

CITY OF PASADENA
City Council Minutes
June 17, 2013 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 6:14 p.m.
(Absent: None)

On order of the Mayor, the special meeting recessed at 6:14 p.m., to discuss the following closed session item:

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

Agency Designated Representatives: Kristi Recchia and Michael J. Beck

Employee Organizations: Pasadena Police Officers Association (PPOA), Pasadena Police Sergeants Association (PPSA), Service Employees International Union (SEIU), American Federation of State, County and Municipal Employees (AFSCME), Pasadena Fire Fighters Association (PFFA), Pasadena Fire Management Association (PFMA), International Brotherhood of Electrical Workers (IBEW)

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

On order of the Mayor, the regular meeting reconvened at 6:44 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
Councilmember Gene Masuda
Councilmember Margaret McAustin
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 Maggie Belton as Arts & Culture Commissioner, Nick Rodriguez as member of the Rose Bowl Operating Company, Donabed Donabedian as Recreation & Parks Commissioner, Craig Washington as Northwest Commissioner, and Stephanie DeWolfe as Planning Commissioner.

The Mayor congratulated the volunteers who put together two successful events that occurred over the weekend of June 15 and 16, 2013, namely the Light Bringer Project Chalk Festival at Paseo Colorado and the Pasadena Police Department Classic Car Show on Green Street.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Jaclynn Rusch and Florence Chung spoke on behalf of Target Corporation and asked the City Council for assistance with enforcement of aggressive solicitors/petitioners in front of Target Stores in Pasadena.

Councilmembers Gordo and Masuda requested that the City Attorney look into the issue of solicitations and whether it is necessary to strengthen the City's current regulations regarding this issue.

Michelle White, ACLU representative, spoke on the upcoming update to the Housing Element and requested that the City have a greater level of community outreach and input as this process moves forward.

CONSENT CALENDAR

AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ZUSSER COMPANY, INC., TO PROVIDE LABOR, EQUIPMENT, AND MATERIALS FOR CONSTRUCTION OF THE SUNSET RESERVOIR WATER TREATMENT PROJECT, PHASE I (DISINFECTION FACILITY) FOR THE WATER AND POWER DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$2,076,168

Recommendation:

- (1) Find that the proposed project was subject to adequate environmental review in the Initial Environmental Study and the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program adopted by the Hearing Officer on December 3, 2010;
- (2) Accept the bid dated April 24, 2013 submitted by Zusser Company, Inc., (Zusser), in response to Specification WD-12-12, Providing Labor, Equipment, and Materials for Construction of the Sunset Reservoir Water Treatment Project, Phase I (Disinfection Facility) (Sunset Project), for the Water and Power Department; and

(3) Authorize the City Manager to enter into a contract with Zusser for an amount not to exceed \$2,076,168. (Contract No. 21,418)

AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SOUTHERN CONTRACTING COMPANY TO PROVIDE LABOR AND MATERIALS FOR THE CHAPMAN WELL ELECTRICAL UPGRADES

Recommendation:

(1) Find that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines, Sections 15301 (existing facilities) and 15302 (replacement or reconstruction); and

(2) Accept the bid dated May 24, 2013 submitted by Southern Contracting Company in response to Specification WD-12-11 for providing labor and materials for the Chapman Well Electrical Upgrades for the Water and Power Department, and authorize the City Manager to enter into a contract with Southern Contracting Company for an amount not to exceed \$287,100 for the period of July 1, 2013 to June 30, 2014.

(Contract No. 21,419)

AUTHORIZATION TO ENTER INTO A CONTRACT WITH CDM-SMITH, TO PROVIDE ENVIRONMENTAL CONSULTING SERVICES FOR A NEW PLANNED DEVELOPMENT AT THE FORMER FORD DEALER SITE LOCATED AT 1336 AND 1347 EAST COLORADO BOULEVARD

Recommendation:

(1) Find that entering into the proposed contract with CDM-Smith 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 a contract, without competitive bidding pursuant to City Charter Section 1002(F), contracts for professional or unique services, with CDM-Smith in an amount not to exceed \$326,000 for the preparation of the Environmental Impact Report (EIR) for the proposed Planned Development at 1336 and 1347 East Colorado Boulevard; and

(3) 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. 21,420)

ADOPTION OF GANN APPROPRIATIONS LIMIT FOR FISCAL YEAR 2014

Recommendation: Adopt a resolution that:

- (1) Selects the California Per capita income and the population increase for the City of Pasadena as the indices to be used in calculating the appropriations limit for Fiscal Year 2014;
- (2) Establishes the appropriations limit for Fiscal Year 2014 at \$244,480,005; and
- (3) Establishes appropriations subject to the limit for Fiscal Year 2014 at \$104,201,051. (Resolution No. 9292)

ADOPTION OF A RESOLUTION AMENDING THE NON-REPRESENTED NON-MANAGEMENT SALARY RESOLUTION TO ESTABLISH COMPENSATION FOR A NEWLY ESTABLISHED CLASSIFICATION

Recommendation: It is recommended that the City Council amend the Non-Represented Non-Management Salary Resolution to establish a new classification and related salary. (Resolution No. 9293)

APPOINTMENT OF DIANNE PHILIBOSIAN TO THE PASADENA CENTER OPERATING COMPANY BOARD (Mayor Nomination/District 6)

APPOINTMENT OF ELLIE PODWAY TO THE SENIOR COMMISSION EFFECTIVE JULY 1, 2013 (District 4 Nomination)

APPOINTMENT OF PATRICIA TROLLMAN TO THE SENIOR COMMISSION (Agency Nomination)

APPOINTMENT OF NEIL KLEINMAN TO THE TRANSPORTATION ADVISORY COMMISSION (Mayor Nomination/District 7)

REAPPOINTMENT OF TAREK SHAWKY TO THE NORTHWEST COMMISSION EFFECTIVE JULY 1, 2013 (District 1 Nomination)

REAPPOINTMENT OF ANN MARIE HICKAMBOTTOM TO THE PLANNING COMMISSION EFFECTIVE JULY 1, 2013 (District 1 Nomination)

REAPPOINTMENT OF LISA JEFFERY TO THE RECREATION AND PARKS COMMISSION EFFECTIVE JULY 1, 2013 (District 1 Nomination)

REAPPOINTMENT OF PAUL R. MARTIN TO THE HISTORIC PRESERVATION COMMISSION (Garfield Heights Nomination)

REAPPOINTMENT OF BETH LEYDEN TO THE PASADENA COMMUNITY ACCESS CORPORATION BOARD (PUSD Nomination)

APPROVAL OF MINUTES
January 22, 2013 (City Council)
January 28, 2013 (City Council)

CLAIMS RECEIVED AND FILED	Claim No. 11,940	Keith Jackson	\$ 370.00
	Claim No. 11,941	Jackie Meltz	272.00
	Claim No. 11,942	Mary Patricia Disterhoft	3,000.00
	Claim No. 11,943	Sami Bitar	1,502.93

PUBLIC HEARING SET
July 15, 2013, 7:00 p.m. – Annual Self-Certification of the Conformance Report for the Congestion Management Program for the County of Los Angeles and the Local Development Report

It was moved by Councilmember McAustin, seconded by Councilmember Tornek, to approve all items on the Consent Calendar. (Motion unanimously carried) (Absent: None)

REPORTS AND COMMENTS FROM COUNCIL COMMITTEES

Councilmember Madison recused himself at 7:19 p.m.

PROPOSED SPEED LIMIT ORDINANCE REVISION TO COMBINE SECTIONS 10.48.010 AND 10.48.030 INTO A NEW AND RENAMED SECTION 10.48.010, “PRIMA FACIE SPEED LIMITS ON NON-LOCAL STREETS”

Recommendation:

- (1) Find that the proposed Municipal Code Amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines, Section 15301, existing facilities;
- (2) Approve the changes to the speed zone boundaries due to changes in the segments, and addition or removal of new streets that are not currently in the ordinance as shown on Attachment A of the agenda report; and
- (3) Direct the City Attorney to draft an ordinance that would amend the Pasadena Municipal Code to combine Sections 10.48.010 (State maximum decreased) and 10.48.030 (State minimum increased) under one renamed Section 10.48.010, “Prima Facie Speed limits on Non-local streets” as shown in Attachment B of the agenda report; and delete Section 10.48.030 in its entirety.

Recommendation of Transportation Advisory Commission:

On January 13, 2013, the Transportation Advisory Commission voted to unanimously to approve the staff recommendation.

Vice Mayor Robinson, Chair of the Public Safety Committee, introduced the item and reported that it was unanimously supported by the Committee.

Fred Dock, Director of Transportation, and Norman Baculinao, Traffic Engineer, reviewed the details of the "Prima Facie Speed Limits on Non-local Streets" as part of a PowerPoint presentation, and responded to questions.

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

PUBLIC HEARINGS

Councilmember Madison returned at 7:27 p.m.

PUBLIC HEARING: PROPOSED CHANGES TO THE PURCHASED WATER ADJUSTMENT CHARGE

Recommendation:

- (1) Find that the proposed changes to the Purchased Water Adjustment Charge are statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines, Section 15273 (Rates, Tolls, Fares, and Charges);
- (2) Open a public hearing to receive public comment on the proposed water rate adjustments to:
 - (a) Increase the Purchased Water Adjustment Charge (PWAC) by 10¢ per billing unit effective October 2013 and by an additional 10¢ per billing unit effective October 2014;
 - ~~(b) Approve the implementation of the PWAC formula as defined in the Water Rate Ordinance to pass-through additional purchased water costs for a total period not to exceed five years (as provided by Government Code Section 53756);~~
- (3) Direct the City Clerk or department representative to report on timely written protests received;
- (4) Close the public hearing; and
- (5) Approve the proposed aforementioned PWAC rate increases. ~~and formula implementation.~~

The Mayor opened the public hearing.

The City Clerk reported 42,085 copies of the notice of public hearing were mailed on April 25, 2013; the notice was published on May 30, 2013 in the Pasadena Journal and La Opinion; 3 letter of protest to the water adjustment charge and 1 letter providing suggestions were received by the City Clerk's Office.

Shari Thomas, Assistant General Manager of the Water & Power Department, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

Councilmembers Gordo and Kennedy asked that staff conduct additional educational meetings for the community when rate increases occur and include information on the importance of Capital Improvement Program (CIP) water projects.

Councilmember Madison asked that the City's representative from the Metropolitan Water District (MWD) provide periodic reports to the City Council.

The following persons spoke in opposition to the Proposed Changes to the Water Rate Increase:

Alicia Dhanifo, Pasadena resident
James Green, Pasadena resident
Beatriz Martinez, Pasadena resident
Michelle White, Pasadena resident

Councilmember McAustin stated her opposition to staff's recommendation (2)(b), which would allow a direct pass-through to go forward for five years without an additional public hearing. She also asked that staff provide a report to the Municipal Services Committee (MSC) on the cost of water rates for new developments. She suggested that the staff recommendation be amended by removing recommendation (2)(b) and by striking the words, "and formula implementation" in recommendation (5).

The City Clerk stated that based on the correspondence and protests received both written by the City Clerk's Office and orally during the public hearing, no majority protest exists to the proposed water adjustment change.

It was moved by Councilmember Kennedy, seconded by Councilmember McAustin, to close the public hearing. (Motion unanimously carried) (Absent: None)

It was moved by Councilmember McAustin, seconded by Councilmember Tornek, to approve the staff recommendation, amended by removing recommendation (2)(b) and by striking the words, "and formula implementation" in recommendation (5). (Motion unanimously carried) (Absent: None)

PUBLIC HEARING: LEVY OF ASSESSMENT AGAINST HOTEL AND MOTEL BUSINESSES FOR FISCAL YEAR 2014 IN CONNECTION WITH THE PASADENA TOURISM BUSINESS IMPROVEMENT DISTRICT

Recommendation of the Pasadena Center Operating Company: It is recommended that the City Council:

- (1) Conduct a public hearing on the levy of an assessment against Hotel and Motel Businesses for Fiscal Year 2014 in connection with the Pasadena Tourism Business Improvement District (District); and
- (2) At the conclusion of the public hearing, in the absence of a majority protest, adopt a resolution confirming the annual Report of the Advisory Board as originally filed and levying the assessment for Fiscal Year 2014 in connection with the District. (Resolution No. 9294)

The Mayor opened the public hearing.

The City Clerk reported that on June 6, 2013, the public hearing notice was published in the Pasadena Journal. No correspondence or letters of protest were received by the City Clerk's Office regarding this item.

Michael Ross, Pasadena Center Operating Company (PCOC) Chief Executive Officer summarized the agenda report.

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: None)

It was moved by Councilmember Madison, seconded by Councilmember Kennedy, to approve the Pasadena Center Operating Company's recommendation. (Motion unanimously carried) (Absent: None)

PUBLIC HEARING: 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)

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

- (1) Approving the Annual Action Plan (2013-2014) as an application to the U.S. Department of Housing and Urban Development (HUD) for funding under the federal Community Development Block Grant (CDBG), Emergency Shelter Grant (ESG), and Home Investment Partnership Act (HOME) programs;

(2) Approving an application for CDBG Entitlement funds in the amount of \$1,775,309; the allocation of the CDBG current year program income of \$303,828; the reprogramming of CDBG carryover funds, that were not allocated in previous years, in the amount of \$69,404 for a total of \$2,148,541 for the 2013-2014 CDBG program activities. Specific agency and City Set-Aside awards can be found in Attachment A, B and C of the agenda report;

(3) Approving an application for ESG funds in the amount of \$127,931. The required local match of \$127,931 will be made by the agencies receiving ESG funding for 2013-2014. Specific agency awards can be found in Attachment B of the agenda report under Homelessness;

(4) Approving an application for HOME Entitlement funds in the amount of \$552,315 and \$244,013 in HOME carry forward funds for 2013-2014 HOME Program activities. Specific activities funded through HOME can be found in Attachment D of the agenda report;

(5) Approving an allocation from the City of Pasadena's Human Services Endowment Fund (HSEF) of \$110,000 for HSEF funded public/human service projects. HSEF funds are combined with CDBG Public Service Funds and specific agency awards can be found in Attachment B of the agenda report; and

(6) Authorizing the City Manager to execute, and the City Clerk to attest, the Annual Action Plan (2013-2014), the grant agreements, the sub-recipient agreements, and any and all other documents deemed necessary by HUD to obtain the allocation of the aforementioned federal CDBG, ESG and HOME funds. (Resolution No. 9295)

Recommendation of Human Services Commission: On April 25, 2013 the Human Services Commission approved a two-year funding allocation for the projects listed in Attachment B of the agenda report. On May 7, 2013 the Human Services Commission approved a one-year funding allocation for Emergency Solutions Grant-ESG projects listed in Attachment B-1 of the agenda report. This one year allocation was due, in part, to the changes to the program as a result of the implementation of the Hearth Act.

Recommendation of Northwest Commission: On April 25, 2013, the Northwest Commission approved a motion to approve funding for all of the projects listed in Attachment A of the agenda report.

The Mayor opened the public hearing.

The City Clerk reported that on May 30, 2013, the public hearing notice was published in the Pasadena Journal. No correspondence was received by the City Clerk's Office regarding this item.

Bill Huang, Director of Housing Department, and Valerie Babinski-Manlic, Program Coordinator, summarized the agenda report as part of a PowerPoint presentation, and responded to questions.

Councilmember Kennedy stated his strong preference for increasing the funding to the City's MASH Employment Program, perhaps utilizing other funding sources than CDBG, allowing Pasadena residents the ability to take advantage of the program, and making it more robust and accessible to local residents.

Michelle White, Pasadena resident, stated her concerns with the proposed funding cutbacks at Villa Park and other public facilities, and the impact these cutbacks will have on Americans with Disability Act (ADA) accessibility. She also asked about the Housing Department's budget and requested stronger affordable housing policies.

Following discussion, it was moved by Councilmember Madison, seconded by Councilmember Kennedy, to close the public hearing. (Motion unanimously carried) (Absent: None)

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

RECESS/ ADJOURNMENT

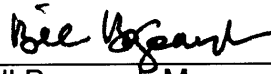
On order of the Mayor, the regular meeting of the City Council recessed at 9:13 p.m., to continue discussion on the closed session matter listed below, and thereafter adjourned at 10:53 p.m., in memory of Ralph Poole, who sadly passed away on June 17, 2013. Mr. Poole worked in various schools throughout the community as an educator, mentor and writer, was an original member and Chairman of the Fair Oaks Project Area Committee, and served on the Northwest Commission since 1990.

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

Agency Designated Representatives: Kristi Recchia and Michael J. Beck


Employee Organizations: Pasadena Police Officers Association (PPOA), Pasadena Police Sergeants Association (PPSA), Service Employees International Union (SEIU), American Federation of State, County and Municipal Employees (AFSCME), Pasadena Fire Fighters Association (PFFA), Pasadena Fire Management Association (PFMA), International Brotherhood of Electrical Workers (IBEW)

The above closed session item was discussed, with no reportable action at this time. (Absent: Councilmember Madison)



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk