

CITY OF PASADENA  
City Council Minutes  
January 14, 2013 – 5:30 P.M.  
City Hall Council Chamber

REGULAR MEETING

**OPENING:**

Mayor Bogaard called the regular meeting to order at 6:32 p.m.  
The Pledge of Allegiance was led Councilmember Gordo

**ROLL CALL:**

Councilmembers:

Mayor Bill Bogaard  
Vice Mayor Margaret McAustin (Absent)  
Councilmember Victor Gordo  
Councilmember Steve Madison (Arrived at 6:47 p.m.)  
Councilmember Gene Masuda  
Councilmember Jacque Robinson  
Councilmember Terry Tornek

Staff:

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

**CEREMONIAL MATTERS**

The Mayor and Kristi Recchia, Human Resources Director, presented certificates of recognition to the following City employees for their 35 years of service with the City: Edward Amaya, Delia Lewis-Corey, Sharon Gray, Pete Hettema, Jesse Gallegos and Alfred Montoya (who were not in attendance).

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

Larry Faulkner, Pasadena resident, expressed his concerns regarding the lack of patrolling by the Pasadena Humane Society in the Lower Arroyo Park area.

Councilmember Gordo suggested that Mr. Faulkner call the Humane Society to report violations and send a copy of the complaint to the City. He also suggested that staff explore options to add a complaint resolution process to the Humane Society's current contract with Pasadena.

Mayor Bogaard announced that Item No. 2 was withdrawn from the agenda and will return at a future City Council meeting. He also stated that a draft letter on behalf of the City Council expressing concerns regarding the SR710 project, as directed at the December 10, 2012 special meeting, is now posted on the City of Pasadena's website. A finalized version of the letter will be prepared and submitted to Metro for the upcoming Board of Directors meeting to be held on January 24, 2013.

**CONSENT CALENDAR**

**ADOPTION OF TWO RESOLUTIONS FOR CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION'S URBAN FORESTRY PROGRAM - MANAGEMENT PLAN GRANT PROJECT AND LEADING EDGE GRANT PROJECT**  
**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);
- (2) Adopt a resolution authorizing an application for the competitive Urban Forestry Leading Edge Grant Program of 2012-2013 in the amount of \$70,000 to implement an Open Tree Map for Pasadena; and
- (3) Adopt a resolution authorizing an application for the competitive Urban Forestry Management Plan Grant Program of 2012-2013 in the amount of \$75,000 to adopt an urban forest management plan. (Resolution Nos. 9257 and 9258)

**ITEM WITHDRAWN**

**ISSUANCE OF A PURCHASE ORDER TO MYGISTICS, INC., FOR \$122,650 FOR THE PURCHASE OF A VALIDATED DYNAMIC TRAFFIC ASSIGNMENT MODEL**

**ADOPTION OF A RESOLUTION AUTHORIZING EXECUTION OF CAL-EMA DISASTER ASSISTANCE DOCUMENTS**  
**Recommendation:** It is recommended that the City Council adopt a resolution authorizing the City Manager and Assistant City Managers to execute for and on behalf of the City of Pasadena applications with the California Emergency Management Agency for the purpose of obtaining federal financial assistance under Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act. (Resolution No. 9261)

**CLAIMS RECEIVED AND FILED**

Claim No. 11,835	Jesus Ganoza	\$ Not Stated
Claim No. 11,836	Naz Manoukian	2,587.97
Claim No. 11,837	Thomas Dugan	324.00

It was moved by Councilmember Gordo, seconded by Councilmember Robinson, to approve the Consent Calendar with the exception of Item 2 (issuance of a Purchase Order to Mygistics, Inc.), which was withdrawn from consideration and will return to the City Council at a future meeting. (Motion unanimously carried) (Absent: Vice Mayor McAustin)

**REPORTS AND COMMENTS  
FROM COUNCIL  
COMMITTEES**

**FINANCE COMMITTEE**

**APPROVAL OF INCREASE TO PURCHASE ORDER 52574 WITH RALPHS GROCERY COMPANY FOR THE PURCHASE OF FOOD VOUCHERS FOR HIV/AIDS HOME HEALTH CARE SERVICES**

**Recommendation:**

- (1) Authorize an increase to Purchase Order No. 52574 with Ralphs Grocery Company, in the amount of \$110,001, thereby increasing the not to exceed amount from \$74,999 to \$185,000 for the purchase of food vouchers for the HIV/AIDS Home Health Care Services program;
- (2) Approve a journal voucher increasing appropriations in the Public Health Department's Fiscal Year 2012-2013 Operating Budget by \$110,001 and recognizing anticipated revenues by \$110,001; and
- (3) Grant the proposed increase 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. 2013-22)

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

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

**RECOGNIZE AND APPROPRIATE \$188,041 FROM 2010 STATE HOMELAND SECURITY GRANT (SHSGP) AND \$140,642 FROM 2009 URBAN AREA SECURITY INITIATIVE GRANT (UASI) AND \$36,192 FROM 2011 UASI**

**Recommendation:**

- (1) Find that Items 2, 3, and 4 below, are categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3);
- (2) Recognize \$188,041 from the 2010 State Homeland Security Grant (SHSGP) and appropriate these funds to the Fire Department's Fiscal Year 2013 Operating Budget, Fire Grant Fund (230);
- (3) Recognize \$140,642 from the 2009 Urban Area Security Initiative Grant (UASI) and appropriate these funds to the Fire Department's Fiscal Year 2013 Operating Budget, Fire Grant Fund (230); and
- (4) Recognize \$36,192 from the 2011 Urban Area Security Initiative Grant (UASI) and appropriate these funds to the Fire

Department's Fiscal Year 2013 Operating Budget, Fire Grant Fund (230). (Journal Voucher No. 2013-23)

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

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

**RECOGNIZE AND APPROPRIATE \$93,000 FROM 2010 STATE HOMELAND SECURITY GRANT (SHSGP)**

**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); and
- (2) Recognize \$93,000 from the 2010 SHSGP and appropriate these funds to the Fire Department's Fiscal Year 2013 Operating Budget, Fire Grant Fund (230) to conduct a Mobile Exercise (MOBEX) drill which will include all Regional Task Force 4 (RTF) member cities. (Journal Voucher No. 2013-24)

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

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

**AMENDMENTS TO THE FISCAL YEAR 2013 ADOPTED OPERATING BUDGET AND THE CAPITAL IMPROVEMENT PROGRAM**

**Recommendation:** It is recommended that the City Council amend the Fiscal Year 2013 Operating Budget and Capital Improvement Program Budget as detailed in the Proposed Budget Amendments section of the agenda report. (Journal Voucher No. 2013-25)

Councilmember Gordo requested that Item 3.C. be discussed separately, due to a conflict of interest.

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

Richard Davis, Budget Administrator summarized the proposed budget amendments as part of a PowerPoint presentation; and responded to questions.

Councilmember Gordo recused himself at 7:00 p.m., due to a conflict of interest, and left the meeting.

Jim Wong, Senior Housing Project Manager, reviewed the Herkimer Gardens Project – BEGIN Funds (Appropriate \$586,075 in other Housing Funds from BEGIN Grant funds to Account No. 8167-238-684140 for the Herkimer Gardens project), as described in the agenda report, and responded to questions.

It was moved by Councilmember Tornek, seconded by Councilmember Robinson, to approve budget amendment Item 3.C. (Herkimer Gardens Project – BEGIN Funds) as outlined above and in the agenda report. (Motion unanimously carried) (Absent: Councilmember Gordo, Vice Mayor McAustin)

Councilmember Gordo returned at 7:02 p.m.

It was moved by Councilmember Tornek, seconded by Councilmember Robinson, to approve the remaining budget amendment items of the staff recommendation. (Motion unanimously carried) (Absent: Vice Mayor McAustin)

**AUTHORIZATION TO ENTER INTO CONTRACT(S) WITH DESIGNATED INSURANCE BROKER OF RECORD FOR PROPERTY AND CASUALTY INSURANCE COVERAGE FOR THE CITY**

**Recommendation:**

- (1) Authorize the City Manager to enter into an agreement with Arthur J. Gallagher and Company to provide professional services as Insurance Broker of Record for property and casualty insurance on behalf of the City of Pasadena, for a period of three years, in the amount of \$75,000 per year, with provision for the City's option for two additional one-year period extensions, in the amount of \$80,000 per one-year extension (total amount not to exceed \$385,000 for five years);
  - (2) Find that the proposed contracts are exempt from the competitive bidding process pursuant to the City Charter Section 1002(f), contracts for professional or unique services; and/or,
  - (3) Grant an exemption from competitive selection process of the Competitive Bidding and Purchasing Ordinance, Pasadena Municipal Code Chapter 4.08, pursuant to Section 4.08.049(B) contracts which the City's best interests are served.
- (Contract No. 21,278)

Councilmember Tornek, Chair of the Finance Committee, and Andy Green, Director of Finance Department, introduced the agenda item.

David Serrano, Claims Coordinator, summarized the agenda report as part of a PowerPoint presentation, and responded to questions.

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

LEGISLATIVE POLICY  
COMMITTEE

**ADOPTION OF A RESOLUTION IN SUPPORT OF FAIR  
TRADE AND THE FAIR TRADE TOWNS INITIATIVE**

**Recommendation:** It is recommended that the City Council adopt a resolution in support of Fair Trade and the Fair Trade Towns Initiative. (Resolution No. 9259)

Steve Mermell, Assistant City Manager, highlighted the agenda report as part of a PowerPoint presentation, and responded to questions.

The following persons spoke in support of the proposed resolution:

- Samuel Muthiah, Altadena resident
- Reverend Joe Roos, Pastor of Pasadena Mennonite Church
- Kevin Clinton, Pasadena resident
- Diana Percival, Fair Trade Pasadena Committee member

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

MUNICIPAL SERVICES  
COMMITTEE

**AN ORDINANCE AMENDING CHAPTER 13.14, SECTION  
13.14.100 AND SECTION 13.14.110 OF THE PASADENA  
MUNICIPAL CODE, UNDERGROUND UTILITY DISTRICTS**

Councilmember Gordo recused himself at 7:20 p.m., due to a conflict of interest, and left the meeting.

**Recommendation:**  
(1) Find that the amending of the Pasadena Municipal Code, Chapter 13.14, Underground Utility Districts is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15302(a); and  
(2) Direct the City Attorney to draft an ordinance within 30 days to amend Chapter 13.14 of the Pasadena Municipal Code (PMC) entitled Underground Utility Districts, Section 13.14.100

and Section 13.14.110 authorizing the City to pay the cost to install the necessary conduits, wiring and other materials required to convert and connect private properties to the underground system.

Councilmember Tornek and Siobhan Foster, Director of Public Works Department, introduced the agenda item.

Danny Wooten, Management Analyst, summarized the agenda report as part of a PowerPoint presentation, and responded to questions.

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

**PUBLIC HEARINGS**

Councilmember Gordo returned at 7:31 p.m.

**CONTINUED PUBLIC HEARING: DESIGNATION OF 500 SOUTH EL MOLINO AVENUE AS A LANDMARK**

**Recommendation:**

- (1) Find that the designation of a historic resource is categorically exempt from the California Environmental Quality Act (CEQA) Guidelines Section 15308: Class 8 – Actions by Regulatory Agencies for Protection of the Environment;
- (2) Find that Cornish Manor Court at 500 South El Molino Avenue meets Criterion C in Pasadena Municipal Code (PMC) Section 17.62.040(C)(2)(c) because it is a locally significant, intact example of a bungalow court;
- (3) Approve the designation of the property at 500 South El Molino Avenue as a Landmark;
- (4) Adopt a resolution approving a Declaration of Landmark Designation for 500 South El Molino Avenue, Pasadena, California;
- (5) Authorize the Mayor to execute the Declaration of Landmark Designation for 500 South El Molino Avenue, Pasadena, California; and
- (6) Direct the City Clerk to record the declaration with the Los Angeles County Recorder. (Resolution No. 9260)

**Recommendation of Historic Preservation Commission:** On Monday, October 1, 2012, the Historic Preservation Commission recommended that the City Council approve the designation of 500 South El Molino Avenue as a Landmark under Criterion C of the PMC Section 17.62.040(C)(2)(c).

The Mayor opened the public hearing.

The City Clerk reported that 20 copies of the notice of public hearing were posted on November 29, 2012; 350 copies of the notice were mailed on November 29, 2012; and no correspondence was received.

Vince Bertoni, Planning Director, introduced the agenda item.

Leon White, Principal Planner, summarized the agenda report as part of a PowerPoint presentation, and responded to questions.

No one appeared for public comment.

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

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

**PUBLIC HEARING: APPEAL OF DECISION: DENIAL OF 552 ELDORA ROAD AS A LANDMARK Recommendation:**

- (1) Find that the designation of a historic resource is categorically exempt from the California Environmental Quality Act (CEQA) Guidelines Section 15308: Class 8 – Actions by Regulatory Agencies for Protection of the Environment;
- (2) Find that the property at 552 Eldora Road does not meet the criteria for designation in Pasadena Municipal Code (PMC) Section 17.62.040 as a landmark; and
- (3) Deny the designation of the property at 552 Eldora Road as a landmark. (Resolution No. 9262)

**Recommendation of Historic Preservation Commission:** On Monday, November 5, 2012, the Historic Preservation Commission denied the designation of the property at 552 Eldora Road as a landmark.

The Mayor opened the public hearing.

The City Clerk reported that 15 copies of the notice of public hearing were posted on December 27, 2012; 116 copies of the notice were mailed on December 27, 2012; and no correspondence was received.



Vince Bertoni, Director of Planning and Community Development, introduced the agenda item.

Leon White, Principal Planner, and Jason Wasmund, Assistant Planner, summarized the agenda report as part of a PowerPoint presentation, and responded to questions.

Councilmember Gordo questioned staff's determination that the property at 552 Eldora Road does not meet Criterion B for Landmark Designation under PMC Section 17.62.040 given that it is the original remaining structure still standing that is associated with a critical period of Shirley Sargent's life.

The following people spoke in support of designating 552 Eldora Road as a landmark:

- Dr. Gary Prézeau, Pasadena resident (property owner), spoke on Shirley Sargent's struggles with the disease dystonia during her years spent at Eldora Road, and argued that her struggles to successfully overcome her illness during that time and later become a renowned writer and historian should, therefore, qualify the Eldora property for Landmark status under Criterion B
- Eugene Kopp, Los Angeles resident

Councilmember Gordo cited a letter by Ms. Sargent's biographer that stated, "The home at 552 Eldora Road is the only original structure still standing which is associated with this critical period of Shirley Sargent's life."

Councilmember Tornek also cited language in Criterion B, which states, "Properties that pre-date or post-date an individual's significant accomplishments....may also qualify if it can be demonstrated that the person's activities during this period were historically significant or if no properties from the person's productive years survives."

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

Following discussion, it was moved by Councilmember Tornek, seconded by Councilmember Gordo, to overturn the Historic Preservation Commission's decision to deny the landmark designation of 552 Eldora Road based on the findings above; find that the designation of a historic resource at 552 Eldora

Road is categorically exempt from the California Environmental Quality Act, Class 8; find that the property at 552 Eldora Road meets Criterion B of Pasadena Municipal Code, Section 17.62.040, in that Shirley Sargent developed strategies to overcome her disability which were important in terms of her writing and that no other original structure remains standing from this critical period of her life; approve the designation of 552 Eldora Road, Pasadena, CA as a landmark; authorize the Mayor to execute a declaration of landmark designation for 552 Eldora Road, Pasadena, CA; and direct the City Clerk to record a declaration of landmark designation for 552 Eldora Road with the Los Angeles County Recorder. (Motion unanimously carried) (Absent: Vice Mayor McAustin)

### **COUNCIL COMMENTS**

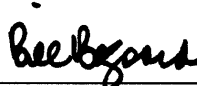
Councilmember Robinson thanked All Saints Church and the Creative Connections Office for coordinating the Anti-Violence Community Forum event on January 10, 2013, addressing the issue regarding possible solutions to gun violence in Pasadena. She suggested pursuing a ban on the sale of high ammunition clips and asked that the matter be referred to the Public Safety Committee for discussion. Councilmember Robinson also suggested that the Economic Development and Technology Committee review the Second Unit Ordinance to discuss the possibility of decreasing the square footage requirements for second units, stating that the ordinance is not enabling the increase of affordable housing stock in the City. Finally, she invited the City Council to the District 1 Mix and Mingle Event being held on January 15, 2013 from 6:00 p.m. to 8:00 p.m. at Pinocchio's Restaurant.

Councilmember Madison agreed with the suggestion that the gun violence matter be referred to the Public Safety Committee, and invited the City Council to the Fred Korematsu Day event being held at McKinley School on January 26, 2013 from 10:00 a.m. to 12:00 p.m.


The City Clerk reminded everyone of the Special City Council meeting to be held on Tuesday, January 22, 2013 at 6:00 p.m., for the purpose of the Council selecting an appointee to fill the vacancy for City Council District 3.

**ADJOURNMENT**

On order of the Mayor, the regular meeting of the City Council adjourned at 8:25 p.m.

  
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Bill Bogaard, Mayor  
City of Pasadena

ATTEST:

  
\_\_\_\_\_  
City Clerk