

CITY OF PASADENA
City Council Minutes
December 17, 2012 – 4:30 P.M.
City Hall Council Chamber

SPECIAL MEETING

OPENING:

Mayor Bogaard called the special meeting to order at 4:36 p.m.
(Absent: Councilmember Madison)

On order of the Mayor, the regular meeting recessed
at 4:36 p.m., to discuss the following closed session:

Councilmember Robinson
arrived at 4:39 p.m.

**CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS
pursuant to Government Code Section 54957.6
Agency Designated Representatives: Kristi Recchia and
Michael J. Beck
Employee Organization: International Union of Operating
Engineers (IUOE) Local 501**

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

On order of the Mayor, the special meeting reconvened
at 7:22 p.m. The Pledge of Allegiance was led by Mayor
Bogaard.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Margaret McAustin
Councilmember Victor Gordo
Councilmember Steve Madison (absent)
Councilmember Gene Masuda
Councilmember Jacque Robinson
Councilmember Terry Tornek

Staff:

City Manager Michael J. Beck
City Attorney Michele Beal Bagneris
City Clerk Mark Jomsky

The Mayor provided words of solace and reflection regarding
the tragic events that took place on December 14, 2012 in
Newtown, Connecticut at the Sandy Hook Elementary School,
and led the meeting in a moment of silence for the victims.

Councilmember Gordo suggested that the Mayor send a letter
to the City and people of Newtown expressing Pasadena's
condolences and support during this difficult time.

The Mayor thanked the City Clerk and his staff for organizing a reception held in honor of former Councilmember and recently elected Assemblymember Chris Holden for his service on the Pasadena City Council.

CONSENT CALENDAR

APPROVAL OF COMMEMORATIVE PLAQUE TO HONOR PASADENA TOURNAMENT OF ROSES AT DEFENDERS PARKWAY (DEFENDERS PARK)

Recommendation:

(1) Find that the activity described in the agenda report is exempt from environmental review per the California Environmental Quality Act (CEQA), Section 15061(b)(3), general rule. The proposed commemorative plaque will not result in any potentially significant effects to the environment; and

(2) Approve the request to install a boulder with a commemorative plaque in honor of the Pasadena Tournament of Roses (TOR) at Defenders Parkway.

Recommendation of Recreation and Parks Commission: At the December 4, 2012 meeting, the Recreation and Parks Commission unanimously voted to support the proposed project to honor the TOR.

APPROVAL OF COMMEMORATIVE PLAQUES TO HONOR PASADENA CASTING CLUB DONORS

Recommendation:

(1) Find that the activity described in the agenda report is exempt from environmental review per the California Environmental Quality Act (CEQA), Section 15061(b)(3), general rule. The proposed monument will not result in any potentially significant effects to the environment; and

(2) Approve the request to install four small plaques on the Casting Pond premises in honor of the Pasadena Casting Club Donors.

Recommendation of Recreation and Parks Commission: At the June 20, 2012 meeting, the Recreation and Parks Commission voted 5-1 to support the proposed project to honor Pasadena Casting Club Donors.

APPROVAL OF COMMEMORATIVE PLAQUE TO HONOR COMMUNITY ORGANIZATION FOR PROGRESS AND ADVANCEMENT AT EATON BLANCHE PARK

Recommendation:

(1) Find that the activity described in the agenda report is exempt from environmental review per the California Environmental Quality Act (CEQA), Section 15061(b)(3), general rule. The proposed memorial will not result in any potentially significant effects to the environment; and

(2) Approve the request to install a small plaque on a park bench at Eaton Blanche Park in honor of the Community Organization for Progress and Advancement (COPA).

Recommendation of Recreation and Parks Commission: At the December 4, 2012 meeting, the Recreation and Parks Commission unanimously voted to support the proposed project to honor the COPA.

ADOPTION OF RESOLUTION AUTHORIZING SUBMITTAL OF GRANT APPLICATION TO ENVIRONMENTAL ENHANCEMENT MITIGATION PROGRAM

Recommendation:

(1) Find that the authorization to apply for grants is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines, Section 15061(b)(3); and

(2) Adopt a resolution authorizing the submittal of a grant application to the Environmental Enhancement Mitigation Program for the East Colorado Boulevard Median Landscape project. (Resolution No. 9254)

AUTHORIZATION TO ENTER INTO PURCHASE ORDER CONTRACT WITH TANKO STREETLIGHTING SERVICES FOR PURCHASE OF ENERGY EFFICIENT RETROFIT STREET LIGHT LUMINAIRES FOR AN AMOUNT NOT TO EXCEED \$550,000

Recommendation:

(1) Find that the contract is exempt from the California Environmental Quality Act (CEQA) review in accordance with Article 5, Section 15061, subsection (b), part 3 of the Resources Agency of California, as it will not have a potentially significant effect on the environment, and therefore falls under the general rule exemption;

(2) Authorize the City Manager to enter into a purchase order contract with Tanko Streetlighting Services, for the purchase of energy efficient retrofit street light luminaires for an amount not to exceed \$550,000; and

(3) Find that the proposed purchase order contract is exempt from competitive bidding, pursuant to City Charter Section 1002(H), contract with other governmental entities or their contractors for labor, material, supplies or services.

INCREASE PURCHASE ORDER NUMBER 52221 WITH GE PACKAGED POWER, INC. ISSUED UNDER EMERGENCY PURCHASE PROVISIONS FOR A TOTAL AMOUNT NOT TO EXCEED \$666,525 FOR REPAIRS TO THE GAS TURBINE 3

Recommendation:

- (1) Find that contracting with GE Packaged Power, Inc. (GE) for the repair of the Gas Turbine 3 (GT-3) is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines, Section 15301, existing facilities;
- (2) Authorize the City Manager to increase purchase order No. 52221 by an additional \$290,025 for a new total not to exceed amount of \$666,525 to complete additional repairs recommended by GE; and
- (3) Grant this contract an exemption from the Competitive Selection process of the Competitive Bidding and Purchasing Ordinance, pursuant to Section 4.08.049(B), contracts for which the City's best interests are served.

AUTHORIZATION TO ENTER INTO CONTRACT WITH UNLIMITED ENVIRONMENTAL, INC., FOR PROVIDING LABOR AND MATERIALS FOR PARTIAL ASBESTOS ABATEMENT AT THE BROADWAY POWER PLANT

Recommendation:

- (1) Find that the proposed contract is exempt from the California Environmental Quality Act (CEQA) Guidelines in accordance with Title 14, Chapter 3, Section 15301, existing facilities; and
- (2) Accept the bid dated November 5, 2012, submitted by Unlimited Environmental, Inc., in response to Specifications LD-12-08 for labor and materials for partial asbestos abatement at the Broadway Power Plant, reject all other bids received, and authorize the City Manager to enter into such contract as is required for an amount not to exceed \$305,000. (Contract No. 21,259)

AUTHORIZATION TO ENTER INTO A CONTRACT WITH CDM SMITH, INC. TO PROVIDE ENVIRONMENTAL CONSULTING SERVICES FOR THE PROPOSED GREEN HOTEL APARTMENT PROJECT AT 86 SOUTH FAIR OAKS AVENUE

Recommendation:

- (1) Find that entering into the proposed contract with CDM Smith, Inc. is exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines, Section 15061(b)(3), general rule; and
- (2) Authorize the City Manager to enter into a contract with CDM Smith, Inc., in an amount not to exceed \$264,879 for the preparation of an Environmental Impact Report (EIR) for the proposed Green Hotel Apartment project. (Contract No. 21,260)

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF LEASE PURCHASE AGREEMENT FOR DENTAL EQUIPMENT, A LEASE SCHEDULE, A LEASE SCHEDULE ADDENDUM REGARDING INSURANCE, A SOFTWARE ACQUISITION SCHEDULE ADDENDUM AND A PREPAYMENT SCHEDULE ADDENDUM, A CERTIFICATE OF INCUMBENCY, A PROCEEDS DISBURSEMENT AUTHORIZATION AND OTHER DOCUMENTS IN CONNECTION THEREWITH

Recommendation: It is recommended that the City Council adopt a resolution:

- (1) Authorizing a Lease Purchase Agreement for dental clinic equipment in an amount not to exceed \$268,619.58 with JPMorgan/Chase;
- (2) Authorizing the execution and delivery of a Lease Purchase Agreement, a Lease Schedule, a Lease Schedule Addendum, a Lease Schedule Addendum Regarding Insurance, a Software Acquisition Schedule Addendum, a Prepayment Schedule Addendum, a Certificate of Incumbency, a Proceeds Disbursement Authorization, an Agency Agreement, an Arbitrage Certificate, and other documents in connection thereto;
- (3) Authorizing the City Manager or the Director of Finance to execute the documents on behalf of the City; and
- (4) Recognizing anticipated revenues of \$100,000 in the Health Fund, increase appropriations in the Public Health Department's Fiscal Year 2013 operating budget by \$56,647. (Resolution No. 9255 and Journal Voucher No. 2013-20)

AUTHORIZATION TO ENTER INTO A SERVICES CONTRACT WITH THE APEX GROUP FOR SUPPLEMENTAL TRAFFIC CONTROL SERVICES AT SPECIAL EVENTS IN AN AMOUNT NOT TO EXCEED \$200,000 PER YEAR

Recommendation:

- (1) Find that the proposed action is categorically exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Article 19, Categorical Exemptions Section 15323, normal operations of facilities for public gatherings;
- (2) Authorize the City Manager to enter into a services contract, without competitive bidding, pursuant to City Charter Section 1002(F), contracts for professional or unique services, with the Apex Group for a period of one year, with two optional one-year extensions, in an amount not to exceed \$200,000 per year for supplemental traffic control services at special events within the City; and
- (3) Grant the proposed contract an exemption from the competitive selection process of the Competitive Bidding and Purchasing

(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 where the best interests of the City are served. (Contract No. 21,261)

APPROVAL OF INCREASE TO PURCHASE ORDERS 51634 WITH CARING CHOICE, INC., 52229 WITH ENVOY HEALTH CARE, AND 52414 WITH ALTERNATIVE HOME CARE FOR SPECIALIZED HIV/AIDS HOME HEALTH CARE SERVICES

Recommendation:

- (1) Authorize an increase to Purchase Order No. 51634 with Caring Choice, Inc., in the amount of \$225,001, thereby increasing the not to exceed amount from \$74,999 to \$300,000 to provide specialized HIV/AIDS home health care services;
- (2) Authorize an increase to Purchase Order No. 52229 with Envoy Health Care, in the amount of \$405,001, thereby increasing the not to exceed amount from \$74,999 to \$480,000 to provide specialized HIV/AIDS home health care services;
- (3) Authorize the increase to Purchase Order No. 52414 with Alternative Home Care, in the amount of \$75,001, thereby increasing the not to exceed amount from \$74,999 to \$150,000 to provide specialized HIV/AIDS home health care services;
- (4) Approve a journal voucher increasing appropriations in the Public Health Department's Fiscal Year 2012-2013 Operating Budget by \$705,003 and recognizing anticipated revenues by \$705,003; and
- (5) Grant the proposed increases 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. (Journal Voucher No. 2013-21)

ECONOMIC DEVELOPMENT AND TECHNOLOGY COMMITTEE: APPROVAL OF KEY BUSINESS TERMS OF AMENDMENT TO LOAN AGREEMENT WITH CENTENNIAL PLACE PARTNERS TO RESTRUCTURE CITY LOANS FOR THE CENTENNIAL PLACE PROJECT AT 235 EAST HOLLY STREET

Recommendation:

- (1) Find that the proposed action is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines, Section 15061(b)(3), general rule;
- (2) Approve certain key business terms, as described in the agenda report, of the proposed amendment to that certain First Amended and Restated Acquisition and Rehabilitation Loan

(3) Authorize the City Manager to execute any and all documents necessary to effectuate the staff recommendation.

MUNICIPAL SERVICES COMMITTEE: REPEAL ORDINANCE NO. 7205, WHICH APPROVED THE ENVIROMISSION, LLC, LA PAZ SOLAR GENERATION PROJECT POWER SALES AGREEMENT

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) Direct the City Attorney to prepare an ordinance repealing Ordinance No. 7205, which approved the Enviromission, LLC, La Paz Solar Generation Project Power Sales Agreement and authorized the City Manager to enter into an agreement with the Southern California Public Power Authority (SCPPA) to purchase ten (10) Megawatts of the project's output.

MUNICIPAL SERVICES COMMITTEE: AUTHORIZE THE CITY MANAGER TO ENTER INTO POWER SALES AGREEMENTS WITH THE SOUTHERN CALIFORNIA PUBLIC POWER AUTHORITY FOR THE PURCHASE OF 13 MEGAWATTS OF SOLAR ENERGY FROM THE SILVERADO PROJECTS

Recommendation:

- (1) Find that the recommended contract authorization is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines, Section 15061(b)(3), general rule;
- (2) Authorize the City Manager to enter into Power Sales Agreements with the Southern California Public Power Authority (SCPPA), to purchase renewable energy and capacity from a 13/40 (32.5%) share of the Antelope Big Sky Ranch Solar Project and the Summer Solar Project (Silverado Projects) in Lancaster, California, for a total of up to 13MW;
- (3) Find that this contract is exempt from competitive bidding, pursuant to City Charter Section 1002(H), contracts with other governmental agencies or their contractors; and
- (4) Find that this contract is exempt from competitive selection, pursuant to Pasadena Municipal Code Section 4.08.049(A)(3), contracts with other governmental entities. (Contract No. 21,263)

APPROVAL OF MINUTES
CLAIMS RECEIVED AND
FILED

October 29, 2012

Claim No. 11,822	Irma M. Ramirez	\$	Not Stated
Claim No. 11,823	Maria Fennell		272.00

Rachel Heredia, Pasadena resident, spoke in support of Consent Item No. 3 to install a small plaque on a park bench at Eaton Blanche Park in honor of the Community Organization for Progress and Advancement (COPA)

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)

INFORMATION ITEM

PRESENTATION ON THE CITY MANAGER'S ECONOMIC DEVELOPMENT TASK FORCE

The Mayor introduced the item and the City Clerk noted that one letter of correspondence from the Pasadena Chamber of Commerce was received, distributed to the City Council, and entered into the record for this item.

Michael Beck, City Manager, Jim Rothenberg, Chair of the City Manager's Economic Development Task Force, and Cecilia Estolano, representing Estolano, Lesar, Perez Advisors, introduced members of the City Manager's Economic Development Task Force, reviewed the Task Force's report as part of a PowerPoint presentation, and responded to questions.

Discussion ensued on the need to rehabilitate the City's reputation in the business community, creating a more efficient development process, improving the permitting process (possibly creating an ombudsman or concierge position), developing neighborhood villages that serve neighborhood needs, focusing efforts and harnessing staff's energy on real opportunities where the City has a competitive advantage, retaining the people and businesses generated from local institutions (such as Caltech, Art Center, Huntington Hospital, etc.), leveraging the City's fiber-optic technology, creating a yearly marketing plan for businesses in Pasadena, working with the business community to celebrate successes, improving the City's parking strategies to compete with surrounding communities, and preparing Pasadena Unified School District and Pasadena Community College students through trades training and certification programs so that local graduates are better aligned with the emerging businesses in Pasadena.

Vince Bertoni, Director of Planning, spoke on a study that is currently underway to provide recommendations to the City Council on ways to improve the City's permitting process, which will return for City Council consideration when completed. The City Manager noted that the job preparedness issue for PUSD and

PCC graduates will return as an agenda item as part of the upcoming City and PUSD School Board Joint meeting in February, 2013. Steve Mermell, Assistant City Manager, spoke on staff's work to address parking issues in Pasadena, with the item to return to City Council at a later date, and highlighted some of the challenges related to developing a comprehensive parking strategy for Pasadena.

Following discussion, Councilmember Gordo supported pursuing the recommendations contained in the Task Force's report and directed staff, with City Council consensus, to agendaize the report for further discussion and prioritization by the Council's Economic Development and Technology (EdTech) Committee.

The following individuals spoke in support of the Task Force's report and the recommendations that might help to ensure Pasadena's future economic success:

Greg Gunther, Pasadena Playhouse District Association
Erlinda Romo, Pasadena Playhouse District Association,
distributed a handout entitled, "Central District
Development Level Potential Utilization"

Following discussion, the City Council expressed its gratitude to the Task Force for their work and effort in providing the important economic development recommendations for the City Council to consider.

By order of the Mayor, and by consensus of the City Council, the information was received and filed.

**PUBLIC HEARING – 7:00
P.M.**

**DESIGNATION OF 500 SOUTH EL MOLINO AVENUE AS A
LANDMARK**

Recommendation: It is recommended that the City Council continue the public hearing to January 14, 2013 at 7:00 p.m.

It was moved by Vice Mayor McAustin, seconded by Councilmember Robinson, to continue the public hearing to January 14, 2013 at 7:00 p.m. (Motion unanimously carried) (Absent: Councilmember Madison)

**PUBLIC HEARING – 7:30
P.M.**

**CONTINUED PUBLIC HEARING: TAX AND FISCAL
RESPONSIBILITY ACT (TEFRA) AND CALIFORNIA CODE
SECTION 6586.5 HEARING TO CONSIDER APPROVAL OF
ROSE BOWL STADIUM IMPROVEMENTS FINANCING AND
AUTHORIZATION OF LEASE REVENUE BONDS BY THE**

PASADENA PUBLIC FINANCING AUTHORITY TO FINANCE AND REFINANCE SUCH IMPROVEMENTS LOCATED AT 1001 ROSE BOWL DRIVE AND ADOPTION OF A RESOLUTION OF THE CITY OF PASADENA AUTHORIZING THE EXECUTION AND DELIVERY OF A CONTINUING COVENANT AGREEMENT AND A FIRST AMENDMENT TO AMENDED AND RESTATED SUBLEASE, APPROVING A FORM OF A BOND INDENTURE AND A FIRST SUPPLEMENTAL BOND INDENTURE IN CONNECTION WITH THE ISSUANCE OF PASADENA PUBLIC FINANCING AUTHORITY LEASE REVENUE BONDS (ROSE BOWL RENOVATION PROJECT), SERIES 2012A (TAX EXEMPT) AND SERIES 2012B (TAXABLE), AND AUTHORIZING CERTAIN OTHER ACTIONS RELATING THERETO

Recommendation: It is recommended that the City Council continue the public hearing to January 7, 2013 at 7:00 p.m.

It was moved by Vice Mayor McAustin, seconded by Councilmember Robinson, to continue the public hearing to January 7, 2013 at 7:00 p.m. (Motion unanimously carried) (Absent: Councilmember Madison)

**REPORTS AND COMMENTS
FROM COUNCIL
COMMITTEES**

FINANCE COMMITTEE

JOINT ACTION: FISCAL YEAR JUNE 30, 2012 ANNUAL FINANCIAL REPORTS

Recommendation: It is recommended that the following reports for the year ended June 30, 2012 be received by the City Council and/or the Successor Agency to the Pasadena Community Development Commission:

- A. Comprehensive Annual Financial Report (Attachment to agenda report)
- B. Single Audit Report on Federal Awards (Attachment to agenda report)
- C. Pasadena Community Development Commission Financial Report for the Seven Months Ended January 31, 2012 (Distributed at Monday, December 3, 2012 meeting)
- D. Management Letter – City of Pasadena (Attachment to agenda report)
- E. Pasadena Center Operating Company Basic Financial Statements (Distributed at Monday, December 3, 2012 meeting)
- F. Rose Bowl Operating Company Basic Financial Statements (Attachment to agenda report)
- G. Pasadena Community Access Corporation Basic Financial Statements (Distributed at Monday, December 3, 2012 meeting)
- H. Pasadena Fire and Police Retirement System Report and Audited Financial Statements and Required Supplemental Information (Distributed at Monday, December 3, 2012 meeting)

- I. Air Quality Improvement Fund Financial and Compliance Report (Distributed at Monday, December 3, 2012 meeting)
- J. Independent Accountant's Report on Agreed-Upon Procedures Applied to Appropriation Limit Worksheets (Distributed at Monday, December 3, 2012 meeting)
- K. Independent Accountant's Report on Agreed-Upon Procedures applied to Employee Deductions for the Internal Revenue Code Section 457 Deferred Compensation Program (Distributed at Monday, December 3, 2012 meeting)
- L. The Auditor's Communications with the City's Audit and Finance Committee (Attachment to agenda report)

Andy Green, Director of Finance, introduced the item, thanked staff for the work and effort in preparing the reports, especially in light of the State's dissolution of the City's Redevelopment Agency (RDA).

Robert Ridley, City Controller, provided a brief overview of the agenda report and the various documents associated with the 2012 Annual Financial Reports. Eric Berman, Brown Armstrong Accountancy Corporation Principal Partner, highlighted the audit and various financial statements/reports as part of a PowerPoint presentation, and responded to questions.

Councilmember Tornek, member of the Finance Committee, spoke on the challenges in understanding the City's financial status given the recent elimination of RDA funding, how this impacts the financial reporting presented by staff, and asked that staff continue to work on the issue and bring forward a more updated report during the 2014 Operating Budget discussion to better understand how the City is doing financially.

Councilmember Tornek also asked for additional information regarding the Pasadena Center Operating Company's financial report, specifically pertaining to the Center's noted derivative instrument liability, and asked that this issue be sent to the Finance Committee for further review and discussion.

Vice Mayor McAustin requested that staff again provide further information on the City's paramedic billing collection rates. In response, Mr. Green noted that improvements have been made in terms of collection and that staff would provide updated information in a mid-year reporting.

Following discussion, it was moved by Councilmember Tornek, seconded by Vice Mayor McAustin, to receive and file the above reports. (Motion unanimously carried) (Absent: Councilmember Madison)


ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 9:17 p.m. in memory of the victims in Newtown, Connecticut.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk