest, the Annual Action Plan (2012-2013), the grant agreements, the sub-recipient agreements, and any and all other documents deemed necessary by HUD to obtain the allocation of the aforementioned federal CDBG, ESG and HOME funds. (Resolution No. 9196)

Recommendation of Northwest Commission: On April 20, 2012, the Northwest Commission approved a motion to recommend to the City Council funding for L.A. County Neighborhood Housing Services and the Ecumenical Council of Pasadena Area Congregations for CDBG Non-Public Service funding. On May 15, 2012, at the request of the City Council, the Northwest Commission reexamined its recommendation and modified it as outlined in Attachment A of the agenda report.

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

Bill Huang, Director of Housing Department, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

Valerie Babinski-Manlic, Program Coordinator, responded to questions regarding the Community Development Block Grant (CDBG) recaptured (carryover) funds.

Mayor Bogaard recused himself at 7:09 p.m., due to a conflict of interest.

The following persons spoke in support of funding the IDEPSCA Pasadena Street Vendors Program:

Marlom Portillo, IDEPSCA Executive Director
Teresa Arreola, Pasadena Street Vendors Association
President
Anolia Millan, Pasadena Street Vendors Association
member

Councilmember Robinson recused herself at 7:17 p.m., due to a conflict of interest.

The following persons spoke in support of funding the Lake Avenue Community Foundation Rehabilitation and ADA Compliance at Villa 500 Program:

Valerie Coachman-Moore, Lake Avenue Community
Foundation (Foundation) Executive Director
Pastor Eric Johnson, Foundation Program Manager
Anna Ochoa, Foundation Program Manager

Lily Cardenas, Villa 500 parent
Amy Cardenas, Foundation Program Intern

The following persons spoke in support of funding the Armenian Relief Society Community Assistance Program:

Sona Zinzalian, Armenian Relief Society Sosse Director
Salpy Tekkelian, Armenian Relief Society social worker
Mary Terterian, Pasadena resident

Wendy Wang, former Northwest Commissioner speaking as an individual, suggested that, in the next funding cycle, applicants who had received funds in prior years should be required to have a sustainable revenue plan, and that information on any City ordinance requirements that might impact an applicant should be shared with the Northwest Commission at the beginning of the CDBG application review process.

Michelle Bailey, Northwest Commission Chair, and Melissa Ertler, Northwest Commissioner, outlined the Commission's deliberations in reconsidering the Non-Public Service applications, and responded to questions. Ms. Bailey suggested that, while staff proposes to provide technical assistance to those applicants who did not receive funding, that this technical assistance should also be provided to those applicants who have received CDBG funding for 3 years or more, and/or who have come to rely heavily on receiving CDBG funding as a part of their annual budget, in order for these organizations to develop plans to attain sustainable revenue.

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

Mr. Huang noted that, during this application year, staff had arranged to have the Flintridge Foundation available to work with the applicants who asked for assistance during the Request for Proposals (RFP) process; and that staff will contact the Flintridge Foundation for their consulting services to assist the various organizations in developing self-sufficient, sustainable financial plans. He noted that the applicants who provide services in Los Angeles County areas could also apply to Los Angeles County for financial assistance.

Councilmember Gordo suggested that the Mayor and City Manager write a letter to County Supervisor Michael Antonovich, on behalf of the applicants who did not receive funding, asking him to exercise his discretion in helping with the funding shortfall experienced by the City.

Councilmember Holden asked that an agenda item be scheduled for a future Council meeting that will allow the City Council to discuss the criteria for prioritizing the use of any uncaptured (carryover) funds that might become available during this fiscal year (in terms of the unfunded projects that remain), with the goal of providing the advisory commissions with guidance in awarding any carryover funds. He also asked staff to follow up with the Armenian Relief Society and El Centro de Accion Social in approaching Supervisor Antonovich's office for assistance with possible funding at the County level.

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

Councilmember Gordo thanked the Human Services Commission and Northwest Commission for their work in evaluating the applications.

Mayor Bogaard and Councilmember Robinson returned at 7:54 p.m.

PUBLIC HEARING: RECOMMENDED FISCAL YEAR 2013 OPERATING BUDGET

Recommendation:

- (1) Open the public hearing and receive public comment on the City Manager's Recommended Fiscal Year 2013 Operating Budget; and
- (2) Continue this public hearing to each subsequent regular meeting of the City Council until June 4, 2012, or such other later date as the City Council may determine, at which time the City Council will be asked to close the public hearing and formally adopt the Fiscal Year 2013 Operating Budget.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on April 19, 2012 in the Pasadena Journal; and 22 letters in support of the Neighborhood Outreach Worker (NOW) Program were received.

The City Manager reported that at the special joint meeting of the City Council and Finance Committee held on May 21, 2012 at 1:00 p.m., Andy Green, Director of Finance Department, had provided an overview of the Recommended Fiscal Year 2013 Operating Budget as part of a PowerPoint presentation; and staff of the following departments/entities had reviewed their budgets as part of individual PowerPoint presentations: Pasadena Center Operating Company, Pasadena Community Access Corporation, Rose Bowl Operating Company, Water and Power, Public Works, Transportation, Fire, Police, Human Services and Recreation, Library and Information Services, and Housing.

The following persons spoke in support of funding for the Neighborhood Outreach Worker (NOW) program, which would allow this organization to continue to provide their services to the community:

Glenda Cross, parent of NOW participants
Rubiceli Alfaro, parent of NOW participant
Potts Kelly, parent of NOW participant

In response to Councilmember Robinson's questions, the City Manager indicated that some of the components of the NOW program will be carried on through the grant-funded Safe School Intervention program at Muir High School, collaborative intervention programs through the Flintridge Center, and A Positive Force program.

Councilmember Robinson asked that staff present a report to be used as the basis for a broader City Council discussion of the City's role in ensuring that year-round youth programs continue to be available to provide the support services that are currently being handled by the NOW program, with the discussion to be scheduled through the Public Safety Committee before the City's summer youth programming ends.

Staff of the following departments/entities reviewed their budgets as part of individual PowerPoint presentations, and responded to questions: Public Health, Planning, Information Technology, Human Resources, Finance (including Non Departmental), City Clerk, City Council, City Manager, Successor Agency to the PCDC, and City Attorney/City Prosecutor.

Councilmember Tornek expressed concerns regarding the Planning Department's proposed funding approach, work schedule, and staffing level for doing substantive work on updating the regulation changes that will come out of the revised General Plan, and revising the various specific plans.

Steve Mermell, Assistant City Manager, indicated that he will provide the City Council with a list of the Successor Agency to the PCDC's owed debts for the various project areas.

The City Manager recapped the budgetary changes achieved in the past 4 years, which have resulted in the first balanced budget in over 10 years, and stressed the need to rebuild the City's reserves.

Following discussion, it was moved by Vice Mayor McAustin, seconded by Councilmember Robinson, to continue the public hearing to June 4, 2012 at 7:00 p.m. (Motion unanimously carried) (Absent: None)

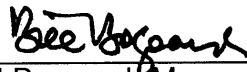
COUNCIL COMMENTS

Vice Mayor McAustin reported on the Pasadena Unified School District Middle School Robotics Competition that was held on May 19th, with winners in Division 1 – 1st place, Evil Burritos, Washington Middle School; 2nd place, Team Dynamite, Washington Middle School; 3rd place, Control Freaks, McKinley School; Division 2 – 1st place, Number 8, Eliot Middle School; 2nd place, Gamers, McKinley School; 3rd place, Thunder down Under, Sierra Madre School; and Beginners – 1st place, SO and SC, Washington Middle School; 2nd place, Electronic Legacy, Marshall Middle School; 3rd place, Number 19, Eliot Middle School. She also asked the City Manager to have staff explore some type of improvements for the entryway to the Allen Street Gold Line Station, which is dark and unwelcoming.

Councilmember Madison reported on the 4th Annual Picnic in the (Linda Vista) Park held on May 21st, and acknowledged the Linda Vista Annandale Association and the City for their efforts in making this event a success.


ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 9:47 p.m., in memory of Michael Kennedy, a 40-year employee of the City's Public Works Department.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk