

CITY OF PASADENA
City Council Minutes
June 3, 2013 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 5:17 p.m. (Absent: Councilmember Madison, Vice Mayor McAustin)

On order of the Mayor, the regular meeting recessed at 5:17 p.m., to discuss the following closed session items:

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

Agency Designated Representatives: Kristi Recchia and Michael J. Beck

Employee Organization: American Federation of State, County and Municipal Employees (AFSCME) Local 858

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

**Property: 2057 North Los Robles Avenue, Pasadena
Agency Negotiators: Michael J. Beck and Steve Mermell
Negotiating Parties: Jeanette Henderson
Under Negotiation: Price and terms of payment**

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

**Property: 1015 North Lake Avenue, Pasadena
Agency Negotiators: Michael J. Beck and Steve Mermell
Negotiating Parties: Pasadena Enterprise Center, Jacquelynne Jones-Corby, the County of Los Angeles, Chris Montana, and Iris Alvarado
Under Negotiation: Price and terms of payment**

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

On order of the Mayor, the regular meeting reconvened at 6:34 p.m. The Pledge of Allegiance was led by Councilmember Masuda.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Jacque Robinson
Councilmember John J. Kennedy
Councilmember Victor Gordo
Councilmember Steve Madison (Arrived at 6:38 p.m.)
Councilmember Gene Masuda
Councilmember Margaret McAustin (Absent)
Councilmember Terry Tornek

Staff:

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

CEREMONIAL MATTERS

The City Clerk administered the oath of office to Dr. Vera Jean Vignes as Human Services Commissioner and Arnold Siegel as Library Commissioner.

Councilmember Kennedy introduced his newly selected Field Representatives for Council District 3, Jana West and Christian Cruz.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Councilmember Madison arrived at 6:38 p.m.

Rogelio Ramirez, Pasadena resident, requested the City to consider the creation of a permanent memorial at a local City park for fallen soldiers such as his son, who was killed in action in August 2007 while serving in Iraq.

Councilmember Gordo asked City staff to work with Mr. Ramirez and other military families in the City on this issue, providing them guidance on the process for bringing forward a proposal to the Recreation and Parks Commission.

Councilmember Masuda stated his support for the idea of a permanent memorial for fallen soldiers, suggesting Memorial Park as a possible location, and asked that the local Marine Base be engaged in the process as well.

The following individuals expressed concerns regarding alleged Conditional Use Permits (CUP) violations by restaurant establishments in Old Pasadena, and spoke in support of New York Deli:

Jeff Hauser, Pasadena resident
Leo Temory, owner of New York Deli, submitted material showing lost revenue since the denial of his requested Expressive Use Permit and Variance

Dianne Patrizzi, Pasadena resident, questioned whether further information was available regarding the discussion between the City and Southern California Edison regarding the damaging construction being done in Hahamongna.

The City Manager and Director of Public Works indicated that staff is seeking to meet with Southern California Edison to receive feedback on the City's concerns with the construction.

CONSENT CALENDAR

APPROVAL OF FINAL PARCEL MAP NO. 071893, FOR THE CREATION OF THREE AIR PARCELS FOR RESIDENTIAL CONDOMINIUM PURPOSES ON ONE LAND LOT, AT 80 NORTH SIERRA BONITA AVENUE

Recommendation:

(1) Adopt a resolution to approve Final Parcel Map No. 071893;

(2) Accept the offer of easement dedication for sidewalk purposes as shown on said map; and

Authorize the City Clerk to execute the certificate on the map showing the City's approval of said map. (Resolution No. 9284)

Recommendation of Subdivision Hearing Officer: The tentative map was approved on September 5, 2012 by the Subdivision Hearing Officer, to be recorded within two years

AUTHORIZE THE CITY MANAGER TO EXECUTE ALL AGREEMENTS ASSOCIATED WITH THE RECEIPT OF GRANT FUNDING FROM THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY AND THE IMPLEMENTATION OF THE PASADENA TRANSIT UPGRADE TO CLEAN FUEL COMPRESSED NATURAL GAS (CNG) BUSES PROJECT

Recommendation:

(1) Find that the purchase of these vehicles is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines, Section 15302, replacement of existing transit facilities involving negligible or no expansion of capacity; and

(2) Authorize the City Manager to execute all agreements associated with the receipt of grant funding from the Los Angeles County Metropolitan Transportation Authority (Metro) and the implementation of the Pasadena Transit Upgrade to Clean Fuel CNG Buses Project.

AUTHORIZE THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH FIRST TRANSIT FOR THE TRANSFER OF VEHICLE OWNERSHIP OF SIX VEHICLES

Recommendation:

(1) Find that the proposed transfer of vehicle ownership is not subject to the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines, Sections 15060(c)(2), 15060(c)(3), and 15378, as the activity will not result in a direct or reasonably foreseeable indirect physical change in the

environment; and

(2) Authorize the City Manager to execute an agreement with First Transit for the transfer of vehicle ownership of six vehicles from First Transit to the City of Pasadena. The transfer is made in consideration to the value paid by the City during the course of the use of vehicles under contract service. (Contract No. 21,401)

AGREEMENT WITH LOS ANGELES COUNTY FOR DIAL-A-RIDE SERVICES

Recommendation:

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

(2) Authorize the City Manager to enter into an agreement with Los Angeles County for Dial-A-Ride services for the period covering July 1, 2013 to June 30, 2015 in an amount not to exceed \$600,000 (\$300,000 annually). (Contract No. 21,402)

Item discussed separately at the request of Councilmember Kennedy

APPROVAL OF AN INCREASE TO PURCHASE ORDER NO. 53054 WITH VERITAS ASSURANCE GROUP FOR AUDIT SERVICES

FINANCE COMMITTEE: AUTHORIZATION TO ENTER INTO A CONTRACT WITH IMPACT SCIENCES, INC., TO PROVIDE ENVIRONMENTAL CONSULTING SERVICES FOR THE REUSE OF THE DESIDERIO ARMY RESERVE CENTER AT 655 WESTMINSTER DRIVE FOR A NEIGHBORHOOD PARK AND 9-UNIT AFFORDABLE HOUSING PROJECT

Recommendation:

(1) Find that entering into the proposed contract with Impact Sciences, Inc., is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines, Section 15061(b)(3), general rule; and

~~(2) Recognize revenues of \$24,500 and increase appropriations totaling \$24,500 in the Housing Department FY 2013 Operating Budget for the preparation of an Environmental Impact Report (EIR) for the Habitat for Humanity affordable housing component of the Desiderio Army Reserve Center reuse development. The increase of \$24,500 in revenues will be funded through the use of the Inclusionary Housing fund balance. The appropriations of the same amount will be increased under the Inclusionary Housing Fund (8114-619-684130); (Recommendation No. 2 was withdrawn from consideration by staff)~~

(3) Authorize the City Manager to enter into a contract, without competitive bidding pursuant to City Charter Section 1002(F),

contracts for professional or unique services, with Impact Sciences, Inc., in an amount not to exceed \$98,000 for the preparation of the EIR for the proposed Desiderio Park and Habitat for Humanity 9-unit affordable housing project; and (4) Grant the proposed contract an exemption from the Competitive Selection Process pursuant to Pasadena Municipal Code, Section 4.08.049(B), contracts for which the City's best interests are served. (Contract No. 21,403)

RESIGNATION OF JOYCE KELLY FROM THE COMMISSION ON THE STATUS OF WOMEN (District 7 Nomination)

REPORT ON ACTION BY NEWLY ELECTED COUNCILMEMBER JOHN J. KENNEDY TO VACATE SEATS NOMINATED BY COUNCIL DISTRICT 3 ON THE ARTS AND CULTURE COMMISSION, PLANNING COMMISSION, AND ROSE BOWL OPERATING COMPANY IN ACCORDANCE WITH PASADENA MUNICIPAL CODE, SECTION 2.45.050

Recommendation: It is recommended that the City Council receive and file this report.

APPROVAL OF MINUTES

December 17, 2012
 December 24, 2012
 December 31, 2012
 January 7, 2013

CLAIMS RECEIVED AND FILED

Claim No. 11,922	Alejandro C. Torres	\$ Not stated
Claim No. 11,923	Ramiro Garcia	Not stated
Claim No. 11,924	Garbis Kemanjian	Not stated
Claim No. 11,925	Sharon Clancy	1,000.00
Claim No. 11,926	Nina Stimson	1,209.39
Claim No. 11,927	Arturo Diaz	25,000.00+
Claim No. 11,928	Angels Contractor, Inc. c/o Ray Yoo	25,000.00+
Claim No. 11,929	David Edward Clark, Jr.	Not stated
Claim No. 11,930	State Farm as subrogee for John, Jane and Jennifer Flores	2,450.70
Claim No. 11,931	David Mendoza Tobon	25,000.00+
Claim No. 11,932	Amber House Apts/Gary Dobbs Agent	7,500.00
Claim No. 11,933	Jamfest Events, LLC	25,000.00+
Claim No. 11,934	Armen Djanvelian	Not stated
Claim No. 11,935	Johnny Kirejian	304.00

PUBLIC HEARING SET

June 17, 2013, 7:00 p.m. – Approval of Annual Action Plan (2013-2014) and Related Funding Allocations for the Community Development Block Grant Program (CDBG); Emergency Shelter Grant Program (ESG); Home Investment Partnership Act (HOME); and Human Services Endowment Fund (HSEF)

It was moved by Vice Mayor Robinson, seconded by Councilmember Masuda, to approve all items on the Consent Calendar, with the exception of Item 5 (Purchase Order No. 53054 with Veritas Assurance Group), which was discussed separately, and amended by withdrawing from consideration staff recommendation No. 2 for Item 6 (Contract with Impact Sciences, Inc.). (Motion unanimously carried) (Absent: Councilmember McAustin)

**CONSENT ITEMS
DISCUSSED SEPARATELY**

APPROVAL OF AN INCREASE TO PURCHASE ORDER NO. 53054 WITH VERITAS ASSURANCE GROUP FOR AUDIT SERVICES

Recommendation:

- (1) Find that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines, Section 15306(B)(3); and
- (2) Authorize an increase to Purchase Order No. 53054 with Veritas Assurance Group for investigative audit services in the amount of \$90,000, thereby increasing the not to exceed amount from \$70,000 to \$160,000. Competitive bidding is not required pursuant to City Charter Article X, Section 1002(F), contracts for professional or unique services.

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

PUBLIC HEARINGS

CONTINUED PUBLIC HEARING: CITY MANAGER’S RECOMMENDED FISCAL YEAR 2014 OPERATING BUDGET

Recommendation: Receive public comment and continue the public hearing to each subsequent regular meeting of the City Council at 7:00 p.m., until the City Council determines that the public hearing may close, and then formally adopt the City Manager’s Fiscal Year 2014 Operating Budget.

Councilmember Tornek, Chair of the Finance Committee, introduced the agenda item to receive the 2014 proposed budget for the Pasadena Conference Center.

Michael Ross, CEO of the Pasadena Center Operating Company (PCOC), reviewed the 2014 Conference Center's proposed budget as part of a PowerPoint presentation, and responded to questions.

Following discussion, Councilmember Gordo requested that Mr. Ross report back to the Council's Economic Development and Technology Committee (EDTech) in the near future providing an update on the Center's strategy to maintain its competitiveness with other facilities in the area.

Councilmember Kennedy inquired about the composition of the PCOC's Board of Directors and stated his concern regarding the lack of representation from all Council Districts on the Board. He cited the Rose Bowl Operating Company (RBOC) Board of Directors as an example where each Councilmember has the ability to nominate an individual as the District representative to serve, and stated the PCOC is equally important as the RBOC, and suggested the appointment process should be the same. He asked staff to provide the history behind the procedures that was developed over time in making appointments to the PCOC.

Following discussion, it was moved by Councilmember Tornek, seconded by Vice Mayor Robinson, to continue the public hearing to June 10, 2013 at 7:00 p.m. (Motion unanimously carried) (Absent: Councilmember McAustin)

**RECOMMENDATION FROM
OFFICERS AND
DEPARTMENTS**

RESOLUTION APPROVING THE ANNUAL REPORT OF THE ADVISORY BOARD OF THE PASADENA TOURISM BUSINESS IMPROVEMENT DISTRICT (DISTRICT), DECLARING ITS INTENTION TO LEVY ASSESSMENTS AGAINST HOTEL AND MOTEL BUSINESSES WITHIN THE DISTRICT FOR FISCAL YEAR 2014, AND SETTING A PUBLIC HEARING ON THE LEVY OF THE ASSESSMENTS FOR JUNE 17, 2013, AT 7:00 P.M.

Recommendation of the Pasadena Center Operating Company: It is recommended that the City Council adopt a resolution approving the annual report of the Advisory Board of the Pasadena Tourism Business Improvement District ("District") for Fiscal Year 2014, declaring its intention to levy assessments against hotel and motel businesses within the District for Fiscal Year 2014, and setting a public hearing on the levy of the assessments on June 17, 2013, at 7:00 p.m. (Resolution No. 9285)

Mike Ross, PCOC CEO, introduced the item and briefly reviewed the annual process to levy assessments.

Following discussion, it was moved by Councilmember Madison, seconded by Councilmember Tornek, to approve the Pasadena Center Operating Company's recommendation. (Motion unanimously carried) (Absent: Councilmember McAustin)

**PUBLIC HEARINGS -
CONTINUED**

PUBLIC HEARING: DESIGNATION OF 855 ROSALIND 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 the Protection of the Environment;

(2) Find that the property at 855 Rosalind Road is significant under Criterion "C" for designation as a landmark (Pasadena Municipal Code Section 17.62.040) because the house and garage are significant as an intact example of 1920's era French Normandy Revival style residential architecture designed by architect Everett Phipps Babcock as his personal residence;

(3) Approve the designation of the property at 855 Rosalind Road as a landmark;

(4) Adopt a resolution approving a Declaration of Landmark Designation for 855 Rosalind Road, Pasadena, California;

(5) Authorize the Mayor to execute the Declaration of Landmark Designation for 855 Rosalind Road, Pasadena, California; and

(6) Direct the City Clerk to record the declaration with the Los Angeles County Recorder. (Resolution No. 9286)

Recommendation of Historic Preservation Commission:

On Monday, April 15, 2013, the Historic Preservation Commission recommended that the City Council approve the designation of 855 Rosalind Road as a landmark under Criterion "C" of the Pasadena Municipal Code Section 17.62.040.

The Mayor opened the public hearing.

The City Clerk reported 14 copies of the notice of public hearing were posted on May 16, 2013; 30 copies of the notice were mailed on May 16, 2013; and no correspondence was received.

Vince Bertoni, Director of Planning Department, introduced the agenda item.

No one appeared for public comment.

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

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

PUBLIC HEARING: DESIGNATION OF 221 SOUTH MARENGO 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 the Protection of the Environment;

(2) Find that the property at 221 South Marengo Avenue is significant under Criterion “C” for designation as a landmark (Pasadena Municipal Code Section 17.62.040) because it is a locally significant example of a Neoclassical style multiple-family property and retains its integrity;

(3) Approve the designation of the property at 221 South Marengo Avenue as a landmark;

(4) Adopt a resolution approving a Declaration of Landmark Designation for 221 South Marengo Avenue, Pasadena, California;

(5) Authorize the Mayor to execute the Declaration of Landmark Designation for 221 South Marengo Avenue, Pasadena, California; and

(6) Direct the City Clerk to record the declaration with the Los Angeles County Recorder. (Resolution No. 9287)

Recommendation of Historic Preservation Commission:

On Monday, March 4, 2013, the Historic Preservation Commission recommended that the City Council approve the designation of 221 South Marengo Avenue as a landmark under Criterion “C” of Pasadena Municipal Code Section 17.62.040.

The Mayor opened the public hearing.

The City Clerk reported 32 copies of the notice of public hearing were posted on May 16, 2013; 328 copies of the notice were mailed on May 16, 2013; and one letter of support was received by the City Clerk’s Office, was distributed to the City Council and made part of the official record.

Vince Bertoni, Director of Planning Department, introduced the agenda item.

The following persons spoke in support of the proposed landmark designation:

Joy Selbey, Pasadena resident and applicant
Jenna Kachour, Pasadena Heritage

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

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

ORDINANCE – ADOPTED

Councilmember Gordo recused himself at 7:44 p.m., due to conflict of interest and left the dais.

Adopt “AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTER 13.14 OF THE PASADENA MUNICIPAL CODE ENTITLED “UNDERGROUND UTILITY DISTRICTS”, SECTIONS 13.14.020, 13.14.030, 13.14.050, 13.14.100 AND 13.14.110.” (Introduced by Councilmember McAustin) (Ordinance No. 7232)

Following discussion, the above ordinance was adopted by the following vote:

AYES: Councilmembers Kennedy, Madison, Masuda, Tornek, Vice Mayor Robinson, Mayor Bogaard

NOES: None

ABSENT: Councilmembers Gordo, McAustin

PUBLIC HEARINGS – CONTINUED

Councilmember Gordo returned at 7:48 p.m.

CONTINUED PUBLIC HEARING: FISCAL YEAR 2014 RECOMMENDED GENERAL FEE SCHEDULE

Recommendation: Receive public comment and continue the public hearing to each subsequent regular meeting of the City Council at 7:00 p.m., until the City Council determines that the public hearing may close, and then formally adopt the Fiscal Year 2014 Recommended General Fee Schedule.

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

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

Richard Davis, Budget Administrator, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

No one appeared for public comment.

Councilmember Tornek raised questions regarding various parking fees and suggested that City staff consider a graduated sanction format that increases penalties for repeat offenders with a lower penalty for first time offenders. He asked staff to return with a report, for City Council discussion, analyzing the impacts of a graduated sanction format to replace the current model. He also asked for additional information on the Hazardous Material fees (Fee Nos. 146 through 157), as well as additional information on Hazardous Materials Surcharge fees (Fee Nos. 158 through 160).

Following discussion, it was moved by Councilmember Masuda, seconded by Councilmember Tornek, to continue the public hearing to June 10, 2013 at 7:00 p.m. (Motion unanimously carried) (Absent: Councilmember McAustin)

CONTINUED PUBLIC HEARING: FISCAL YEAR 2014 RECOMMENDED SCHEDULE OF TAXES, FEES, AND CHARGES

Recommendation: Receive public comment and continue the public hearing to each subsequent regular meeting of the City Council at 7:00 p.m., until the City Council determines that the public hearing may close, and then formally adopt the Fiscal Year 2014 Recommended Schedule of Taxes, Fees, and Charges.

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

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

Michele Logan, Management Analyst, reviewed the agenda report as part of a PowerPoint presentation.

No one appeared for public comment.

It was moved by Vice Mayor Robinson, seconded by Councilmember Masuda, to continue the public hearing to June 10, 2013 at 7:00 p.m. (Motion unanimously carried) (Absent: Councilmember McAustin)

COUNCIL COMMENTS

Councilmember Tornek informed the Council in regards to the last meeting of the San Gabriel Council of Governments (COG), has agreed to allow the Alameda Corridor-East (ACE) project to separate from the COG.

Councilmember Madison, in response to the public comment received earlier in the meeting, restated the names of Pasadena residents who lost their lives during military service

for the record: Rogelio Ramirez, Sergio Escobar, Dion Whitley, Adam Rosema and JT Blesksmith.


ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 8:36 p.m., in memory of former City Councilmember Henry "Hank" Wilfong, who passed away on June 2, 2013, and was the first African American elected to the City Council serving Pasadena from 1973 through 1977, and was also the first African American to receive a Master's Degree in Business Administration from the University of California, Los Angeles.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk