

CITY OF PASADENA
City Council Minutes
July 21, 2014 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 5:31 p.m.
(Absent: Vice Mayor Robinson and Councilmember Madison)

On the order of the Mayor, the regular meeting recessed at 5:31 p.m., to discuss the following closed session:

Councilmember Madison
arrived at 5:46 p.m.

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL
REGARDING CONSIDERATION OF INITIATION OF
LITIGATION pursuant to Government Code Section
54956.9(d)(4): Two potential cases**

The Mayor announced the following action on the above closed session item:

It was moved by Councilmember Tornek, seconded by Councilmember Gordo, to authorize the initiation of two legal actions. (Motion carried, with Councilmember Kennedy abstaining) (Absent: Vice Mayor Robinson)

On order of the Mayor, the regular meeting reconvened at 6:30 p.m. The pledge of allegiance was led by Councilmember McAustin.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Jacque Robinson (Absent)
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

CEREMONIAL MATTERS

The City Clerk administered the oaths of office to Phlunte' Riddle as member of Pasadena Center Operating Company Board, Cybele Garcia Kohel as Arts and Culture Commissioner, and Felicia Kademian as Human Relations Commissioner.

Mercy Santoro, Director of Human Services and Recreation, introduced Dennis Campos, Chair of the Accessibility and Disability Commission, who spoke about the upcoming 25th Silver Anniversary of the Americans with Disabilities Act (“ADA25”) celebration, highlighted some advancements and accessibility challenges for individuals with disabilities, and responded to questions.

Councilmember Kennedy emphasized the need for the City to address sidewalk improvements, noting that some sidewalks are nearly impassable, specifically for the disabled community.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

The following individuals spoke on the proposed 100 West Walnut Planned Development (“Lincoln/Parsons”) project’s Draft Environmental Impact Report (DEIR), and in support of the Downtown Pasadena Neighborhood Association’s recommendation to refer the DEIR to the Transportation Advisory Commission (TAC) for review; form a Community-based Task Force to comment on the DEIR; and extend the public review period on the DEIR:

- Marsha Rood, Downtown Pasadena Neighborhood Association
- Chris Fedukowski, Downtown Pasadena Neighborhood Association
- Jonathan Edwards, Downtown Pasadena Neighborhood Association

The Mayor and Councilmember Tornek supported the recommendation to refer the Lincoln/Parsons project’s DEIR to TAC and that the request be agendized for consideration at the next scheduled City Council meeting on July 28, 2014.

CONSENT CALENDAR

Item discussed separately

CONTRACT AWARD TO STEINY AND COMPANY, INC., FOR INSTALLATION OF PARK SECURITY LIGHTING IN MCDONALD PARK, LA PINTOESCA PARK, BRENNER PARK, AND EATON BLANCHE PARK FOR AN AMOUNT NOT TO EXCEED \$280,000

CONTRACT AWARD TO DBX, INC., FOR INTELLIGENT TRANSPORTATION SYSTEM, PHASE II, INSTALLATION OF FIBER OPTIC EQUIPMENT ON FAIR OAKS AVENUE, HILL AVENUE, FOOTHILL BOULEVARD, AND SIERRA MADRE BOULEVARD, FOR AN AMOUNT NOT TO EXCEED \$1,161,000

Recommendation:

(1) Find that, on June 18, 2012, the proposed project was found to be categorically exempt under the California Environmental Quality Act (CEQA) in accordance with Section

15301 (Class 1), subsection (c), Existing Facilities, of the California Code Regulations Title 14, Chapter 3. This exemption includes minor alterations involving negligible expansion of use beyond that previously existing, and there are no changed circumstances or new information which would require further environmental review; and

(2) Accept the bid dated June 4, 2014, submitted by DBX, Inc., in response to the Specifications for the Intelligent Transportation System (ITS), Phase II, Installation of Fiber Optic Equipment on Fair Oaks Avenue, Hill Avenue, Foothill Boulevard, and Sierra Madre Boulevard, and authorize the City Manager to enter into a contract for an amount not to exceed \$1,161,000. (Contract No. 21,894)

AUTHORIZATION TO ENTER INTO A CONTRACT WITH PERRY C. THOMAS CONSTRUCTION, INC., FOR AN AMOUNT NOT TO EXCEED \$873,076 TO PROVIDE LABOR AND MATERIALS FOR CONSTRUCTION OF AN UNDERGROUND ELECTRICAL CONDUIT SYSTEM IN VALLEY VIEW AVENUE FOR THE WATER AND POWER DEPARTMENT

Recommendation:

(1) Find that the project is exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act ("CEQA") Public Resources Code Section 21080(b)(9); Administrative Code, Title 14, Chapter 3, Class 2, Section 15302 (replacement or reconstruction); and

(2) Accept the bid dated June 10, 2014, from Perry C. Thomas Construction, Inc., in response to Specifications LD-14-5 for construction of an underground conduit system; and authorize the City Manager to enter into a contract with Perry C. Thomas Construction, Inc., for an amount not to exceed \$873,076. (Contract No. 21,895)

RESIGNATION OF ANDREA ABRAMS FROM THE COMMISSION ON THE STATUS OF WOMEN (District 7 Nomination)

APPOINTMENT OF JANICE SEGALL TO THE LIBRARY COMMISSION (District 6 Nomination)

REAPPOINTMENT OF MERIEL STERN TO THE ARTS AND CULTURE COMMISSION (District 5 Nomination)

REAPPOINTMENT OF MICHAEL WARNER TO THE CODE ENFORCEMENT COMMISSION (District 5 Nomination)

REAPPOINTMENT OF CINDY SCHNUELLE TO THE NORTHWEST COMMISSION (District 5 Nomination)

REAPPOINTMENT OF JOSE NOEL TORO TO THE NORTHWEST COMMISSION (District 5 Nomination)

CLAIMS RECEIVED AND FILED	Claim No. 12,206	Jorge Villicana Arias	\$ 1,500,000.00
	Claim No. 12,207	Sandra E. Rittenhouse	4,622.50
	Claim No. 12,208	AAA for Andres Brown	2,306.24
	Claim No. 12,209	Patricia Hurley	4,353.93
	Claim No. 12,210	Mercury Insurance Group, LLC	2,834.26

PUBLIC HEARING SET

July 28, 2014, 7:00 p.m. – Determine a Water Supply Shortage Exists, Establish a 20% Conservation Target and Implement Level 1 Water Supply Shortage Measures as Described in Pasadena Municipal Code (PMC) Section 13.10.040

It was moved by Councilmember McAustin, seconded by Councilmember Kennedy, to approve all items on the Consent Calendar with the exception of Item 1 (Contract Award to Steiny and Company, Inc., for Installation of Park Security Lighting), which was discussed separately. (Motion unanimously carried) (Absent: Vice Mayor Robinson)

CONSENT ITEM DISCUSSED SEPARATELY

CONTRACT AWARD TO STEINY AND COMPANY, INC., FOR INSTALLATION OF PARK SECURITY LIGHTING IN MCDONALD PARK, LA PINTOESCA PARK, BRENNER PARK, AND EATON BLANCHE PARK FOR AN AMOUNT NOT TO EXCEED \$280,000

Recommendation:

(1) Find the proposed project to be exempt under the California Environmental Quality Act (CEQA) in accordance with Sections 15302 and 15303 (Classes 2 and 3) of the California Code of Regulations Title 14, Chapter 3. The Class 2 exemption includes replacement or reconstruction of existing facilities, and the Class 3 exemption includes construction of small facilities or structures, including accessory structures; and

(2) Accept the bid dated July 2, 2014, submitted by Steiny and Company, Inc., in response to the Specifications for the Installation of Park Security Lighting in McDonald Park, La Pintoresca Park, Brenner Park, and Eaton Blanche Park, and authorize the City Manager to enter into such contract for an amount not to exceed \$280,000. (Contract No. 21,896)

Councilmember McAustin expressed her support for the project but stated her opposition in utilizing Residential Impact Fees as a funding source. In response to Councilmember McAustin, Siobhan Foster, Director of Public Works, noted that a report on Residential Impact Fees and how such funds are expended will be forthcoming to the Finance Committee and then the City Council in late September.

In response to Councilmember Kennedy's request, the City Manager noted that staff will indicate in future staff reports whether or not the awarded contractor has any current or past contracts with the City.

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

PUBLIC HEARING

PUBLIC HEARING: ADOPTION OF THE 2014 ANNUAL CITY OF PASADENA SELF CERTIFICATION REPORT IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM (CMP) FOR LOS ANGELES COUNTY AND THE 2014 LOCAL DEVELOPMENT REPORT IN ACCORDANCE WITH GOVERNMENT CODE SECTION 65089 **Recommendation:**

- (1) Find that the proposed actions are exempt from review pursuant to the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(3);
 - (2) Adopt a resolution finding the City in conformance with the Congestion Management Program (CMP) for the County of Los Angeles;
 - (3) Adopt the 2014 Local Development Report in accordance with California Government Code Section 65089 (Attachment A of the resolution); and
 - (4) Direct staff to file the CMP Local Development Report with the Los Angeles County Metropolitan Authority (Metro).
- (Resolution No. 9363)

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on July 3, 2014 in the Pasadena Journal; and no correspondence was received.

Fred Dock, Director of Transportation, introduced the item, and Jenny Cristales, Associate Planner, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

No one appeared for public comment.

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

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

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

CONTRACT AWARD TO U.S. SECURITY ASSOCIATES, INC., FOR CITYWIDE SECURITY SERVICES AT BUILDINGS, PARKS, AND PARKING STRUCTURES IN AN AMOUNT NOT TO EXCEED \$2,403,741

Recommendation:

- (1) Accept the bid dated June 25, 2014, submitted by U.S. Security Associates, Inc.;
- (2) Reject all other bids received; and
- (3) Authorize the City Manager to enter into a contract with U.S. Security Associates, Inc., in an amount not to exceed \$2,403,741 over a three-year period with the option for two, one-year additional extensions in the amount of \$801,247 at the discretion of the City Manager for a maximum total contract length of five years, for citywide security services. (Contract No. 21,897)

Siobhan Foster, Director of Public Works, introduced the item, and Flo Langilotti, Acting Public Works Administrator, summarized the agenda report as part of a PowerPoint presentation, and responded to questions.

Councilmember Kennedy inquired about the current contract with Inter-Con Security Systems, Inc., and whether or not they were required to provide specific information as it relates to local hiring. In response to Councilmember Kennedy, the City Manager noted that such a requirement exists for new contracts, that staff will work with the City Attorney to make suggestions on providing specific information in terms of the exact number of local residents assigned to work under a contract, and will report back to the City Council with this information.

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

DESIGNATION OF VOTING DELEGATE AND ALTERNATE FOR THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE ON SEPTEMBER 3-5, 2014 IN LOS ANGELES, CALIFORNIA (Mayor Bogaard)

It was moved by Councilmember Gordo, seconded by Councilmember Kennedy, to designate the Mayor as Voting Delegate for the League of California Cities Annual Conference, with no designation of an alternate to be made at this time. (Motion unanimously carried) (Absent: Vice Mayor Robinson)

GENERAL PLAN UPDATE PROJECT SCHEDULE AND TRANSPORTATION PERFORMANCE MEASURES

Recommendation: It is recommended that the City Council adopt Option 3, directing staff to finalize and use the proposed transportation performance measures for the General Plan Update.

Vince Bertoni, Director of Planning and Community Development, introduced the agenda item, and David Reyes, Deputy Director of Planning and Community Development, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

The following three options were identified by staff for consideration by the City Council as it relates to the completion of the Transportation Performance Measures and proceeding with the General Plan process:

Option 1	Wait for the State's Adoption of Revised Guidelines
Option 2	Conduct the Traffic Study of the Environmental Impact Report (EIR) based on Existing Performance Measures
Option 3	Finalize and Use the Proposed Performance Measures

Following discussion, Councilmember McAustin pointed out that according to the summary of SB 743 that was included as an attachment to the staff report, a "Preliminary Evaluation of Alternative Criteria" was provided by OPR and that it clearly indicates that the State is moving in the direction of replacing the "Level of Service" (LOS) performance measures with analysis based on vehicle miles traveled (VMT) or similar performance measures.

The following persons spoke in opposition to, and/or, expressed concerns regarding the proposed staff recommendation:

Bill Urban, Pasadena resident
Geoffrey Baum, President of West Pasadena Residents' Association (WPRA)
Mic Hansen, speaking as an individual Planning Commissioner

The following persons spoke in favor of the proposed staff recommendation:

Erlinda Romo, Playhouse District Association
Greg Gunther, Pasadena resident

Jonathan Edwards, Downtown Pasadena Neighborhood Association
Juan Diego Ashton, Pasadena resident
Wesley Reutimann, Day One
Blair Miller, Transportation Advisory Commission
Dr. Gene Wester, Pasadena resident

Councilmember Gordo and Madison suggested that no action be taken at this time to allow the Planning Commission to further deliberate on the matter at its next scheduled meeting to be held on July 23, 2014.

Councilmember Tornek stated that the City Council is not prepared to adopt new transportation measures or give any direction with regard to specific measures, and also suggested that the matter be referred to the Planning Commission for deliberation and that the City Council acknowledge that the General Plan will not be adopted by the end of the year as anticipated.

The Mayor stated that when the matter returns to the City Council that he would like information as to what has transpired at the state level in regards to the State's adoption of revised guidelines, status of the implementation of the guidelines, and the apparent intrusion by state legislation and regulations impacting local control.

Councilmember Kennedy stated concerns regarding the proposed new Transportation Performance Measures, inquired if there are other municipalities moving forward in the direction recommended by staff, and whether or not there will be economic impacts associated with postponing the matter.

Following discussion, it was moved by Councilmember McAustin to approve the staff recommendation. (Motion failed due to lack of a second)

Following additional discussion, it was moved by Councilmember Gordo, seconded by Councilmember Kennedy, to acknowledge that the General Plan adoption will be delayed and will not meet the anticipated timeline of December 31, 2014; allow time for the Planning Commission to continue to consider and develop new transportation performance measures for recommendation to the City Council, with the City Council to finalize and adopt new Performance Measures to be utilized for the Environmental Impact Report and Traffic Analysis for the General Plan Update; with staff directed to provide the Planning Commission with information from the City Council's discussion at tonight's meeting; and staff also directed to come back with a comprehensive report on the preemption legislation pertaining to transportation metrics. (Motion unanimously carried) (Absent: Vice Mayor Robinson)

COUNCIL COMMENTS

Councilmember Madison reported that the United States Sentencing Commission voted to retroactively apply a change to its sentencing rules that can essentially make 46,000 currently incarcerated non-violent drug offenders eligible for early release, and requested that this matter be agendaized for discussion at a future Public Safety Committee meeting.

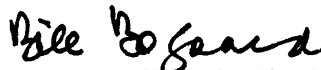
Councilmember McAustin commented on the Glenarm GT5 Repowering Project and the \$800,000 allocated to satisfy the 1% public art requirement, and requested that staff report back with information on what process will be undertaken to determine the public art component of the project, as well as the time frame for any public art decisions associated with this project.

In response to Councilmember Tornek's announcement regarding the election of Councilmember Madison as President of the Burbank-Glendale-Pasadena Airport Authority, Councilmember Madison highlighted some of the Commission's accomplishments and future plans/projects, and responded to questions.

Councilmember Kennedy commented on the recent celebration commemorating the centennial birthday of Olympic Silver Medalist and former Pasadena resident Mack Robinson held on July 18-20, 2014, and commended those involved in the celebration for their work.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 9:26 p.m.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk