

CITY OF PASADENA
City Council Minutes
August 11, 2014 – 5:00 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 5:05 p.m. (Absent: Councilmember Madison)

On order of the Mayor, the regular meeting recessed at 5:05 p.m. to discuss the following closed sessions:

CITY COUNCIL CONFERENCE WITH REAL PROPERTY NEGOTIATORS

pursuant to Government Code Section 54956.8
Property Location: 1015 North Lake Avenue,
Pasadena, CA

Agency Negotiators: Michael J. Beck and Steve Mermell

Negotiating Parties: Pasadena Enterprise Center, Jacquelynne Jones-Corby, the County of Los Angeles, Chris Montana, and Iris Alvarado
Under Negotiation: Price and terms of payment

Councilmember Madison arrived at 5:20 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

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

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

Property Locations: 155 East Green Street, 300 East Colorado Boulevard, and 400 East Green Street

Agency Negotiators: Michael J. Beck and Steve Mermell

Negotiating Party: James Farrell
Under Negotiation: Price and terms of payment

The above closed session item was not discussed.

CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code Section 54957.6

Agency Designated Representatives: Kristi Recchia and Michael J. Beck

Unrepresented Employees: Unrepresented Management-Executive, Management, and Non-Management employees

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL REGARDING ANTICIPATED LITIGATION – Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): One potential case

CITY COUNCIL CONFERENCE REGARDING PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code Section 54957

Title: City Attorney

The above three closed session items were discussed after the conclusion of the open session.

On order of the Mayor, the regular meeting reconvened at 6:54 p.m. The Pledge of Allegiance was led by Councilmember Kennedy.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Jacque Robinson
Councilmember Victor Gordo
Councilmember John J. Kennedy
Councilmember Steve Madison
Councilmember Gene Masuda
Councilmember Margaret McAustin
Councilmember Terry Tornek

Staff:

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

CEREMONIAL MATTERS

PRESENTATION BY BILL CREEDON, PRESIDENT OF THE USS PASADENA FOUNDATION

Tony R. Moore, Attorney at Hahn & Hahn LLP, representing the USS Pasadena Foundation, spoke briefly about the upcoming visit of 40 United States Navy Sailors to Pasadena, and provided information on the need for 40 Pasadena families to host a Navy Sailor (and his/her spouse) on September 5 and 6, 2014.

UPDATE ON ACCOMPLISHMENTS OF CHAPCARE BY MARGARET MARTINEZ, CHIEF EXECUTIVE OFFICER OF CHAPCARE

The Mayor presented a certificate of commendation to Margaret Martinez, CHAPCARE Chief Executive Officer, which highlighted the patient services provided at the Urgent Care facility and some of its recent accomplishments. Ms. Martinez thanked the Mayor and City Council and invited them to tour any one of the CHAPCARE facilities.

Wendy De Leon, Customer Relations Manager in the Water and Power Department, reported on the Department's inaugural "Annual Educational Scholarships Competition", and recognized William O'Keeffe and Ashley Storms as winners of the competition. The Mayor congratulated the winners, and presented them with Certificates of Recognition for their outstanding work.

The City Clerk administered the oath of office to Jennifer Higginbotham as South Lake Parking Place Commissioner.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Robert M. Nelson, spoke on behalf of the Democratic Club of Pasadena Foothills, and as a former member of the Executive Board of the American Federation of Teachers, Local 3414, expressed concerns regarding the Pasadena Police Department's policies/procedures, and spoke in favor of establishing an auditor position in the Police Department.

Lee Wax, American Federation of State, County and Municipal Employees (AFSCME), Local 858 representative, stated his disappointment with the City's recent proposed salary increase offer to AFSCME employees, suggesting that a higher increase be considered.

Abigail Hope Spencer, Las Vegas resident, spoke regarding "Abby's Million Dollar Dream", a fundraiser for the Leukemia and Lymphoma Society, and invited the community and the City Council to support her efforts.

The following individuals expressed concerns regarding the delayed release of the Office of Independent Review's (OIR) report regarding the officer involved shooting of Kendrec McDade, and urged the City to release the full report:

Dale Gronemeier, Gronemeier & Associates,
Ronald K. Matthews, Vice President of the Pasadena
National Association for the Advancement of Colored
People (NAACP)
Kris Ockershauser, American Civil Liberties Union
(ACLU)
Michelle White, Pasadena resident
Martin A. Gordon, Pasadena Community Coalition
(PCC)
Tarek Shawky, Pasadena resident
Hilda Boulware, Pasadena resident

Michelle White, Pasadena resident, voiced her concerns regarding the proposed Decker House relocation project, and asked that the Request For Proposals for the project be withdrawn and reconsidered.

CONSENT CALENDAR

ADOPT TWO RESOLUTIONS AUTHORIZING SUBMITTAL OF TWO APPLICATIONS TO THE LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT FOR FIFTH SUPERVISORIAL DISTRICT FUNDING FROM THE 2015 COMPETITIVE EXCESS FUNDS PROGRAM IN THE AMOUNT OF \$300,000 FOR ROSE BOWL PEDESTRIAN LOOP IMPROVEMENTS PROJECT AND IN THE AMOUNT OF \$300,000 FOR RESTROOM BUILDING REPLACEMENT AT EATON-BLANCHE PARK

Recommendation:

- (1) Find that the authorization to apply for grants is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3);
- (2) Adopt a resolution authorizing submittal of an application to the Los Angeles County Regional Park and Open Space District for Fifth Supervisorial District funding from the 2015 Competitive Excess Funds Program in the amount of \$300,000 for the Rose Bowl Pedestrian Loop Improvements Project; and
- (3) Adopt a resolution authorizing submittal of an application to the Los Angeles County Regional Park and Open Space District for Fifth Supervisorial District funding from the 2015 Competitive Excess Funds Program in the amount of \$300,000 for the Restroom Building Replacement at Eaton-Blanche Park as part of the Citywide Restroom Replacement and Construction Project. (Resolution Nos. 9367 and 9368)

AUTHORIZATION TO ENTER INTO A CONTRACT AWARD WITH TOPFLITE BUILDING SERVICES, INC., FOR CITYWIDE HOUSEKEEPING SERVICES IN AN AMOUNT NOT TO EXCEED \$2,982,162

Recommendation:

- (1) Accept the bid dated July 30, 2014 submitted by Topflite Building Services, Inc.;
- (2) Reject all other bids; and
- (3) Authorize the City Manager to enter into a contract with Topflite Building Services, Inc., for citywide housekeeping services in an amount not to exceed \$2,982,162 over a two-year period with the option for three additional one-year extensions, which may be increased by CPI, at the discretion of the City Manager for a total contract length of five years. (Contract No. 21,944)

Item discussed separately

APPROVAL OF SIDE LETTER AGREEMENTS WITH PACTE/LIUNA, PPSA AND SEIU REGARDING MEDICAL INSURANCE AND EMPLOYEE OPTION BENEFIT PLAN (EOBF) ALLOWANCES

APPROVAL OF A CONTRACT IN AN AMOUNT NOT TO EXCEED \$1,000,000 BETWEEN THE CITY OF PASADENA, ACTING AS AGENT FOR THE FOOTHILL EMPLOYMENT AND TRAINING CONSORTIUM, AND THE SOUTH BAY WORKFORCE INVESTMENT BOARD, INC., FOR WORKFORCE TRAINING-RELATED SERVICES

Recommendation:

- (1) Find that the recommended action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines per Section 15061 (b)(3);
- (2) Approve a contract between the City of Pasadena (acting as an agent for the Foothill Employment and Training Consortium) and the South Bay Workforce Investment Board, Inc. acting on behalf of the City of Inglewood, in an amount not to exceed \$1,000,000 for the 2014-2015 program year, with the option for two one-year renewals not to exceed \$1,000,000 per year at the discretion of the City Manager, for the provision of workforce training-related services. Competitive bidding is not required pursuant to City Charter Section 1002(H) ("contracts with other governmental entities or their contractors"); and
- (3) Grant the proposed 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. (Contract No. 21,945)

FINANCE COMMITTEE: TEMPORARY EXTENSION OF OFFICE DEPOT/MAX AGREEMENT TO PROVIDE OFFICE-RELATED SUPPLIES

Recommendation:

- (1) Authorize the City Manager to extend the agreement with Office Depot/Max to be the primary provider of office-related supplies for the City through October 31, 2014; and
- (2) Find that the proposed agreement extension is exempt 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. This extension is already exempt from the competitive bidding requirements pursuant to City Charter Section 1002(H), contracts with other governmental entities or their contractors for labor, material, supplies, or services. (Contract Amendment No. 20,703-2)

FINANCE COMMITTEE: JOINT ACTION: 2014-2015 INVESTMENT POLICY

Recommendation: It is recommended that the City Council and the Successor Agency to the Pasadena Community Development Commission adopt the City Treasurer's Statement of Investment Policy (Investment Policy) and Investment Strategy for Fiscal Year 2014-2015.

FINANCE COMMITTEE: QUARTERLY INVESTMENT REPORT – QUARTER ENDING JUNE 30, 2014

Recommendation: This report is for information purposes only. No action is required.

FINANCE COMMITTEE: AUTHORIZE CONTRACT WITH LIEN ON ME FOR BILL REVIEW ADMINISTRATION OF THE CITY'S WORKERS' COMPENSATION PROGRAM

Recommendation:

- (1) Find that the proposed action is not subject to the California Environmental Quality Act (CEQA) as defined in Section 21065 of CEQA and Section 15378 of the State CEQA Guidelines and, as such, no environmental document pursuant to CEQA is required for the project; and
- (2) Authorize the City Manager to enter into a contract with Lien on Me for processing workers' compensation bill reviews for the City's entire workers' compensation claims division for a period of nine months from October 1, 2014 through June 30, 2015, with two optional one-year extensions, at the discretion of the City Manager, in an amount not to exceed \$200,000 per year. (Contract No. 21,946)

LEGISLATIVE POLICY COMMITTEE: SUPPORT FOR ASSEMBLY BILL 2372 (AMMIANO) ON COMMERCIAL PROPERTY TAX ASSESSMENT

Recommendation: It is recommended that the City Council support Assembly Bill 2372 by Assembly Member Tom Ammiano which proposes to change current standards for reassessing property due to changes in ownership.

Legislative Policy Committee Recommendation: On July 30, 2014, at a special meeting of the Legislative Policy Committee, a motion was made to support AB 2372 and forward this on to the full City Council for approval.

APPOINTMENT OF CHRISTOPHER SCHRAEDER TO THE ENVIRONMENTAL ADVISORY COMMISSION (District 5 Nomination)

APPOINTMENT OF VALERIE WARDLAW TO THE HUMAN SERVICES COMMISSION (Pasadena City College Nomination)

CLAIMS RECEIVED AND FILED

Claim No. 12,218	Yesenia Rincon	\$25,000.00+
Claim No. 12,219	Yvonne Arellano	25,000.00+
Claim No. 12,220	Leslie Delgadillo	977.64
Claim No. 12,221	Juleta Gholar	334.00
Claim No. 12,222	Don Davis	10,000.00+
Claim No. 12,223	Raymond J. Ivatt	8,730.00

It was moved by Vice Mayor Robinson, seconded by Councilmember McAustin, to approve all items on the Consent Calendar with the exception of Item 3 (Approval of Side Letter Agreements with PACTE/LIUNA, PPSA and SEIU), which was discussed separately. (Motion unanimously carried) (Absent: None)

CONSENT ITEM DISCUSSED SEPARATELY

Councilmember Gordo recused himself at 8:00 p.m., due to a conflict of interest and left the dais.

APPROVAL OF SIDE LETTER AGREEMENTS WITH PACTE/LIUNA, PPSA AND SEIU REGARDING MEDICAL INSURANCE AND EMPLOYEE OPTION BENEFIT PLAN (EOBF) ALLOWANCES

Recommendation:

- (1) Approve a side letter with PACTE/LIUNA to modify their Memorandum of Understanding regarding medical insurance and the Employee Option Benefit Fund (EOBF) allowance;
- (2) Approve a side letter with PPSA to modify their Memorandum of Understanding regarding medical insurance and the Employee Option Benefit Fund (EOBF) allowance; and

(3) Approve a side letter with SEIU to modify their Memorandum of Understanding regarding medical insurance and the Employee Option Benefit Fund (EOBF) allowance.

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

PUBLIC HEARING

Councilmember Gordo
returned at 8:01 p.m.

APPROVAL OF AN AMENDMENT TO THE ANNUAL ACTION PLANS FOR U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT PROGRAM YEARS 2012 AND 2014 FOR HOME INVESTMENT PARTNERSHIP ACT FUNDING

Recommendation: It is recommended that upon the close of the public hearing the City Council adopt a resolution approving certain amendments to the Annual Action Plans for U.S. Department of Housing and Urban Development Program Years 2012 and 2014 pertaining to HOME Investment Partnership Act funding, as described in the agenda report. (Resolution No. 9369)

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on July 31, 2014 in the Pasadena Journal; and no correspondence was received.

No one appeared for public comment.

William Huang, Director of Housing and Career Services Department, introduced the agenda item, and Jim Wong, Senior Project Manager, summarized the agenda report as part of a PowerPoint presentation, and responded to questions.

It was moved by Councilmember Masuda, seconded by Councilmember Kennedy, to close the public hearing. (Motion unanimously carried) (Absent: None)

It was moved by Councilmember Kennedy, seconded by Councilmember Masuda, to approve the staff recommendation. (Motion unanimously carried) (Absent: None)

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

Councilmember McAustin recused herself at 8:09 p.m. due to a conflict of interest.

APPROVAL OF KEY BUSINESS TERMS OF AGREEMENT WITH HERITAGE HOUSING PARTNERS FOR ACQUISITION OF VACANT PROPERTY AND DEVELOPMENT OF AN AFFORDABLE HOMEOWNERSHIP PROJECT AT 1661 NORTH FAIR OAKS AVENUE

Recommendation:

- (1) Find that the proposed key business terms, as described in the agenda report, of the funding agreement with Heritage Housing Partners for the acquisition and development of an eight-unit affordable homeownership project located at 1661 North Fair Oaks Avenue are consistent with the In-Fill Development Projects exemption under Section 15332 of the California Environmental Quality Act; and
- (2) Approve key business terms of the proposed agreement with Heritage Housing Partners, as set forth in the agenda report. (Contract No. 21,947)

William Huang, Director of Housing and Career Services Department, introduced the agenda item, and Jim Wong, Senior Project Manager, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

Councilmember Tornek inquired about the financing plan, and requested that staff include information on funding sources and uses when similar items are presented.

Charles Loveman, Heritage Housing Partners, spoke briefly in support of the proposed action and responded to questions regarding the project's cost.

Councilmember Kennedy stated that such information on accessing the City's HOME funds for future projects should be published, possibly on the City's website, to provide the same information and opportunity to anyone that maybe interested in this type of activity.

Mr. Huang indicated that the written statement in the staff report, "no fiscal impact as a result of this action" was inadvertently used, and noted that the proposed action will reduce the available HOME funds from \$2 million to approximately \$900,000.

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

COUNCIL COMMENTS

Councilmember McAustin returned at 8:38 p.m.

Councilmember Gordo provided a brief statement regarding the recent concerts held at the Rose Bowl over the last 36-days, and noted that staff and the Rose Bowl Operating Company (RBOC) will evaluate all impacts/issues associated with these events and will provide a full report to the City Council in the future. He also thanked the residents, who he stated endured most of the impacts, and staff and City workers for their efforts to make the events successful.

Councilmember Madison echoed the comments made by Councilmember Gordo, and highlighted the economic benefits to the City as a result of the events, including \$300,000 to be generated in mitigation funds for the area in and around the Rose Bowl. He mentioned that notices are being sent out to the neighbors to advise them of a meeting to be held on August 23, 2014 to address some ideas on how to use the mitigation funds.

Councilmember Kennedy also thanked the Rose Bowl Operating Company (RBOC), and read a letter from a constituent commending the City and Rose Bowl staff for the extraordinary work.

Mayor Bogaard added that he has found that most people are supportive of the opportunity to increase revenue at the Rose Bowl, however, it was noted that improvement is needed in managing neighborhood needs.

Councilmember McAustin applauded the Rose Bowl and City staff for a fine job in managing the Rose Bowl events, specifically as it relates to their quick response in addressing problems.

In response to questions raised by Councilmember McAustin at a prior City Council meeting, the Mayor reported that the Legislative Policy Committee briefly discussed the new State law regarding pension forfeiture for public employees convicted of a job-related felony for clarification purposes only, and noted that the City Attorney has indicated that the new State law applies to charter cities participating in the Public Employees' Retirement System (PERS). He also stated that the Committee is interested in convening a Charter Reform Task Force next year, and suggested that some advance thought be given as to how to proceed and on the types of issues to be included in the mandate to a Charter Reform Task Force in the future.

**RECESS TO CLOSED
SESSION AND
ADJOURNMENT**

On order of the Mayor, the regular meeting of the City Council recessed at 8:44 p.m., to continue discussion on the closed session matters listed below, and thereafter adjourned at 11:02 p.m., in memory of Brenda Marsh-Mitchell, a well-respected long time Pasadena resident, and Bruce Philpott, former Pasadena Police Chief and a community activist.

CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code Section 54957.6

Agency Designated Representatives: Kristi Recchia and Michael J. Beck

Unrepresented Employees: Unrepresented Management-Executive, Management, and Non-Management employees

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL REGARDING ANTICIPATED LITIGATION – Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): One potential case

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

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

Bill Bogaard, Mayor
City of Pasadena

ATTEST:

City Clerk