

CITY OF PASADENA
City Council Minutes
August 12, 2013 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Vice Mayor Robinson called the regular meeting to order at 5:45 p.m. (Absent: Mayor Bogaard, Councilmember Masuda)

On the order of the Vice Mayor, the regular meeting recessed at 5:45 p.m., to discuss the following closed sessions:

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

Property Location: 215 North Marengo Avenue

Agency Negotiators: Michael J. Beck and Julie Gutierrez

Negotiating Party: Vern Murray

Under Negotiation: Price and terms of payment

Councilmember Masuda
arrived at 6:22 p.m.

CITY COUNCIL CLOSED SESSION WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8

Property Location: B-6 Property Easements, APN Nos. 2466-011-907 through 246-011-911, Burbank, California

Agency Negotiator: Steve Madison

Negotiating Party: City of Burbank

Under Negotiation: Price and terms of payment

The above two closed sessions were discussed, with no reportable action at this time.

On the order of the Vice Mayor the regular meeting reconvened at 6:47 p.m. The pledge of allegiance was led by Councilmember McAustin.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard (Absent)
Vice Mayor Jacque Robinson
Councilmember Victor Gordo
Councilmember John J. Kennedy
Councilmember Margaret McAustin
Councilmember Steve Madison
Councilmember Gene Masuda
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

Mustang-Sally Ramirez, stated her concerns regarding her opinion on the loss of the middle class.

Martin A. Gordon, Pasadena Community Coalition, welcomed Councilmember Kennedy to the City Council and expressed his concerns regarding the insufficient detail in the Use of Force report provided by the Police Department.

CONSENT CALENDAR

Item discussed separately due to Public comment

CONTRACT AWARD TO ALTERNATIVE HOME CARE, CARING CHOICE, INC., AND ENVOY HEALTH CARE FOR THE PROVISION OF HOMEMAKER AND CERTIFIED NURSING ASSISTANT SERVICES

AUTHORIZATION TO ENTER INTO CONTRACT WITH PK CONSTRUCTION FOR VILLA PARKE SOFTBALL FIELD RENOVATION FOR AN AMOUNT NOT TO EXCEED \$138,000

Recommendation:

- (1) Find the proposed project to be exempt under the California Environmental Quality Act (CEQA) in accordance with Section 15302 – Replacement or Reconstruction; and
- (2) Accept the bid dated July 3, 2013, submitted by PK Construction in response to the project specifications for Villa Parke Softball Field Renovation, reject all other bids received, and authorize the City Manager to enter into a contract for an amount not to exceed \$138,000. (Contract No. 21,489)

CONTRACT AWARD TO JFL ELECTRIC, INC., FOR INSTALLATION OF STREET LIGHTING ON ALPINE STREET FROM MARENGO AVENUE TO OAK KNOLL AVENUE, FOR AN AMOUNT NOT TO EXCEED \$292,800

Recommendation:

- (1) Find the proposed project to be exempt under the California Environmental Quality Act (CEQA) in accordance with Section 15302 and 15303 (Classes 2 and 3) of the California Code of Regulations, Title 14, Chapter 3. This exemption includes construction of small facilities or structures, including accessory structures; and
- (2) Accept the bid dated July 30, 2013, submitted by JFL Electric, Inc., in response to the Specifications for the Installation of Street Lighting on Alpine Street from Marengo Avenue to Oak Knoll Avenue, reject all other bids received, and authorize the City Manager to enter into such contract as is required for an amount not to exceed \$292,800. (Contract No. 21,490)

APPROVAL OF FINAL TRACT MAP NO. 071053 FOR CREATION OF 11 AIR PARCELS FOR RESIDENTIAL CONDOMINIUM PURPOSES ON ONE LAND LOT AT 983 SAN PASQUAL STREET

Recommendation:

(1) Adopt a resolution to approve Final Tract Map No. 071053; and

(2) Authorize the City Clerk to execute the certificate on the map showing the City's approval of said map.

Recommendation of Hearing Officer: The tentative map was approved on December 16, 2009 by the Subdivision Hearing Officer. (Resolution No. 9298)

AUTHORIZE ISSUANCE OF PURCHASE ORDER WITH LOS ANGELES FREIGHTLINER FOR PURCHASE OF ONE FORD REAR LOADER REFUSE TRUCK IN AN AMOUNT NOT TO EXCEED \$119,427

Recommendation:

(1) Find the proposed contract exempt 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; and

(2) Authorize the issuance of a purchase order to Los Angeles Freightliner in an amount not to exceed \$119,427 for the purchase of one Ford rear loader refuse truck, without competitive bidding pursuant to City Charter Section 1002(H), contracts with other governmental entities or their contractors for labor, material, supplies or services.

AUTHORIZE ISSUANCE OF PURCHASE ORDER WITH LOS ANGELES FREIGHTLINER FOR PURCHASE OF THREE AUTOCAR SIDE LOADER REFUSE TRUCKS IN AN AMOUNT NOT TO EXCEED \$896,453

Recommendation:

(1) Find the proposed contract exempt 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; and

(2) Authorize the issuance of a purchase order to Los Angeles Freightliner in an amount not to exceed \$896,453 for the purchase of three Autocar side loader refuse trucks, without competitive bidding pursuant to City Charter Section 1002(H), contracts with other governmental entities or their contractors for labor material, supplies or services.

AUTHORIZATION TO EXTEND THE PURCHASE ORDER CONTRACT WITH McAVOY & MARKHAM FOR THE PURCHASE OF ELECTRIC POWER METERS FOR THE WATER AND POWER DEPARTMENT

Recommendation:

(1) Find that the contract is exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act ("CEQA"), Section 15302(c) – Replacement and Reconstruction; and

(2) Authorize the City Manager to extend the purchase order contract with McAvoy & Markham for the purchase of electric power meters for up to two additional years or until the balance authorized under the current contract is exhausted, whichever comes first.

AMENDMENT TO CONTRACT NO. 20,717 WITH PLANNING CENTER/DC&E TO INCREASE THE TOTAL NOT-TO-EXCEED AMOUNT BY \$200,000 FROM \$231,871 TO \$431,871 FOR PROFESSIONAL CONSULTANT SERVICES FOR THE UPDATE OF THE GENERAL PLAN

Recommendation: Authorize the City Manager to amend Contract No. 20,717 with Planning Center/DC&E by increasing the contract amount by \$200,000 for a total not-to-exceed amount of \$431,871 for work related to the completion of the General Plan Update. (Contract No. 20,717-1)

Item discussed separately

AUTHORIZE THE PURCHASE OF SEVEN COMPRESSED NATURAL GAS BUSES FOR THE PASADENA AREA RAPID TRANSIT SYSTEM FOR AN AMOUNT NOT TO EXCEED \$2,940,000

AUTHORIZATION TO ENTER INTO A CONTRACT WITH KLEINSCHMIDT ASSOCIATES TO PROVIDE CONSULTING SERVICES FOR THE RE-LICENSING OF AZUSA HYDROELECTRIC PLANT WITH THE FEDERAL ENERGY REGULATORY COMMISSION

Recommendation:

(1) Find that the proposed contract with Kleinschmidt Associates ("Kleinschmidt") is exempt from the California Environmental Quality Act ("CEQA") Guidelines in accordance with Section 15061, general rule; and

(2) Authorize the City Manager to enter into a contract with Kleinschmidt to provide consulting services during the Federal Energy Regulatory Commission re-licensing of the Azusa Hydroelectric Plant for three years or after using the not to exceed budget amount of \$250,000, whichever occurs first; with up to two additional one-year extensions, each of which is not to exceed \$100,000, subject to approval by the City Manager. (Contract No. 21,491)

APPROVAL OF INCREASE TO PURCHASE ORDER NO. 51487 WITH SANOFI PASTEUR, INC., FOR THE PURCHASE OF VACCINES AND TUBERCULOSIS TESTING SOLUTION

Recommendation:

(1) Authorize an increase of \$14,000 to Purchase Order No. 5187 with Sanofi Pasteur, Inc., thereby increasing the not to exceed amount from \$74,999 to \$88,999 for the purchase of vaccines and tuberculosis testing solution; and

(2) To the extent this could be considered a separate transaction subject to the competitive selection process, it is recommended that the City Council grant the proposed increase 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. Competitive Bidding is not required pursuant to City Charter Section 1002(F), contracts for professional or unique services.

Item discussed separately

FINANCE COMMITTEE: RECOGNIZE AND APPROPRIATE \$132,280 FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE AND APPROVE AN INCREASE OF 3.0 FULL-TIME EMPLOYEES (FTE's) (FOUR LIMITED-TERM POSITIONS AT 0.75 FTE) FOR THE PUBLIC HEALTH DEPARTMENT'S NETWORK FOR A HEALTHY CALIFORNIA PROGRAM

FINANCE COMMITTEE: AUTHORIZATION TO ENTER INTO A CONTRACT WITH JM COMMUNICATIONS, INC., FOR UNDERGROUND ELECTRICAL CONDUIT SYSTEMS IN HILL AVENUE FOR THE WATER AND POWER DEPARTMENT

Recommendation:

(1) Find that the project is exempt from California Environmental Quality Act (CEQA) review pursuant to State CEQA Guidelines, Section 15302(d) – Replacement or Reconstruction, Conversion of Overhead Electric Utility Distribution System Facilities to Underground;

(2) Accept the bid dated June 4, 2013 submitted by JM Communications, Inc., ("JM") in response to Specifications LD-13-5 for construction of underground electrical conduit systems along Hill Avenue, and authorize a contract with JM not to exceed \$2,727,372; and

(3) Approve a journal voucher to transfer \$2,900,000 from the Hill Avenue – Electric System Undergrounding, Villa Street to North City Limits, Capital Improvement Budget No. 74488 in Fund No. 206 to Utility Undergrounding Power Capital Improvement Project No. 3174 in Fund 411. (Contract No. 21,492; Journal Voucher No. 2014-7)

Item discussed separately

FINANCE COMMITTEE: RECOGNIZE AND APPROPRIATE FUNDS IN THE AMOUNT OF \$215,122 TO THE PUBLIC HEALTH DEPARTMENT'S FISCAL YEAR 2014 OPERATING BUDGET FOR THE DEVELOPMENT OF A COMPREHENSIVE MENTAL HEALTH SYSTEM OF CARE

FINANCE COMMITTEE: QUARTERLY INVESTMENT REPORT, QUARTER ENDING JUNE 30, 2013

Recommendation: This report is for information purposes only

FINANCE COMMITTEE: ADOPTION OF RESOLUTIONS AMENDING THE NON-REPRESENTED MANAGEMENT AND NON-REPRESENTED NON-MANAGEMENT SALARY RESOLUTIONS TO ESTABLISH COMPENSATION FOR NEWLY ESTABLISHED CLASSIFICATIONS AND AMENDING THE FISCAL YEAR OPERATING BUDGET TO ADD TWO NEW POSITIONS

Recommendation:

(1) Amend the Non-Represented Management Salary Resolution and Non-Represented Non-Management Salary Resolution to establish two new classifications and related salaries; and

(2) Amend the Fiscal Year 2014 Operating Budget to include 1.0 Full-Time Employee (FTE) for a new position titled Fiscal Services Administrator in the Department of Finance, and 1.0 FTE for a new Management Analyst IV in the Human Resources Department. The budget will be amended to include a prorated amount of nine months of funding for each new position. (Resolution No. 9299 and 9300)

CLAIMS RECEIVED AND FILED

Claim No. 11,977	Luke J. Kim	\$ 25,000.00+
Claim No. 11,978	William W. Shepherd	Not Stated
Claim No. 11,979	Gregory Peutet	1,845.06
Claim No. 11,980	Robert Lee	320.90
Claim No. 11,981	Luz Paez	306.00
Claim No. 11,982	Acclaim Resource Partners c/o ACE a/s/o Roberta Marquez	3,002.06
Claim No. 11,983	Carlos Sanchez	800.00
Claim No. 11,984	Brian Cordero	804.25
Claim No. 11,985	Keith A. Harris	286.00

PUBLIC HEARINGS SET

September 30, 2013, 7:00 p.m. – Designation of 405 Mira Vista Terrace as a Landmark

September 30, 2013, 7:00 p.m. – Designation of 316 South San Gabriel Boulevard as a Landmark

It was moved by Councilmember Kennedy, seconded by Councilmember McAustin, to approve the Consent Calendar, with the exception of Items: 1 (Contract with Alternative Home Care, Caring Choice, Inc. & Envoy Health Care), 9 (Purchase of compressed natural gas buses), 12 (Network for a Healthy California Program), and 14 (Mental Health Care System), which were discussed separately. (Motion unanimously carried) (Absent: Mayor Bogaard)

CONSENT ITEMS
DISCUSSED SEPARATELY

CONTRACT AWARD TO ALTERNATIVE HOME CARE, CARING CHOICE, INC., AND ENVOY HEALTH CARE FOR THE PROVISION OF HOMEMAKER AND CERTIFIED NURSING ASSISTANT SERVICES

Recommendation:

- (1) Find that all three of the proposed contracts are exempt from competitive bidding pursuant to City Charter, Section 1002(F), contracts for professional or unique services;
- (2) Authorize the City Manager to enter into a two-year contract with Alternative Home Care in an amount not to exceed \$150,000, with Caring Choice, Inc., in an amount not to exceed \$200,000, and with Envoy Health Care in an amount not to exceed \$335,000 for the provision of certified attendant and skilled nursing care; and
- (3) Authorize the City Manager to extend all three contracts for up to three additional one-year periods in amounts not to exceed \$150,000 with Alternative Home Care, not to exceed \$200,000 with Caring Choice, Inc., and not to exceed \$335,000 with Envoy Health Care. (Contract No.'s 21,493, 21,494 and 21,495)

Mustang Sally Ramirez, Los Angeles resident, expressed her concerns regarding undocumented workers and asked that military veterans and pilots be hired for City contracts.

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

AUTHORIZE THE PURCHASE OF SEVEN COMPRESSED NATURAL GAS BUSES FOR THE PASADENA AREA RAPID TRANSIT SYSTEM FOR AN AMOUNT NOT TO EXCEED \$2,940,000

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;
- (2) Authorize the issuance of a purchase order contract to Creative Bus Sales, without competitive bidding, pursuant to City Charter Section 1002(H), contracts with other government entities or their contractors, in an amount not to exceed \$2,940,000 for the purchase of seven 32-foot buses, all of which operate on compressed natural gas; and
- (3) Grant the proposed purchase order 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 for which the City's best interests are served.

In response to Councilmember Kennedy's inquiry regarding the possibility to lease buses instead of purchasing, the City Manager responded that the City refrains from leasing vehicles, including buses, in order to avoid debt and interest payments.

Councilmember McAustin was excused at 7:04 p.m.

Mustang Sally Ramirez, Los Angeles resident, stated her concerns with criminals and illegal aliens utilizing public buses in the City.

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

FINANCE COMMITTEE: RECOGNIZE AND APPROPRIATE \$132,280 FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE AND APPROVE AN INCREASE OF 3.0 FULL-TIME EMPLOYEES (FTE's) (FOUR LIMITED-TERM POSITIONS AT 0.75 FTE) FOR THE PUBLIC HEALTH DEPARTMENT'S NETWORK FOR A HEALTHY CALIFORNIA PROGRAM

Recommendation:

(1) Recognize and appropriate \$132,280 in additional funding from the United States Department of Agriculture to the Health Department's Fiscal Year (FY) 2014 Operating Budget to support the Pasadena Health Department's Network for a Healthy California program; and

(2) Amend the FY 2014 Operating Budget to add four 0.75 FTE Community Service Representatives I positions that will be limited term and grant funded, thereby increasing the Public Health Department's FY 2014 authorized FTE's from 122.10 to 125.10. (Journal Voucher No. 2014-5)

Councilmember McAustin returned at 7:10 p.m.

Mustang Sally Ramirez, Los Angeles resident, spoke in support of hiring military veterans, pilots, and U.S. Citizens.

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

FINANCE COMMITTEE: RECOGNIZE AND APPROPRIATE FUNDS IN THE AMOUNT OF \$215,122 TO THE PUBLIC HEALTH DEPARTMENT'S FISCAL YEAR 2014 OPERATING BUDGET FOR THE DEVELOPMENT OF A COMPREHENSIVE MENTAL HEALTH SYSTEM OF CARE

Recommendation: Recognize and appropriate \$215,122 from the Substance Abuse and Mental Health Services Administration to the Public Health Department's Fiscal Year 2014 Operating Budget for the purpose of developing a comprehensive system of care for mental health in children and youth. (Journal Voucher No. 2014-6)

Dr. Eric Walsh, Director of Public Health, and Angelica Palmeros, Program Coordinator II, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

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

PUBLIC HEARING 7:00 P.M.

PUBLIC HEARING: 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

Recommendation: It is recommended that the City Council continue the public hearing to September 16, 2013 at 7:00 p.m.

It was moved by Councilmember Tornek, seconded by Councilmember Gordo, to continue the public hearing to September 16, 2013 at 7:00 p.m. (Motion unanimously carried) (Absent: Mayor Bogaard)

REPORTS AND COMMENTS FROM COUNCIL COMMITTEES

FINANCE COMMITTEE

JOINT ACTION – FINANCE COMMITTEE: ADOPTION OF CITY’S INVESTMENT POLICY AND INVESTMENT STRATEGY FOR FISCAL YEAR 2013-2014

Recommendation: It is recommended that the City Council and the Successor Agency to the Pasadena Community Development Commission adopt the City’s Investment Policy and Investment Strategy for Fiscal Year 2013-2014.

Councilmember Tornek introduced the item and provided a brief summary.

Andrew Green, Director of Finance, and Vic Erganian, City Treasurer, responded to questions regarding the role of the City Treasurer related to the Fire and Police Retirement System, and the accuracy of forecasting for future expenditures and revenue.

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

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

CONTRACT AWARD TO LOS ANGELES ENGINEERING, INC., FOR ON-CALL CONCRETE REPAIR, FOR AN AMOUNT NOT TO EXCEED \$450,000

Recommendation:

(1) Find the proposed project to be categorically exempt under the California Environmental Quality Act (CEQA) Guidelines in

accordance with Title 14, Chapter 3, Class 1, Section 15301, minor alterations of existing public facilities involving negligible or no expansion of use beyond that previously existing at the time of the lead agency's determination; and
(2) Accept the bid dated August 6, 2013, submitted by Los Angeles Engineering, Inc., in response to the Project Specifications for On-Call Concrete Repair, reject all other bids received, and authorize the City Manager to enter into such contract as is required for an amount not to exceed \$450,000, with an option for two additional one-year periods in an amount not-to-exceed \$450,000 subject to City Manager's approval. (Contract No. 21,496)

Siobhan Foster, Director of Public Works, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

Councilmember McAustin asked that staff agendize a discussion for a future Municipal Services Committee meeting regarding a permanent funding source for sidewalk repairs and street tree maintenance in the City.

Councilmember Kennedy suggested that staff create a map highlighting areas of need where the most damaged sidewalks exist as a way to prioritize repairs and best utilize the program.

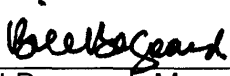
It was moved by Councilmember Gordo, seconded by Councilmember Tornek, to approve the staff recommendation. (Motion unanimously carried) (Absent: Mayor Bogaard)

COUNCIL COMMENTS

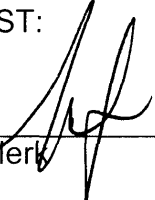
Councilmember Kennedy expressed appreciation to the City Manager and the Police Department for their work on National Night Out.

ADJOURNMENT

On order of the Vice Mayor, the regular meeting of the City Council adjourned at 8:07 p.m.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:


City Clerk