

CITY OF PASADENA
City Council Minutes
January 27, 2014 – 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 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

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

Agency Designated Representatives: Kristi Recchia and Michael J. Beck

Employee Organization: Pasadena Firefighters Association (PFFA) Local 809

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

Name of Case: Coalition for Preservation of the Arroyo v. City of Pasadena

LASC Case No.: BS141038

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

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

Name of Case: Kenneth McDade, Anya Slaughter, and the Estate of Kendrec McDade v. City of Pasadena

Case No.: CV12-02892 DMG (JCGx)

The above closed session item was not discussed.

On order of the Mayor, the regular meeting reconvened at 7:39 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 Tornek

Staff:

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

CEREMONIAL MATTERS

The Mayor and Councilmember Madison acknowledged and presented a certificate of recognition to Mr. Eric M. Slimko, National Aeronautics and Space Administration (NASA) Jet Propulsion Laboratory, for developing and successfully implementing the entry system heat-shield used on the Mars Science Laboratory mission.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Jarvis Emerson, Black History Committee, invited the City Council and Community to attend and participate in the Black History Parade and Festival, scheduled for Saturday, February 15, 2014.

The following individuals spoke in opposition and/or provided comments regarding the proposed 710 freeway extension plan and/or the project's Draft Environmental Impact Report:

Bob Kneisel, Pasadena resident
Sylvia Plummer, Pasadena resident
John Dean, Pasadena resident
Miriam Nakamura-Quan, Pasadena resident
Viola Orr, Pasadena resident

CONSENT CALENDAR

APPROVAL OF COMMEMORATIVE PLAQUE AT CENTRAL PARK TO HONOR PANKOW BUILDERS' \$50,000 DONATION FOR LANDSCAPE IMPROVEMENTS TO THE CENTRAL PARK ROSE GARDEN IN FURTHERANCE OF THE CENTRAL PARK MASTER PLAN

Recommendation:

- (1) Find that the activity described in the agenda report is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3), the General Rule. The proposed commemorative plaque and minor park improvements will not result in any potentially significant effects to the environment; and
- (2) Approve the request to install a commemorative plaque in recognition of Pankow Builders' \$50,000 donation of goods and services for landscape improvements to the Central Park Rose Garden in furtherance of the Central Park Master Plan.

Recommendation of the Recreation and Parks

Commission: On December 2, 2013, the Recreation and Parks Commission voted to support the proposed installation of a commemorative plaque at Central Park to honor Pankow Builders' 50th anniversary as a Pasadena business, in recognition of the firm's \$50,000 donation of goods and services for landscape and hardscape improvements in the Central Park Rose Garden in furtherance of the Central Park Master Plan.

AUTHORIZE AN INCREASE OF PURCHASE ORDER NO. 54619 WITH TELETRAC, INC., FOR MAINTENANCE AND AIR-TIME ASSOCIATED WITH THE GLOBAL POSITIONING SATELLITE (GPS) NAVIGATION SYSTEM INSTALLED IN CITY VEHICLES IN AN AMOUNT NOT TO EXCEED \$83,000

Recommendation:

- (1) Find that this action is exempt under 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;
- (2) Find that neither competitive bidding nor competitive selection is required pursuant to City Charter Section 1002 (A-H), and Pasadena Municipal Code Section 4.08.049; and
- (3) Authorize an increase to Purchase Order No. 54619 with Teletrac, Inc., in the amount of \$83,000 for the maintenance and air-time of the Global Positioning Satellite (GPS) navigation system for a revised not-to-exceed amount of \$157,999.

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC WORKS AND THE CITY ENGINEER TO CERTIFY DOCUMENTS FOR CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) ADMINISTERED TRANSPORTATION PROJECTS

Recommendation: It is recommended that the City Council adopt a resolution authorizing the Director of Public Works and

the City Engineer to certify necessary documents for detailed procedural requirements for Caltrans administered transportation projects. (Resolution No. 9333)

Item discussed separately

APPROVAL OF THE SUBMISSION OF THE 2013 CONTINUUM OF CARE HOMELESS ASSISTANCE APPLICATION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

APPROVAL OF AN INCREASE TO PURCHASE ORDER NO. 54517 WITH SANOFI PASTEUR, INC., FOR THE PURCHASE OF VACCINES AND TUBERCULOSIS TESTING SOLUTION

Recommendation:

(1) Authorize an increase to Purchase Order No. 54517 with Sanofi Pasteur, Inc., in the amount of \$50,000; thereby, increasing the not to exceed amount from \$74,999 to \$124,999 for the purchase of vaccines and tuberculosis testing solution; and

(2) Grant the proposed increase 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. Competitive bidding is not required pursuant to City Charter Section 1002(F), contracts for professional or unique services.

FINANCE COMMITTEE: APPROPRIATE FUNDS IN THE AMOUNT OF \$167,000 FROM THE GENERAL FUND UNAPPROPRIATED RESERVE TO THE HOUSING AND CAREER SERVICES DEPARTMENT'S FISCAL YEAR 2014 OPERATING BUDGET TO COVER DUE DILIGENCE AND LOAN REPAYMENT COSTS RELATED TO THE ACQUISITION OF THE PASADENA ENTERPRISE CENTER PROPERTY LOCATED AT 1015 NORTH LAKE AVENUE

Recommendation: It is recommended that the City Council appropriate \$167,000 from the General Fund unappropriated reserve to the Housing and Career Services Department's Fiscal Year 2014 Operating Budget to cover due diligence costs related to the City's acquisition of real property located at 1015 North Lake Avenue and the repayment of a County of Los Angeles Community Development Commission ("County CDC") loan. (Journal Voucher No. 2014-17)

FINANCE COMMITTEE: CONTRACT AWARD TO EXCEL PAVING COMPANY FOR IMPROVEMENT OF GREEN STREET FROM DE LACEY AVENUE TO FAIR OAKS AVENUE, AND FAIR OAKS AVENUE FROM COLORADO BOULEVARD TO GREEN STREET, FOR AN AMOUNT NOT TO EXCEED \$325,000

Recommendation:

- (1) Find the project proposed in the agenda report to be categorically exempt under the California Environmental Quality Act (CEQA) 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;
- (2) Appropriate \$254,118 in Proposition 1B funds to the Improvement of Green Street – Orange Grove Boulevard to Hill Avenue Capital Improvement Project (73927); and
- (3) Accept the bid dated January 14, 2014, submitted by Excel Paving Company in response to the Project Specifications for Improvement of Green Street and Fair Oaks Avenue, and authorize the City Manager to enter into such contract as is required for an amount not to exceed \$325,000. (Contract No. 21,716, Journal Voucher No. 2014-18)

RESIGNATION OF LAURA CRAFT HOGENSEN FROM THE HUMAN RELATIONS COMMISSION (Mayor Nomination)

APPOINTMENT OF CINDY SCHNUELLE TO THE NORTHWEST COMMISSION (District 5 Nomination)

APPOINTMENT OF JENNIFER McCREIGHT TO THE COMMISSION ON THE STATUS OF WOMEN (District 4 Nomination)

MINUTES APPROVED

- December 16, 2013
- December 23, 2013
- December 30, 2013
- January 6, 2014
- January 13, 2014
- January 20, 2014

CLAIMS RECEIVED AND FILED

Claim No. 12,084	Tenishia Thomas	\$ 25,000.00+
Claim No. 12,085	John D. Joseph	352.90
Claim No. 12,086	Leonard Larsen III	None stated
Claim No. 12,087	Martha Maritza Fernandez	25,000.00+
Claim No. 12,088	Christopher Whelan	2,890.99
Claim No. 12,089	Brian Mathiesen	360.45
Claim No. 12,090	Hector Mendoza	25,000.00+

The City Clerk distributed a memo providing a suggested amendment to the January 13, 2014 City Council minutes, Page 6, **AUTHORIZATION TO ENTER INTO A CONTRACT WITH GENERAL PUMP COMPANY**, Paragraph 3, adding the following clarifying language: "Councilmember Kennedy

expressed his concerns regarding the evaluated bid price and the recommended not-to-exceed amount of the contract, as well as staff's methodology for determining the forecasted amount of service to be performed during the contract period."

Following discussion, the City Manager confirmed that Item 6 above, **(Appropriate funds in the amount of \$167,000 from the General Fund to cover due diligence and loan repayment costs related to the acquisition of the Pasadena Enterprise Center property located at 1015 North Lake Avenue)**, will return to the City Council for further direction prior to the acquisition of the property.

It was moved by Councilmember Gordo, seconded by Vice Mayor Robinson, to approve the Consent Calendar, with the exception of item 4 (Approval of the Submission of the 2013 Continuum of Care Homeless Assistance Application to the U.S. Department of Housing and Urban Development), which was discussed separately; and the amendments and clarification to items 6 and 11, as stated above. (Motion unanimously carried) (Absent: None)

CONSENT ITEM DISCUSSED SEPARATELY

APPROVAL OF THE SUBMISSION OF THE 2013 CONTINUUM OF CARE HOMELESS ASSISTANCE APPLICATION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Recommendation:

- (1) Authorize the filing with the U.S. Department of Housing and Urban Development (HUD), the 2013 Continuum of Care (CoC) Homeless Assistance Application for a funding request of \$2,977,171 for thirteen projects; and
- (2) Authorize the ~~Chief Executive Officer~~ City Manager to execute, and the ~~Secretary~~ City Clerk to attest, the 2013 CoC Homeless Assistance Application and all other related documents, agreements, and amendments.

