

CITY OF PASADENA
City Council Minutes
June 4, 2012 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 5:47 p.m.
(Absent: Councilmembers Gordo, Madison, Robinson)

On order of the Mayor, the regular meeting recessed
at 5:47 p.m., to discuss the following closed sessions:

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL –
PENDING LITIGATION pursuant to Government Code
Section 54956.9(a)**

**Name of Case: City of Palmdale, et al v. Ana Matosantos,
et al**

**Sacramento County Superior Court Case No.: 34-2012-
80001154**

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL –
ANTICIPATED LITIGATION – CONSIDERATION OF
INITIATION OF LITIGATION pursuant to Government Code
Section 54956.9(c) – One potential case**

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

On order of the Mayor, the regular meeting reconvened
at 6:37 p.m. The Pledge of Allegiance was led by Sue
Mossman, Pasadena Heritage Executive Director.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Margaret McAustin
Councilmember Victor Gordo (Arrived at 8:39 p.m.)
Councilmember Chris Holden
Councilmember Steve Madison (Arrived at 6:52 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

The City Clerk administered the oath of office to Bryant Lyles
as Northwest Commissioner.

The Mayor presented a proclamation declaring June 14, 2012 as Elder Abuse Awareness Day, which was received by Angie O'Brien, Senior Commission Chair, and Peggy Sisson, Program Coordinator. Ms. O'Brien invited the community to attend the "Protect Yourself from Fraud Workshop," to be held on June 14th in support of World Elder Abuse Awareness Month; and submitted a flyer on the event.

Councilmember Madison arrived at 6:52 p.m.

The Mayor presented a certificate of recognition to Ambassador Yeon-Sung Shin, Consul General of the Republic of Korea, who addressed the City Council on the alliance of his country with Pasadena through its relationships with the City's institutions.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Mike Talleda, The 9-11 HelpAmerica Foundation President, invited the City Council and community to the Wounded Heroes Golf Tournament to be held on July 20, 2012, and submitted informational materials on the organization and event.

Decatur M. Walker III, Pasadena resident, expressed concerns regarding the lack of compliance with the Americans with Disabilities Act (ADA) at various locations and facilities in the City.

The Mayor indicated that staff will look into Mr. Walker's concerns.

CONSENT CALENDAR

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER CONTRACT WITH TEREX UTILITIES FOR THE PURCHASE OF ONE UTILITY TRACTOR WITH TRAILER FOR THE WATER AND POWER DEPARTMENT

Recommendation:

- (1) Find the proposed action is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines, Section 15301, existing facilities; and
- (2) Accept the bid dated March 28, 2012, submitted by Terex Utilities in response to Specifications LD-12-01, and authorize a purchase order contract for one tractor with trailer for an amount not to exceed \$351,395.

Item discussed separately, due to request for public comment.

AUTHORIZATION TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH CALIFORNIA DEPARTMENT OF TRANSPORTATION AND STATE HISTORIC PRESERVATION OFFICE, AND DESIGN CONTRACT AMENDMENT WITH DOKKEN ENGINEERING FOR LA LOMA BRIDGE REHABILITATION AND RETROFIT PROJECT

Item discussed separately, at the request of Vice Mayor McAustin.

REJECTION OF ALL BIDS FOR CONSTRUCTION OF AN UNDERGROUND ELECTRICAL CONDUIT SYSTEM ON HILL AVENUE, FROM VILLA STREET TO TOPEKA STREET

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER CONTRACT WITH MYERS POWER PRODUCTS TO FURNISH AND DELIVER ONE SUBSTATION SWITCHGEAR FOR THE WATER AND POWER DEPARTMENT

Recommendation:

(1) Find that the proposed action is exempt from environmental review, pursuant to guidelines of the California Environmental Quality Act (CEQA), Section 15301, existing facilities, and Section 15302, replacement or reconstruction; and

(2) Accept the bid dated March 25, 2012, submitted by Myers Power Products in response to Specifications LD-12-03, reject all other bids, and authorize a purchase order contract in an amount not to exceed \$590,000 for the purchase of one substation switchgear for the Water and Power Department (PWP).

AUTHORIZE AN INCREASE TO PURCHASE ORDER CONTRACT NO. 48523 WITH MOTOROLA SOLUTIONS, INC. IN AN AMOUNT NOT TO EXCEED \$230,000 FOR THE PURCHASE OF RADIO COMMUNICATIONS EQUIPMENT

Recommendation:

(1) Find that the increase of the purchase order contract for radio equipment is exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines, Section 15061(b)(3), general rule;

(2) Authorize an increase to Purchase Order Contract No. 48523 with Motorola Solutions, Inc., in the amount of \$170,000 for a new total of \$230,000 for the purchase of radio equipment as requested by Departments and for the City's Emergency Operations Center; and

(3) Grant the proposed increase to the contract an exemption from the competitive selection process of the Competitive Bidding and Purchasing Ordinance, Pasadena Municipal Code Section 4.08, for the subject transaction. This transaction is exempt from competitive bidding, pursuant to City Charter Section 1002(C), contracts for labor, materials, supplies or services available from only one vendor. The equipment that is proposed to be purchased is available only directly through Motorola Solutions, Inc. and not through any intermediaries, dealers, distributors, or other market channels.

APPOINTMENT OF HOYT HILSMAN TO THE NORTHWEST COMMISSION (District 7 Nomination)

APPOINTMENT OF CHRIS GUTIERREZ TO THE SENIOR COMMISSION (District 2 Nomination)

RESIGNATION OF ELISA WEAVER FROM THE HUMAN SERVICES COMMISSION EFFECTIVE JUNE 30, 2012 (Mayor Nomination)

RECEIVE AND FILE LETTER OF APOLOGY FROM GEOFFREY COMMONS

Recommendation: It is recommended that the City Council receive and file the letter of apology submitted by Geoffrey Commons, dated May 21, 2012.

MINUTES APPROVED

May 14, 2012
 May 21, 2012
 May 28, 2012

CLAIMS RECEIVED AND FILED

Claim No. 11,661	Lisa Lucia Arden and David Arden	\$ 510.00
Claim No. 11,662	Leif Strand	496.00
Claim No. 11,663	Anne Maschler	450.00
Claim No. 11,664	Eric Chin	133.54
Claim No. 11,665	Joanne K. Hawkins	Not Stated
Claim No. 11,666	Rosita Ambriz	Not Stated
Claim No. 11,667	Joey Dixon	Not Stated
Claim No. 11,668	Kevin Ham	Not Stated
Claim No. 11,669	Richard A. Schofield	2,800.00
Claim No. 11,670	Jon Rose	132,000.00
Claim No. 11,671	La Raye Franklin	155.00
Claim No. 11,672	Rachel Besse and Robert Cervantes	25,000.00+
Claim No. 11,673	Allstate Indemnity Company as subrogee for Jesus Hernandez	5,871.98
Claim No. 11,674	Arturo Del Castillo	4,500.00
Claim No. 11,675	Kenneth Urbina	8,561.38
Claim No. 11,676	Tasha Williams	25,000.00+

PUBLIC HEARING SET

June 18, 2012, 7:00 p.m. – Expansion of the Zoning Credit Parking Program and Related Zoning Code Amendments

It was moved by Vice Mayor McAustin, seconded by Councilmember Masuda, to approve the Consent Calendar, with the exceptions of Item No. 2 (La Loma Bridge Rehabilitation and Retrofit Project) and Item No. 3 (Underground Electrical Conduit System). (Motion unanimously carried) (Absent: Councilmembers Gordo, Robinson)

CONSENT ITEMS DISCUSSED SEPARATELY

AUTHORIZATION TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH CALIFORNIA DEPARTMENT OF TRANSPORTATION AND STATE HISTORIC PRESERVATION OFFICE, AND DESIGN CONTRACT AMENDMENT WITH DOKKEN ENGINEERING FOR LA LOMA BRIDGE REHABILITATION AND RETROFIT PROJECT

Recommendation:

(1) Acknowledge the Final Environmental Impact Report for the project, which was certified on September 25, 2006, and the Notice of Determination, which was filed with the Los Angeles County Recorder's Office on September 28, 2006;

- (2) Authorize the City Manager to execute a Memorandum of Agreement (MOA) with the California Department of Transportation (Caltrans) and the State Historic Preservation Office (SHPO); and
- (3) Authorize the City Manager to enter into a contract amendment with Dokken Engineering, for the revised design scope and preparation of supplemental environmental documents in an amount not to exceed \$190,000. Competitive bidding is not required, pursuant to City Charter Section 1002(F), contracts for professional or unique services. (Agreement No. 21,059; Contract Amendment No. 18,505-2)

Sue Mossman, Pasadena Heritage Executive Director and La Loma Bridge Advisory Group member, spoke in support of the project, and noted Pasadena Heritage's concerns regarding the necessity for a Memorandum of Understanding with the California Department of Transportation (Caltrans) and the State Historic Preservation Office (SHPO).

Dan Rix, City Engineer, clarified the final design process and choice.

Steve Walker, Principal Engineer, highlighted the project design as part of a PowerPoint presentation, and responded to questions.

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

REJECTION OF ALL BIDS FOR CONSTRUCTION OF AN UNDERGROUND ELECTRICAL CONDUIT SYSTEM ON HILL AVENUE FROM VILLA STREET TO TOPEKA STREET

Recommendation: It is recommended that the City Council reject all bids received on April 11, 2012, in response to Specifications LD-11-03 to construct underground electrical conduits for the Water and Power Department (PWP).

Vice Mayor McAustin expressed concerns regarding the lengthy process involved with approving these utility undergrounding projects and then finally completing them, and asked that staff focus on addressing the issues that continue to hamper a more expeditious means of completing the projects.

The City Manager indicated that staff is continually reviewing steps that will address the timing issues involved with completing these projects.

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

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

CONSIDERATION OF A CALL FOR REVIEW OF A HEARING OFFICER DECISION TO THE BOARD OF ZONING APPEALS REGARDING VESTING TENTATIVE TRACT MAP NO. 071842, AT 158, 168, 188 SOUTH SIERRA MADRE BOULEVARD (Councilmember Masuda)

Councilmember Masuda expressed concerns regarding safety, traffic, and tree protection issues related to the proposed project.

Councilmember Tornek expressed concerns regarding the approach to treat the proposed project as three parcels (through subdivision) rather than as a planned development, and the potential impacts to safety linked to traffic issues.

The following persons spoke in opposition to the proposed project:

- Mrs. Bach Shetter, Pasadena resident
- Linda Fuentes Rosner, Pasadena resident
- James A. Russell, Pasadena resident, submitted his written comments

The following persons spoke in support of the proposed project:

- Rob Tyler, applicant's architect
- Richard McDonald, Esq., applicant's legal counsel
- Burke Farrar, Odyssey Development Services (applicant's representative)

Following discussion, it was moved by Councilmember Masuda, seconded by Councilmember Tornek, to call this matter for review to the Board of Zoning Appeals:

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

ANNOUNCEMENT

The City Clerk reminded the public that the Presidential Primary Election will take place on June 5; and provided general information on the election, including contact information for the City Clerk's Office to assist the public in addressing any questions/problems regarding the election/poll sites.

REPORTS AND COMMENTS FROM COUNCIL COMMITTEES

ADOPTION OF A RESOLUTION AND SETTING A PUBLIC HEARING ON JUNE 18, 2012 TO CONSIDER GRANTING NON-EXCLUSIVE SOLID WASTE FRANCHISE RENEWALS

MUNICIPAL SERVICES
COMMITTEE

Councilmember Masuda was
excused at 8:04 p.m.

Recommendation:

- (1) Acknowledge that the non-exclusive Solid Waste Collection Franchise System Ordinance is categorically exempt from the California Environmental Quality Act (CEQA). A Notice of Exemption has been filed with the Los Angeles County Clerk;
- (2) Adopt a resolution declaring the City Council's intention to consider granting renewal of a non-exclusive franchise to 22 existing franchises;
- (3) Set a public hearing for June 18, 2012 to consider granting these franchises; and
- (4) Direct the City Clerk to publish the resolution at least once in a newspaper of general circulation in the City not less than ten days prior to the date set for the hearing. (Resolution No. 9197)

Vice Mayor McAustin, Chair of the Municipal Services Committee, introduced the agenda item.

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

Councilmember Masuda
returned at 8:06 p.m.

APPROVE WATER REGULATIONS WHICH SET FORTH THE SERVICE REQUIREMENTS, GUIDELINES, PROVISIONS, STANDARDS, TERMS, AND CONDITIONS BY WHICH CUSTOMERS CONNECT TO THE WATER DISTRIBUTION SYSTEM; AND ADOPT BY RESOLUTION PASADENA WATER AND POWER'S (PWP) WATER REGULATIONS

Recommendation:

- (1) Find that the proposed action is categorically exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines, Section 15061(b)(3), general rule; and
- (2) Adopt a resolution to approve and establish the Water Regulations (attached to the agenda report), which set forth the service requirements, guidelines, provisions, standards, terms, and conditions by which customers connect to the water distribution system. (Resolution No. 9202)

Vice Mayor McAustin summarized the agenda report.

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

AMENDMENTS TO THE LIGHT AND POWER RATE ORDINANCE, CHAPTER 13.04 OF THE PASADENA MUNICIPAL CODE TO INCREASE POWER DISTRIBUTION RATES FOR ALL CUSTOMER GROUPS

Recommendation:

- (1) Find that the proposed amendments to the Light and Power Rate Ordinance are exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines, Section 15273, rates, tolls, fares, and charges;
- (2) Approve the recommended increase to the power distribution rates for all customer groups equally to generate an additional \$3.75 million annually, thereby increasing the overall Power Fund operating revenues by 2.3%; and
- (3) Direct the City Attorney to prepare an amendment to Chapter 13.04 of the Pasadena Municipal Code (PMC) to increase the distribution charge to all customer groups.

Vice Mayor McAustin reported that the Municipal Services Committee was requesting that the above item be continued to June 11, 2012, to allow time for additional public outreach on the proposed increase in the power rates.

Patrick Cramer, Pasadena resident, spoke in opposition to the proposed rate increase, and asked that the City eliminate the use of private contractors, thereby saving this money.

The City Manager noted that the rate increase is necessary in order to accomplish and complete the capital improvement projects that are needed.

It was moved by Vice Mayor McAustin, seconded by Councilmember Madison, to continue the above matter to June 11, 2012. (Motion unanimously carried) (Absent: Councilmembers Gordo, Robinson)

In response to Councilmember Holden's questions, Phyllis Currie, General Manager of Water and Power Department (PWP), discussed PWP's use of private contractors and the use of a balanced approach to work being performed by staff in comparison to the types of work assigned to contractors.

PUBLIC HEARINGS

Councilmember Holden was excused at 8:20 p.m.

PUBLIC HEARING: PROPOSED AMENDMENTS TO THE WATER RATE ORDINANCE

Recommendation:

- (1) Find that the proposed amendments to the Water Rate Ordinance are exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines, Section 15273, rates, tolls, fares, and charges;
- (2) Conduct a public hearing to receive public comment on the proposed Water Rate Ordinance amendments to:
 - (a) Replace the fixed charges and fees for lateral connections, fire hydrant installations and extensions, meter installations and/or examinations, and other such services, which are set forth in the present Water Rate Ordinance, with the actual cost of providing these services; and

- (b) Amend various sections in Chapter 13.20 of the Water Rate Ordinance to improve the clarity of their wordings and/or consistency with other sections and legal requirements;
- (3) Direct the City Clerk or department representative to report on timely written protests received;
- (4) Close the public hearing; and
- (5) Direct the City Attorney to prepare an ordinance amending Chapter 13.20 of the Pasadena Municipal Code in accordance with the City Council's action on this matter.

Recommendation of Municipal Services Committee: On October 25, 2011, the Municipal Services Committee supported staff's recommendation regarding the proposed amendments to the Water Rate Ordinance.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on May 21, 2012 in the Pasadena Star-News; 52,500 copies of the notice were mailed on April 18, 2012 (omitted in public reporting); and 1 letter in support of, and 1 letter in opposition to, the proposed rate amendments were received.

Shan Kwan, Assistant General Manager/Water Services, summarized the agenda report as part of a PowerPoint presentation, and responded to questions.

Phyllis Currie, General Manager of Water and Power Department, responded to questions regarding the proposed rates and the determination of actual costs for various installations. She noted that the Department will provide oversight of the work being performed by City staff to ensure that project costs are kept at a reasonable level, with a report to be presented to the Municipal Services Committee in six months, which will show the customer costs that have been incurred and the practices that have been followed during that time period.

No one appeared for public comment.

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

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

Councilmember Gordo arrived at 8:39 p.m.

PUBLIC HEARING: AMENDMENT TO THE GENERAL FEE SCHEDULE TO INCREASE REFUSE COLLECTION FEES AND THE SOLID WASTE FRANCHISE FEE

Recommendation:

- (1) Find that the proposed increases to the Refuse Collection Fees and the Solid Waste Franchise Fee are statutorily exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines, Section 15273, rates, tolls, fares, and charges, and State CEQA Guidelines, Section 15061(b)(3), general rule;
- (2) Adopt a resolution amending the Fiscal Year (FY) 2013 General Fee Schedule to increase the Refuse Collection Fees and add new fees to become effective immediately;
- (3) Adopt a resolution increasing the Solid Waste Franchise Fee per Section 8.61 of the Pasadena Municipal Code (PMC) from the current 19.515 percent to 23.066 percent to become effective immediately;
- (4) Adopt a resolution authorizing an inflation-related pass through type increase to the Refuse Collection Fees, for a period of five years, to the extent of any actual inflation-related increase in landfill costs by the Sanitation Districts of Los Angeles County; and
- (5) Direct the City Attorney to prepare an amendment to Section 8.60.210(E) of the PMC to allow the City Council to waive once per year, the refuse "change out fee" for any customer who downsizes their mixed waste container. Presently, the PMC waives the fee for the month of November; this amendment would also remove the November waiver. (Resolution Nos. 9198, 9199, and 9200)

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on May 21, 2012 in the Pasadena Star-News; 52,500 copies of the notice were mailed on April 18, 2012 (omitted in public reporting); and 1 letter in support of, and 4 letters expressing concerns about, the proposed fee increases were received.

Siobhan Foster, Director of Public Works Department, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

Brenda Harvey-Williams, Finance and Management Services Administrator, clarified the information on the large vehicle replacement program.

The City Manager noted that the City was now implementing a pay-as-you-go vehicle stock replacement program, and responded to questions.

Vice Mayor McAustin emphasized that the City is incentivizing the reduction of waste by providing residents with the opportunity to downsize their container with no change out fee once a year.

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

Pauline Drummund, Pasadena resident
Angela Peavy, Pasadena resident

Ms. Foster informed Ms. Drummund that staff will work with her regarding her concerns involving illegal dumping of items and the recourse available to residents who experience this activity on their property.

Councilmember Madison was excused at 9:03 p.m.

The City Manager indicated that the City is rolling out infomercials that will be appearing on the City's cable channel and would appreciate feedback from Ms. Peavy regarding their effectiveness.

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

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

CONTINUED PUBLIC HEARING: ANNUAL AMENDMENTS TO THE GENERAL FEE SCHEDULE

Recommendation: It is recommended that the City Council close the public hearing and adopt by resolution the Fiscal Year 2013 General Fee Schedule. (Resolution No. 9201)

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

Councilmember Madison returned at 9:06 p.m.

Andy Green, Director of Finance Department, introduced the agenda item.

Richard Davis, Budget Administrator, highlighted the agenda report as part of a PowerPoint presentation.

Darryl Dunn, General Manager of Rose Bowl, responded to questions.

Councilmember Madison was excused at 9:10 p.m.

No one appeared for public comment.

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

Councilmember Tornek expressed concerns regarding the proposed parking violation fee increases, and suggested these fees be held out for staff to study for possible consideration of a policy that would punish the scofflaw offenders, rather than first-time offenders, at an appropriate fee level.

Councilmember Gordo expressed concerns regarding the need to cover the costs involved in enforcing the City's parking regulations and the consequent loss of revenues if the fees are not increased, and asked staff to provide Council with information from the 2009 report that studied the impacts of non-repeat offenders vs. scofflaw offenders on parking revenues.

Vice Mayor McAustin stressed the need to consider how parking violations can be handled in a way that makes the City more business/customer friendly.

Charles Kindred, Parking Manager, responded to questions regarding the parking violation fees and costs.

The City Manager noted that staff is constantly looking at ways to improve the parking enforcement practices/process.

Following discussion and by consensus, staff will return at some future date with additional information that addresses the Council's concerns regarding the need to explore policies that: discourage repeat offenders and/or provide a graduated fee, create a business/customer friendly approach to enforcement, and cover the costs for enforcement.

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

CONTINUED PUBLIC HEARING: SCHEDULE OF TAXES, FEES AND CHARGES

Recommendation: It is recommended that the City Council close the public hearing and approve the scheduled rate increases per the Schedule of Taxes, Fees, and Charges (Attachment A of the agenda report).

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

Andy Green, Director of Finance Department, introduced the agenda item.

No one appeared for public comment.

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

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

CONTINUED PUBLIC HEARING: ADOPTION OF FISCAL YEAR 2013 OPERATING BUDGET (REVISED RECOMMENDATIONS)

Recommendation:

- (1) Review the proposed changes to the City Manager's Recommended Fiscal Year 2013 Operating Budget; and
- (2) Continue the Recommended Fiscal Year 2013 Operating Budget public hearing to June 11, 2012.

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 Vice Mayor McAustin, to continue the public hearing to June 11, 2012 at 7:00 p.m. (Motion unanimously carried) (Absent Councilmembers Holden, Madison, Robinson)

COUNCIL COMMENTS

Vice Mayor McAustin asked staff to review and report on the City's regulations for drive-thru establishments for possible future study during this year.

Councilmember Gordo asked that staff also review the negative impacts of legal nonconforming uses related to the drive-thru establishments.

The City Manager indicated that this could be referred to the Planning Commission.

Vice Mayor McAustin also asked for staff to provide information on the alcohol overlay ordinance covering Old Pasadena, in the event that an update is needed that would encourage new/additional businesses in this area.

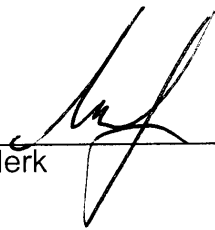
ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 9:43 p.m., in memory of Fred Wilmot Soldwedel and Don Mike Anthony, respected attorneys and prominent community leaders.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk