

CITY OF PASADENA  
City Council Minutes  
October 11, 2004 – 5:30 P.M.  
Pasadena Senior Center, Multi-Purpose Room  
85 East Holly Street

REGULAR MEETING

**OPENING:**

Mayor Bogaard called the regular meeting to order at 5:30 p.m.  
(Absent: Councilmembers Holden, Madison)

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

**CITY COUNCIL CONFERENCE REGARDING PUBLIC  
EMPLOYEE PERFORMANCE EVALUATION pursuant to  
Government Code 54957  
Title: City Manager**

Councilmember Holden arrived  
at 6:10 p.m.

**CITY COUNCIL CONFERENCE REGARDING PUBLIC  
EMPLOYEE PERFORMANCE EVALUATION pursuant to  
Government Code 54957  
Title: City Attorney**

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 6:40 p.m. The Pledge of Allegiance was led by Aarron Flowers, Jeffrey Towler, and Matthew Tramel from Troup 40 of Pasadena.

**ROLL CALL:**

Councilmembers:

Mayor Bill Bogaard  
Vice Mayor Sidney F. Tyler, Jr.  
Councilmember Victor Gordo  
Councilmember Steve Haderlein  
Councilmember Chris Holden  
Councilmember Paul Little  
Councilmember Steve Madison (Absent)  
Councilmember Joyce Streater

Staff:

City Manager Cynthia Kurtz  
City Attorney Michele Beal Bagneris  
City Clerk Jane L. Rodriguez

**CEREMONIAL MATTERS**

The City Clerk administered the oath of office to John H. Brinsley as Fire and Police Retirement Board member.

Fire Chief Dennis Downs acknowledged Chris Latham, Pasadena Firefighter/Paramedic, on being awarded the

California State Firefighters Association's Medal of Valor and Purple Heart for saving the life of an infant in a burning house.

The Mayor also presented a Certificate of Recognition to Mr. Latham for his actions.

The Mayor presented a Certificate of Commendation to Jack & Jill, Pasadena Chapter, for providing the community with vital information and resources related to childhood health. The commendation was received by Debra Shaw, President, Dr. Joyce Richey, and Debra Ward-Samad.

Councilmember Holden presented a Certificate of Recognition from District 3 to Jack & Jill and praised the organization's efforts in making a difference for the City's children.

Councilmember Holden also presented Certificates of Recognition from District 3 to the following Eagle Scouts: Aaron Flowers, Aaron Cowan, and Jeffrey Towler; and to Matthew Tramel and Jonathan Griffin for their work towards completion of the rank of Eagle Scout.

The three scouts in attendance at the meeting (Aaron Flowers, Jeffrey Towler, and Matthew Tramel) thanked the District for this recognition.

Councilmember Gordo presented a Certificate of Recognition to the Latino Heritage Association for its work in the community. The certificate was received by Roberta Martinez.

Ms. Martinez announced activities, including the Latino History Parade on October 16, 2004, to be held in conjunction with Hispanic Heritage Month, which is celebrated during the month of October.

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

Rev. Inman Moore, Coalition on Justice and Peace representative, urged Council to promote peace both locally and internationally.

Ms. Terrie Allen, Villa Parke Neighborhood Association (VPNA) representative, expressed concerns regarding Pasadena Police behavior and possible selective enforcement issues involving the Pasadena Police Department, and suggested officers receive human relations and sensitivity training to address these issues.

Mr. Philip Koebel, Pasadena resident, expressed concerns regarding the ongoing prosecution and treatment of Carlton Creighton by the City, and asked Council to intervene on behalf of Mr. Creighton in this case.

Ms. Herminia Ortíz, Vecinos Unidos representative, described an incident involving two men who were ticketed for bicycle

violations, expressed concerns involving possible inequity in the enforcement of the City's bicycle laws, and asked to have the tickets dismissed and citizens educated on bicycle laws.

Councilmember Gordo indicated the bicycle ticket issue had been raised at a community meeting, and Police Lt. Peterson had asked that the ticket be brought to him so that the incident could be investigated and appropriate steps taken.

The City Manager indicated staff would contact each person involved in this incident to gather information and examine the complaint.

The City Attorney noted it would not be appropriate for the City Council to exercise or attempt to exercise influence on filings by the District Attorney or City Prosecutor and briefly explained the Council's role in the Creighton prosecution and bicycle ticket issues.

Councilmember Haderlein suggested the City re-double its outreach efforts in educating the community on the bicycle laws and addressing possible cultural aspects of bicycle usage.

Fire Chief Dennis Downs announced the Fire Department is beginning a recruitment process for firefighters, encouraged residents to apply, and indicated information/applications are available on the City's web site, and at City Fire Stations and the Human Resources Department, City Hall.

Councilmember Holden encouraged the City and Chief to explore every means to market this recruitment.

### **INFORMATION ITEM**

Councilmember Gordo was excused at 7:29 p.m.

### **DEMONSTRATION ON LIVE PUBLIC ACCESS TO VIDEO OF CITY COUNCIL MEETINGS VIA THE WEB**

Mr. Luis Herrera, Director of Information Services Department, described the media streaming process used to provide access on the City's web site to the live cable production of City Council meetings via the Internet, with the capacity for the public to also view archived videos of past meetings.

Mr. Bryan Sands, Information Services Manager, demonstrated the application, outlined various features and capabilities of the process (e.g. locating specific topics/discussions in the videos, coordinating the video with the agenda/staff reports, searching for a specific word/subject), and responded to questions.

Discussion followed regarding users' anonymity in using the streaming/video application and statistical data to be gathered regarding usage.

Councilmember Little complimented staff on this technological step forward in providing information to the public.

The City Manager noted the availability of this new means for the public and staff to access Council meetings would be publicized in a variety of ways.

**REPORTS AND COMMENTS  
FROM COUNCIL  
COMMITTEES**

**FINANCE COMMITTEE**

**CITY HALL SEISMIC RETROFIT PROJECT UPDATE**

**Recommendation of City Manager:** It is recommended that the City Council adopt the prioritization of bid alternates which details the scope of work to be added back into the retrofit of City Hall in excess of the base bid to the maximum level of the project budget (\$93,273,000) in the order listed below:

<u>Topic</u>	<u>Estimated Amount</u>
(1) Floor coverings (carpet)	\$ 397,659
(2) Window coverings (shades)	77,253
(3) Exterior historic restoration	2,064,655
(4) Arcade quarry tile	66,000
(5) 4 <sup>th</sup> floor finishes & elevator	345,890
(6) Basement finishes	818,354
(7) Millwork (essential public areas are provided in base bid)	285,210
(8) Fountain equipment/restoration	66,000
(9) Perimeter/courtyard landscaping & irrigation	427,343
(10) Construct 2 courtyard ramps at stair towers (2 of 4 in base bid)	22,000
(11) Security in courtyard (raceway only in base bid)	66,000
(12) New Chamber Dais (reuse existing is in base bid)	88,000
(13) New Dais computer technology (reuse existing is in base bid)	220,000
(14) Closed Circuit TV distribution (raceway only in base bid)	60,500
(15) Add battery backup systems (fire/life safety included in base bid)	<u>126,488</u>
	<b>\$5,131,352</b>

**Recommendation of City Hall Restoration Oversight Committee:**

**Prioritization of Bid Alternates:** As outlined in the July 26, 2004 quarterly update to City Council, the Committee has been assisting staff in developing contingency plans in the event the general contractor bids are in excess of the project budget. The scope of work will be divided into two categories, base bid and bid alternates. The base bid will consist of code- and occupancy-required scope of work topics – which will allow staff to reoccupy the City Hall building in 2007. The bid alternate work could be delayed until after City Hall is reoccupied.

During the July 14, 2004 meeting of the City Hall Oversight Committee, the Committee finalized the prioritization of bid alternates. The Committee recommends that the City Council approve adding back into the project the bid alternates in order of priority as listed above.

Mr. Paul Jennings, City Hall Restoration Oversight Committee Chair, reviewed the agenda report and responded to questions.

Councilmember Little, Chair of the Finance Committee, noted the Committee's position in stressing the importance of ranking Items 3 and 9 high on the priority list and seeking funding for these items, indicated the ranking of the priorities could be reconsidered after the project bid has been determined, and thanked the Oversight Committee and staff for their continued good work in moving this project forward.

Mr. Martin Pastucha, Director of the Public Works Department, noted an addendum including first source hiring requirements would be part of information going out to bidders for the project in the near future, described the City's efforts for ensuring that local businesses would be a part of a targeted percentage of the project, and responded to questions.

The City Manager indicated the proposed ordinance requiring first source hiring in construction projects would be presented to Council in the near future, outlined staff's study of the project to determine the level of participation by local businesses/labor that would be possible, and responded to questions.

Councilmember Holden asked that Council be provided with a copy of the bid addendum to allow for comment back to staff prior to the item being sent out to bidders, and voiced support for taking all measures possible for maximizing participation by local businesses/labor in this project.

The City Attorney noted consideration would also need to be given to state or federal laws that might restrict the City's efforts in this area.

Councilmember Little asked staff to provide Council with a timeline of critical steps for the total project to allow Council to determine if the project is on schedule as the process plays out.

Councilmember Haderlein voiced support for the Finance Committee's position in giving Items 3 and 9 a high priority in the ranking, and suggested staff and the Oversight Committee include information on the rationale and impacts for the priority list before Council considers the final ranking of these items.

The Mayor clarified the priority list and ranking would be open to further Council attention once the financial parameters of the bid are determined.

It was moved by Councilmember Little, seconded by Vice Mayor Tyler, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: Councilmembers Gordo, Madison)

**RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS**

**ADDITION OF "CONSERVATION CLAUSE" TO CAPITAL IMPROVEMENT PROGRAM PUBLIC ART GUIDELINES**

**Recommendation of City Manager:** Approve the addition of a "conservation clause" to the Capital Improvement Program Public Art Guidelines to allow the funds generated for public art through the seismic renovation of City Hall building project to be credited to fund architecture and design conservation at City Hall.

**Recommendation of Arts Commission:** On July 20, 2004 the Arts Commission reviewed staff's recommendation and the committee recommends City Council approve the staff's recommendation.

The City Manager explained the Arts Commission's position in specifically applying the addition of the "conservation clause" to the City Hall project.

Councilmember Streator expressed concern that this policy change was not being applied to all public historic buildings, noted the Commission could be allowed to determine whether or not to use the funds on a project-by-project basis, and suggested the wording under Conservation Clause on page 4 of the Guidelines presented with the agenda report be changed to read: "This pertains only to renovation and new construction at City Hall at all public historic buildings."

Mr. Richard Bruckner, Director of Planning and Development Department, noted staff could devise the additional language required to enable the Arts Commission to apply the funds to a building.

It was moved by Councilmember Streator, seconded by Councilmember Little, to approve the City Manager's recommendation, as amended to apply to all historic public buildings. (Motion unanimously carried) (Absent: Councilmembers Gordo, Madison) ...

**CONSENT CALENDAR**

**APPROVAL OF FINAL TRACT MAP NO. 53798, BEING AN 11-UNIT CONDOMINIUM PROJECT AT 2418 MOHAWK STREET**

**Recommendation of City Manager:** Adopt a resolution to:  
(1) Approve final Tract Map No. 53798; and  
(2) Authorize the City Clerk to execute the certificate on the map showing the City's approval of said map. (Resolution No. 8399)

**APPROVAL OF FINAL TRACT MAP NO. 53889, BEING AN EIGHT-UNIT CONDOMINIUM PROJECT AT 86 SOUTH VIRGINIA AVENUE**

**Recommendation of City Manager:** Adopt a resolution to:  
(1) Approve final Tract Map No. 53889; and  
(2) Authorize the City Clerk to execute the certificate on the

map showing the City's approval of said map. (Resolution No. 8400)

**AUTHORIZATION TO APPLY FOR A GRANT WITH THE CALIFORNIA CULTURAL AND HISTORICAL ENDOWMENT (CCHE) UNDER THE CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS, AND COASTAL PROTECTION ACT OF 2002, FOR THE CITY HALL SEISMIC RETROFIT AND REHABILITATION PROJECT**

**Recommendation of City Manager:** Adopt a resolution approving the submission of a grant application to the California Cultural and Historical Endowment (CCHE) for the City Hall Seismic Retrofit and Rehabilitation Project. (Resolution No. 8401)

**CLAIMS RECEIVED AND FILED**

Claim No. 9665	State Farm Insurance as Subrogee for Susan Cohen	\$ 2,888.23
Claim No. 9666	John Danish	25.00
Claim No. 9667	Rene Ramirez	3,500.00
Claim No. 9668	Maria C. Tovar	Not stated
Claim No. 9669	Renee G. Goode, individually as Administratrix of the Estate of Lamont Robinson, and Lisa J. Hosey, as Guardian Ad Litem for Brittiana Robinson	10,000,000
Claim No. 9670	Lewis T. Brainerd	2,264.82
Claim No. 9671	Jerrey & Inger Bellamy; Theresa Maria Binder; James Kennedy; Robert J. Magilligan; Tim & Scott Stimpfel; Mike & Kathy Au; Julianna Mutton; Charleen Marie Seijas; Diane Margrave; Muriel Coleman; Christopher & Kathryn Luck; Jeffrey & Nava Balesh; Nelson Escobar; and Elvia Alvarado	Not Stated
Claim No. 9672	United Services Automobile Association (USAA) for Christopher A. Fernandez	6,656.84

**APPEAL WITHDRAWN**

Receive Appeal of Guoqing Li regarding Revoked Permit to Operate a Massage Establishment at 382 N. Allen Avenue, and set hearing on October 18, 2004, at 8:00 p.m.

The City Clerk noted for the record that Guoqing Li (applicant) had withdrawn the request for the above appeal hearing regarding a revoked permit.

It was moved by Councilmember Little, seconded by Councilmember Streator, to approve the Consent Calendar, with the exception of setting the appeal hearing, which had been withdrawn. (Motion unanimously carried) (Absent: Councilmembers Gordo, Madison)

**REPORTS AND COMMENTS  
FROM COUNCIL  
COMMITTEES**

**LEGISLATIVE POLICY  
COMMITTEE**

**SUPPORT FOR PROPOSITION 63, THE MENTAL HEALTH SERVICES ACT**

**Recommendation of City Manager:**

- (1) Support Proposition 63, Mental Health Services Expansion and Funding, Tax on Personal Incomes above \$1 Million, Initiative Statute known as the Mental Health Services Act; and
- (2) Authorize the Mayor to send correspondence to the appropriate officials supporting the Proposition.

Mayor Bogaard, Chair of the Legislative Committee, introduced the agenda item.

Vice Mayor Tyler briefly discussed the funding aspect of the legislation that affects psychiatric/psychological treatment of children and adolescents.

Ms. Wilma Allen, Director of Public Health Department, highlighted portions of the agenda report on the proposed legislation.

Police Chief Bernard Melekian indicated the Pasadena Police Department and California Police Chiefs Association endorsed this proposition, and briefly discussed the impacts of mental health issues on law enforcement.

*The following persons spoke in support of Proposition 63:*

- Ms. Dorothy Thorman, National Alliance for the Mentally Ill (NAMI) representative
- Ms. Helen Morran-Wolf, Foothill Family Service Executive Director
- Ms. Sara Shatford, National Alliance for the Mentally Ill NAMI representative

It was moved by Councilmember Streator, seconded by Vice Mayor Tyler, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: Councilmembers Gordo, Madison)

The Mayor and Councilmember Streator urged the voting public to support the proposition.

**OLD BUSINESS**

**APPROVAL OF FISCAL YEAR 2005 BUDGET  
AMENDMENTS FOR VARIOUS PUBLIC HEALTH  
DEPARTMENT PROGRAMS**

**Recommendation of City Manager:**

- (1) Approve journal vouchers adjusting various estimated revenues and appropriations for grant funded programs in the Public Health Department's Fiscal Year 2005 operating budget, as detailed in Attachment A of the agenda report, for a net increase of \$54,763;
- (2) Approve the elimination of 1.00 Nutritionist, 1.00 Staff



Assistant III and 0.80 Senior Nutrition Aide from the Women, Infants and Children (WIC) Program and approve the addition of 1.00 Principal Operations Specialist to the Black Infant Health (BIH) Program, thereby decreasing the Public Health Department total full time equivalents (FTE) from 94.94 to 93.14 FTEs;

(3) Appropriate \$97,034 from the unappropriated Health Fund balance and approve journal vouchers adjusting various estimated revenues and appropriations in the FY 2005 operating budget to:

- Provide matching funds in the amount of \$5,032 for a draw-down of federal funding for the BIH Program; and
- Cover the \$92,002 cost of severance pay and separation incentive pay resulting from the elimination of 2.00 FTEs from the WIC Program and 1.00 FTE from the Substance Abuse Recovery Program. (Journal Voucher No. 2005-13)

Councilmember Little, Chair of the Finance Committee, summarized the agenda report.

Ms. Wilma Allen, Director of the Public Health Department, discussed the Women, Infants and Children (WIC) Program and the related reduction in funding.

It was moved by Councilmember Little, seconded by Vice Mayor Tyler, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: Councilmembers Gordo, Madison)

## **PUBLIC HEARING**

### **PUBLIC HEARING: PROPOSED UTILIZATION FOR THE LOCAL LAW ENFORCEMENT BLOCK GRANT FUNDS AND CITIZENS' OPTION FOR PUBLIC SAFETY GRANT FUNDS**

#### **Recommendation of City Manager:**

(1) Approve a journal voucher decreasing the amount of projected revenues from the United States Law Enforcement Block Grant Program by \$80,240, Account No. 6225-107-401600. A total of \$138,437 in projected revenue was adopted during the FY 2005 budget process, and \$58,197 was actually received.

(2) Approve a journal voucher increasing appropriations from the Police Department's Local Law Enforcement Block Grant Fund 107 by \$48,481 to Account No. 8005-107-401600 and \$59,458 to Account No. 8008-107-401600 for staffing of a Police Specialist II and a Police Corporal.

(3) Approve a journal voucher transferring \$6,466 from the unappropriated fund balance of the Police Department's Asset Forfeiture Fund 207 to the Local Law Enforcement Block Grant revenue Account No. 6839-107-401600 to serve as the required 10% matching funds.

(4) Approve a journal voucher decreasing the amount of recognized revenue from the Supplemental Law Enforcement Services Grant (State of California Citizens' Option for Public Safety Grant) by \$396, Account No. 6407-201-401400. A total

of \$211,826 in anticipated revenue was projected for the Fiscal Year 2005 budget and \$211,430 was actually received.

(5) Approve a journal voucher increasing appropriations from the Police Department's Supplemental Law Enforcement Services Fund 201 by \$155,303, Account No. 8008-201-401400 for staffing of two Police Officers. (For clarification the remaining funds \$56,127 will be recognized in the FY 2006 Operating Budget.) (Journal Voucher No. 2005-16)

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on October 1, 2004 in the Pasadena Star-News; and no correspondence was received.

Councilmember Little, Chair of the Finance Committee, introduced the agenda item.

Police Chief Bernard Melekian summarized the agenda report.

There was no public comment.

It was moved by Councilmember Little, seconded by Vice Mayor Tyler, to close the public hearing. (Motion unanimously carried) (Absent: Councilmembers Gordo, Madison)

It was moved by Councilmember Little, seconded by Councilmember Streater, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: Councilmembers Gordo, Madison)

**REPORTS AND COMMENTS  
FROM COUNCIL  
COMMITTEES**

**FINANCE COMMITTEE**

**AMENDMENT TO THE FY 2005 ADOPTED OPERATING BUDGET FOR THE OLD PASADENA PARKING METER FUND (213)**

**Recommendation of City Manager:** It is recommended that the City Council amend the FY 2005 Adopted Operating Budget for the Old Pasadena Parking Meter Fund (213) by approving a journal voucher decreasing appropriations by \$125,714 related to debt service on bonds issued for the Old Pasadena Streetscapes and Alley Walkways capital project. (Journal Voucher No. 2005-14)

**Recommendation of Old Pasadena Parking Meter Zone Advisory Commission:** The Old Pasadena Parking Meter Zone Advisory Commission (Commission) reviewed a revised version of the FY 2005 Adopted Operating Budget for the Old Pasadena Parking Meter Fund at a special meeting on August 26, 2004. The revised budget reflected a reduction in the amount of \$125,714 to the annual debt service payment on the bonds issued for the Old Pasadena Streetscapes and Alley Walkways Capital Project. While there was no formal action taken on this item, the Commission did express their overall satisfaction with the budget in eliminating the operating deficit for FY 2005.

Councilmember Little, Chair of the Finance Committee, summarized the agenda report.

It was moved by Councilmember Little, seconded by Councilmember Streater, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: Councilmembers Gordo, Madison)

**FISCAL YEAR 2005 OPERATING BUDGET AMENDMENTS**  
**Recommendation of City Manager:** Approve a journal voucher implementing certain amendments to the Fiscal Year 2005 Operating Budget as detailed in the background section of the agenda report. (Journal Voucher No. 2005-15)

Councilmember Little, Chair of the Finance Committee, reviewed the agenda report.

It was moved by Councilmember Little, seconded by Councilmember Streater, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: Councilmembers Gordo, Madison)

PUBLIC SAFETY  
COMMITTEE

**ADOPTION OF THE CITY OF PASADENA NATURAL HAZARDS MITIGATION PLAN**  
**Recommendation of City Manager:** It is recommended that the City Council adopt the City of Pasadena Natural Hazards Mitigation Plan.

Councilmember Haderlein, Chair of the Public Safety Committee, reviewed the agenda report, noted the Committee had amended the Executive Summary of the Mitigation Plan to add the Pasadena Police Department as a representative on the Steering Committee, and responded to questions.

Fire Chief Dennis Downs explained this plan sets out how the City is going to mitigate the five identified types of future natural disasters, and responded to questions.

The City Manager briefly discussed the citywide response plan led by the Fire Department that sets out how the City would respond in emergency/disaster situations, and responded to questions.

Councilmember Streater requested an overview/executive summary presentation of the citywide response plan be scheduled for a future Council meeting as an information item.

It was moved by Councilmember Haderlein, seconded by Councilmember Streater, to approve the City Manager's recommendation, as amended by the Public Safety Committee to revise Page ES-1 of the Executive Summary to add the City of Pasadena Police Department as a representative under the

Steering Committee. (Motion unanimously carried) (Absent: Councilmembers Gordo, Madison)

**RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS**

**APPOINTMENT OF MICHAEL B. HURLEY TO SANTA MONICA MOUNTAINS CONSERVANCY ADVISORY COMMITTEE (At-large/District 6 Nomination)**

The Mayor explained the membership composition and duties of the Advisory Committee and City membership, and suggested a briefing from the Committee representative could be scheduled for a future Council meeting.

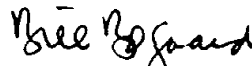
It was moved by Councilmember Little, seconded by Vice Mayor Tyler, to approve the above appointment. (Motion unanimously carried) (Absent: Councilmembers Gordo, Madison)

**COUNCIL COMMENTS**

Vice Mayor Tyler, City representative for Southern California Association of Governments (SCAG), reported on recent approval by the Federal Transportation Authority and Federal Highway Administration of the SCAG Regional Transportation Plan (RTP), with the condition that CalTrans provide a viable funding plan by April 1, 2005 for the term of the RTP. He also noted the request for the Burbank-Glendale-Pasadena Airport revision is going to be brought before the Federal Aviation Administration (FAA).

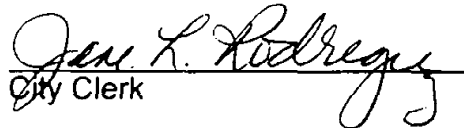
**ADJOURNMENT**

On order of the Mayor, the regular meeting of the City Council adjourned at 9:00 p.m.



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

ATTEST:



\_\_\_\_\_  
Jan K. Rodriguez  
City Clerk

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