

CITY OF PASADENA  
City Council Minutes  
June 16, 2014 – 5:30 P.M.  
City Hall Council Chamber

REGULAR MEETING

Teleconference Locations:  
Liaison Capitol Hill Hotel  
Business Center  
415 New Jersey Ave., NW  
Washington, D.C. 20001

Mandarin Oriental  
Business Center  
Quai Turretini 1  
1201 Geneva, Switzerland

**OPENING:**

Mayor Bogaard called the regular meeting to order at 5:34 p.m. (Absent: Councilmember Madison)

On order of the Mayor, the regular meeting recessed at 5:34 p.m., to discuss the following closed sessions:

Vice Mayor Robinson joined the meeting at 5:34 p.m. via teleconference

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

**Agency Designated Representatives: Kristi Recchia and Michael J. Beck**

**Employee Organization: International Union of Operating Engineers (IUOE) Local 501**

**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.

On order of the Mayor, the regular meeting reconvened at 6:42 p.m. The Pledge of Allegiance was led by Councilmember Gordo.

**ROLL CALL:**

Councilmembers:

Mayor Bill Bogaard  
Vice Mayor Jacque Robinson (participated via  
teleconference beginning at 6:42 p.m.)  
Councilmember Victor Gordo  
Councilmember John J. Kennedy  
Councilmember Steve Madison (participated via  
teleconference beginning at 6:42 p.m.)  
Councilmember Gene Masuda  
Councilmember Margaret McAustin  
Councilmember Terry Tornek

Staff:

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

**CEREMONIAL MATTERS**

The Mayor paid tribute to Scott Richard Studenmund, Pasadena resident, Green Beret, and U.S. Army Staff Sergeant, who lost his life on June 9, 2014 in Afghanistan. At the request of the Mayor, a moment of silence was observed in memory of Mr. Studenmund, and he noted that the meeting will adjourn in his memory.

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

Geoffrey Baum, President of West Pasadena Residents Association (WPRA), introduced himself and spoke on behalf of the Association as the newly elected Board President.

**CONSENT CALENDAR**

**AUTHORIZATION TO ISSUE A PURCHASE ORDER CONTRACT TO PHYSIO CONTROL INCORPORATED FOR THE PURCHASE OF FOUR LIFEPAK-15 CARDIAC MONITOR/DEFIBRILLATORS FOR AN AMOUNT NOT TO EXCEED \$107,264.60**

**Recommendation:**

- (1) Find that the recommended action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3); and
- (2) Authorize the issuance of a purchase order contract, without competitive bidding pursuant to City Charter Section 1002(C) contracts for labor, materials, supplies or services available from only one vendor, to Physio Control, Inc., in an amount not to exceed \$107,264.60 for the purchase of four Lifepak-15 cardiac monitor/defibrillators.

**AUTHORIZATION TO ENTER INTO A PURCHASE ORDER CONTRACT WITH LOS ANGELES FREIGHTLINER FOR THE PURCHASE OF A 10-YARD DUMP TRUCK FOR THE PASADENA WATER AND POWER DEPARTMENT**

**Recommendation:**

(1) Find that the authorization to enter into a purchase order contract with Los Angeles Freightliner 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 purchase order to Los Angeles Freightliner in an amount not to exceed \$188,420; and

(3) Grant an exemption from competitive bidding and competitive selection pursuant to City Charter Section 1002(H) contracts with other governmental entities or their contractors and Pasadena Municipal Code Section 4.08.049(B) where the best interest of the city will be served by the exemption.

PUBLIC SAFETY COMMITTEE

**PUBLIC SAFETY COMMITTEE: AUTHORIZATION TO ENTER INTO A CONTRACT WITH THE FLINTRIDGE CENTER FOR GANG REDUCTION, INTERVENTION AND PREVENTION 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 enter into a contract with the Flintridge Center in an amount not to exceed \$398,700 for gang reduction, intervention and prevention services. Competitive bidding is 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 pursuant to Pasadena Municipal Code Section 4.08.049, contracts for which the City's best interests are served. (Contract No. 21,862)

**RESIGNATION OF ANA R. OGAZ FROM THE HUMAN SERVICES COMMISSION (Pasadena City College Representative)**

**APPOINTMENT OF SANDRA ELL TO THE ENVIRONMENTAL ADVISORY COMMISSION (District 6 Nomination)**

**APPOINTMENT OF GAIL SCHAPER-GORDON TO THE PASADENA COMMUNITY ACCESS CORPORATION BOARD EFFECTIVE JULY 1, 2014 (Mayor Nomination)**

**APPOINTMENT OF REGGIE WOOLRIDGE TO THE PASADENA CENTER OPERATING COMPANY BOARD EFFECTIVE JULY 1, 2014 (Hotel Nomination)**

**APPOINTMENT OF PEGGY SISSON TO THE HUMAN SERVICES COMMISSION (District 5 Nomination)**

MINUTES APPROVED

June 2, 2014

CLAIMS RECEIVED AND FILED

Claim No. 12,183	Pacific Bell/AT&T/Diane Mancini	\$ 408.02
Claim No. 12,184	Marilyn Shepperd	25,000.00+
Claim No. 12,185	Maria E. Hernandez	1,000.00

PUBLIC HEARING SET

**June 23, 2014, 7:00 p.m.** – Appeal of a Design Commission Decision for an Application for Concept Design Review for Construction of a Two-Story, 120-Bed Psychiatric Hospital at 2900 East Del Mar Boulevard (Las Encinas Hospital Project)

It was moved by Councilmember Kennedy, seconded by Councilmember Masuda, to approve all items on the Consent Calendar.

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

NOES: None

ABSENT: None

**REPORTS AND COMMENTS FROM COUNCIL COMMITTEES**

ECONOMIC DEVELOPMENT AND TECHNOLOGY COMMITTEE

**APPROVAL OF KEY BUSINESS TERMS OF SECOND AMENDMENT TO DEVELOPMENT, LOAN AND LEASE AGREEMENT WITH BRIDGE HOUSING CORPORATION FOR THE HERITAGE SQUARE SENIOR HOUSING PROJECT AT 750-790 NORTH FAIR OAKS AVENUE; INCREASE IN THE CITY ORIGINAL LOAN BY AN AMOUNT NOT TO EXCEED \$800,000**

**Recommendation:**

- (1) Find that the proposed business terms, as described in the agenda report, of the Second Amendment to Development, Loan, and Lease Agreement with Bridge Housing Corporation for the development of the Heritage Square senior housing project located at 750-790 North Fair Oaks Avenue are consistent with the In-Fill Development Projects exemption under Section 15332 of the California Environmental Quality Act that was adopted by the City Council on November 7, 2011, for this project;
- (2) Approve a journal voucher appropriating \$400,000 from the Inclusionary Housing Fund balance to the "Heritage Square" project (Account No. 8167-619-684140-55-51333); and
- (3) Approve key business terms of the Second Amendment to Development, Loan, and Lease Agreement with Bridge Housing Corporation, as set forth in the agenda report.

**Advisory Body Recommendation:** The subject matter will be considered by the Northwest Commission at its meeting of June 12, 2014. Staff will report orally on the action taken by the Northwest Commission. (Contract No. 20,998-2; Journal Voucher No. 2014-29)

Councilmember Gordo, Chair of the Economic Development and Technology Committee, introduced the agenda item.

Councilmember Tornek expressed concerns regarding the risks associated with the project, suggesting that staff ensure that a back-up plan is available should the City not be successful in obtaining the 9% tax credit.

Councilmember Gordo noted that the payout of the additional loan amount is contingent on the City securing the 9% tax credit, and suggested that the City consider a mixed-use project as an alternative in the event the necessary funding is not awarded.

Following discussion, it was moved by Councilmember Gordo, seconded by Councilmember Kennedy, to approve the staff recommendation.

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

NOES: None

ABSENT: None

## **PUBLIC HEARINGS**

**PUBLIC HEARING: LEVY OF ASSESSMENT AGAINST HOTEL AND MOTEL BUSINESSES FOR FISCAL YEAR 2015 IN CONNECTION WITH THE PASADENA TOURISM BUSINESS IMPROVEMENT DISTRICT**  
**Recommendation of the Pasadena Center Operating Company:** It is recommended that the City Council continue the public hearing to June 23, 2014 at 7:00 p.m.

It was moved by Councilmember Gordo, seconded by Councilmember McAustin, to continue the public hearing to June 23, 2014 at 7:00 p.m.

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

NOES: None

ABSENT: None

**CONTINUED PUBLIC HEARING: FISCAL YEAR 2015 CITY MANAGER'S RECOMMENDED OPERATING BUDGET ADOPTION**

**Recommendation:**

- (1) Close the public hearing and adopt by resolution the City Manager's Fiscal Year (FY) 2015 Operating Budget as presented in the May 12, 2014 City Manager's Recommended Budget, or as subsequently amended during the budget hearing process; and
- (2) Adopt a resolution determining the amount to be transferred from the Light and Power Fund to the General Fund is 10 percent for FY 2015. (Resolution Nos. 9349 and 9350)

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

Councilmember Tornek, Chair of the Finance Committee, introduced the item, provided an overview of the recent budget process, and expressed gratitude to the City Manager and staff for their effort and diligence in reviewing the details of the proposed budget with the City Council and Finance Committee. He also noted that the Finance Committee will work to identify specific areas of priority for possible funding consideration by the City Council at the mid-year budget review.

Michael Beck, City Manager, provided a PowerPoint presentation and a summary of the Fiscal Year (FY) 2015 budget, and an overview of the five-year General Fund Financial Plan.

Councilmember McAustin stressed the need for the City to explore ways to create an ongoing revenue source to fund affordable housing locally.

Councilmember Kennedy stated concerns regarding the limited resources available to address Assembly Bill (AB) 109, the inmate early release program, noting the importance of identifying resources to help manage formerly incarcerated individuals that are released into the community, inquired whether or not a case manager position can be included as part of the recently approved contract with the Flintridge Center for Gang Reduction, Intervention and Prevention Services, and stated his opposition to the staff's recommendation to eliminate the Child Care Coordinator position. He also reiterated comments regarding the need to find a continuous funding source for affordable housing in the City and suggested that a panel of community leaders be assembled to address this funding issue.

The following persons expressed concerns regarding the proposed elimination of a Child Care Coordinator position from the Human Services and Recreation Department's FY 2015 Budget:

Renatta M. Cooper, Pasadena resident  
Dr. Dianne Philibosian, Pasadena resident  
Esteban Lizardo, Pasadena resident

Councilmember Gordo stated his opposition to the recommendation to eliminate the Child Care Coordinator position from the FY 2015 budget, suggested that the position remain in the budget (unfunded), and requested that staff report back to the City Council with a plan on how to fund the position going forward as part of the mid-year budget review. He also raised concerns regarding AB 109, stating that it is the City's responsibility to address and manage the issue in terms of enforcement and monitoring, and asked staff to work with the Public Safety Committee to develop an aggressive monitoring plan, which includes at least one case manager assigned to manage formerly incarcerated individuals residing in Pasadena.

It was moved by Councilmember Tornek, seconded by Councilmember Gordo, to close the public hearing.

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

NOES: None

ABSENT: None

#### MOTION

It was moved by Councilmember Tornek, seconded by Vice Mayor Robinson, to approve the staff recommendation, amended by maintaining the Child Care Coordinator as an unfunded position in the Human Services and Recreation Department's FY 2015 Budget.

In response to Councilmember Gordo's request to amend the motion to include the Police Department's development of a monitoring plan for the inmates released under AB 109, Councilmember Tornek indicated that there are a number of budget priorities to be considered, and restated his suggestion for the Finance Committee to develop a procedure for identifying and prioritizing these items, including each Councilmembers' individual priorities, and to create an organized process to review these items for consideration at the mid-year budget review.

Councilmember Kennedy stated his support for the creation of a Case Manager position in the Police Department to appropriately respond to AB 109.

Councilmember McAustin suggested that the Police Chief be given the opportunity to bring forward recommendations to the Public Safety Committee, which will consist of a plan to manage AB 109 based on the Department's budget needs and funding/grant opportunities.

Councilmember Gordo asked that the Police Chief bring forward to the Public Safety Committee recommendations on how to manage early released individuals under AB 109 and bring forward recommendations as part of the mid-year budget amendment discussion.

#### AMENDED MOTION

Following discussion, it was moved by Councilmember Tornek, seconded by Vice Mayor Robinson, to approve the staff recommendation, amended by maintaining the Child Care Coordinator as an unfunded position in the Human Services and Recreation Department's FY 2015 Budget, with staff to return to the City Council with options to fund this position either before or by the mid-year budget revision.

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

NOES: None

ABSENT: None

Councilmember Madison was excused at 8:28 p.m. and left the meeting

Councilmember McAustin was at excused 8:31 p.m.

#### **CONTINUED PUBLIC HEARING: ANNUAL AMENDMENTS TO THE FISCAL YEAR 2015 RECOMMENDED GENERAL FEE SCHEDULE – REVISED**

**Recommendation:** It is recommended that the City Council close the public hearing and adopt the Fiscal Year (FY) 2015 Recommended General Fee Schedule. (Resolution No. 9351)

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

No one appeared for public comment.

Councilmember Tornek, Chair of the Finance Committee, introduced the agenda item. Andy Green, Director of Finance, and Michele Logan, Management Analyst, reviewed the agenda report as part of a PowerPoint presentation.



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

It was moved by Councilmember Tornek, seconded by Councilmember Kennedy, to approve the staff recommendation.

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

NOES: None

ABSENT: Councilmembers Madison, McAustin

Vice Mayor Robinson was excused at 8:33 p.m. and left the meeting

Councilmember McAustin returned at 8:33 p.m.

**CONTINUED PUBLIC HEARING: FISCAL YEAR 2015 RECOMMENDED SCHEDULE OF TAXES, FEES, AND CHARGES**

**Recommendation:** It is recommended that the City Council close the public hearing and adopt the Fiscal Year (FY) 2015 Recommended Schedule of Taxes, Fees, and Charges.

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

No one appeared for public comment.

Councilmember Tornek, Chair of the Finance Committee, introduced the agenda item. Michele Logan, Management Analyst, reviewed the agenda report as part of a PowerPoint presentation.

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

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

Mr. Green thanked the City Council, City Manager, and staff for their hard work on the budget.

**ORDINANCE – FIRST READING**

**Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING THE LIGHT AND POWER RATE ORDINANCE, TITLE 13, CHAPTER 13.04 OF THE PASADENA MUNICIPAL CODE”**

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

AYES: Councilmembers Gordo, Kennedy, Masuda, McAustin, Tornek, Mayor Bogaard

NOES: None

ABSENT: Councilmember Madison, Vice Mayor Robinson

### **COUNCIL COMMENTS**

Councilmember Tornek reported that a memorial was held at Grant Park last night for Phillip O'Neill, a bicyclist that was killed on June 15, 2013, and stated that specific recommendations may be forthcoming from the "Safe Streets Coalition" related to pedestrians/bicyclists safety.

Councilmember Masuda inquired about the status of a memorial to honor fallen residents at Memorial Park, given the recent loss of Scott Studenmund. The Mayor stated that his request is still being considered and the City Manager noted that he will include the standard process and timeline for such requests in the weekly newsletter to City Council.

Councilmember Kennedy reported on the City of San Francisco's ballot measure to raise the local living wage to \$15.00 per hour, and asked that staff provide information on the appropriateness of considering this issue as it pertains to Pasadena. The City Manager stated that the Economic Developing Committee is currently reviewing the living wage ordinance to determine whether an adjustment can be made, with the Committee's recommendations to be brought to the full City Council at a future date.

### **ADJOURNMENT**

On order of the Mayor, the regular meeting of the City Council adjourned at 8:53 p.m. in memory and honor of Scott Richard Studenmund.

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

ATTEST:

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