

CITY OF PASADENA
City Council Minutes
July 16, 2012 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

The Mayor called the regular meeting to order at 6:34 p.m. The Pledge of Allegiance was led by Mercy Santoro, Director of Human Services and Recreation Department.

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 William R. Francis as Code Enforcement Commissioner.

The Mayor presented a proclamation declaring July 2012 as Parks and Recreation Month, which was received by Mercy Santoro, Director of Human Services and Recreation Department.

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

The following persons expressed concerns regarding the proposed SR-710 Freeway extension-tunnel option and environmental study; and stated their opposition to the drilling and the freeway project as proposed:

Ben Moran, Pasadena resident,
Mara Pelsman, Pasadena resident

Councilmember Madison concurred with the speakers; and asked that an item be agendized for a future City Council discussion of the related environmental studies for the SR-710 Freeway, and the City's formal position on the SR-710 Freeway extension project; with staff to provide a report on the current status of the proposed project, potential impacts to the City, and the City's authority to take a formal position on activities related to the project and/or the environmental study to be performed by the Los Angeles County Metropolitan Transportation Authority (Metro).

CONSENT CALENDAR

AUTHORIZATION TO ENTER INTO A CONTRACT WITH ORGANIC PLANET TRUCK AND TRANSPORT, INC. TO PROVIDE HAULING SERVICES IN AN AMOUNT NOT TO EXCEED \$150,000 PER YEAR (SPECIFICATIONS WD-12-03)

Recommendation:

- (1) Find that the project is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15301, existing facilities;
- (2) Accept the bid dated May 24, 2012, submitted by Organic Planet Trucking and Transport, Inc., in response to Specifications WD-12-03 to provide hauling services for the Water and Power Department; and
- (3) Authorize the City Manager to enter into a contract with Organic Planet Trucking and Transport, Inc., for an amount not to exceed \$150,000 for an initial term of one year with an option for three additional one-year terms of \$150,000 each. (Contract No. 21,119)

RESOLUTION APPROVING ADMINISTERING AGENCY-STATE MASTER AGREEMENT BETWEEN CITY OF PASADENA AND STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION FOR USE OF STATE FUNDS ON LOCAL TRANSPORTATION PROJECTS

Recommendation:

- (1) Find that approval of the Master Agreement is exempt from the California Environmental Quality Act (CEQA) in accordance with Title 14, Chapter 3, Section 15061(b)(3);
- (2) Adopt a resolution approving the revised Administering Agency-State Master Agreement No. 00370S between the City of Pasadena and the State of California, Department of Transportation (Caltrans), for State-Aid transportation projects; and
- (3) Authorize the City Manager to execute the same on behalf of the City. (Resolution No. 9218; Agreement No. 21,120)

CONTRACT AWARD TO SUPERIOR GUNITE FOR THE 2012 RELINING AND RECONSTRUCTION OF CORRUGATED METAL PIPE (CMP) STORM DRAINS FOR AN AMOUNT NOT TO EXCEED \$136,000

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, Sections 15301 and 15302, 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 June 13, 2012, submitted by Superior Gunite, in response to the Project Specifications for the 2012 Relining and Reconstruction of CMP Storm Drains, reject all other bids received, and authorize the City Manager to enter into such contract as is required for an amount not to exceed \$136,000. (Contract No. 21,121)

Item discussed separately at the request of Councilmember Masuda.

CONTRACT AWARD TO E.C. CONSTRUCTION FOR SOUTH ACCESS PEDESTRIAN CORRIDOR IMPROVEMENTS FROM COLORADO BOULEVARD TO THE SIERRA MADRE VILLA LIGHT RAIL STATION PROJECT FOR AN AMOUNT NOT TO EXCEED \$550,000

Item discussed separately at the request of Councilmember Gordo.

ECONOMIC DEVELOPMENT AND TECHNOLOGY COMMITTEE: APPROVAL OF KEY BUSINESS TERMS OF COMMUNITY HOUSING DEVELOPMENT ORGANIZATION AGREEMENT WITH ABODE COMMUNITY HOUSING FOR USE OF HOME FUNDS IN AN AMOUNT OF \$425,000 TO REHABILITATE VILLA PARKE HOMES PROJECT (9 UNITS) AT 422 NORTH RAYMOND AVENUE, 488 NORTH RAYMOND AVENUE, AND 557 NORTH LOS ROBLES AVENUE

ECONOMIC DEVELOPMENT AND TECHNOLOGY COMMITTEE: APPROVAL OF KEY BUSINESS TERMS OF SUB-RECIPIENT AGREEMENT WITH NEIGHBORHOOD HOUSING SERVICES OF LOS ANGELES COUNTY FOR THE USE OF HOME INVESTMENT PARTNERSHIP ACT (HOME) FUNDS IN AN AMOUNT OF \$250,000 TO IMPLEMENT SINGLE-FAMILY HOME REHABILITATION PROGRAM

Recommendation:

- (1) Find that the proposed key business terms, as described in the agenda report, of the sub-recipient agreement with Neighborhood Housing Services of Los Angeles County (NHS) for the implementation of a single-family home rehabilitation loan program (Program) does not have a significant effect on the environment and has been determined to be categorically exempt under Class 1, existing facilities, of the California Quality Act (CEQA), and specifically, Section 15301 of the State CEQA Guidelines;
- (2) Authorize and direct the City Clerk to file with the County Clerk a Notice of Exemption for the Program;
- (3) Approve the key business terms of the sub-recipient agreement, as described in the agenda report;
- (4) Recognize revenues of \$250,000 and increase appropriations totaling \$250,000 in the Housing Department Fiscal Year (FY) 2013 Operating Budget for the NHS Program. The \$250,000 increase in revenues is from the reallocation of existing federal Home Investment Partnership Act (HOME) grant funds (reallocation is subject to City Council approval of the Substantial Amendment as part of the public hearing on July 16, 2012) and represents new FY 2013 revenue (Account No. 6229-221-684111) in the HOME fund (Fund 221). These new revenues will support the requested increase in appropriations of the same amount (Account No. 8172-221-684111); and
- (5) Authorize and direct the City Manager to approve, and the City Clerk to attest, the sub-recipient agreement, certifications,

and other documents as necessary to implement the staff recommendations. (Agreement No. 21,122; Journal Voucher No. 2013-3)

Recommendation of Northwest Commission: The subject recommendation was considered by the Northwest Commission at its regular meeting of July 12, 2012. The results were not available at the time of the posting of the agenda. The outcome of the Northwest Commission's action will be distributed to the City Council prior to consideration of this matter on July 16, 2012.

ECONOMIC DEVELOPMENT AND TECHNOLOGY COMMITTEE: APPROVAL OF KEY BUSINESS TERMS OF AMENDMENT TO ACQUISITION, DISPOSITION, DEVELOPMENT AND LOAN AGREEMENT WITH NATIONAL COMMUNITY RENAISSANCE FOR USE OF \$1,564,783 HOME FUNDS AND \$685,217 INCLUSIONARY FUNDS TO DEVELOP MAR VISTA UNION PROJECT AT 131-135 NORTH MAR VISTA AVENUE; APPROVAL TO ALLOCATE 19 SECTION 8 PROJECT-BASED VOUCHERS UNDER THE HOME FOR GOOD FUNDERS COLLABORATIVE PROGRAM

Recommendation:

(1) Find that the proposed business terms, as described in the agenda report, of the amendment to the Acquisition, Disposition, Development and Loan Agreement (ADDLA) with National Community Renaissance (Developer), and the allocation of Section 8 Project-Based vouchers for the development of the Mar Vista Union permanent supportive housing project located at 131-135 Mar Vista Avenue (Project) are consistent with the California Environmental Quality Act (CEQA) Affordable Housing Exemption adopted by the City Council on March 14, 2011 for the Project;

(2) Approve certain key business terms of the amendment to the ADDLA, as described in the agenda report;

(3) Recognize revenues of \$1,564,783 and increase appropriations totaling \$2,250,000 in the Housing Department Fiscal Year (FY) 2013 Operating Budget for the Mar Vista Union Project. The \$1,564,783 increase in revenues is from the reallocation of existing federal Home Investment Partnership Act (HOME) grant funds (reallocation is subject to City Council approval of the Substantial Amendment as part of the public hearing on July 16, 2012) and represents new FY 2013 revenue (Account No. 6229-221-684111) in the HOME fund (Fund 221). These new revenues will support the requested increase in appropriations of the same amount (Account No. 8167-221-684111). The balance of the appropriations increase (\$685,217) is in the Inclusionary Housing Trust Fund (Fund 619) and will be funded through the use of available fund balance;

(4) Approve the allocation of Section 8 Project-Based Housing Choice Vouchers to provide rent subsidies for 19 units in the

Project; and
 (5) Authorize and direct the City Manager to approve, and the City Clerk to attest, any agreements, contracts, certifications, and other documents as necessary to implement the staff recommendations. (Agreement Amendment No. 20,635-1; Journal Voucher No. 2013-4)

APPOINTMENT OF VINCE FARHAT TO THE PLANNING COMMISSION (Mayor Nomination/District 6)

APPOINTMENT OF KARLA BLUESTONE TO THE LIBRARY COMMISSION (Mayor Nomination/District 7)

RESIGNATION OF ANDY WILSON FROM THE PLANNING COMMISSION (District 7 Nomination)

CLAIMS RECEIVED AND FILED

Claim No. 11,705	Arbi Derian	\$ 2,100.00
Claim No. 11,706	Mercury Insurance Group	4,012.73
Claim No. 11,707	Deborah Sanchez	25,000.00+
Claim No. 11,708	Goar Shatiryan	1,081.00
Claim No. 11,709	Tussanee L. Luebbers	359.00

It was moved by Councilmember Gordo, seconded by Councilmember Madison, to approve the Consent Calendar, with the exceptions of Item 4 (Contract with E.C. Construction) and Item 5 (Agreement with Abode Community Housing), which were discussed separately. (Motion unanimously carried) (Absent: None)

CONSENT ITEMS DISCUSSED SEPARATELY

CONTRACT AWARD TO E.C. CONSTRUCTION FOR SOUTH ACCESS PEDESTRIAN CORRIDOR IMPROVEMENTS FROM COLORADO BOULEVARD TO THE SIERRA MADRE VILLA LIGHT RAIL STATION PROJECT FOR AN AMOUNT NOT TO EXCEED \$550,000

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, Sections 15301 and 15302, minor alterations of existing public facilities involving negligible expansion of use beyond that existing at the time of the lead agency's determination, and Categorical Exclusion, pursuant to Chapter 3 of Title 23, United States Code, Section 326 and a Memorandum of Understanding dated June 7, 2010, executed between the Federal Transit Administration (FTA) and the State; and

(2) Accept the bid dated July 3, 2012, submitted by E.C. Construction, in response to the Project Specifications for the South Access Pedestrian Corridor Improvements from Colorado Boulevard to the Sierra Madre Villa Light Rail Station, reject all other bids received, and authorize the City Manager to enter into such contract as is required for an amount not to exceed \$550,000. (Contract No. 21,123)

In response to Councilmember Masuda's questions, Dan Rix, City Engineer, provided a brief overview of the project as part of a PowerPoint presentation.

The City Manager clarified that additional ARTS buses were purchased with a portion of the reallocated funds resulting from modifications to the project.

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

Councilmember Gordo
recused himself at 6:55 p.m.,
due to a conflict of interest.

ECONOMIC DEVELOPMENT AND TECHNOLOGY COMMITTEE: APPROVAL OF KEY BUSINESS TERMS OF COMMUNITY HOUSING DEVELOPMENT ORGANIZATION AGREEMENT WITH ABODE COMMUNITY HOUSING FOR USE OF HOME FUNDS IN AN AMOUNT OF \$425,000 TO REHABILITATE VILLA PARKE HOMES PROJECT (9 UNITS) AT 422 NORTH RAYMOND AVENUE, 488 NORTH RAYMOND AVENUE, AND 557 NORTH LOS ROBLES AVENUE

Recommendation:

(1) Find that the rehabilitation of the nine (9) dwelling units comprising the Villa Parke Homes affordable rental housing project at 422 North Raymond Avenue, 488 North Raymond Avenue, and 557 North Los Robles Avenue (the Project) does not have a significant effect on the environment and has been determined to be categorically exempt under Class 1 (Existing Facilities) of the State California Environmental Quality Act (CEQA), and, specifically, Section 15301 of the State CEQA Guidelines;

(2) Authorize and direct the City Clerk to file with the County Clerk a Notice of Exemption for the Project;

(3) Approve the key business terms of the Community Housing Development Organization (CHDO) agreement with Abode Community Housing, as described in the agenda report;

(4) Recognize revenues of \$364,133 and increase appropriations totaling \$425,000 in the Housing Department FY 2013 operating budget for the Villa Parke Homes Project. The \$364,133 increase in revenues is from the reallocation of existing federal Home Investment Partnership Act (HOME) CHDO grant funds (reallocation is subject to City Council approval of the Substantial Amendment as part of the public hearing on July 16, 2012) and represents new Fiscal Year (FY) 2013 revenue (Account No. 6229-221-684111) in the HOME Fund (Fund 221). These new revenues will support the requested increase in appropriations of the same amount (Account No. 8167-221-684111). The balance of the appropriations (\$60,867) is in the current FY 2013 adopted HOME Fund (Fund 221) budget which is available to expend on HOME CHDO activities;

(5) Approve journal voucher appropriations in the total amount

of \$425,000 Home Investment Partnership Act (HOME) CHDO Set-Aside funds to the Villa Parke Homes Rehab Project consisting of \$364,133 from reallocated prior years HOME CHDO funds (Account No. 8167-221-684111-66-52058) and \$60,867 from HUD Program Year 2012 HOME CHDO funds (Account No. 8167-221-684111-MC12-52058); and (6) Authorize and direct the City Manager to approve, and the City Clerk to attest, the CHDO agreement, certifications, and other documents as necessary to implement the staff recommendations. (Agreement No. 21,124; Journal Voucher No. 2013-2)

Recommendation of Northwest Commission: The subject recommendation was considered by the Northwest Commission at its regular meeting of July 12, 2012. The results were not available at the time of the posting of the agenda. The outcome of the Northwest Commission's action will be distributed to the City Council prior to consideration of this matter on July 16, 2012.

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

ORDINANCES – ADOPTED

Councilmember Gordo returned at 6:57 p.m.

Adopt “AN UNCODIFIED ORDINANCE OF THE CITY OF PASADENA GRANTING NON-EXCLUSIVE RENEWAL FRANCHISES FOR SOLID WASTE COLLECTION TO TWENTY-TWO (22) APPLICANTS” (Introduced by Vice Mayor McAustin) (Ordinance No. 7222)

The above ordinance was adopted by the following vote:

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

NOES: None

ABSENT: None

Adopt “AN ORDINANCE OF THE CITY OF PASADENA AMENDING THE WATER RATE ORDINANCE, CHAPTER 13.20 OF THE PASADENA MUNICIPAL CODE” (Introduced by Councilmember Robinson) (Ordinance No. 7223)

The above ordinance was adopted by the following vote:

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

NOES: None

ABSENT: None

PUBLIC HEARINGS

PUBLIC HEARING: APPROVAL OF SUBSTANTIAL AMENDMENT TO ANNUAL ACTION PLANS FOR PROGRAM YEARS 2006 THROUGH 2011 TO REALLOCATE FEDERAL HOME INVESTMENT PARTNERSHIP ACT (HOME) FUNDS

Recommendation: It is recommended that upon close of the public hearing the City Council:

- (1) Adopt a resolution:
 - (a) Approving the Substantial Amendment to the Annual Action Plans for Program Years 2006 through 2011 to reallocate federal Home Investment Partnership Act (HOME) funds in the manner specified in the agenda report;
 - (b) Authorizing and directing the City Manager to submit the Substantial Amendment to the U.S. Department of Housing and Urban Development together with any other documents as are necessary to implement the Substantial Amendment; and
 - (c) Authorizing and directing the City Clerk to attest any documents executed by the City Manager.
- (2) Recognize HOME revenues for the Housing Department's Fiscal Year (FY) 2013 Operating Budget in the total amount of \$226,757 as follows: a) \$54,754 for Security Deposit Grant Program (Account No. 6229-221-684111); b) \$200,000 for Tenant-Based Rental Assistance (Account No. 6229-221-684112); c) \$12,003 for Administration (Account No. 6229-221-684130); and
- (3) Approve a journal voucher increasing appropriations for the Housing Department's FY 2013 Operating Budget in the total amount of \$266,757 as follows: a) \$54,754 for Security Deposit Grant Program (Account No. 8105-221-684111); b) \$200,000 for Tenant-Based Rental Assistance (Account No. 8105-221-684112); and c) \$12,003 for Administration (Account No. 8114-221-684130). (Resolution No. 9219; Journal Voucher No. 2013-5)

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on June 15, 2012 in the Pasadena Star-News; and no correspondence was received.

Councilmember Gordo recused himself at 7:02 p.m., due to a conflict of interest.

Bill Huang, Director of Housing Department, introduced the agenda item, and responded to questions regarding the reallocated funds.

Jim Wong, Senior Project Manager, reviewed the agenda report as part of a PowerPoint presentation.

No one appeared for public comment.

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

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

Councilmember Gordo returned at 7:07 p.m.

Councilmember Tornek recused himself at 7:08 p.m., due to a conflict of interest.

PUBLIC HEARING: APPEAL OF ARTS AND CULTURE COMMISSION DECISION REGARDING FINAL PUBLIC ART PLAN FOR 680 EAST COLORADO BOULEVARD (IDS)

Recommendation:

(1) Find that the application for the 680 East Colorado Boulevard project was subject to environmental review in the Environmental Impact Report (EIR) and that the City Council approved the Final Environmental Impact Report (FEIR) and associated findings, a Statement of Overriding Considerations, a Mitigated Monitoring and Reporting Program, and other land use elements (adjustment permit, conditional use permit, minor conditional use permit, and tree removal) for this project on November 16, 2009. On November 12, 2011, the City Council approved an Addendum to the FEIR and a Major Modification to an Approved Project, modifying a number of the land use permits. No changed circumstances or new information trigger further environmental review;

(2) Deny the appeal of the Arts and Culture Commission decision; and remand the application to the Arts and Culture Commission for consideration of a modified Final Art Plan or;

(3) Approve the appeal of the Arts and Culture Commission decision and conditionally approve the Final Art Plan with ~~the following~~ modifications listed below that are to be evaluated, subject to the approval satisfaction of the Cultural Affairs Manager:

(a) ~~Re-contextualize the project and to remove~~ consider removing historical period costume from the figure and generic symbols from the base of the sculpture;

(b) ~~Remove~~ Consider removing generic Shakespeare quotations and references and replace with literary or performative elements (visual and possibly audio) that are based on poems, texts or theatrical excerpts relating to some aspect of Pasadena to embrace a more expansive notion of storytelling; and

(c) ~~Introduce~~ Consider introducing storytelling elements into the courtyard hardscape to include an interactive element that may reference local literature or theatre that is unique to Pasadena and provides a level of complexity as to inspire further reflection and thought.

Recommendation of Arts and Culture Commission: On June 13, 2012, the Arts and Culture Commission did not approve the Final Art Plan as proposed by the applicant due to failure to meet the specific conditions of approval for the Concept Art Plan reviewed in February of this year.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on July 2, 2012 in the Pasadena Star-News; and 1 letter in support of the appeal was received.

Vince Bertoni, Director of Planning Department, introduced the agenda item, clarified the Arts and Culture Commission's review process, and responded to questions.

Rochelle Branch, Cultural Affairs Manager, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

Meriel Stern, Arts and Culture Commission Chair, and Janice Bea, Public Art Subcommittee Chair, clarified the Commission's decision to not approve the Final Art Plan as proposed, and the process followed in reviewing the art piece and considering the applicant's Final Art Plan according to the City's guidelines/criteria for public art; and responded to questions.

David Saeta, IDS Real Estate Group Senior Vice President (applicant), outlined the process followed in developing the project's Final Art Plan; Stefanos Polyzoides, applicant's architect, spoke in support of the proposed art piece as part of a PowerPoint presentation; and the speakers responded to questions.

Nona Chomsky, Pasadenans for a Livable City and Pasadena Heritage representative, spoke in support of the appeal.

The City Attorney clarified the process that had been followed to this point, based on the Arts and Culture Commission's actions; and responded to questions on the appeal process and options for the City Council in taking action on this matter.

Councilmember Gordo expressed concerns regarding the abrupt end of the review process, and stated that the Plan should adhere to the City's adopted guidelines for public art. He further stated his support for the completion of the review process by staff to ensure compliance with the guidelines, and supported staff's recommendation for approving the appeal and the Final Art Plan, with the modifications cited in staff recommendation No. 3.

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

MOTION

Following discussion, it was moved by Councilmember Holden, seconded by Councilmember Madison, to approve the appeal of the Arts and Culture Commission decision and approve the Final Art Plan, as submitted.

Councilmember Gordo reiterated his concerns regarding the need to ensure that the Final Art Plan adheres to the public art guidelines, and to heed the concerns expressed by the Arts and Culture Commission and staff in regards to conditioning approval of the Final Art Plan with the modifications mentioned in the staff recommendation. He also expressed concerns regarding the appearance that the City Council is setting a precedent for future public art reviews and appeals, if the Council decides to approve the Final Art Plan while discounting the positions of the Arts and Culture Commission and staff that the City guidelines on public art are not being met in this instance.

Vice Mayor McAustin and the Mayor opined that ending the review process had been premature and incomplete in this situation, and called for additional work to be attempted in order to achieve a Final Art Plan that conforms to the City's guidelines.

Councilmember Holden stated his objections to continuing the review of the Final Art Plan at the staff/Commission level, given the subjective nature of art; and supported approving the proposed Final Art Plan, as submitted.

It was moved by Councilmember Holden, seconded by Councilmember Madison, to open the public hearing. (Motion unanimously carried) (Absent: Councilmember Tornek)

David Saeta indicated he will ask the artist to meet with staff and himself on the modifications set out in the staff recommendation, and asked that a specific timeframe be set for this undertaking.

The City Manager and Vince Bertoni clarified that, if the City Council were to approve staff recommendation No. 3, this matter will not return to the Arts and Culture Commission or the City Council; and that the Cultural Affairs Manager will have the authority to work with the applicant and artist in a discussion of how the Final Art Plan can be modified in order to meet the City's guidelines.

Councilmember Robinson asked that staff's discussion with the applicant and artist allow enough latitude for the artist to complete the project, while not sacrificing his artistic discretion.

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

SUBSTITUTE MOTION

Following additional discussion, it was moved by Councilmember Gordo, seconded by Vice Mayor McAustin, to approve staff recommendation Nos. 1 and 3, as modified above:

YES: Councilmembers Gordo, Masuda, Robinson, Vice Mayor McAustin, Mayor Bogaard

NOES: Councilmembers Holden, Madison

ABSENT: Councilmember Tornek

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

Councilmember Tornek returned at 9:11 p.m.

PURCHASE OF CITY PROPERTY INSURANCE FOR THE PERIOD JULY 1, 2012 – JUNE 30, 2013

Recommendation:

(1) Authorize the City Manager to purchase property insurance under a joint public agency purchase program established by the City's broker of record, Alliant Insurance Services, Inc., at an annual premium of \$466,798, without competitive bidding, pursuant to City Charter Section 1002(H), contracts with other governmental entities or their contractors, and without competitive selection, pursuant to Pasadena Municipal Code Section 4.08.049 (B), contracts for which the City's best interests are served;

(2) Authorize the City Manager to purchase property insurance for the power plant at a projected annual premium of \$602,310.25 for the term July 1, 2012 to June 30, 2013. Competitive bidding is not required, pursuant to City Charter Section 1002(F), contracts for professional or unique services; and

(3) Grant the proposed contract an exemption from the competitive selection process of the Competitive Bidding and Purchasing Ordinance, pursuant to Pasadena Municipal Code Section 4.08.049(B), contracts for which the City's best interests are served

Andy Green, Director of Finance Department, introduced the agenda item, and responded to questions regarding the proposed Fiscal Year 2014 bid process for a broker of record.

Bob Hays, Liability Coordinator, summarized the agenda report as part of a PowerPoint presentation, and responded to questions.

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

The City Attorney and Mayor congratulated Mr. Hays on his upcoming retirement from the City in September 2012.

CONSIDERATION OF REVENUE MEASURES TO ADDRESS CRITICAL INFRASTRUCTURE, PUBLIC SERVICE AND SAFETY NEEDS

Recommendation: It is recommended that the City Council consider placing on an upcoming ballot either a \$70 million Health and Safety bond or a ¼-cent Public Safety and City Services sales tax measure.

The City Manager reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

Councilmember Robinson stated her preference for targeting the March 2013 municipal election, if a ballot measure is to be pursued.

Councilmember Gordo suggested that, prior to City Council consideration of a ballot measure, an advisory task force be formed to develop a broader community-based process that engages a greater number of residents in dialogues about the various critical infrastructure, public health, and safety issues that have been identified in the agenda report, in order to determine if, and in what form, a ballot measure will be supported by the public to the extent that a favorable ballot outcome can be achieved.

The Mayor and Councilmember Holden concurred with Councilmember Gordo's approach, noting that a grassroots effort would more likely be supported by the community.

Vice Mayor McAustin suggested the business community be recruited and involved at the beginning of the discussions on any ballot measure, and noted that a robust community dialogue on the priorities for use of the proposed bond or sales tax funds is a necessary element in the process. She also noted that, aside from any ballot measure, the City Council still needs to address various financial matters: the issue of developing incentives for increased business opportunities to help in replacing lost redevelopment funds as part of any future budget planning; the need to complete the Rose Bowl Renovation Project, which impacts residents' attitudes and willingness to take on more indebtedness; and the additional structural budget and pension reforms that need to be resolved.

Councilmember Tornek agreed with Vice Mayor McAustin's statements regarding ongoing budgetary matters; and noted that discussions about identifying reliable funding sources, becoming self-reliant in meeting budgetary needs, and moving forward with critical capital projects will be necessary.

The City Manager summarized his understanding of the City Council's consensus that a task force process be used to initiate a broad community discussion of the City's capital improvement needs and priorities, with this information to be used in planning for a possible ballot measure at some time in the future. He proposed scheduling a City Council workshop that would provide an opportunity for a global look at policy issues in addressing the City's infrastructure needs/priorities.

By City Council consensus and at the suggestion of Councilmember Gordo, the City Manager was asked to return to the City Council with a recommendation on constituting a citizen-based task force and setting a work schedule that will allow for a final report from the task force to be presented at, or prior to, the City Council meeting of December 3, 2012, in order to provide sufficient timing to place a measure on the March 2013 municipal election ballot, if that is the direction that is approved by the City Council in December.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 10:08 p.m.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk