

CITY OF PASADENA
City Council Minutes
March 13, 2017 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Tornek called the regular meeting to order at 5:30 p.m.
(Absent: Vice Mayor Masuda, Councilmembers Gordo, Madison)

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

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

Property Location: 78 North Marengo Avenue

Agency Negotiator: Steve Mermell

Negotiating Party: Jesse Stein

Under Negotiation: Price and terms of Payment

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

Property Location: 645 E. Walnut Street, CA

Agency Negotiator: Steve Mermell

Negotiating Parties: Sean Ky & RICHARD LORD LLC

Under Negotiation: Price and terms of payment

Councilmember Madison
arrived at 6:22 p.m.

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

CITY COUNCIL CONFERENCE REGARDING PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code Section 54957 and **CITY COUNCIL CONFERENCE** with Labor Negotiator pursuant to Government Code Section 54957.6

Employee Title and Unrepresented Employee: City Clerk

City Representative: Terry Tornek

The above closed session item was discussed following the conclusion of the regular meeting (continued on page 10).

On the order of the Mayor, the regular meeting reconvened at 6:38 p.m. The pledge of allegiance was led by Councilmember Kennedy.

ROLL CALL:

Councilmembers:

Mayor Terry Tornek

Vice Mayor Gene Masuda (Absent)

Councilmember Victor Gordo (Absent)

Councilmember Tyron Hampton

Councilmember John J. Kennedy
Councilmember Steve Madison
Councilmember Margaret McAustin
Councilmember Andy Wilson

Staff:

City Manager Steve Mermell
City Attorney/City Prosecutor Michele Beal Bagneris
City Clerk Mark Jomsky

CEREMONIAL MATTERS

Councilmember McAustin
arrived at 6:40 p.m.

The City Clerk administered the oath of office to Cy Warren Estabrook and Martin Sweeney as Accessibility & Disability Commissioners.

Councilmember Madison expressed sympathies and condolences in the passing of Mr. Richard Carlton King, a long-time Pasadena resident, veteran, author, and businessman; and requested that the meeting be adjourned in his memory.

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

Michael Trowbridge, Pasadena resident, requested assistance with squatters who are loitering in vacant homes neighboring his home on Lincoln Avenue in close proximity to a pre-school.

In response to public comment, the Mayor informed Mr. Trowbridge, that staff would contact him to assist in addressing his concerns.

Teresa Mei Chuc, Pasadena Rose Poet, recited poetry and thanked the City Council for protecting immigrant rights.

Ellen Finkerpearl and Abel Medrano, representing San Gabriel Valley Progressive Alliance, introduced their group and thanked the City Council for endorsing Measure H: Los Angeles County Sales Tax for Homeless Services and Prevention.

Benito Rodríguez Romero, expressed concerns with a proposed convenience store to be located on North Fair Oaks Avenue and Washington Boulevard, that he believes is not beneficial to the community.

In response to public comment, the Mayor explained that a permit process is required to allow such a business use, and staff will follow up with him regarding the permit process.

CONSENT CALENDAR

AWARD OF PURCHASE ORDER TO DOOLEY ENTERPRISES, INC., FOR PURCHASE OF AMMUNITION FOR A NOT-TO-EXCEED AMOUNT OF \$450,000

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) Accept the bid dated February 6, 2017, submitted by Dooley Enterprises, Inc., in response to specifications for practice and duty ammunition; reject all other bids received; and authorize the issuance of a purchase order with Dooley Enterprises, Inc., in an amount not-to-exceed \$450,000 over a three year period with the option for three additional one year terms in the amount of \$150,000, at the discretion of the City Manager, for a maximum total contract length of six years.

**CONTRACT AWARD TO UNISPEC CONSTRUCTION, INC.,
FOR CENTRAL LIBRARY RESTORATION – PHASE II FOR AN
AMOUNT NOT-TO-EXCEED \$189,200**

Recommendation:

(1) Find the project in the agenda report to be categorically exempt under the California Environmental Quality Act (CEQA) State Guidelines in accordance with Title 14, Chapter 3, Class 1, Section 15301, minor alterations of existing public facilities involving negligible or no expansion of use beyond that previously existing at the time of the lead agency's determination; and

(2) Accept the bid dated January 25, 2017, submitted by UNISPEC Construction, Inc., in response to the Project Specifications for Central Library Restoration – Phase II, and authorize the City Manager to enter into a contract not-to-exceed \$189,200 which includes the base contract amount of \$172,000 and a contingency of \$17,200 to provide for any necessary change orders. (Contract No. 30851)

**CONTRACT AWARD TO STAR FORD LINCOLN OF
GLENDALE FOR PURCHASE OF FORD AUTOMOTIVE PARTS
FOR A NOT-TO-EXCEED AMOUNT OF \$540,000**

Recommendation:

(1) Find that 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 January 31, 2017, submitted by Star Ford Lincoln of Glendale (Star Ford) in response to specifications for Ford Original Equipment Manufactured Parts and authorize the City Manager to enter into a contract with Star Ford in an amount not-to-exceed \$540,000 over a three-year period with the option for two additional one-year terms in the annual amount of \$180,000, at the discretion of the City Manager, for a maximum total contract length of five years.

**AUTHORIZATION TO ENTER INTO A CONTRACT WITH
INTELLITIME SYSTEMS CORPORATION FOR PHASE 2 OF
THE CONFIGURATION OF THE VIRTUAL TIMECARD
INTERFACE SYSTEM**

Recommendation:

- (1) Find that the proposed contract is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3), General Rule;
- (2) Authorize the issuance of a contract with Intellitime Systems Corporation for Phase 2 of the configuration of the Virtual Timecard Interface system in an amount not-to-exceed \$176,020. Competitive bidding is not required pursuant to City Charter Section 1002(F), contracts for professional or unique services; and
- (3) Grant the proposed contract an exemption from the competitive selection process of the Competitive Bidding and Purchasing Ordinance, Chapter 4.08 of the Pasadena Municipal Code, pursuant to Section 4.08.049(B) contracts for which the City's best interests are served. (Contract No. 30843)

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER WITH LOS ANGELES FREIGHTLINER IN AN AMOUNT NOT-TO-EXCEED \$360,063.98 TO FURNISH AND DELIVER TWO DUMP TRUCKS

Recommendation:

- (1) Find that 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 January 23, 2017, submitted by Los Angeles Freightliner in response to specifications to Furnish and Deliver 2017 Model Year, Compressed Natural Gas ("CNG") Powered Dump Trucks for the Water and Power Department ("PWP") and authorize the City Manager to enter into a purchase order with Los Angeles Freightliner for an amount not-to-exceed \$360,063.98.

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER WITH ALLSTAR FIRE EQUIPMENT FOR AN AMOUNT NOT-TO-EXCEED \$141,000 FOR REPAIR, MAINTENANCE, AND THE PURCHASE OF SELF-CONTAINED BREATHING APPARATUS (SCBA) FOR THE FIRE DEPARTMENT

Recommendation:

- (1) Find that the proposed action is not a "project" subject to the California Environmental Quality Act (CEQA) pursuant to Section 21065 of CEQA and Sections 15060(c)(3), and 15378(b)(2) of the State CEQA Guidelines and, as such, no environmental document is required;
- (2) Authorize the City Manager to enter into a contract, without competitive bidding pursuant to City Charter Section 1002(C) contract for supplies available from only one vendor, with Allstar Fire Equipment for Scott Safety SCBA in an amount not-to-exceed \$141,000; and

(3) Grant the proposed purchase an exemption from the competitive selection process pursuant to the Pasadena Municipal Code Section 4.08.049(B), contracts for which the City's best interests are served.

ADOPTION OF A RESOLUTION DELEGATING TO THE PASADENA FIRE & POLICE RETIREMENT SYSTEM BOARD (FPRS) THE AUTHORITY TO MAKE DETERMINATIONS ON INDUSTRIAL DISABILITY RETIREMENTS FOR LOCAL SAFETY MEMBERS

Recommendation:

(1) Find that the action proposed in the agenda report is not a "project" as defined in the California Environmental Quality Act (CEQA), Public Resources Code Section 21065 and Section 15378(b)(2) of the State CEQA Guidelines and, as such, is not subject to environmental review; and

(2) Adopt a resolution to delegate to the Pasadena Fire and Police Retirement System (FPRS) Board the authority to make determinations of disability and whether such disability is industrial for all safety employees. (Resolution No. 9552)

MUNICIPAL SERVICE COMMITTEE: AUTHORIZE THE CITY MANAGER TO EXECUTE ALL AGREEMENTS ASSOCIATED WITH THE RECEIPT OF GRANT FUNDING FROM THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY FOR THE PASADENA BUS PURCHASE TO RELIEVE SIGNIFICANT OVERCROWDING PROJECT

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) (General Rule); and

(2) Authorize the City Manager to execute all agreements associated with the receipt of grant funding of \$1,364,577 from the Los Angeles County Metropolitan Transportation Authority for the Pasadena Bus Purchase to Relieve Significant Overcrowding project.

MUNICIPAL SERVICE COMMITTEE: ADOPT ENERGY EFFICIENCY AND DEMAND REDUCTION GOALS FOR FISCAL YEARS 2018 THROUGH 2027

Recommendation:

(1) Find that the adoption of energy efficiency and demand reduction goals is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3) (General Rule); and

(2) Adopt an energy efficiency goal of 13,500 MWh per year and demand reduction goal of 2.3 MW per year for fiscal years 2018 through 2027 in accordance with California Assembly Bill 2021 ("AB-2021") and Assembly Bill 2227 ("AB-2227").

Recommendation of the Municipal Services Committee: The Municipal Services Committee unanimously supported the staff recommendation at its February 28, 2017 meeting.

Recommendation of the Environmental Advisory Commission: The Environmental Advisory Commission unanimously supported the staff recommendation at its February 15, 2017 meeting.

RESIGNATION OF VICTORIA DOMINGUEZ FROM THE NORTHWEST COMMISSION (District 5 Nomination)

APPOINTMENT OF DANIEL ROSSMAN TO THE ENVIRONMENTAL ADVISORY COMMISSION (District 6 Nomination)

MINUTES APPROVED

February 16, 2017
February 20, 2017
February 27, 2017
March 6, 2017

CLAIMS RECEIVED AND FILED

Claim No. 12,819	Christine Kuo	\$	Not stated
Claim No. 12,820	Pierry Law Firm and The Law Offices of Paul F. Cohen representing Juny Snyder		25,000.00+
Claim No. 12,821	Bobby J. Laird		1,850.00
Claim No. 12,822	Michael Ting		390.00
Claim No. 12,823	Louis Perez		215.42
Claim No. 12,824	Lynn M. Downs		5,550.00

PUBLIC HEARING SET

March 27, 2017, 7:00 p.m. – Appeal of the Board of Zoning Appeals’ Decision on Time Extension for Variance No. 11738 Regarding the Property Located at 167 East Walnut Street

March 27, 2017, 7:00 p.m. – Economic Development Subsidy Report Pursuant to Government Code Section 53083 for a Ground Lease Agreement By and Between the City of Pasadena and KHP III Pasadena LLC (Kimpton)

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

REPORTS AND COMMENTS FROM COUNCIL COMMITTEES

FISCAL YEAR JUNE 30, 2016 ANNUAL FINANCIAL REPORTS
Recommendation: It is recommended that the following reports for the year ending June 30, 2016 be reviewed, discussed, and filed by the City Council and/or the Successor Agency to Pasadena Community Development Commission:

- A. Comprehensive Annual Financial Report
- B. Single Audit Reports
- C. Independent Auditor's Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards (This replaces what was called the "Management Letter.")
- D. Pasadena Center Operating Company Basic Financial Statements
- E. Rose Bowl Operating Company Basic Financial Statements
- F. Pasadena Community Access Corporation Basic Financial Statements
- G. Pasadena Fire and Police Retirement System Independent Auditor's Report and Basic Financial Statements with Required Supplemental Information
- H. Air Quality Improvement Fund Financial and Compliance Report
- I. Independent Accountant's Report on Agreed-Upon Procedures Applied to Appropriation Limit Worksheets
- J. Independent Accountant's Report on Agreed-Upon Procedures Applied to Employee Deductions for the Internal Revenue Code Section 457 Deferred Compensation Program
- K. The Auditor's Communications with the City's Audit and Finance Committee
- L. Pasadena Housing Successor Basic Financial Statements

The Mayor, Chair of the Finance Committee, reported on the Committee's review and discussion of the item.

Councilmember Madison noted the need for the City to hire a Contract Administrator to ensure that the City's contract requirements and conditions are satisfied.

Matt Hawkesworth, Director of Finance, provided introductory comments, and Richard Kikuchi of Lance, Soll & Lunghard, LLP (the City's external auditors), and Bob Ridley, Controller, presented a PowerPoint presentation on the item, and responded to questions.

Following discussion, it was moved by Councilmember Wilson, seconded by Councilmember Kennedy, to approve the staff recommendation. (Motion unanimously carried) (Absent: Vice Mayor Masuda, Councilmember Gordo)

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

ADOPTION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA CONFIRMING THE AWARD OF ITS WATER REVENUE/REFUNDING BONDS 2017A SERIES

Recommendation:

- (1) Find that the proposed action is not a project subject to 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) Adopt a resolution confirming the award of the City of Pasadena Water Revenue/Refunding Bonds, 2017A Series. (Resolution No. 9553)

Mark Jomsky, the City Clerk, reported that following the bid results from earlier today, an updated resolution was posted, distributed, and made part of the record for this item.

Matt Hawkesworth, Director of Finance, provided introductory comments, and Victor Erganian, City Treasurer, presented a PowerPoint presentation on the item, announced the bid results, with Bank of America ML being the lowest bidder, and responded to questions.

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

**ORDINANCE – FIRST
READING**

Conduct first reading of “AN UNCODIFIED ORDINANCE OF THE CITY OF PASADENA REAUTHORIZING THE PUBLIC, EDUCATIONAL, AND GOVERNMENT (PEG) FEE ON STATE VIDEO SERVICE FRANCHISES OPERATING WITHIN THE CITY”

In response to Councilmember Hampton suggestion that staff request Charter Communication Cable Company and other cable affiliates utilize high definition (HD) and video quality when broadcasting City content, including City Council meetings.

Phillip Leclair, Chief Information Officer, provided information on the City's efforts to work with Pasadena Center Operating Company, Charter Cable Company/Spectrum, and AT&T Telecommunications Company to encourage the use of HD video when broadcasting the City Council meetings.

Following discussion, the above ordinance was offered for first reading by Councilmember McAustin:

- AYES: Councilmembers Hampton, Kennedy, Madison, McAustin, Wilson, Mayor Tornek
- NOES: None
- ABSENT: Councilmembers Gordo, Vice Mayor Masuda
- ABSTAIN: None

Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA AMENDING VARIOUS SECTIONS OF TITLE 17 (ZONING CODE) OF THE PASADENA MUNICIPAL CODE RELATED TO STATE LICENSED RESIDENTIAL CARE FACILITIES WITH SIX OR FEWER PERSONS, TRANSITIONAL HOUSING, AND SUPPORTIVE HOUSING"

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

AYES: Councilmembers Hampton, Kennedy, Madison, McAustin, Wilson, Mayor Tornek

NOES: None

ABSENT: Councilmembers Gordo, Vice Mayor Masuda

ABSTAIN: None

ORDINANCES – ADOPTED

Adopt "AN ORDINANCE OF THE CITY OF PASADENA AMENDING PASADENA MUNICIPAL CODE TITLE 13, CHAPTER 13.10, WATER WASTE PROHIBITIONS AND WATER SUPPLY SHORTAGE PLANS" (Introduced by Councilmember Gordo) (Ordinance No. 7298)

The above ordinance was adopted by the following vote:

AYES: Councilmembers Hampton, Kennedy, Madison, McAustin, Wilson, Mayor Tornek

NOES: None

ABSENT: Councilmembers Gordo, Vice Mayor Masuda

ABSTAIN: None

INFORMATION ITEM

POLICY FOR THE USE OF AUTOMATED LICENSE PLATE READERS IN PARKING ENFORCEMENT IN THE CITY OF PASADENA

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

Jon Hamblen, Parking Manager, provided a PowerPoint presentation on the item, and responded to questions.

Councilmember Kennedy requested information on other municipalities parking enforcement policies, pros and cons, new technology, and best practices.

Following discussion, by consensus of the City Council, and on order of the Mayor, the information was received and filed.

COUNCIL COMMENTS

Councilmember McAustin asked staff to research recent legislation passed by the State that purportedly would allow local jurisdictions to collect property tax money for affordable housing, and determine whether (and how) the City might participate.

The Mayor announced that the Black History Parade has been rescheduled for Saturday, March 18, 2017; stated that the discussion on immigration is now scheduled for the March 27, 2017 City Council meeting; and asked Councilmembers to review the Commission vacancies list and their commission nominations to ensure eligibility status.

Councilmember Hampton spoke on the Los Angeles Mayor's action to ban private meetings between developers and Planning Commissioners, and asked the City Council to consider adopting a similar policy.

On order of the Mayor, the regular meeting recessed at 7:35 p.m. to discuss the following closed session item:

Councilmember Madison was excused at 7:54 p.m.

CITY COUNCIL CONFERENCE REGARDING PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code Section 54957 and CITY COUNCIL CONFERENCE with Labor Negotiator pursuant to Government Code Section 54957.6
Employee Title and Unrepresented Employee: City Clerk
City Representative: Terry Tornek

The above closed session item was discussed, with no reportable action at this time.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 8:15 p.m. in memory of Mr. Richard Carlton King, long time Pasadena resident, veteran, author, and businessman.

Terry Tornek, Mayor
City of Pasadena

ATTEST:

City Clerk