

CITY OF PASADENA  
City Council Minutes  
June 11, 2012 – 5:30 P.M.  
City Hall Council Chamber

REGULAR MEETING

**OPENING:**

Mayor Bogaard called the regular meeting to order at 6:04 p.m.  
(Absent: Councilmember Holden)

On order of the Mayor, the regular meeting recessed at 6:04 p.m., to discuss the following closed sessions:

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

**Property Location: 1259 Linda Vista Avenue  
Agency Negotiators: Michael J. Beck, Steve Mermell  
Negotiating Party: Dr. John Pappalardo  
Under Negotiation: Price and terms of payment**

Councilmember Madison was excused at 6:29 p.m.

Councilmember Gordo recused himself at 6:29 p.m., due to a conflict of interest.

**CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code Section 54957.6**

**Agency Designated Representatives: Julie Gutierrez, Michael J. Beck  
Employee Organization: Pasadena Association of Clerical and Technical Employees, affiliated with the Laborer's International Union of North America (PACTE/LIUNA) Local 777**

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 6:52 p.m. The Pledge of Allegiance was led by Gina Tleel, South Lake Business Association Executive Director.

**ROLL CALL:**

Councilmembers:

Mayor Bill Bogaard  
Vice Mayor Margaret McAustin  
Councilmember Victor Gordo  
Councilmember Chris Holden  
Councilmember Steve Madison (Returned at 8:35 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 City Clerk administered the oath of office to Chris Gutierrez as Senior Commissioner.

**PRESENTATION BY HABIB BALIAN, CHIEF EXECUTIVE OFFICER OF THE METRO GOLD LINE FOOTHILL EXTENSION CONSTRUCTION AUTHORITY, ON THE PROGRESS AND UPCOMING SCHEDULE OF THE GOLD LINE FOOTHILL EXTENSION PROJECT**

Habib Balian, Metro Gold Line Foothill Extension Construction Authority Chief Executive Officer, provided an update of the Metro Gold Line Extension project as part of a PowerPoint presentation; and responded to questions.

The Mayor noted that Councilmember Masuda had recently taken office as a member of the Gold Line Phase II Joint Powers Authority (representing Pasadena).

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

Martin A. Gordon, Pasadena Community Coalition Chair, expressed concerns regarding the number of recent cancellations of scheduled Public Safety Committee meetings, ongoing investigations involving the Police Department, the need to constitute an advisory body that provides community oversight of the Police Department, and the need to analyze the effectiveness of the current school policing program.

The Mayor confirmed that the next Public Safety Committee meeting is scheduled for June 18, 2012.

**CONSENT CALENDAR**

**EXECUTION OF SIX PROGRAM SUPPLEMENT AGREEMENTS NOS. 0J03-0J08 TO ADMINISTERING AGENCY-STATE MASTER AGREEMENT NO. 00370S FOR THE CONSTRUCTION OF SIX TRAFFIC LIGHT SYNCHRONIZATION PROGRAM (TLSP) PROJECTS**

**Recommendation:**

- (1) Find that on February 2009, the projects proposed were found to be categorically exempt under the California Environmental Quality Act (CEQA) Guidelines in Section 15301(c), existing facilities, of the California Code of Regulations Title 14, Chapter 3;
- (2) Adopt a resolution approving six Program Supplement Agreements Nos. 0J03-0J08 to the Administering Agency-State Master Agreement No. 00370S; and
- (3) Authorize the City Manager to execute six Program Supplement Agreements Nos. 0J03-0J08 to the Administering Agency-State Master Agreement No. 00370S to allow obligation of funds from the State to the City for the construction of the Pasadena Traffic Light Synchronization Program (TLSP) Projects. (Resolution No. 9203; Agreement Nos. 21,061, 21,062, 21,063, 21,064, 21,065, and 21,066)

**AUTHORIZATION TO ISSUE A PURCHASE ORDER CONTRACT TO PHYSIO CONTROL, INC. FOR THE PURCHASE OF FIVE LIFEPAK-15 CARDIAC MONITOR/DEFIBRILLATORS FOR AN AMOUNT NOT TO EXCEED \$132,056**

**Recommendation:**

- (1) Find that the recommended action is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(3), general rule; and
- (2) Authorize the issuance of a purchase order contract without competitive bidding, pursuant to City Charter Section 1002(C), contracts for labor, materials, supplies or services available from only one vendor, to Physio Control, Inc., in an amount not to exceed \$132,056 for the purchase of five Lifepak-15 cardiac monitor/defibrillators.

**LEGISLATIVE POLICY COMMITTEE: SUPPORT FOR THE PREVENT ILLEGAL GUNS ACT OF 2012 (SB 1366)**

**Recommendation:** It is recommended that the City Council express formal support for the Prevent Illegal Guns Act of 2012 (SB 1366) legislation, and urge the California State legislators to pass the measure into law.

**Recommendation of Legislative Policy Committee:** On May 24, 2012, this legislation was brought to the attention of the Legislative Policy Committee. Following discussion, the Committee voted unanimously to forward this item to the full City Council for its consideration.

**FINANCE COMMITTEE: RESOLUTION AUTHORIZING THE REFINANCING OF THE POLICE HELICOPTER, AUTHORIZING THE EXECUTION OF A LEASE SCHEDULE, ADDENDUM TO THE MASTER LEASE PURCHASE AGREEMENT, AN INTERNATIONAL REGISTRY SERVICES AGREEMENT AND ALL RELATED INSTRUMENTS, AND OTHER DOCUMENTS IN CONNECTION THEREWITH**

**Recommendation:**

- (1) Adopt a resolution approving the refinancing with JPMorgan/Chase Bank of the current police helicopter lease, authorizing the execution of all related instruments and documents in connection therewith; and
- (2) Authorize the City Manager or the Director of Finance to execute the documents on behalf of the City. (Resolution No. 9204)

**FINANCE COMMITTEE: RESOLUTION AUTHORIZING THE REFINANCING OF THE INTERAGENCY COMMUNICATIONS INTEROPERABILITY SYSTEM (ICIS), AUTHORIZING THE EXECUTION OF AGENCY LEASE SCHEDULE, ADDENDUM TO THE MASTER LEASE PURCHASE AGREEMENT, AND ALL RELATED INSTRUMENTS, AND OTHER DOCUMENTS IN CONNECTION THEREWITH**

**Recommendation:**

- (1) Adopt a resolution approving the refinancing with JPMorgan/Chase Bank of the current ICIS 911 system lease, authorizing the execution of all related instruments and documents in connection therewith; and
- (2) Authorize the City Manager or the Director of Finance to execute the documents on behalf of the City. (Resolution No. 9205)

**REAPPOINTMENT OF PALENCIA JEAN TURNER TO THE ARTS AND CULTURE COMMISSION EFFECTIVE JULY 1, 2012 (District 3 Nomination)**

**APPOINTMENT OF EUGENE BROOKS TO THE ACCESSIBILITY AND DISABILITY COMMISSION (District 3 Nomination)**

**DIRECT THE CITY ATTORNEY TO PREPARE AN ORDINANCE SUSPENDING ANNUAL COMPENSATION/STIPEND INCREASES FOR THE MAYOR AND CITY COUNCIL FOR FISCAL YEAR 2013**

**Recommendation:** It is recommended that the City Council direct the City Attorney to prepare an ordinance within 30 days suspending the annual compensation/stipend increases for the Mayor and City Council for Fiscal Year 2013.

**CLAIMS RECEIVED AND FILED**

Claim No. 11,677	William J. Toppi, Attorney for Violeta Romero, a minor	\$ 25,000.00+
Claim No. 11,678	Mai Yang Lee	325.00
Claim No. 11,679	Caridad Hernandez	270.00
Claim No. 11,680	Angel Quintana	115.00
Claim No. 11,681	Pasadena Management Association, Sheri Stevenson, Emily Stadnicki, Neville Pereira, Thelma "Jean" Luter, Antonio Gardea, Ursula Schmidt, Maria Valenzuela	8,800,000.00

It was moved by Councilmember Gordo, seconded by Vice Mayor McAustin, to approve all items on the Consent Calendar. (Motion unanimously carried) (Absent: Councilmember Madison)

**PUBLIC HEARING**

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

**PUBLIC HEARING: ESTABLISHMENT OF THE SOUTH LAKE AVENUE PROPERTY-BASED BUSINESS IMPROVEMENT DISTRICT**

**Recommendation:** It is recommended that the City Council:  
(1) Find that adopting a resolution establishing the South Lake Avenue Property-Based Business Improvement District is exempt from the California Environmental Quality Act (CEQA) per Section 15061(b)(3), general rule; and  
(2) Conduct a public hearing on the proposed establishment of

the South Lake Avenue Property-Based Business Improvement District (PBID).

It is further recommended that upon closing of the public hearing, that the City Council:

(3) Order the tabulation of all ballots received and not withdrawn, and request a report on the tabulation results as soon as possible.

Upon receipt of the report on the tabulation of ballots, if the results of said tabulation show that a majority protest does not exist, it is recommended that the City Council:

(4) Adopt a final resolution "Establishing the South Lake Avenue Property-Based Business Improvement District," (Attachment 1 of the agenda report); and

(5) Adopt the Baseline Services (Attachment 2 of the agenda report) and authorize the City Manager to enter into a financial agreement and baseline services contract. (Resolution No. 9208; Agreement Nos. 21,077 and 21,089)

The Mayor opened the public hearing.

The City Clerk reported 314 copies of the notice of public hearing were mailed on April 26, 2012 (to property-based business owners in the South Lake Avenue Property-Based Business Improvement District); and no correspondence was received.

Steve Mermell, Assistant City Manager, introduced the agenda item.

Robert Montano, Project Manager, summarized the agenda report as part of a PowerPoint presentation.

No one appeared for public comment.

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

It was moved by Councilmember Robinson, seconded by Vice Mayor McAustin, to approve staff recommendation No. 1, and to order the tabulation of all ballots received and not withdrawn, and request a report on the tabulation results as soon as possible. (Motion unanimously carried) (Absent: Councilmembers Madison, Tornek)

*(Item continued on Page 8)*

On order of the Mayor, the item recessed at 7:20 p.m., until such time as the tabulation of votes is completed.

**REPORTS AND COMMENTS  
FROM COUNCIL  
COMMITTEES**

**AMENDMENTS TO THE LIGHT AND POWER RATE  
ORDINANCE, CHAPTER 13.04 OF THE PASADENA  
MUNICIPAL CODE TO INCREASE POWER DISTRIBUTION**

MUNICIPAL SERVICES  
COMMITTEE

Councilmember Tornek  
returned at 7:21 p.m.

**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, Chair of the Municipal Services Committee, introduced the agenda item.

Phyllis Currie, General Manager of Water and Power Department, noted that the proposed rate increases provide the additional funding reflected in the planned budgetary expenditures that will be presented to the City Council in the near future.

Shari Thomas, Assistant General Manager, reviewed the agenda report as part of a PowerPoint presentation.

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

**PUBLIC HEARING**

**CONTINUED PUBLIC HEARING: REVISED  
RECOMMENDATIONS FOR ADOPTION OF FISCAL  
YEAR 2013 OPERATING BUDGET**

**Recommendation:**

- (1) Close the public hearing and adopt by resolution the City's Fiscal Year (FY) 2013 Operating Budget as presented in the May 7, 2012 City Manager's Recommended Budget and including changes presented to City Council on June 4, 2012;
- (2) Adopt a resolution determining the amount to be transferred from the Light and Power Fund to the General Fund for FY 2013; and
- (3) Direct the City Attorney, within 60 days, to complete amendments to Article VII of Title 2 of the Pasadena Municipal Code to incorporate the organizational changes required as a result of the adopted FY 2013 Budget. (Resolution Nos. 9206 and 9207)

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

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

The City Manager provided an overview of the proposed Fiscal Year 2013 Operating Budget; highlighted the diligence of the City Council, Finance Committee, and City employees in arriving at the proposed budget; and commented on the reduction in overtime costs.

Andy Green, Director of Finance Department, noted that staff has made, and will continue to make, changes in the budget documents with a goal of making the budgetary process clearer for the public.

Richard Davis, Budget Administrator, summarized the recommended budget, including the changes that occurred after the initial presentation of the draft budget, as part of a PowerPoint presentation; and responded to questions regarding employee benefits costs.

Vice Mayor McAustin stressed the need for the City to manage future employee benefits costs as a structural component of the budget.

Councilmember Tornek commented on the increased fees and charges that figure into this balanced budget; and the challenges of incentivizing employees during these stringent financial times, while continuing to pursue the City's vision and objectives.

No one appeared for public comment.

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

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

Mr. Green acknowledged Michele Logan and Tim Park, (budget) Management Analysts, for their efforts during the budget process.

The Mayor, on behalf of the City Council, thanked the Finance Committee, staff, and the public for their work in attaining this budget outcome.

**ORDINANCE – FIRST  
READING**

**Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING SECTION 8.60.210(E) OF THE PASADENA MUNICIPAL CODE RELATING TO THE**

**SERVICE CHANGE FEE FOR SOLID WASTE CONTAINER SERVICE”**

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

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

NOES: None

ABSENT: Councilmember Madison

**PUBLIC HEARING**

*(Item continued from Page 5)*

Councilmember Tornek recused himself at 8:12 p.m., due to a conflict of interest.

**PUBLIC HEARING: ESTABLISHMENT OF THE SOUTH LAKE AVENUE PROPERTY-BASED BUSINESS IMPROVEMENT DISTRICT**

On order of the Mayor, the above item reconvened at 8:12 p.m.

Following tabulation of the assessment ballots, Robert Montano reported the following results:

\$244,257.57 (85.47%) in assessment ballots were cast approving the renewal of the South Lake Avenue Property-Based Business Improvement District – no majority protest exists.

It was moved by Vice Mayor McAustin, seconded by Councilmember Robinson, to approve staff recommendation Nos. 4 and 5. (Motion unanimously carried) (Absent: Councilmembers Madison, Tornek)

The Mayor congratulated the members of the South Lake Avenue Property-Based Business Improvement District on their achievements.

**INFORMATION ITEM**

Councilmember Tornek returned at 8:15 p.m.

Councilmember Madison returned at 8:35 p.m.

**OVERVIEW OF CITIZEN SURVEY 2012**

**Recommendation:** This item is provided for information only.

The City Manager introduced the agenda item; noted that the voter survey focused on the residents’ views on the City’s overall performance, as well as their opinions on two possible ballot measures (a general obligation bond for health and emergency response services and a 1/4-cent sales tax for public safety and City services); and responded to questions.

Richard Bernard, Ph.D, Fairbank, Maslin, Maullin, Metz & Associates-FM3 Senior Vice President, reviewed the Voter Survey as part of a PowerPoint presentation, and responded to questions.

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



**COUNCIL COMMENTS**

Councilmembers Holden and Madison congratulated the Los Angeles Kings on winning the Stanley Cup for the first time in the team's history.

Councilmember Madison and the Mayor reported on the June 16th opening of a community garden on Pasadena Avenue, which resulted from the efforts of a successful private/public partnership.

The City Manager expanded on the City staff's role that culminated in the opening of the community garden.

Councilmember Masuda asked staff to develop a clarification of the facts and provide an appropriate response to the allegations made in the Pasadena Weekly regarding City purchasing card expenditures.

The City Manager described the use of City purchasing cards in purchasing supplies and materials, and how these cards are managed and monitored; clarified that members of the City Council do not have individual purchasing cards; and confirmed that information on purchasing card use is available to the public, the media, and the City Council, if requested.


**ADJOURNMENT**

On order of the Mayor, the regular meeting of the City Council adjourned at 8:53 p.m.



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Bill Bogaard, Mayor  
City of Pasadena

ATTEST:

  
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City Clerk