

CITY OF PASADENA
City Council Minutes
April 7, 2014 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 5:30 p.m.
(Absent: Councilmembers Gordo, Kennedy)

On the order of the Mayor, the regular meeting recessed at 5:30 p.m. to discuss the following closed sessions:

Councilmember Kennedy
arrived at 5:45 p.m.

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

Property Location: 649 North Fair Oaks Avenue, Suite 202, Pasadena, CA

Agency Negotiators: Michael J. Beck and Steve Mermell

Negotiating Party: Jamie Brooks

Under Negotiation: Price and terms of payment

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

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 Association of Clerical and Technical Employees (PACTE/LIUNA), Local 777

The above closed session item was not discussed.

On the order of the Mayor, the regular meeting reconvened at 6:36 p.m. The Pledge of Allegiance was led by Councilmember Kennedy.

ROLL CALL:

Councilmembers:

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

Staff:

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

CEREMONIAL MATTERS

Councilmember McAustin
arrived at 6:38 p.m.

Dr. Eric Walsh, Director of Public Health, thanked the Mayor, City Council, and staff for their support of the City's Public Health Department and presented an informational video on the City's health programs and partner organizations. The Mayor presented a proclamation declaring the week of April 7, 2014 as "Public Health Week". The proclamation was received by Dr. Walsh, along with members of the Health Department staff.

Vice Mayor Robinson thanked Dr. Walsh, Staff and Pasadena Media (and partners) for their assistance in recording a Public Service Announcement regarding the Affordable Care Act, and disseminating the information to the public on short notice.

The Mayor presented a proclamation declaring the Month of April 2014 as "Sexual Assault Awareness Month", and April 23, 2014 as "Denim Day" in Pasadena. Sandy Monroy, Peace Over Violence, and Anne Wolf, Commission on the Status of Women, received the proclamation, thanked the City Council, and provided information on Denim Day.

The Mayor presented a proclamation declaring April 26, 2014 as "Older Adults Day" in Pasadena. Marvin Schacter, Pasadena Conference on Ageing, and Akila Gibbs, Pasadena Senior Center, received the proclamation, thanked the City Council, and distributed flyers entitled, "2014 Pasadena Conference on Ageing Workshop Schedule".

Councilmember McAustin provided a professional biography on Mrs. Carolyn Chaney, former City Federal Lobbyist and requested that the City Council adjourn in her memory.

The Mayor provided a summary of Mr. David Partridge personal and professional history and requested that the City Council adjourn in his memory.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Floyd Folven, Pasadena resident stated his concerns regarding the Affordable Care Act, the City's utility contracts, and public housing projects owned by the City.

Councilmember Kennedy asked staff to provide information regarding any public housing projects owned by the City.

Michael Beck, City Manager, provided information regarding the City's fraud hotline which is monitored by the Finance Department staff.

Margaret Martinez, ChapCare, read a tribute in honor of Mr. Sid Tyler.

CONSENT CALENDAR

Item removed from the agenda at the request of staff

CONTRACT AWARD TO ABM ONSITE SERVICES – WEST, INC., FOR CITYWIDE HOUSEKEEPING SERVICES FOR AN AMOUNT NOT TO EXCEED \$3,005,435

AUTHORIZATION TO ENTER INTO A CONTRACT WITH MATHESON FOR THE FURNISHING AND DELIVERY OF CALIBRATION AND INDUSTRIAL GASES FOR THE BROADWAY AND GLENARM POWER PLANTS

Recommendation:

- (1) Find that contracting with Matheson for the furnishing and delivery of calibration and industrial gases for the Broadway and Glenarm Power Plants is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15301, Existing Facilities;
- (2) Accept the bid dated February 17, 2014 submitted by Matheson in response to Specifications LD-13-15 for the furnishing and delivery of calibration and industrial gases for the Broadway and Glenarm Power Plants; and
- (3) Authorize the City Manager to enter into a contract with Matheson for the furnishing and delivery of calibration and industrial gases for the Broadway and Glenarm Power Plants for an initial term of three years or \$165,000, whichever comes first; and two additional two-year extension options of \$110,000 each, subject to the approval of the City Manager. The total cost of the contract, including the two options is \$385,000 over a seven-year period. (Contract No. 21,773)

Item discussed separately due to public comment

RESOLUTION TO AMEND THE LAND USE DIAGRAM OF THE COMPREHENSIVE GENERAL PLAN TO IMPLEMENT THE LINCOLN AVENUE SPECIFIC PLAN

RECOGNIZE AND APPROPRIATE FUNDS IN THE AMOUNT OF \$130,000 TO THE PUBLIC HEALTH DEPARTMENT'S FISCAL YEAR 2014 OPERATING BUDGET AND APPROVAL OF AN INCREASE OF LIMITED-TERM, GRANT-FUNDED POSITIONS FOR THE PUBLIC HEALTH DEPARTMENT'S CHOOSE HEALTH LA KIDS PROGRAM

Recommendation:

- (1) Recognize and appropriate \$130,000 from the Los Angeles County Department of Public Health Choose Health LA Kids (CHLA) Program to the Pasadena Public Health Department's Fiscal Year 2014 Operating Budget; and
- (2) Approve an increase of 4.0 Full-Time Equivalent (FTE) positions for five new limited-term, grant-funded positions (three at 1.0 FTE and two at 0.5 FTE), for a net increase to the Public Health Department's total FTE from 125.10 to 129.0 FTEs. (Journal Voucher No. 2014-25)

APPOINTMENT OF MARNA CORNELL TO THE COMMISSION ON THE STATUS OF WOMEN (Mayor Nomination/District 2)

APPOINTMENT OF JORGE J. LAMBRINOS TO THE ACCESSIBILITY AND DISABILITY COMMISSION (District 2 Nomination)

APPOINTMENT OF MIKE OWEN TO THE PASADENA CENTER OPERATING COMPANY BOARD (Hotel Nomination)

APPOINTMENT OF DEAN BILLMAN TO THE DEFERRED COMPENSATION OVERSIGHT COMMITTEE (City Council Nomination)

MINUTES APPROVED

March 17, 2014
 March 19, 2014 (Special Joint Meeting)

CLAIMS RECEIVED AND FILED

Claim No. 12,135	Enan Mathew Sherwood	\$	500.00
Claim No. 12,136	Enriqueta Barrios		25,000.00+
Claim No. 12,137	Class Claim: All water customers served in "Area B"		10,000.00+
Claim No. 12,138	Lloyd Komesar		556.00
Claim No. 12,139	Betty Thomas		70.00
Claim No. 12,140	Jenny Velazquez		630.11
Claim No. 12,141	Jean H. Chong		Not Stated
Claim No. 12,142	Dawn McClendon		25,000.00+
Claim No. 12,143	Pacific Bell/AT&T Diane Mancini		Not Stated
Claim No. 12,144	George S. Azadian		772.63
Claim No. 12,145	Mohammed Amin Ebrahimi		10,000,000.00

It was moved by Vice Mayor Robinson, seconded by Councilmember McAustin, to approve the Consent Calendar, with the exception of Item No. 1 (Contract Award to ABM Onsite Services-West, Inc.) which was removed from the agenda; and Item No. 3 (Resolution to Amend the Land Use Diagram), which was discussed separately. (Motion unanimously carried) (Absent: Councilmember Gordo)

CONSENT ITEM DISCUSSED SEPARATELY

RESOLUTION TO AMEND THE LAND USE DIAGRAM OF THE COMPREHENSIVE GENERAL PLAN TO IMPLEMENT THE LINCOLN AVENUE SPECIFIC PLAN

Recommendation: It is recommended that the City Council adopt a resolution amending the Land Use Diagram of the Comprehensive General Plan to implement the Lincoln Avenue Specific Plan. (Resolution No. 9338)

Lisa Herron, Pasadena resident, stated her concerns regarding the Liquor Box store located on Lincoln Avenue.

Vice Mayor Robinson informed Ms. Herron that a District 1 community meeting will be forthcoming and the liquor store will be agendized for discussion.

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

PUBLIC HEARING

PUBLIC HEARING: TAX EQUITY AND FISCAL RESPONSIBILITY ACT (TEFRA) HEARING AND RESOLUTION FOR THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY REVENUE BONDS FOR THE HUNTINGTON MEMORIAL HOSPITAL PROJECT

Recommendation: It is recommended that the City Council hold a TEFRA hearing and adopt a resolution approving the issuance of the California Statewide Communities Development Authority (CSCDA) Revenue Bonds (Huntington Hospital project); in an aggregate amount not to exceed \$65,000,000 to finance and refinance the cost of acquisition, improvement, equipping and renovation of the health facilities. (Resolution No. 9339)

The Mayor opened the public hearing.

The City Clerk reported that the notice of public hearing was published on January 20, 2014 in the Pasadena Star News; and no correspondence was received by the City Clerk's office.

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

Following discussion, it was moved by Councilmember Tornek, seconded by Councilmember Madison to re-open the public hearing. (Motion unanimously carried) (Absent: Councilmember Gordo)

Eugene Gutierrez, Huntington Memorial Hospital, responded to questions regarding the financing, to be utilized for utility infrastructure upgrades and refinance prior bond issuances.

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

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

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

CONSIDERATION OF A CALL FOR REVIEW OF A HEARING OFFICER DECISION TO THE BOARD OF ZONING APPEALS REGARDING MINOR CONDITIONAL USE PERMIT NO. 6118 ALLOWING FOR THE ESTABLISHMENT OF A RELIGIOUS FACILITIES USE WITHIN THE CG-1 ZONING DISTRICT AT THE PROPERTY LOCATED AT 1231 LINCOLN AVENUE (Vice Mayor Robinson)

Vice Mayor Robinson introduced the item and provided information regarding the need to call this matter for review to the Board of Zoning Appeals (BOZA).

The following individuals spoke in opposition to the call for review to BOZA:

Floyd Folven, Pasadena resident
Ana Cazales, Pasadena resident

The following individuals spoke in favor of the call for review to BOZA:

Patrick Cabral, Pasadena resident
Valinda Richardson, Pasadena resident

Following discussion, it was moved by Vice Mayor Robinson, seconded by Councilmember Masuda, to call this matter for review to the Board of Zoning Appeals. (Motion unanimously carried) (Absent: Councilmember Gordo)

**ORDINANCES – FIRST
READING**

Councilmember Masuda left
the dais at 7:41 p.m.

Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING VARIOUS PROVISIONS OF TITLE 17 (THE ZONING CODE) TO CODIFY THE LINCOLN AVENUE SPECIFIC PLAN”

Laura Dahl, Senior Planner, responded to Councilmember McAustin’s inquiry regarding clarification of the prohibited and non-conforming language in the zoning code.

Following a brief discussion, the above ordinance was offered for first reading by Vice Mayor Robinson:

AYES: Councilmembers, Kennedy, Madison, McAustin, Tornek, Vice Mayor Robinson, Mayor Bogaard
NOES: None
ABSENT: Councilmembers Gordo, Masuda

Councilmember Masuda
returned at 7:43 p.m.

Conduct first reading of “AN UNCODIFIED ORDINANCE OF THE CITY OF PASADENA APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF PASADENA AND THE NORTON SIMON ART FOUNDATION TO MAINTAIN EXISTING LAND USE REGULATIONS FOR THE PROPERTY AT 267-377 WEST COLORADO BOULEVARD AND 55-77 NORTH ST. JOHN AVENUE (RUSNAK-PASADENA AUTOMOBILE DEALERSHIP)”

the above ordinance was offered for first reading by Vice Mayor Robinson:

AYES: Councilmembers, Kennedy, Madison, Masuda, McAustin, Tornek, Vice Mayor Robinson, Mayor Bogaard
NOES: None
ABSENT: Councilmember Gordo

**RECOMMENDATIONS FROM
OFFICERS AND
DEPARTMENTS
(CONTINUED)**

**CONSIDERATION OF A CALL FOR REVIEW OF A BOARD OF ZONING APPEALS DECISION TO THE CITY COUNCIL REGARDING MINOR CONDITIONAL USE PERMIT NO. 6084 ALLOWING FOR THE EXPANSION OF A LEGAL, NON-CONFORMING USE AT THE PROPERTY LOCATED AT 1700 EAST COLORADO BOULEVARD (CHICK-FIL-A)
(Councilmember Tornek)**

Kelvin Parker, Principal Planner, presented a PowerPoint presentation summarizing the proposed project, and responded to questions.

The City Clerk reported that one letter from the project applicant was received by the City Clerk’s Office and distributed to the City Council opposing the call for review.

The following individuals spoke against the matter for call to review to the City Council:

Floyd Folven, Pasadena resident
Jennifer Daw, Chick-Fil-A, Inc.
Sharon Washington, Pasadena resident

Councilmember Tornek provided information regarding the need to call this matter for review to the City Council, noted the discretionary nature for approving a non-conforming use, and responded to questions.

The Mayor cited the language in the East Pasadena Specific Plan which allows for the expansion of existing non-confirming uses, and therefore stated his preference to not support the call for review request.

Councilmember McAustin noted that the applicant's project followed the City's process for Minor Conditional Use Permit approvals, is consistent with the current rules in place for that location, and believes that the rules should not be amended in the middle of the process.

Following discussion, it was moved by Councilmember Tornek, seconded by Councilmember Madison, to call for review this matter to the City Council:

AYES: Councilmembers, Kennedy, Madison, Masuda, Tornek, Vice Mayor Robinson
NOES: Councilmember McAustin, Mayor Bogaard
ABSENT: Councilmember Gordo

REPORTS FROM REPRESENTATIVES/ REQUESTS FRO FUTURE AGENDA ITEMS

Vice Mayor Robinson spoke positively on the "Men Educating Men About Health" event and noted that an honoree at the event was Mrs. Joan Williams, a former City employee, who in 1958 was not allowed to ride on the City's Rose Parade Float (as was the custom at the time) and requested that the City Council, in the near future, acknowledge and extend an apology to Mrs. Williams in an official capacity.

Councilmembers Madison and Kennedy spoke in support of the Vice Mayor's request, with Mr. Kennedy, asking staff to review the history behind Mrs. Williams claim and make the appropriate findings. He also suggested the City could sponsor a float in the 2015 Rose Parade and allow Mrs. Williams to participate by riding on the City's float in the parade.

In addition, Mr. Kennedy requested that staff provide information on the free meals program at Villa Park and the program's future goals. He also reiterated his request that the Police Chief's decision to refer officer involved shooting investigations to the Los Angeles Sheriff's Department be agenized at a future Council meeting, including a report on the policy considerations that were used to make the decision.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 8:55 p.m., in memory of Mrs. Carolyn Chaney, the City's longtime Federal Legislative advocate, and Mr. David Partridge, Chairman Emeritus of the Pasadena Museum of California.

Bill Bogaard, Mayor
City of Pasadena

ATTEST:

City Clerk