William Huang, Director Housing Department, introduced the item, provided a correction to item two of the recommendation, replacing "Chief Executive Officer" and "Secretary" with "City Manager" and "City Clerk" (as noted above), and responded to questions.

Anne Lansing, Project Planner, provided a PowerPoint presentation summarizing the agenda report, and responded to questions.

Following discussion, it was moved by Councilmember Kennedy, seconded by Councilmember Gordo, to approve the staff recommendation, as amended. (Motion unanimously carried) (Absent: None)

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

APPROVAL OF FINDINGS RELATED TO THE STAGING OF ADDITIONAL DISPLACEMENT EVENTS AT THE ROSE BOWL STADIUM ON AUGUST 7TH AND 8TH, 2014

Recommendation of Rose Bowl Operating Company: It is recommended that the City Council:

- (1) Find that the actions in the agenda report are categorically exempt under California Environmental Quality Act (CEQA) Guidelines Section 15323 (Normal Operations of Facilities for Public Gatherings);
- (2) Make the required findings, pursuant to Pasadena Municipal Code Section 3.32.270, to authorize two additional Displacement Events at the Rose Bowl Stadium on August 7th and 8th, 2014; and
- (3) Direct staff to file a Notice of Exemption by January 31, 2014.

Councilmember Gordo introduced the item and provided an overview of the Rose Bowl Operating Company Board's discussion and recommendation regarding the proposed events at the Rose Bowl, and responded to questions.

Daryl Dunn, Rose Bowl Operating Company, summarized the agenda report and responded to questions.

Councilmember Madison suggested that staff bring back to the City Council a discussion regarding options for generating funds to mitigate unfunded Central Arroyo projects.

The following individuals stated their concerns regarding additional displacement events at the Rose Bowl, opposed the National Football League's use of the Stadium, highlighted traffic issues that continue to impact neighbors, and urged the Council to consider the impacts additional events will have on residents and recreation programs in the Arroyo Seco area:

Betsy Nathane, Pasadena resident
John B. Dean, Pasadena resident
Nina Chomsky, Linda Vista Allendale Association and
Coalition for preservation of the Arroyo
Bob Snodgrass, Pasadena resident

Neil Kleinman, Pasadena resident, spoke in favor of the Rose Bowl Operating Company's recommendation, but stressed the need for a parking plan during Rose Bowl Stadium events.

Following discussion, it was moved by Councilmember Gordo, seconded by Vice Mayor Robinson, to approve the Rose Bowl Operating Company recommendation. (Motion unanimously carried) (Absent: None)

ORDINANCES – FIRST READING

Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTER 8.62 OF THE PASADENA MUNICIPAL CODE, THE CITY’S CONSTRUCTION AND DEMOLITION WASTE MANAGEMENT ORDINANCE, TO COMPLY WITH RECENT CHANGES IN STATE LAW AND TO MODERNIZE THE CITY’S ORDINANCE”

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

ORDINANCES – ADOPTED

Councilmember Kennedy stated that a potential conflict of interest existed, recused himself and left the dais at 9:17 p.m.

Adopt “AN ORDINANCE OF THE CITY OF PASADENA AMENDING THE OFFICIAL ZONING MAP ESTABLISHED BY SECTION 17.20.020 OF THE PASADENA MUNICIPAL CODE (WOTKYNS-RICHLAND LANDMARK OVERLAY DISTRICT)” (Introduced by Councilmember McAustin) (Ordinance No. 7237)

The above ordinance was adopted by the following vote:

- AYES: Councilmembers Gordo, Madison, Masuda, McAustin, Tornek, Vice Mayor Robinson, Mayor Bogaard
- NOES: None
- ABSENT: Councilmember Kennedy

ORDINANCES – FIRST READING

Councilmember Kennedy returned at 9:21 p.m.

Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA ADDING CHAPTER 6.09 TO TITLE 6 OF THE PASADENA MUNICIPAL CODE REQUIRING THE MANDATORY SPAYING AND NEUTERING OF PIT BULL AND PIT BULL CROSS BREED DOGS”

Siobhan Foster, Director of Public Works, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

Councilmember Madison expressed his strong concerns regarding Pit Bull and Pit Bull breed dog attacks, and advocated for the proposed legislation controlling the breeding of these types of dogs.

Councilmember McAustin stated her preference to table the item until such time that the Pasadena Humane Society (PHS) can complete the ongoing animal canvass in the City, and provide recommendations on a mandatory spay and neuter program for all dog and cat breeds.

Michele Beal Bagneris, City Attorney clarified current State laws pertaining to breed specific legislation, and the applicability to California cities.

Councilmember Gordo indicated his preference for staff to return at a future meeting with several options for the City Council to consider and requested that PHS provide a detailed report on euthanasia data and statistics

The following individuals spoke against the proposed ordinance for the mandatory spaying and neutering of Pit Bull and Pit Bull cross breed, and/or spoke in favor of legislation for all dog and cat breeds mandatory spay and neuter program:

Emily Van Voorhis, Glendale resident
Zia Bossenmeyer, Los Angeles resident
Maria Tausher, Pasadena resident
Rachele Lizarraga, Sacramento resident
Sherry Martinez, Sacramento resident
Zorica Stancevic, Glendale resident
Nicole Casalino, Pasadena resident
Rose Villegas, La Habra, resident
Vicky Padilla, Chatsworth resident
Sarah Audet, North Hollywood resident
Ciddy Fonteboa, Glendale resident
Robin Purcell, Los Angeles resident
Jan Reedy, Glendale resident
Dianne Prado
Dr. Robin Jeffries, Canyon County resident
Ilana Mcallyter, Pasadena resident
Stephanie Wescott, Burbank resident
Josh Liddy, Pasadena resident
Kristen Graham, Van Nuys resident
Veronica Ferrantelli, Pasadena resident
Susan Campisi, Altadena resident
Aileen Walker, Torrance resident
Chris Locke, Pasadena resident
Jo Porter, Monrovia resident
Mark Rulon, Simi Valley resident
James Krause, Pasadena resident
Fatima Pelaez
Ana Valverde, Los Angeles resident
Allison Polumbas, Valley Village resident
Marysu Wojcik, South Pasadena resident
Florence Blecher, California Responsible Pet Owners
Coalition
Elizabeth Oreck, Best Friends Animal Society
Katarina Layfield, Monrovia resident
Anna Young, Montrose resident
Joellyn Mumcian, Los Angeles resident
Tula Cakir, West Covina resident
Sarah Kosinski, Corona resident

Maria Rum, Tarzana resident
Lizabeth Gonzalez, Corona resident
Nicole Bruckman, Los Angeles resident
Anne Dove, Pasadena resident
Ruth Sulong, Pasadena resident
Dana Keithly
Danielle Doscher, Pasadena resident
Kelly L. Perry, La Crescenta resident
Diana Lannes, Los Angeles resident
Addie Daddio, Los Angeles resident
Marina Baktis, Pasadena resident
Thomas Powers, Encino resident
Brandon Fouche, Los Angeles resident
Jackie Horrick, Pasadena resident
Allison Vochrnger, Burbank resident
Petrea Burchard Sandel, Pasadena resident
Jessica Johnson, Monrovia resident

Mr. Gregory Pollock, Los Angeles resident, provided information on the City of Los Angeles' discussion regarding Breed Specific Legislation.

Councilmember Tornek stated his preference for a robust educational program for dog owners, as well as a low-cost spay and neuter program for all dog and cat breeds.

Councilmember Madison requested that the Pasadena Humane Society (PHS) representatives be present at future meetings where mandatory spay and neuter legislation is being considered to provide information and respond to questions and concerns.

Following discussion, it was moved by Councilmember Gordo, seconded by Vice Mayor Robinson, to table the first reading of this item to July 14, 2014, and direct staff to return with options and recommendations on whether to pursue mandatory spay and neuter of Pit Bulls and Pit Bull cross breeds or a more comprehensive mandatory spay and neuter of all dog and cat breeds, including a complete report from the PHS regarding euthanasia data and statistics.

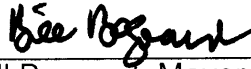
AYES: Councilmembers, Gordo, Madison, McAustin, Vice Mayor Robinson, Mayor Bogaard

NOES: Councilmember Kennedy, Masuda, Tornek

ABSENT: None

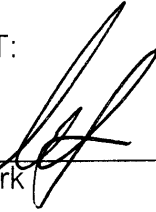
ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 11:51 p.m. in memory of Mrs. Leola Sudduth Kennedy, mother of Councilmember John J. Kennedy, esteemed member of the Pasadena community, and Pasadena public elementary school volunteer.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk