

CITY OF PASADENA  
City Council Minutes  
July 8, 2013 – 5:30 P.M.  
City Hall Council Chamber

REGULAR MEETING

**OPENING:** The Mayor called the regular meeting to order at 6:30 p.m. The Pledge of Allegiance was led by Tom Seifert, President of the La Casita Foundation.

**ROLL CALL:**

Councilmembers:

Mayor Bill Bogaard  
Vice Mayor Jacque Robinson  
Councilmember Victor Gordo  
Councilmember John J. Kennedy  
Councilmember Steve Madison (Arrived at 6:53 p.m.)  
Councilmember Gene Masuda  
Councilmember Margaret McAustin  
Councilmember Terry Tornek

Staff:

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

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

Megan Daley, Pasadena resident, stated concerns regarding a large number of permitted and unpermitted mobile food vendors operating in her neighborhood, and her disappointment in City staff for not addressing the noise nuisance created by the vendor's excessive use of horns and loud music.

Tim Brick, Arroyo Seco Foundation, expressed concerns regarding an existing 60-year old easement with Southern California Edison (SCE), and recent activities of SCE to install power poles in the Hahamongna Watershed Park, thereby violating the terms of the easement. He requested that the City Council review this matter and determine if SCE should be allowed to continue their operation at Hahamongna Watershed Park, and commended staff for their timely response to the current activities.

Councilmember McAustin indicated that she will work with staff to have the above matter studied and placed on a future Municipal Services Committee meeting agenda for discussion.

**REPORTS AND COMMENTS**  
**FROM COUNCIL**  
**COMMITTEES**

FINANCE COMMITTEE

**APPROPRIATE \$125,000 OF PRIVATE FUNDS FROM LA CASITA FOUNDATION TO RENOVATION OF LA CASITA DEL ARROYO CAPITAL IMPROVEMENT PROJECT (CIP)** *(To be heard at 6:30 p.m., or thereafter)*

**Recommendation:** Appropriate \$125,000 of private funds received from the La Casita Foundation to the Renovation of La Casita del Arroyo (77460) Capital Improvement Program (CIP) project, and authorize staff to make the necessary adjustments. (Journal Voucher No. 2014-3)

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

Tom Seifert, President of the La Casita Foundation, presented the City with a check in the amount of \$125,000, as a contribution toward the renovation of La Casita del Arroyo.

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

**AUTHORIZATION AND APPROVAL TO RENEW PROPERTY AND CASUALTY INSURANCE FOR THE CITY OF PASADENA FOR FISCAL YEAR 2014**

**Recommendation:**

- (1) Authorize the City Manager and the Director of Finance to place and bind for the coverages outlined in the agenda report, the City's Property and Casualty Insurance, effective July 1, 2013;
- (2) Find that the proposed insurance coverages are exempt from the competitive bidding process pursuant to City Charter Section 1002(F), contracts for professional or unique services; and
- (3) Grant an exemption from the competitive selection process of the Competitive Bidding and Purchasing Ordinance, Pasadena Municipal Code Chapter 4.08 pursuant to Section 4.08.049(B), contracts for which the City's best interests are served.

Andy Green, Director of Finance, introduced the agenda item, and David Serrano, Claims Coordinator, summarized the agenda report as part of a PowerPoint presentation, and responded to questions.

Councilmember Tornek, Chair of the Finance Committee, reported that the Committee thoroughly reviewed and discussed this matter.

Councilmember Madison arrived at 6:53 p.m.

Susan Blankenburg, Arthur J. Gallagher & Company, spoke briefly and responded to questions.

Following discussion, it was moved by Councilmember Tornek, seconded by Councilmember McAustin, to approve the staff recommendation. (Motion unanimously carried) (Absent: None)

## CONSENT CALENDAR

### **AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ZUSSER COMPANY, INC., TO PROVIDE LABOR AND MATERIALS FOR THE EASTSIDE WELL COLLECTOR PROJECT – CENTRALIZED DISINFECTION FACILITY**

#### **Recommendation:**

(1) Find that the project described in the agenda report was subject to adequate environmental review in the Initial Environmental Study/Mitigated Negative Declaration and corresponding Mitigation Monitoring and Reporting Program, which were adopted by the City Council on October 29, 2012, and that there are no changed circumstances or new information which could trigger additional environmental review; and

(2) Accept the bid dated May 24, 2013 submitted by Zusser Company, Inc., (Zusser) in response to Specification WD-12-03 for providing labor and materials for the Eastside Well Collector Project – Centralized Disinfection Facility for the Water and Power Department (Department), and authorize the City Manager to enter into a contract with Zusser for an amount not to exceed \$2,005,830 for the period of July 8, 2013 to June 30, 2014. (Contract No. 21,440)

### **AUTHORIZE THE CITY MANAGER TO EXECUTE THE LOS ANGELES INTERAGENCY METROPOLITAN POLICE APPREHENSION CRIME TASK FORCE (L.A. IMPACT) JOINT POWERS AGREEMENT**

#### **Recommendation:**

(1) Find that the proposed action 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 the Joint Powers Agreement approving the City of Pasadena's membership in the Los Angeles Interagency Metropolitan Police Apprehension Crime Task Force (L.A. IMPACT).

(Contract No. 21,441)

**AUTHORIZATION TO ENTER INTO A CONTRACT WITH GE PACKAGED POWER, INC., FOR AN AMOUNT NOT TO EXCEED \$2,082,544 TO PROVIDE LABOR AND MATERIALS FOR REPAIR AND MAINTENANCE SERVICES ON GAS TURBINE 4**

**Recommendation:**

- (1) Find that the project is exempt from California Environmental Quality Act (CEQA) review pursuant to State CEQA Guidelines, Section 15302(c), replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity;
- (2) Accept the bid dated April 9, 2013, from GE Packaged Power, Inc., in response to Specifications LD-13-3 for gas turbine maintenance service on Gas Turbine 4; reject all other bids; and authorize the City Manager to enter into a contract with GE Packaged Power, Inc., for an amount not to exceed \$503,794; and
- (3) Authorize the City Manager to increase the contract with GE Packaged Power, Inc., by:
  - (a) Up to \$300,000 as needed to complete any additional repairs that may be recommended by the contractor after teardown and inspection of the gas turbine; and
  - (b) An additional \$1,278,750 for the optional installation and use of a loaned engine for installation in the GT-4 unit as the original engine is being repaired. (Contract No. 21,442)

**FINANCE COMMITTEE: AUTHORIZATION OF THE ISSUANCE OF A PURCHASE ORDER CONTRACT WITH HELICOPTER ENGINE REPAIR AND OVERHAUL SERVICES, INCORPORATED (HEROS) IN THE AMOUNT OF \$200,000 AND APPROVAL OF A JOURNAL VOUCHER APPROPRIATING \$130,000 FROM THE L.A. IMPACT FUND**

**Recommendation:**

- (1) Find that the proposed action is not subject to the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines, Section 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;
- (2) Authorize the issuance of a purchase order contract to Helicopter Engine Repair and Overhaul Services, Incorporated (HEROS) in the amount of \$200,000. Competitive bidding is not required pursuant to City Charter Section 1002(H), contracts with other governmental entities or their contractors for labor, material, supplies, or services;

(3) Grant the proposed purchase order 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; and

(4) Appropriate \$130,000 from the LA IMPACT fund to the Police Department's FY 2014 Operating Budget Account No. 8101-104-401710. (Journal Voucher No. 2014-1)

**FINANCE COMMITTEE: RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE PURCHASE AGREEMENT FOR PARKING METER EQUIPMENT, A LEASE SCHEDULE, A LEASE SCHEDULE ADDENDUM REGARDING SELF INSURANCE, SCHEDULE A-1, A PREPAYMENT SCHEDULE ADDENDUM, A CERTIFICATE OF INCUMBENCY, A PROCEEDS DISBURSEMENT AUTHORIZATION AND RELATED INSTRUMENTS, AND OTHER DOCUMENTS IN CONNECTION THEREWITH**

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

(1) Authorizing a Lease Purchase Agreement for Parking Meter Equipment in an amount not to exceed \$350,707.51 with JP Morgan/Chase;

(2) Authorizing the execution and delivery of a Lease Purchase Agreement, a Lease Schedule, a Lease Schedule Addendum Regarding Self Insurance, Schedule A-1, 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 parking meter revenues in the amount of \$91,000 and appropriating that revenue to the Civic Center Parking Meter Fund Account No. 6964-214-774311 (Resolution No. 9296; Journal Voucher No. 2014-2)

**RESIGNATION OF JANICE BEA FROM THE ARTS AND CULTURE COMMISSION (District 7 Nomination)**

**RESIGNATION OF ALLAN PARACHINI FROM THE PASADENA COMMUNITY ACCESS CORPORATION BOARD (District 2 Nomination)**

**APPOINTMENT OF ANDREA ABRAMS TO THE COMMISSION ON THE STATUS OF WOMEN (District 7 Nomination)**

**APPOINTMENT OF MOREY WOLFSON TO THE ENVIRONMENTAL ADVISORY COMMISSION (District 3 Nomination)**

**APPOINTMENT OF JAMES SMITH TO THE HUMAN SERVICES COMMISSION (District 3 Nomination)**

**APPOINTMENT OF ROBERT OLTMAN TO THE PASADENA COMMUNITY ACCESS CORPORATION BOARD (District 3 Nomination)**

**APPOINTMENT OF MICHAEL WILLIAMSON TO THE PLANNING COMMISSION (District 7 Nomination)**

**APPOINTMENT OF ROSE MARIE PICO TO THE SENIOR COMMISSION (District 5 Nomination)**

**APPOINTMENT OF JAMES DE PIETRO TO THE TRANSPORTATION ADVISORY COMMISSION (District 7 Nomination)**

**APPOINTMENT OF HECTOR LaFARGA, JR. TO THE HUMAN SERVICES COMMISSION (Agency Representative)**

**APPOINTMENT OF PAUL LITTLE TO THE PASADENA CENTER OPERATING COMPANY BOARD (Mayor Nomination/District 2)**

**REAPPOINTMENT OF BRIDGID FENNEL TO THE HISTORIC PRESERVATION COMMISSION (Historic Highlands Nomination)**

**REAPPOINTMENT OF WILLIAM H. CORMIER TO THE ROSE BOWL OPERATING COMPANY EFFECTIVE AUGUST 4, 2013 (UCLA Nomination)**

**REPORT ON ACTION BY NEWLY ELECTED COUNCILMEMBER JOHN J. KENNEDY TO VACATE A SEAT NOMINATED BY COUNCIL DISTRICT 3 ON THE ENVIRONMENTAL ADVISORY COMMISSION IN ACCORDANCE WITH PASADENA MUNICIPAL CODE SECTION 2.45.050**

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

MINUTES APPROVED

February 4, 2013  
February 11, 2013  
February 18, 2013  
February 19, 2013 (Special Joint Meeting with PUSD)

CLAIMS RECEIVED AND FILED

Claim No. 11,944	Victor H. Espino	\$ 908.00
Claim No. 11,945	Linda Wong	440.00
Claim No. 11,946	Ramon and Donna Mendoza	603.01
Claim No. 11,947	Dennis Hovelsen	Not stated
Claim No. 11,948	State Farm Insurance as subrogee for John A. Artenos	2,423.43
Claim No. 11,949	Michael Atkins	25,000.00+
Claim No. 11,950	Sarah Atkins	25,000.00+
Claim No. 11,951	Le Dona R. Eastman	25,000.00+
Claim No. 11,952	Margaret C. Robinson	117.65
Claim No. 11,953	John C. Reeder	127.00
Claim No. 11,954	Lys Deetjen	3,743.00
Claim No. 11,955	Armen Temourian	1,200.00
Claim No. 11,956	John Rose	Not stated
Claim No. 11,957	Felisha and Demetrius Elkins	1,750.00
Claim No. 11,958	Felisha Hairston-Elkins	5,000.00
Claim No. 11,959	Cathleen Orante	2,500.00
Claim No. 11,960	Thomas Keiser	150.00

PUBLIC HEARINGS SET

**July 22, 2013, 7:00 p.m.** – Consideration to adopt a revised Program of Enforcement and associated Procurement Plan for the Pasadena Water and Power Department in accordance with Sections 399.30(e) and (f) of the Public Utilities Code, as enacted by the California Renewable Energy Resources Act, Senate Bill X1-2. Documents related to this public hearing may be found online at [www.PWPweb.com/RPS](http://www.PWPweb.com/RPS)

**August 12, 2013, 7:00 p.m.** – Approval of a Substantial Amendment to the 2011-2012 and 2012-2013 Annual Action Plan to Allow for the Reprogramming of CDBG and HOME Funds.

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

**REPORTS AND COMMENTS FROM COUNCIL COMMITTEES (CONTINUED)**

**MANDATORY SPAY/NEUTER ORDINANCE FOR CATS AND DOGS OVER 4 MONTHS**

**Recommendation:**

(1) Direct the City Attorney to draft an ordinance and return within 60 days mandating the spay/neuter of cats and dogs, excluding those that meet exclusion criteria;

PUBLIC SAFETY  
COMMITTEE

(2) Establish a fee differential such that a dog license for an unaltered animal is \$60 more than spayed/neutered animals; and

(3) Find that mandatory spay/neuter of cats and dogs is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines, Section 15061(b)(3).

Dr. Eric Walsh, Director of Public Health, introduced the agenda item and reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

Steve Mermell, Assistant City Manager, noted that if an ordinance is brought back to City Council for approval, that staff will also include a recommended modification to the General Fee Schedule.

Elizabeth Richer Campo, Senior Vice President of the Pasadena Humane Society (PHS), spoke on behalf of PHS, and responded to questions.

Councilmember Gordo requested staff to define the term “reputable breeder”, noted that requiring breeders to obtain business licenses alone is not sufficient in ensuring appropriate breeding practices, and asked that staff include clearly defined criteria as to what constitutes a reputable breeder as part of the proposed ordinance.

Councilmember Kennedy stressed the need for public outreach by both the City and PHS to educate residents about the importance of spaying/neutering cats and dogs and increasing awareness on such issues as tethering. He suggested the dissemination of information be conducted through various outreach outlets, such as the Pasadena In-Focus publication, Neighborhood Connections office, and on KPAS’ Channel 3 public access channel.

Tina Clark, Pasadena resident, stated her opposition to a mandatory spay/neuter ordinance.

Sharon Sanford, Pasadena resident, submitted a letter of support for an ordinance to mandate the spaying/neutering of cats and dogs.

Steve McNall, President of the Pasadena Humane Society, applauded the City Council for their consideration of this mandate.



Following discussion, it was moved by Vice Mayor Robinson, seconded by Councilmember Madison, to approve the staff recommendation. (Motion unanimously carried) (Absent: None)

**COUNCIL COMMENTS**

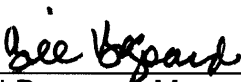
Vice Mayor Robinson thanked Marilyn Kennedy and her team for their time and commitment in helping to organize this year's July 4<sup>th</sup> fireworks show at the Rose Bowl.

Councilmember Masuda commented that too many commission meetings have been cancelled, and stated that it is important for commissions to meet on a regular basis.

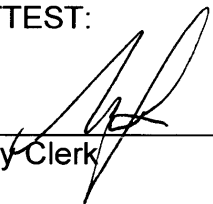
Councilmember Gordo commented on the recent CONCACAF Gold Cup soccer game hosted at the Rose Bowl, and commended staff for their work on this event. He also noted that the Guinness World Record was broken at this event with over 500 mariachi performers playing simultaneously at half-time.

**ADJOURNMENT**

On order of the Mayor, the regular meeting of the City Council adjourned at 7:51 p.m., in memory of Joyce Wood Kelly, a Pasadena resident and former member of the City's Commission on the Status of Women.

  
\_\_\_\_\_  
Bill Bogaard, Mayor  
City of Pasadena

ATTEST:

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