

CITY OF PASADENA  
City Council Minutes  
September 22, 2014 – 5:30 P.M.  
City Hall Council Chamber

REGULAR MEETING

**OPENING:**

Mayor Bogaard called the regular meeting to order at 5:37 p.m.

On the order of the Mayor, the regular meeting recessed at 5:37 p.m., to discuss the following closed sessions:

**CITYCOUNCIL 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**

The regular meeting reconvened at 5:55 p.m. to allow for public comment from the following persons:

Michelle White, Pasadena resident, commended the City Manager for his work and overall responsiveness to public requests but expressed concerns regarding issues involving the Kendrec McDade report and the police manual. She also suggested that there be more transparency as it relates to the City's budget, specifically during the public budget meetings.

Dale Gronemeier, representing ACT Pasadena, National Association for the Advancement of Colored People (NAACP), Interdenominational Ministerial Alliance (IMA), expressed disappointment regarding the lack of transparency involving the Kendrec McDade report.

The City Council recessed back into closed session at 6:03 p.m. to discuss the item below.

**CITY COUNCIL CONFERENCE REGARDING PUBLIC  
EMPLOYEE PERFORMANCE EVALUATION pursuant to  
Government Code Section 54957  
Title: City Manager**

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

On order of the Mayor, the regular meeting reconvened at 6:46 p.m. The pledge of allegiance was led by Councilmember Gordo.

**ROLL CALL:**

Councilmembers:

Mayor Bill Bogaard  
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

**CEREMONIAL MATTERS**

**PRESENTATION OF THE STATE OF THE STATE BY ASSEMBLYMEMBER CHRIS HOLDEN**

Assemblymember Chris Holden provided an update on State legislative activities and the status of several key Assembly Bills that he has sponsored or is sponsoring, reported on the water bond and drought challenges, and the financial health of the State of California, which included information on unemployment, education improvements and funding, and infrastructure improvements. He responded to questions regarding more local control for city governments, and the anticipated benefits of the California Film and Tax Credit.

Following discussion, the Mayor thanked Assemblymember Holden for his presentation and the information provided to the Council and public.

On order of the Mayor, the information was received.

Councilmember Madison introduced the "First Tee of Pasadena" organization, and the Mayor presented a proclamation declaring October 2014 as "First Tee of Pasadena Month", which was received by Bill Fennessy, President of The First Tee Organization. Mr. Fennessy thanked the City for their continued support over the years, provided a brief overview of the organization and its accomplishments, and invited the City Council to a fundraiser event to be held on October 7, 2014 at Brookside Park.

The City Clerk administered the oaths of office to Charlotte Bland as Commissioner on the Status of Women, and John S. "Pete" Kutzer as South Lake Parking Place Commissioner.

The Mayor presented a proclamation declaring September 23, 2014, as "National Voter Registration Day", which was received by Mark Jomsky, City Clerk.

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

Michele Logan, Pasadena resident, and Marshall Pura, Los Angeles resident, spoke on behalf of the USA Pickleball Association, asked for the City's assistance in providing a permanent facility/space to play pickleball locally, suggesting use of the under-utilized tennis courts located at Hamilton Park.

The Mayor asked the City Manager to explore ways to accommodate the request for a permanent facility for Pickleball, and to report back to the City Council with suggestions regarding this matter. Councilmember Gordo stated his support and specifically requested that Hamilton Park be considered as a potential permanent site for Pickleball use, and suggested the matter be reviewed by the Recreation and Parks Commission, with recommendations to the City Council in the future.

Genevieve Clavreul, Pasadena resident, expressed concerns regarding the Senior Commission and the alleged mistreatment of the public attending meetings, poor condition of some City sidewalks, and the danger of pedestrians crossing streets at intersections where there are stop signs, noting that some drivers disregard the stop sign.

Dale Gronemeier, representing ACT Pasadena, National Association for the Advancement of Colored People (NAACP), Interdenominational Ministerial Alliance (IMA), expressed concern regarding the Office of Independent Review's (OIR) report for the officer involved shooting of Kendrec McDade, urged the City to not redact information that has already been disclosed, and to release the maximum amount of information that can legally be released.

Sy Baldwin, Pasadena resident, expressed concern regarding the number of local Police involved shootings and violent encounters, noted his desire to start a petition regarding this matter, and suggested that a town hall meeting be organized to address this issue and to obtain signatures on the petition.

Christine Lenches-Hinkel, Waste Less Living, expressed concern regarding the proposed changes to the Pasadena Municipal Code regulating solid waste and organic haulers, and noted that such changes will negatively impact her business.

**CONSENT CALENDAR**

Councilmember Kennedy was excused at 7:43 p.m. and left the meeting

**APPROVAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PASADENA AND THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, LOCAL 858 FOR THE TERM OF JANUARY 1, 2014 – JUNE 30, 2015**

**Recommendation:** It is recommended that the City Council approve a successor Memorandum of Understanding (MOU) between the City of Pasadena and the American Federation of

State, County and Municipal Employees, Local 858 (AFSCME) for the term of January 1, 2014 through June 30, 2015. (Contract No. 21,997)

**APPROVAL OF FINAL TRACT MAP NO. 071486 FOR CONSOLIDATION FROM 12 EXISTING LOTS TO SEVEN LOTS AT 2900 EAST DEL MAR BOULEVARD (LAS ENCINAS HOSPITAL)**

**Recommendation:**

- (1) Adopt a resolution to approve Final Tract Map No. 071486;
- (2) Accept the offer of easement dedications for ingress and egress and all public utilities purposes as shown on said map; and
- (3) Authorize the City Clerk to execute the Certificate on the map showing the City's approval of said map.

**Hearing Officer Recommendation:** The subject tentative map was approved on March 2, 2011 by the Subdivision Hearing Officer, to be recorded within two years.

In 2008, the State passed Senate Bill 1185, which automatically granted a one-year extension to all approved tentative maps. In 2009, the State passed Assembly Bill 333, which mandated that all tentative maps that had been approved and had not expired by July 15, 2009 and that will expire before January 1, 2021, shall be automatically extended by 24 months. The 24-month extension is in addition to the one-year extension granted by Senate Bill 1185. Therefore, the amended expiration date of the subject Final Tract Map is March 2, 2016. (Resolution No. 9374)

**PUBLIC SAFETY COMMITTEE: AUTHORIZATION TO ENTER INTO CONTRACTS WITH THE CITY OF LOS ANGELES DEPARTMENT OF TRANSPORTATION (LADOT) AND THE CITY OF IRVINE POLICE DEPARTMENT FOR SUPPLEMENTAL SERVICES FOR MAJOR EVENTS IN AMOUNTS NOT TO EXCEED \$350,000 AND \$150,000 PER YEAR RESPECTIVELY**

**Recommendation:**

- (1) Find that the action proposed in the agenda report is exempt from environmental review pursuant to the California Environmental Quality Act Guidelines Section 15323 (Normal Operations of Facilities for Public Gatherings);
- (2) Authorize the City Manager to enter into a contract with the City of Los Angeles Department of Transportation (LADOT) for a period of five years, retroactive to July 1, 2014, in an amount not to exceed \$350,000 per year for supplemental traffic control services at Major Events;

(3) Authorize the City Manager to enter into a contract with the City of Irvine, retroactive to July 1, 2014, in the amount not to exceed \$150,000 per year for supplemental law enforcement services for major events within the City of Pasadena; and

(4) Authorize the City Manager to extend the contract with the City of Irvine for up to two additional one-year periods not to exceed \$150,000 per extension period without further City Council authorization.

The proposed contracts are exempt from competitive bidding pursuant to City Charter, Section 1002(H) (contracts with government entities or their contractors) as well as the competitive selection process of the Competitive Bidding and Purchasing Ordinance pursuant to Pasadena Municipal Code, Section 4.08.049(A)(3), contracts with other government entities. (Contract Nos. 21,998 and 21,999)

**FINANCE COMMITTEE: AMENDMENT TO CONTRACT NO. 21,248 WITH SCOTT FAZEKAS AND ASSOCIATES, INC., TO INCREASE THE TOTAL NOT TO EXCEED AMOUNT BY \$600,000 FROM \$600,000 TO \$1,200,000 TO PROVIDE BUILDING PLAN REVIEW SERVICES**

**Recommendation:**

(1) Find that the proposed action is categorically exempt from the California

Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061 (b)(3), the general rule that CEQA only applies to projects that may have an effect on the environment;

(2) Authorize the City Manager to amend Contract No. 21,248 with Scott Fazekas and Associates by increasing the contract amount by \$600,000 thereby increasing the not to exceed amount from \$600,000 to \$1,200,000 for continued plan check services; and

(3) Appropriate \$600,000 from the Building Fund to Building – Consultant Services (Account No. 8115-204-447200) for expenses related to building plan review services as provided in Contract No. 21,248. (Contract No. 21,248-3; Journal Voucher No. 2015-2)

**FINANCE COMMITTEE: CALIFORNIA OFFICE OF TRAFFIC SAFETY GRANT AWARDED TO THE CITY OF PASADENA FOR THE SAFER STREETS PASADENA PROGRAM**

**Recommendation:**

(1) Authorize the City Manager to enter into an agreement with the California Office of Traffic Safety (OTS) to receive Fiscal Year 2015 grant funding for the Safer Streets Pasadena Program in the amount of \$172,000;

(2) Amend the Department of Transportation's Fiscal Year 2015 Operating Budget to recognize and appropriate \$172,000

in grant funds awarded by OTS for the Safer Streets Pasadena Program as detailed in the Fiscal Impact section of the agenda report; and

(3) Find that acceptance of this grant is exempt from the California Environmental Quality Act (CEQA), Section 15061 (b)(3) of the State CEQA Guidelines. (Contract No. 22,001; Journal Voucher No. 2015-3)

**FINANCE COMMITTEE: AUTHORIZATION TO ACCEPT AND ENTER INTO A GRANT AGREEMENT WITH PASADENA COMMUNITY GARDENS CONSERVANCY AND APPROPRIATION OF GRANT FUNDS**

**Recommendation:**

(1) Find that the recommended action is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Title 14, Chapter 3 (State CEQA Guidelines), Section 15301 (Class 1, Existing Facilities);

(2) Authorize the City Manager to accept \$100,000 grant and enter into a grant agreement with the Pasadena Community Gardens Conservancy in support of the Villa-Parke Community Garden; and

(3) Recognize and appropriate \$20,000 in grant funds to the General Fund (101) in the Human Services and Recreation Department's Fiscal Year (FY) 2015 operating budget (Account Nos. 7033-101-643541 and 8114-101-643541). (Contract No. 22,002; Journal Voucher No. 2015-4)

**MUNICIPAL SERVICES COMMITTEE: AUTHORIZE A CONTRACT WITH UTILITY TREE SERVICES, INC., TO PROVIDE POWERLINE CLEARANCE TREE TRIMMING SERVICES FOR THE WATER AND POWER DEPARTMENT**

**Recommendation:**

(1) Find that the project is categorically exempt from environmental review pursuant to the California Environmental Quality Act ("CEQA") Guidelines Section 15301, Class One, Existing Facilities; and

(2) Accept the bid dated July 29, 2014 from Utility Tree Services in response to Specifications LD-14-7 for tree trimming services for the Water and Power Department ("PWP"); and authorize a contract for an initial period not to exceed four years or until \$5,200,000 has been expended, whichever comes first; with two additional extensions, each not to exceed \$1,000,000; prices may increase annually but they may not exceed the increase in the Consumer Price Index for the Los Angeles County-Riverside-Orange County area for the most recently available 12-month period. (Contract No. 22,003)

**RESIGNATION OF RICA DUFF FROM THE SENIOR COMMISSION (Mayor Nomination/District 7)**

**RESIGNATION OF VALERIE WARDLAW FROM THE HUMAN SERVICES COMMISSION (Pasadena City College Nomination)**

**APPOINTMENT OF MICHAEL O'BRIEN TO THE HISTORIC PRESERVATION COMMISSION (Garfield Heights Nomination)**

**APPOINTMENT OF MERIEL STERN TO THE DESIGN COMMISSION (Arts and Culture Commission Nomination)**

**APPOINTMENT OF JUSTIN JONES TO THE HUMAN RELATIONS COMMISSION (District 3 Nomination)**

CLAIMS FILED	RECEIVED	AND	Claim No.	Name	Amount
			12,243	Andy Williams	\$349.67
			12,244	Elena Gomez	3,467.28
			12,245	Jay Vashi	25,000.00+
			12,246	Robert L. Johnson	3,717.17
			12,247	Rema M. Johnson-Smith	Not stated
			12,248	Phyllis Dixon	Not stated
			12,249	David Daryl Jones	25,000.00+
			12,250	Patricia Urbina	10,000.00+
			12,251	State Farm Insurance For Enrique Arroyo	2,027.90
			12,252	Nathaniel Rodgers	1,892.42

**PUBLIC HEARINGS SET**

**September 29, 2014, 7:00 p.m. – Villa Esperanza Master Plan – 2116 East Villa Street**

**September 29, 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**

**October 20, 2014, 7:00 p.m. – Planned Development Zone Change for the Reuse of the Desiderio Army Reserve Center**

It was moved by Councilmember Gordo, seconded by Councilmember McAustin, to approve all items on the consent calendar. (Motion unanimously carried) (Absent: Councilmember Kennedy)

**PUBLIC HEARINGS**

**PUBLIC HEARING: DRAFT CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (2013-2014 PROGRAM YEAR) FOR PROJECTS FUNDED FROM COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), EMERGENCY SOLUTIONS GRANT (ESG), AND HOME INVESTMENT PARTNERSHIP ACT (HOME)**

**Recommendation:** It is recommended that the City Council, following the public hearing, approve the submission to the U.S.

Department of Housing and Urban Development (HUD), of the Consolidated Annual Performance and Evaluation Report for the 2013-2014 Program Year for projects funded under the Community Development Block Grant, Emergency Solutions Grant, and the HOME Investment Partnership Act programs.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on September 12, 2014 in the Pasadena Star News; and no correspondence was received.

William Huang, Director of Housing and Career Services Department, introduced the agenda item, and Anne Lansing, Project Planner, summarized the agenda report as part of a PowerPoint presentation, and responded to questions.

No one appeared for public comment.

Councilmember Gordo inquired about the use of Community Development Block Grant (CDBG) funds for transitional housing and whether the City intends on finding an alternate funding source since these funds will no longer be available for such use.

In response to Councilmember Gordo, Mr. Huang stated that there will be transitional housing provided through various non-profit organizations and that staff will be working with these organizations to assist with the transition.

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

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

**PUBLIC HEARING: PROPOSED AMENDMENT TO SCHEDULE OF TAXES, FEES AND CHARGES FOR FISCAL YEAR 2015 TO INCREASE RESIDENTIAL IMPACT FEES BY FIVE PERCENT, AND AMENDMENT TO PASADENA MUNICIPAL CODE SECTION 4.17 TO ADD NEW POCKET PARK CLASSIFICATION**

**Recommendation:**

(1) Find the amendments proposed in the agenda report are exempt from environmental review pursuant to State CEQA Guidelines Section 15061(b)(3) ("general rule") Section 15378(b)(4) (definition of project excludes government fiscal



activities which do not involve any commitment to any specific project);

(2) Following the public hearing, adopt a resolution to increase the Residential Impact Fee (RIF) by five percent as outlined in the Fiscal Impact Section of the agenda report;

(3) Establish transition criteria to determine which projects the current Residential Impact Fee will apply – any project which has submitted a complete set of plans for building permits and paid all plan check fees prior to the effective date of the resolution;

(4) Maintain the current language in Pasadena Municipal Code (PMC) Section 4.17.60 which allows the Residential Impact Fee to be used for park acquisition, construction and installation; and

(5) Direct the City Attorney to prepare an ordinance within 60 days amending Section 4.17 of the Pasadena Municipal Code to add a new park classification for pocket parks as outlined in the body of the agenda report.

**Recreation and Park Commission Recommendation:** On March 4, 2014, the Recreation and Park Commission:

(1) Endorsed a five percent increase to the current Residential Impact Fee as outlined in the Fiscal Impact Section of the agenda report until a comprehensive study of all development-related fees is completed; and

(2) Supported the consultant's recommendation to maintain the current language in Pasadena Municipal Code Section 4.17.60 which allows for the Residential Impact Fee to be used for park acquisition, construction and installation.

On September 9, 2014, the Recreation and Park Commission supported the Department of Public Works recommendation to add a new park classification for pocket parks as outlined in the body of the agenda report. (Resolution No. 9375)

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on September 4 and 11, 2014 in the Pasadena Journal; and 1 letter of support was received for the recommended action.

Councilmember Tornek, Chair of the Finance Committee, introduced the agenda item, and summarized the discussion held at the Committee level.

Siobhan Foster, Director of Public Works, and Brenda Harvey-Williams, Public Works Administrator, introduced Joanne Brion, Brion and Associates, who provided an update on the City's Residential Impact Fee nexus study, including information on demographics and growth, allowable fee increases, and a

comparison of park impact fees in 12 other cities. She also responded to questions regarding the percentage increase in land value, opportunities for acquisition of new parkland, and the allocation of residential impact fees citywide.

Councilmember Gordo suggested the possibility of eliminating the use of park district boundaries to determine how residential impact fees are allocated, in order to provide more flexibility in creating pocket parks or larger parks as opportunities become available.

Councilmember McAustin also supported a review of the current allocation methodology, and noted the goal is to be less restrictive as it relates to how residential impact fees are expended.

Ms. Harvey-Williams reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

Michelle White, Affordable Housing Services, expressed concerns regarding the proposed increase of 5% to the residential impact fee, suggested the City Council postpone consideration of the increase to allow for the study of all development related fees, and stated her support for additional pocket parks.

Jonathan Edwards, Downtown Pasadena Neighborhood Association, spoke in support of the staff recommendation regarding the addition of pocket parks, but expressed concern regarding allowing flexibility in spending residential impact fees, noting that fees should specifically benefit areas from which the funds were collected.

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

Following discussion, it was moved by Councilmember McAustin, seconded by Councilmember Gordo, to approve the staff recommendation and direct staff to work with the Parks and Recreation Commission, and any other appropriate body, to review the district separation criteria and determine what methodology will provide the maximum flexibility for use of residential impact fees, and to include information on the availability of any public rights-of-way or publicly owned land for possible acquisition to be re-purposed as pocket parks. (Motion unanimously carried) (Absent: Councilmember Kennedy)

**REPORTS AND COMMENTS  
FROM COUNCIL  
COMMITTEES**

LEGISLATIVE POLICY  
COMMITTEE

**RESCIND RESOLUTION NO. 5893 AND ADOPT A  
RESOLUTION ESTABLISHING THE RULES GOVERNING  
THE PASADENA CITY COUNCIL'S MEETINGS,  
PROCEEDINGS, AND BUSINESS**

**Recommendation:** It is recommended that the City Council rescind Resolution No. 5893 and adopt a resolution establishing the rules governing the Pasadena City Council's meetings, proceedings, and business.

The Mayor introduced the agenda item, and Mark Jomsky, City Clerk, summarized the agenda report as part of a PowerPoint presentation, and responded to questions.

The Mayor thanked the City Clerk for his hard work on this important matter.

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

**COUNCIL COMMENTS**

Councilmember Tornek reported that the San Gabriel Valley Council of Governments (SGVCOG) reached a settlement with the former Executive Director of SGVCOG, Nicholas Conway, and thanked the City Manager for his participation in such a complicated and sensitive matter.

Councilmember Gordo congratulated the participants of the Villa Parke Youth Boxing program for their accomplishments, and commended the coaching staff and the Police Department for their partnership and work with the youth. He also noted that a fundraiser event will be held on September 27, 2014, to benefit the boxing ring.

**ADJOURNMENT**

On order of the Mayor, the regular meeting of the City Council adjourned at 9.08 p.m.

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

ATTEST:

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