

CITY OF PASADENA
City Council Minutes
June 8, 2015 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Tornek called the regular meeting to order at 5:39 p.m.
(Absent: Councilmember Kennedy)

On the order of the Mayor, the regular meeting recessed at 5:39 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: Pasadena Coalition for Responsible
Development v. City of Pasadena, et al.**

Los Angeles Superior Court Case No. BS130039

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

**Name of Case: California Clean Energy Committee v. City of
Pasadena**

**Court of Appeal Case Nos. B254889 and 255994 (LASC
Case No. BS142693)**

Councilmember Madison
arrived at 6:16 p.m.

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

**Name of Case: City of Pasadena, et al. v. Michael Cohen, et
al.**

Sacramento Superior Court Case No. 34-2012-00134585

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

On order of the Mayor, the regular meeting reconvened at 6:30 p.m. The pledge of allegiance was led by Jack Cartwright and Stuart Sessions, Boy Scout Troop 5.

ROLL CALL:

Councilmembers:

Mayor Terry Tornek
Vice Mayor Gene Masuda
Councilmember Victor Gordo
Councilmember Tyron Hampton
Councilmember John J. Kennedy (Absent)
Councilmember Steve Madison
Councilmember Margaret McAustin

Staff:

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

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

Patricia Ard, Pasadena resident, expressed concerns regarding the impacts in shutting off water fountains to conserve water on the bee population, requested that the City reconsider the action, and submitted written material.

(Continued below)

Miriam Nakamura-Quan, Pasadena resident, spoke in opposition to Assembly Bill (AB) 57 regarding Wireless Telecommunications Facilities, noting that it would limit municipal authority on the placement and physical characteristics of wireless sites in the City, and urged the City Council to adopt a resolution opposing AB 57.

In response to the public speaker, Ms. Nakamura-Quan, Julie Gutierrez, Assistant City Manager, noted that the City has examined the details of AB 57 and concur that it is a matter that the City should oppose, and indicated that staff is in the process of drafting the appropriate document for the Mayor's signature.

Dave Folz, member of the Pasadena Senior Center Board of Directors, and Akila Gibbs, Executive Director of the Pasadena Senior Center, expressed concerns regarding an increase in the homeless population and the associated impacts to the Pasadena Senior Center, and requested assistance from the City regarding this issue.

CONSENT CALENDAR

AUTHORIZATION TO ENTER INTO A CONTRACT WITH PACIFIC MUNICIPAL CONSULTANTS (PMC) FOR AN AMOUNT NOT TO EXCEED \$600,000 TO PROVIDE ENVIRONMENTAL CONSULTING SERVICES

Recommendation:

- (1) Find that actions proposed in the agenda report are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15061(b)(3) (General Rule);
- (2) Authorize the City Manager to enter into a contract without competitive bidding pursuant to City Charter Section 1002(F), Contracts for Professional or Unique Services, with Pacific Municipal Consultants (PMC) for an amount not-to-exceed \$600,000 for a three-year period, whichever occurs first; and
- (3) Authorize the City Manager to extend the contract for up to two additional one-year periods not-to-exceed \$200,000 per year, provided all terms and conditions remain unchanged. (Contract No. 22,304)

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER CONTRACT WITH KARISH INDUSTRIES, INC., FOR FIBER OPTIC CABLE, INNERDUCT AND MICRODUCT

Recommendation:

(1) Find that the proposed action is exempt from the California Environmental Quality Act ("CEQA"), pursuant to State CEQA Guidelines, Section 15301 (Existing Facilities), and Section 15303 (New Construction or Conversion of Small Structures); and

(2) Accept the bid dated April 6, 2015, submitted by Karish Industries, Inc., in response to the specifications to furnish fiber optic cable, innerduct and microduct, reject all other bids received, and authorize the issuance of a purchase order contract with a total not-to-exceed amount of \$737,630.84. The purchase order contract will have a one-year term and an option for a one-year extension for the unexpended balance, subject to the approval of the City Manager.

FINANCE COMMITTEE: AUTHORIZATION AND APPROVAL TO RENEW PROPERTY AND CASUALTY INSURANCE FOR THE CITY OF PASADENA FOR FISCAL YEAR 2016

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 this project;

(2) Authorize the City Manager and the Director of Finance to place and bind the City's Property and Casualty Insurance coverages outlined in the agenda report effective July 1, 2015; and

(3) Grant an exemption from the competitive selection process of the Competitive Bidding and Purchasing Ordinance, Pasadena Municipal Code Chapter 4.08, pursuant to Section 4.08.049(B), contracts which the City's best interests are served. The proposed insurance coverages are exempt from the competitive bidding process, pursuant to City Charter Section 1002(f), contracts for professional or unique services.

MUNICIPAL SERVICES COMMITTEE: CONTRACT AWARD TO VCI UTILITY SERVICES, INC., DBA VANTAGE UTILITY SERVICES, FOR UTILITY DISTRICT HILL AVENUE (VILLA STREET TO NORTH CITY LIMIT) PRIVATE PROPERTY OVERHEAD TO UNDERGROUND ELECTRIC SERVICE CONVERSION FOR AN AMOUNT NOT-TO-EXCEED \$1,601,700

Recommendation:

(1) Find the project proposed in the agenda report to be exempt from California Environmental Quality Act (CEQA) review, pursuant to State CEQA Guidelines, Section 15302(d), replacement or reconstruction, conversion of overhead electric utility distribution system facilities to underground; and

(2) Accept the bid dated April 29, 2015, submitted by VCI Utility Services, Inc., dba Vantage Utility Services, in response to the Specifications for Utility District Hill Avenue (Villa Street to North City Limit) Private Property Overhead to Underground Electric Service Conversion, and authorize the City Manager to enter into such contract for an amount not-to-exceed \$1,601,700. (Contract No. 22,305)

MUNICIPAL SERVICES COMMITTEE: ADOPT THE 2015 RENEWABLE PORTFOLIO STANDARD PROCUREMENT PLAN, PURSUANT TO THE ENFORCEMENT PROGRAM FOR THE PASADENA WATER AND POWER DEPARTMENT ("PWP"), IN ACCORDANCE WITH THE CALIFORNIA RENEWABLE ENERGY RESOURCES ACT, SENATE BILL X1-2

Recommendation:

(1) Find that the adoption of the 2015 Renewable Portfolio Standard ("RPS") Procurement Plan, which is consistent with the Enforcement Program and, pursuant to Section 399.30 of the Public Utilities Code ("PUC"), is exempt from the California Environmental Quality Act ("CEQA"), per Section 15061(b)(3); and

(2) Adopt the proposed RPS Procurement Plan for PWP, pursuant to Section 399.30(f) of the PUC.

RESIGNATION OF ELIZABETH "BUFF" MEGAW FROM THE ARTS AND CULTURE COMMISSION (District 6 Nomination)

RESIGNATION OF PHLUNTE' RIDDLE FROM THE PASADENA CENTER OPERATING COMPANY BOARD (Mayor Nomination/District 4)

APPOINTMENT OF NASIR RASHEED TO THE HUMAN SERVICES COMMISSION EFFECTIVE JULY 1, 2015 (District 4 Nomination)

APPOINTMENT OF PRISCILLA HERNANDEZ TO THE SENIOR COMMISSION (District 4 Nomination)

APPOINTMENT OF EMMELL J. BEECH TO THE HUMAN RELATIONS COMMISSION (District 4 Nomination)

RESOLUTION APPROVING THE ANNUAL REPORT OF THE ADVISORY BOARD OF THE PASADENA TOURISM BUSINESS IMPROVEMENT DISTRICT (“DISTRICT”), DECLARING ITS INTENTION TO LEVY ASSESSMENTS AGAINST HOTEL AND MOTEL BUSINESSES WITHIN THE DISTRICT FOR FISCAL YEAR 2016 AND SETTING A PUBLIC HEARING ON THE LEVY OF THE ASSESSMENTS FOR JUNE 22, 2015 AT 7:00 P.M.

Recommendation: It is recommended that the City Council adopt a resolution approving the annual report of the Advisory Board of the Pasadena Tourism Business Improvement District (the “District”) for Fiscal Year 2016, declaring its intention to levy assessments against hotel and motel businesses within the District for Fiscal Year 2016 and setting a Public Hearing on the levy of the assessments on June 22, 2015 at 7:00 p.m. (Resolution No. 9436)

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER CONTRACT WITH NEOPOST USA, INC., FOR A FIVE-YEAR LEASE TO FURNISH MAIL ROOM EQUIPMENT FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$250,775

Recommendation:

- (1) Find that the proposed action is 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; and
- (2) Authorize the City Manager to enter into a purchase order contract with Neopost USA, Inc., for a five-year lease to furnish Mail Room Equipment for a total not-to-exceed amount of \$250,775.

REPORT ON ACTION BY NEWLY ELECTED COUNCILMEMBER TYRON HAMPTON TO VACATE SEATS NOMINATED BY COUNCIL DISTRICT 1 ON THE HUMAN RELATIONS COMMISSION, NORTHWEST COMMISSION, PLANNING COMMISSION, AND RECREATION AND PARKS COMMISSION IN ACCORDANCE WITH PASADENA MUNICIPAL CODE SECTION 2.45.050

Recommendation: It is recommended that the City Council receive and file this report.

MINUTES APPROVED

February 9, 2015 – Special Meeting
February 9, 2015 – Special Joint Meeting with Pasadena Unified School District Board of Education
February 16, 2015

CLAIMS FILED	RECEIVED	AND	Claim No. 12,418	Michael R. Cully and Associates, representing Myungmi Lee	\$ Not stated
			Claim No. 12,419	Maria Avola	420.80
			Claim No. 12,420	GEICO Insurance as subrogee for Bonnie Cook	5,824.98
			Claim No. 12,421	Mario U. Grassano, Jr.	Not stated

PUBLIC HEARING SET

June 22, 2015, 7:00 p.m. – Levy of Assessment Against Hotel and Motel Businesses for Fiscal Year 2016 in Connection with the Pasadena Tourism Business Improvement District

It was moved by Councilmember Gordo, seconded by Vice Mayor Masuda, to approve all items on the Consent Calendar. (Motion unanimously carried) (Absent: Councilmember Kennedy)

OLD BUSINESS

PREDEVELOPMENT PLAN REVIEW OF ART CENTER COLLEGE OF DESIGN MASTER PLAN

Recommendation: The report is for information only; no City Council action is required.

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

The following persons spoke in support for the proposed project:

- Loren Montgomery, Montgomery Clark Advisors (applicant’s Attorney)
- Lorne Buchman, President of Art Center (Applicant)
- Michael Maltzan, Applicant’s Architect

Both Mayor Tornek and Councilmember McAustin commented on the rental housing component of the proposed project and it being subject to the City’s inclusionary housing requirements, and inquired how the applicant plans to satisfy the affordable housing requirement. In response, Ms. Montgomery stated that such information is not available at this stage, however, noted that the applicant plans to provide the most affordable student housing possible, and will follow-up with the City in the future with the requested information.

Following discussion, by consensus and on order of the Mayor, the report was received and filed.

PUBLIC HEARING

PUBLIC HEARING: APPROVAL OF THE FIVE-YEAR CONSOLIDATED PLAN (2015-2019), THE ANNUAL ACTION PLAN (2015-2016) AND RELATED FUNDING APPLICATIONS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT, HOME INVESTMENT PARTNERSHIP ACT, AND EMERGENCY SOLUTIONS GRANT PROGRAMS

Recommendation: It is recommended that the City Council continue the public hearing to June 15, 2015 at 7:00 p.m.

Following clarification, it was moved by Councilmember McAustin, seconded by Vice Mayor Masuda, to continue the public hearing to July 13, 2015 at 7:00 p.m. (Motion unanimously carried) (Absent: Councilmember Kennedy)

CONTINUED PUBLIC HEARING: FISCAL YEAR 2016 RECOMMENDED OPERATING BUDGET

Recommendation: Receive public comment and continue this public hearing to each subsequent regular meeting of the City Council at 7:00 p.m., until June 22, 2015 or such other date as the City Council may determine, and, at which time, the City Council will be asked to close the public hearing and formally adopt the FY 2016 Operating Budget.

The Mayor announced that now was the time for the continued public hearing and introduced the agenda item.

The following individuals spoke on the Recommended Operating Budget for the Public Health Department, and expressed concerns regarding the proposed action to close the Prenatal and Andrew Escajada Clinics, the Public Health Laboratory, and other facilities:

Caroline Bautista, City employee (Public Health Department)
Rebecca Tomokiyo, City employee (Public Health Department)
Son Bui, Alhambra resident
Timothy P. King, residence unknown
Martha Amparan, Arcadia resident
Steven Davis, Pasadena resident
Shasta K. Palmer-Foster, Consumer Advisory Board of Andrew Escajada Clinic, submitted written material
Bradley G. Land, Pasadena resident

Stella Murga and Isabel Ramirez, Pasadena residents, expressed concerns regarding the staffing levels at Villa Parke, noting that it is inadequate for the services that are offered, and urged the City Council to consider increases to the Human Services and Recreation budget for additional staffing in order to sustain services and programming at Villa Parke.

The following Departments presented Fiscal Year 2016 Budget recommendations as part of PowerPoint presentations, and responded to questions:

Police Department
Information Technology Department
Housing and Career Services Department
Planning and Community Development Department

Vice Mayor Masuda noted that the information contained in the Police Chief's critical incident reports was helpful and that he hopes to see more of such articles in the future.

In response to Councilmember Madison, the Police Chief noted that the issues involving body cameras (policy, storage, privacy, etc.) will be brought forward to the Public Safety Committee prior to full City Council consideration.

Councilmembers Madison and Gordo stated their disappointment concerning an article that was recently published in the newspaper reporting on the City's consideration of a Pasadena Police Auditor position in the upcoming budget, noted that there has not been sufficient or appropriate debate on the matter, and that the budget should follow the policy/judgements of the full City Council.

Councilmember Madison was excused at 8:54 p.m., and left the meeting.

Following discussion, Councilmember Gordo requested staff to provide information related to the number of arrests made and calls for service received requiring Police helicopter services in support of outside agencies, and whether or not there is 100% cost recovery for such assistance.

In response to Councilmember Hampton, the Police Chief noted that he will bring forward data on crime reported in and around the parks, as well as statistical data related to the reintegration success rate of the approximately 1700 parolees released as a result of Assembly Bill (AB) 109 and participating in the Pasadena/Altadena Reintegration program.

The Mayor asked that staff provide an update on the salary adjustment costs resulting from the recently approved contract with the Pasadena Police Officers Association (PPOA), the total budgeted amount allocated to air operations, and any data that can be provided regarding the correlation between AB 109/Proposition 47 and the increase in the crime rates locally.

Following discussion, the Mayor and Councilmember Gordo highlighted the issue relating to the lack of available affordable housing, and suggested ways to increase and retain existing affordable housing rentals, such as the City acquiring affordability easements/covenants and "buying down" rent using

The Mayor announced that now was the time for the continued public hearing.

No one appeared for public comment.

It was moved by Councilmember Gordo, seconded by Vice Mayor Masuda, to continue the public hearing to June 15, 2015 at 7:00 p.m. (Motion unanimously carried) (Absent: Councilmembers Kennedy and Madison)

**PUBLIC COMMENT ON
MATTERS NOT ON THE
AGENDA**
(Continued)

Chikodili Udengwu, Pasadena resident, reported on being a victim of mail and identity theft for several years, and strongly requested the City's assistance on the matter, and submitted written material.

In response to Ms. Udengwu, the Mayor noted that staff will review her written concerns and will contact her regarding the matter.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 10:23 p.m. in memory of John Robert Kendall, a long-time Pasadena Police Department volunteer.

Terry Tornek, Mayor
City of Pasadena

ATTEST:

City Clerk