

CITY OF PASADENA
City Council Minutes
March 2, 2015 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 5:30 p.m.

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

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL
regarding pending litigation pursuant to Government Code
Section 54956.9(d)(1)**

**Name of Case: Commodore v. City of Pasadena
LASC Case No.: GC 050643**

**CITY COUNCIL CLOSED SESSION WITH LEGAL COUNSEL
REGARDING CONSIDERATION OF INITIATION OF
LITIGATION pursuant to Government Code Section
54956.9(d)(4): One potential case**

The above 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 Police Officers
Association (PPOA), Pasadena Police Sergeants
Association (PPSA), and Non-Represented Management**

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

**Property Location: 143 Mar Vista Avenue, Pasadena,
California**

Agency Negotiators: Michael J. Beck and Steve Mermell

Negotiating Parties: Steve PonTell

Under Negotiation: Price and terms of payment

The above two closed session items were discussed after the conclusion of the open session (see below).

On order of the Mayor, the regular meeting reconvened at 6:43 p.m. The pledge of allegiance was led by Councilmember McAustin.

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

The City Clerk administered the oaths of office to Mandip K. Samra as Human Relations Commissioner, and Kristen Tachiki as Senior Commissioner.

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

Richard M. Vartanian, Altadena resident, spoke regarding the Pasadena Armenian Genocide Memorial, and expressed concerns regarding the license agreement between the City and the Pasadena Armenian Genocide Memorial Committee (PAGMC).

The Mayor requested for the City Manager to look into the concerns expressed by Mr. Vartanian, and report back to the City Council with information regarding the matter.

The following persons spoke in support for the registered nurses at Huntington Memorial Hospital and their efforts to form a union:

Marcela Crowley, Huntington Nurses and Supporters
Rabbi Joshua Grater, Huntington Nurses and Supporters
John MacLean, Huntington Nurses and Supporters
Joan Depew, Huntington Nurses and Supporters

Adam Carter, State Senator Carol Liu's District Representative, spoke on behalf of the Senator, invited the community to attend a free tax assistance preparation event to be held at Cleveland Elementary School on March 7, 2015.

Vera Vignes and Tony Santilena, Human Services Commissioners/Early Child Development Ad Hoc Committee members, and Dianne Philibosian, Human Services Commission Childcare Policy Working Group, spoke regarding the revised Child Care Policy, and stressed the importance for the City Council to review and approve/adopt the policy at its earliest opportunity.

Councilmember Madison and Gordo urged staff to bring the matter before the City Council as soon as possible.

Herminia Ortiz, Pasadena resident, stated her disappointment with the recent closure of El Centro de Accion Social, stating that the organization provided vital services to the Hispanic community.

The City Manager noted that the upcoming weekly newsletter will include information on programs that were previously offered by El Centro de Accion, and where the programs/services will continue to be offered, which he stated would be either through the City and/or other non-profit organizations.

Dianne Patrizzi, Friends of the Castle Green, expressed concerns regarding the proposed oversized development adjacent to Castle Green, stating that it will greatly impact the property, which is listed on the National Register of Historic Places.

David Wolf, Pasadena Passages, provided a brief background on his organization and its work, and requested an opportunity to further discuss the Pasadena Passages project with the City.

Ara Manoogian, Pasadena resident, spoke regarding the Pasadena Armenian Genocide Memorial, and expressed his concerns regarding the existing lease agreement between the City and the Pasadena Armenian Genocide Memorial Committee (PAGMC), and requested a meeting with City staff to address the matter, and submitted written material.

Councilmember Kennedy commented on the closure of El Centro de Accion Social, and urged the City Council to consider resurrecting the organization, and requested further discussions on this matter.

CONSENT CALENDAR

AUTHORIZE THE CITY MANAGER TO EXECUTE ALL AGREEMENTS WITH THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY (METRO) AND CICLAVIA, ASSOCIATED WITH THE RECEIPT OF GRANT FUNDING FOR AN OPEN STREETS EVENT

Recommendation:

- (1) Find that the proposed actions are exempt from review, pursuant to the California Environmental Quality Act (CEQA), State CEQA Guidelines Section 15061(b)(3);
- (2) Authorize the City Manager to execute all agreements with the Los Angeles County Metropolitan Transit Authority (Metro), associated with the receipt of grant funding and the implementation and management of the program;
- (3) Authorize a contract without competitive bidding, pursuant to City Charter Section 1002(F), contracts for professional or unique services, with CicLAvia for the implementation and management of the program (\$341,000);

(4) Grant the proposed contract with CicLAvia 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;

(5) Amend the Department of Transportation's Fiscal Year 2015 Operating Budget to recognize \$424,000 in reimbursable grant funds awarded by the Metro Board of Directors for the Open Streets Event to Account No. 6546-101-771100-95083, and appropriate the same budget amount to Account No. 8114-101-771100-95083, as detailed in the Fiscal Impact section of the agenda report; and

(6) Appropriate \$5,000 from the unappropriated AB 2766 Local Return fund balance to the Transportations Fiscal Year 2015 Operating Budget in Account No. 8114-216-775510-95083 for the hard match requirement. (Contract No. 22,191; Journal Voucher No. 2015-22)

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER CONTRACT WITH UNIFORM WAREHOUSE, INC.

Recommendation:

(1) Find the proposed action is exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3), the general rule that CEQA only applies to projects that may have an effect on the environment; and

(2) Accept the bid dated November 18, 2014, submitted by Uniform Warehouse, Inc., in response to the Notice Inviting Bids for Police Uniforms and Equipment, reject all other bids received, authorize the issuance of a purchase order contract to Uniform Warehouse, Inc., in an amount not-to-exceed \$256,226.10 for a period of three years, and authorize the City Manager to extend the agreement for up to three additional one-year periods without further City Council approval, consistent with the terms of the specifications.

APPROVAL OF A SIDE LETTER OF AGREEMENT BETWEEN THE CITY OF PASADENA AND PASADENA MANAGEMENT ASSOCIATION REGARDING LEAVES OF ABSENCE

Recommendation: Approve a side letter of agreement between the City of Pasadena (City) and Pasadena Management Association (PMA) regarding leaves of absence.

LEGISLATIVE POLICY COMMITTEE: APPROVAL OF CONTRACT RENEWAL WITH CAPITALEDGE ADVOCACY LLC, FOR LEGISLATIVE LIAISON SERVICES

Recommendation:

(1) Approve a five-year contract renewal with CapitalEdge Advocacy LLC, for federal legislative liaison services effective July 1, 2015 through June 30, 2020, for an annual contract cost of \$117,238 (\$112,238 plus \$5,000 for expenses), with the

provision for renegotiating the annual cost beginning in fiscal year 2017; and

(2) Acknowledge the contract is exempt from competitive bidding, pursuant to City Charter Section 1002(F), professional services, and automatically exempt from competitive selection, pursuant to Pasadena Municipal Code Section 4.08.049(A)(4), lobbying services. (Contract No. 14,731-10)

APPOINTMENT OF AIDA DIMEJIAN TO THE COMMISSION ON THE STATUS OF WOMEN (District 2 Nomination)

MINUTES APPROVED

December 8, 2014
December 15, 2014
December 22, 2014
December 29, 2014

CLAIMS RECEIVED AND FILED

AND Claim No. 12,360 MGP X Properties, LLC \$ 25,000.00+
Claim No. 12,361 DeWitt Algorri & Algorri representing Anna Giangregoria Not Stated

It was moved by Vice Mayor Robinson, seconded by Councilmember Gordo, to approve all items on the Consent Calendar. (Motion unanimously carried) (Absent: None)

ORDINANCE – FIRST READING

Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING SECTION 8.78.071 OF THE TOBACCO USE PREVENTION ORDINANCE, IN THE PASADENA MUNICIPAL CODE, TO PROHIBIT SMOKING ON THE GROUNDS OF ALL PASADENA PUBLIC LIBRARIES”

The above ordinance was offered for first reading by Councilmember Masuda:

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

NOES: None

ABSENT: None

Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTER 8.60 (SOLID WASTE) AND CHAPTER 8.61 (SOLID WASTE COLLECTION FRANCHISE SYSTEM) OF THE PASADENA MUNICIPAL CODE TO OPEN THE FRANCHISE SYSTEM TO COMPOSTING HAULERS, CORRECT OMISSIONS FROM THE ORIGINAL ORDINANCES, CLARIFY AND/OR ADD DEFINITIONS AND REQUIREMENTS FOR COMPOSTING, CONSTRUCTION AND DEMOLITION DEBRIS, AND OTHER HAULERS, AND TO ALLOW COMPOSTING ENTITIES TO COLLECT SPECIFIED MATERIAL FROM COMMERCIAL ENTITIES AND SINGLE FAMILY RESIDENCES”

The above ordinance was offered for first reading by Councilmember McAustin:

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

NOES: None

ABSENT: None

ORDINANCE – ADOPTED

Adopt “AN INTERIM URGENCY ORDINANCE OF THE CITY OF PASADENA TEMPORARILY LIMITING SINGLE FAMILY HOME DEMOLITION AND CONSTRUCTION IN THE NEIGHBORHOOD OVERLAY DISTRICT IN ORDER TO PRESERVE THE POTENTIAL HISTORIC CHARACTER OF THE LOWER HASTINGS RANCH NEIGHBORHOOD”
(Introduced by Councilmember Masuda) (Ordinance No. 7256)

The following person spoke in opposition to, and/or, expressed concerns regarding the proposed ordinance:

Ezekiel Wang, Pasadena resident, requested that his proposed remodel project be exempted from the moratorium.

The following persons spoke in support for the proposed ordinance:

Rob Johnston, Pasadena resident
Diane Kirby, Lower Hastings Ranch Association (LHRA)
Brenda Jones, Lower Hastings Ranch Association (LHRA)
Marian Leos, Pasadena resident
Malcolm Meirin, Pasadena resident

Councilmember Kennedy commented on the issue involving the public speaker, Mr. Ezekiel Wang, stating that it would not be appropriate to prevent Mr. Wang from moving forward with his proposed project if he had complied with the City's current rules/requirements, and therefore, he stated that he will only support the proposed ordinance if a solution is provided for the applicant.

Discussion ensued on past practices, the status of Mr. Wang's proposed project in relation to existing zoning standards, how to accommodate the applicant considering the short time between the approval and effective date of the ordinance (which is upon publication), and the purpose of an urgency ordinance and the importance of maintaining a rigorous approach to the rules.

Councilmember Kennedy requested that staff meet with Mr. Wang, prior to the effective date of the moratorium, to allow the applicant an opportunity to submit his corrected plans for review, and to determine whether the proposed project conforms to existing zoning requirements and can move forward through the process.

The above ordinance was adopted by the following vote:

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

NOES: None

ABSENT: None

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

CONSIDERATION OF DIRECTION TO STAFF REGARDING A POTENTIAL AMENDMENT TO THE PERMITTED USES WITHIN THE SOUTH FAIR OAKS SPECIFIC PLAN

Recommendation: It is recommended that the City Council direct staff to prepare an amendment to the permitted uses within the South Fair Oaks Specific Plan, to allow the Medical Services – Hospital land use (with an approval of a Conditional Use Permit) within certain areas of the Specific Plan.

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

Councilmember Madison explained that his request was for the staff to study the entire Fair Oaks Specific Plan so that the City can provide for hospital uses as is done in other specific plans, and not restrict certain locations.

Scott Jenkins, Law Offices of Hahn & Hahn, representing the Huntington Memorial Hospital and the Huntington Hospital Trust, stated his support for the staff recommendation, but asked that the City Council direct staff to include the Raymond Avenue Corridor as part of the study.

Councilmembers McAustin and Tornek expressed concerns regarding changes being made at this time to the Fair Oaks Specific Plan, specifically in terms of the potential disruption this may cause to the General Plan update and reintroducing a use that is not currently permitted. However, Councilmember McAustin stated that she will support the staff recommendation as proposed.

Following discussion, Councilmember Madison clarified that the motion is to approve the staff recommendation, amended to include a study of the South Fair Oaks Specific Plan area, without limitations, to determine whether the City should amend the Specific Plan to permit hospital uses with the appropriate terms and conditions.

Following discussion, it was moved by Councilmember Madison, seconded by Councilmember Kennedy, to approve the staff recommendation, amended as described above.

AYES: Councilmembers Gordo, Kennedy, Madison, Masuda, Vice Mayor Robinson, Mayor Bogaard

NOES: Councilmembers McAustin and Tornek

ABSENT: None

In response to Councilmember Madison, Mr. Bertoni noted that staff will perform further analysis, and present its findings to the Planning Commission, with recommendations to be brought forward to the full City Council for consideration shortly thereafter.

CONSIDERATION OF A REQUEST FOR A FUTURE AGENDA ITEM BY COUNCILMEMBER MADISON TO CONSIDER THE CITY'S POSITION ON THE SR710 FREEWAY EXTENSION PROJECT (Councilmember Madison)

Councilmember Madison reiterated his opposition to the SR710 Freeway tunnel proposal, and asked for the City Council's support in agendizing the matter to consider a resolution opposing the SR710 Freeway Extension Project as the policy of the City.

The Mayor stated his support for agendizing the matter for a future meeting, and suggested that there be both a resolution in opposition to the SR710 Freeway tunnel, as well as a resolution in support of a locally preferred alternative to the tunnel presented to the City Council for consideration at the same time.

Following discussion, members of the City Council stated their support for agendizing a discussion on the matter after the release of the Environmental Impact Report (EIR) and the recommendations from the SR710 Pasadena Working Group regarding the proposed alternatives for the SR710 project.

Councilmember Madison expressed his gratitude to his colleagues for their support on the matter.

Following discussion, on order of the Mayor, and by consensus of the City Council, the matter will be agendaized for a future meeting to consider the City's position on the SR710 Freeway Extension Project in 3 to 4 weeks.

COUNCIL COMMENTS

The City Clerk reminded everyone that the City of Pasadena and Pasadena Unified School District (PUSD) 2015 Primary Nominating Election will be held next Tuesday, March 10, 2015, and the counting of ballots will take place in the City Hall Council Chamber on election night at 8:00 p.m. for the following seats: Mayor, City Council Districts 1, 2, 4, and 6, and PUSD Board of Education Districts 2, 4, and 6. He also noted that election night coverage will be broadcast live by Pasadena Media on KPAS, and live streamed on the City's website.

Councilmember McAustin asked that a discussion item be brought forward to the Municipal Services Committee, and to the full City Council, on the current drought and a possible moratorium on new water services for residential uses.

In response to Councilmember McAustin's request for a status report on the Glendale-Burbank-Pasadena Airport Authority, Councilmember Madison, President of the Glendale-Burbank-Pasadena Airport Authority, suggested that a discussion be agendaized for closed session within the next two weeks.

CLOSED SESSION (CONT.)

On order of the Mayor, the regular meeting of the City Council recessed at 9:14 p.m. to discuss the two closed session items listed below:

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 Police Officers Association (PPOA), Pasadena Police Sergeants Association (PPSA), and Non-Represented Management

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

Property Location: 143 Mar Vista Avenue, Pasadena, California

Agency Negotiators: Michael J. Beck and Steve Mermell

Negotiating Parties: Steve PonTell

Under Negotiation: Price and terms of payment

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

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 10:45 p.m., in memory of Raul Rodriguez, a renowned creative and innovative Rose Parade Float Designer.

Terry Tornek, Mayor
City of Pasadena

ATTEST:

City Clerk