

CITY OF PASADENA
City Council Minutes
October 25, 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: Councilmember Streator)

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

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

The above closed session item was 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 Maribel Medina, Assistant City Attorney.

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
Councilmember Joyce Streator (Absent)

Staff:

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

CEREMONIAL MATTERS

The Mayor presented a Certificate of Commendation to the Partnership for Children, Youth, and Families for its role and activities in promoting good nutrition and physical fitness for the health and well being of children and youth. The commendation was received by Ed Bignell, Partnership member.

Mr. Bignell acknowledged Tom Selinski, President of the Partnership, and Sue Miele, Partnership Coordinator.

The City Attorney presented a Certificate of Achievement to Maribel Medina, Assistant City Attorney, in recognition of her selection as the Hispanic National Bar Association's Latina Attorney of the Year.

Ms. Medina expressed gratitude for the recognition and opportunity to serve a Council and community dedicated to being on the cutting edge of issues facing the City.

The Mayor recognized Ms. Medina for her efforts on behalf of the City.

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

Mr. Ray Leier, Pasadena resident (Del Mano Productions), described circumstances related to the City not co-sponsoring the production of the 30th Annual Pasadena Fall Fine Art and Crafts Festival Show, asked Council for assistance in funding this event, and responded to questions.

The City Manager briefly discussed the City's rules regarding the co-sponsorship of events involving non-profit vs. for-profit entities, indicated Council would be provided with information regarding the criteria for sponsorship and waiving of fees for this type of event, and responded to questions.

Councilmember Haderlein asked that the information to be provided to Council also explain the reasons for Mr. Leier producing the event, rather than a non-profit agency.

Councilmember Little voiced support in assisting Mr. Leier with the Fall show if at all possible, with future show sponsorship to be negotiated.

Ms. Barbara Cole, Pasadena resident, discussed Ray Leier's past affiliation with the Arts Commission in connection with producing prior art shows, spoke in support of the City co-sponsoring and providing assistance to Mr. Leier for the Fall Art Show, and submitted informational materials regarding this matter.

CEREMONIAL MATTERS

**PRESENTATION BY SENATOR JACK SCOTT REGARDING
THE STATE OF THE STATE**

State Senator Jack Scott provided a brief overview of the state of the State, including a discussion of legislative issues regarding workers' compensation reform, ongoing budget problems, the shifting of local monies to the State, and the funding of higher education, transportation, and law enforcement. He also expressed support for the November ballot initiative for a sales tax to fund law enforcement, completion of the Gold Line-Phase II, and incentives for the development of affordable housing; introduced his local field office representatives; and responded to questions.

Councilmember Haderlein was excused at 7:30 p.m.

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

The Mayor and Council thanked Senator Scott for his ongoing service to the City.

Mr. Ed Bignell, Partnership for Children, Youth, and Families representative, briefly discussed a four-step program proposed by the Partnership to improve youth physical fitness through the cooperative efforts of the City and Pasadena Unified School District (PUSD) by integrating fitness into the school curriculum and citywide recreational and after-school programs.

A copy of the "Partnership Resolution to Improve Youth Health and Fitness" was submitted by Sue Miele, Partnership for Children, Youth, and Families Coordinator.

Mr. Ken Peter, PUSD representative, discussed the District's actions in addressing physical fitness issues in the schools.

Councilmember Little thanked the District for its efforts related to physical fitness issues, and suggested Council consider the components of the Partnership's resolution/action plan at a future Council meeting.

CONSENT CALENDAR
Item discussed separately at the request of Vice Mayor Tyler.

APPROVAL OF FINAL TRACT MAP NO. 53694, BEING AN EIGHT-UNIT CONDOMINIUM PROJECT AT 785 SOUTH MARENGO AVENUE

APPROVAL OF FINAL TRACT MAP NO. 53759, BEING A TEN-UNIT CONDOMINIUM PROJECT AT 128 - 140 SOUTH BONNIE AVENUE

Recommendation of City Manager: Adopt a resolution to:
(1) Approve final Tract Map No. 53759; and
(2) Authorize the City Clerk to execute the certificate on the map showing the City's approval of said map. (Resolution No. 8404)

MINUTES APPROVED

September 27, 2004

CLAIMS RECEIVED AND FILED

Claim No. 9680	Arthrentia Nicole Murrell	\$ 55,000.00
Claim No. 9681	Zurich North America	1,866,222.20
Claim No. 9682	USAA Casualty Insurance	14,313.69
	Company for Jeri Wray Braviroff	

Councilmember Little noted the minutes of September 27, 2004 should be corrected to reflect Councilmember Streater's absence during the two ordinance vote records.

It was moved by Councilmember Little, seconded by Vice Mayor Tyler, to approve the Consent Calendar, with the correction to the minutes of September 27, 2004, as stated above, and the exception of Item 1 (Final Tract Map for 785 S. Marengo Avenue), which was discussed separately.

(Motion unanimously carried) (Absent: Councilmembers Haderlein, Streator)

CONSENT ITEM DISCUSSED SEPARATELY

APPROVAL OF FINAL TRACT MAP NO. 53694, BEING AN EIGHT-UNIT CONDOMINIUM PROJECT AT 785 SOUTH MARENGO AVENUE

Recommendation of City Manager: Adopt a resolution to:

- (1) Approve final Tract Map No. 53694; and
- (2) Authorize the City Clerk to execute the certificate on the map showing the City's approval of said map. (Resolution No. 8405)

Vice Mayor Tyler noted the staff report is misleading in stating an increase to the City's housing stock will result from the project when, in fact, eight units will replace eight units, and this information should be corrected for the record. He also expressed concern regarding the demolition and conversion of rental units/bungalows/single-family homes to condominiums and the resultant adverse effect on the City's goal to increase the amount of available affordable housing stock; and suggested staff alert Council on this type of project and the net impact on the data for the City's low-income to moderate affordable housing.

Councilmember Haderlein returned at 7:50 p.m.

The City Manager indicated staff will be providing Council and field representatives with a report regarding new construction projects in the near future, and offered to meet with the Vice Mayor to determine if the information in this report will comply with his suggestion.

Councilmember Gordo expressed concern regarding the loss of green space/courtyards and the subsequent impact on neighborhoods caused by areas facing the street when this type of project is constructed, and suggested staff include this consideration during the review process.

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

RECESS/JOINT MEETING

On order of the Mayor, the regular meeting of the City Council recessed at 7:55 p.m. to a joint meeting with the Community Development Commission. (Absent: Councilmember Streator)

REPORTS AND COMMENTS FROM COUNCIL COMMITTEES

JOINT ACTION: 2004-2005 INVESTMENT POLICY

Recommendation of City Manager/Chief Executive Officer: It is recommended that the City Council and the Pasadena Community Development Commission adopt the City Treasurer's Statement of Investment Policy and Investment Strategy for Fiscal Year 2005.

FINANCE COMMITTEE

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

Mr. Jay Goldstone, Director of Finance Department, responded to questions regarding contracts issued by insurance companies as investments.

It was moved by Councilmember Little, seconded by Vice Mayor Tyler, to approve the City Manager/Chief Executive Officer's recommendation. (Motion unanimously carried) (Absent: Councilmember Streater)

JOINT ACTION: APPROVAL OF COMMUNITY BANK TERM CREDIT LOAN TO THE CITY OF PASADENA IN THE AMOUNT OF \$1,300,000 AND APPROVAL OF \$1,300,000 LOAN BY THE CITY OF PASADENA TO THE PASADENA COMMUNITY DEVELOPMENT COMMISSION RELATED TO PLAZA LAS FUENTES PHASE II PROJECT

Recommendation of City Manager/Chief Executive Officer:

(1) It is recommended that the City Council adopt a resolution:

(a) Approving the terms and conditions of a loan between the City and Community Bank, subject to the terms and conditions as contained in Exhibit "A" of the agenda report; and final documentation.

(b) Approving a loan to Pasadena Community Development Commission (the "Commission") from the City in the amount of \$1.3 million in accordance with a promissory note/reimbursement and repayment agreement which reflects the terms and conditions of the Community Bank loan.

(c) Authorizing the City Manager to execute: (1) the requisite loan documents between Community Bank and the City, and (2) a promissory note/reimbursement and repayment agreement between the City and the Commission. (Resolution No. 8406)

(2) It is recommended that the Commission take the following actions:

(a) Approve a loan in the amount of \$1.3 million to the Commission from the City in accordance with a promissory note/reimbursement agreement which reflects the same terms and conditions of the Community Bank loan.

(b) Authorize its Chief Executive Officer to execute the promissory note/reimbursement repayment agreement between the City and the Commission.

Councilmember Little summarized the agenda report.

It was moved by Councilmember Little, seconded by Vice Mayor Tyler, to approve the City Manager/Chief Executive Officer's recommendation. (Motion unanimously carried) (Absent: Councilmember Streater)

RECONVENED

On order of the Mayor, the joint meeting with the Community Development Commission adjourned at 7:59 p.m., and the regular meeting of the City Council reconvened at this time. (Absent: Councilmember Streator)

**REPORTS AND COMMENTS
FROM COUNCIL
COMMITTEES**

FINANCE COMMITTEE

AUTHORIZE PURCHASE OF 20 COMPACT VEHICLES FOR BUILDING INSPECTORS AND CODE COMPLIANCE OFFICERS FOR USE IN PERFORMANCE OF DAILY INSPECTION ASSIGNMENTS

Recommendation of City Manager:

- (1) Accept the bid dated August 26, 2004 submitted by Pasadena Ford in response to specifications for the purchase of 20 compact vehicles;
- (2) Reject all other bids;
- (3) Authorize the issuance of a purchase order contract to Pasadena Ford for an amount not to exceed \$275,759; and
- (4) Approve a journal voucher appropriating \$35,759 from the unappropriated Building Services Fund to Account No. 8505-204-447100. (Journal Voucher No. 2005-17)

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

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

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 8:01 p.m. to the regular meeting of the Community Development Commission.

RECONVENED

On order of the Mayor, the regular meeting of the City Council reconvened at 8:02 p.m. (Absent: Councilmember Streator)

PUBLIC HEARINGS

PUBLIC HEARING: ADOPTION OF A RESOLUTION TO ESTABLISH UNDERGROUND UTILITY DISTRICT NO. 04-2, HILL AVENUE (VILLA STREET TO NORTH CITY LIMIT)

Recommendation of City Manager:

- (1) Adopt a resolution establishing Underground Utility District No. 04-2, Hill Avenue from Villa Street to North City Limits.
- (2) Acknowledge this project to be categorically exempt under the California Environmental Quality Act in accordance with Article 19, Section 15302(a) of the CEQA Guidelines (conversion of overhead electric utility systems to underground) and authorize the City Manager to execute and the City Clerk to file a Notice of Exemption for the project with the Los Angeles County Clerk. (Resolution No. 8407)

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on October 15, 2004 in the Pasadena Star-News;

77 copies of the notice were posted on October 13, 2004; 67 copies of the notice were mailed on October 13, 2004; and no correspondence was received.

Mr. Danny Wooten, Management Analyst III, reviewed the agenda report and responded to questions.

No one appeared for public comment.

It was moved by Councilmember Little, seconded by Councilmember Gordo, to close the public hearing. (Motion unanimously carried) (Absent: Councilmember Streator)

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

CONTINUED PUBLIC HEARING: PROPOSED CENTRAL DISTRICT SPECIFIC PLAN, AMENDMENTS TO THE LAND USE ELEMENT AND THE MOBILITY ELEMENT OF THE COMPREHENSIVE GENERAL PLAN, AND REVISION OF TITLE 17 OF THE PASADENA MUNICIPAL CODE (ZONING) Recommendation of City Manager: There is no recommendation. This report is for information and discussion.

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

The City Clerk reported 10 new pieces of correspondence were received and distributed.

The City Manager outlined the information to be presented.

Mr. Bill Trimble, Planner, reviewed "Assumptions in the 1994 General Plan Land Use Element" (Attachment A to the agenda report).

Mr. Denver Miller, Principal Planner, reviewed "Proposed Zoning Code Revisions" (Attachment B to the agenda report) and responded to questions.

Mr. Richard Bruckner, Director of Planning and Development Department, indicated staff would provide additional research on commercial projects as this relates to the use of parking caps within the City and in comparable cities.

Mr. Eric Shen, Transportation Planning and Development Manager, reviewed "Cost of Intersection Improvements" (Attachment C to the agenda report) and responded to questions.

Mr. Steve Wright, Assistant City Engineer, also responded to questions regarding intersection improvements.

Councilmember Haderlein suggested moving forward aggressively on funding the six intersections identified in Attachment C to the agenda report.

The City Manager discussed the differentiation between acquisition and construction costs of these improvements and funding issues related to the projects. She indicated Council would be provided with a report outlining available transportation funding resources and funds being spent on one-time projects and ongoing programs, and information regarding the projected change in level of service at the intersection of Lake Avenue and Walnut Street and the proposed improvement at 220 N. Lake Avenue.

Ms. Brenda Harvey-Williams, Administrator, reviewed "Citywide and Central District Parkland" (Attachment D to the agenda report) and responded to questions.

Councilmember Little suggested staff compile information in a format that would reflect the location of people, where parks are located, and where parks are needed, with the ability to determine if open space is being used in the best possible way.

Councilmember Madison emphasized the need for the presentation and adoption of the Park Master Plan.

Mr. Bill Trimble, Planner, reviewed "Citywide Residential Unit Growth Comparison" (Attachment E to the agenda report) and responded to questions.

Councilmember Madison requested information be provided on household units that are in the pipeline through 2004.

Vice Mayor Tyler requested base line numbers as of October 31, 2004 be included in the final Land Use Element document which would show the number of housing units currently built and units that have been permitted, with Central District data to be shown separately.

Ms. Joyce Amerson, Director of Transportation Department, reviewed the "Immediate Effects of Gold Line Operations in Pasadena" (Attachment F to the agenda report).

Discussion followed regarding the correlation of parking caps, shared parking, managed parking, off-site parking, centralized parking, and the availability of transit systems; decreasing car capacity on City streets; use of undeveloped parkland and open space in the Arroyo area; opportunities for use of school land/open space; determination of projected household

formation rates; the need to set base lines at a specific date for tracking and planning purposes; impacts of residential vs. commercial development on quality of life issues; and impacts affecting these various issues that arise from sources outside of the City.

Ms. Laura Dahl, Senior Planner, highlighted the following components of the Environmental Impact Report (EIR): Land Use and Planning, Transportation/Traffic, Population and Housing, Noise, Air Quality, Aesthetics, Cultural Resources, Geology/Soils, Hazards and Hazardous Materials, Hydrology, Public Services and Recreation, and Utilities and Service Systems. Ms. Dahl also summarized significant impacts on the recommended project for the following components: Transportation/Traffic, Air Quality, Public Services and Recreation, and Noise from Vehicles; distributed a handout titled "Summary of the Environmental Impact Report (EIR) for the 2004 Pasadena General Plan Land Use & Mobility Elements, Zoning Code Revisions & Central District Specific Plan - October 25, 2004;" and responded to questions.

The City Manager indicated staff would provide information to Council regarding the effects of the recommended project on staffing for emergency services.

Mr. Richard Quirk, Transportation Advisory Commission (TAC) Chair, submitted a handout titled "Summary of TAC Recommendations to Council - General Plan Use and Mobility Element, Central District Specific Plan and Zoning Code Revision and Draft Environmental Impact Report (EIR) – October 25, 2004."

Mr. Vince Farhat, Transportation Advisory Commissioner, reviewed the above TAC report recommendations and responded to questions.

Councilmember Madison reported a Symposium meeting would be held on October 29, 2004 at the Central Library to discuss these planning documents.

Councilmember Holden suggested staff provide a comparison and analysis of the TAC, Planning Commission, and staff recommendations that would include the differences and implications of each of the positions being offered on the issues addressed in the EIR. He also asked for information on how the proposed plan would address a scenario for retaining or attracting a major employer to the City.

The Mayor added that this information should include how this growth/development situation would be handled under the current plan and the proposed plan.

Councilmember Madison noted the Economic Development and Technology Committee had also asked staff to provide a strategy for accommodating a large employer in the City.

The following persons expressed various concerns regarding the planning documents:

Mr. Mark Shuster, Chamber of Commerce member
Mr. Omel Nieves, Chamber of Commerce member
Ms. Jeanne Brewer, Chamber of Commerce member
Ms. Camille Levee, Chamber of Commerce member
Ms. Marilyn Buchanan, Chamber of Commerce member
Mr. Gene Buchanan, ATB Enterprises
Ms. Lynne Hess, Chamber of Commerce member
Mr. Robert Wittry, Pasadena resident and business owner, submitted informational materials.
Mr. David Romney, West Pasadena Residents Association (WPRA) representative
Mr. Michael Hurley, Pasadena resident, submitted a handout regarding park standards.

Following brief discussion on the process for continuing the public hearing, the hearing was continued to November 1, 2004 at 7:00 p.m.

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

APPOINTMENT OF MARGARET McAUSTIN TO THE LIBRARY COMMISSION (District 5 Appointment)

APPOINTMENT OF WAYNE R. SCHMUS TO THE UTILITY ADVISORY COMMISSION (District 2 Appointment)

It was moved by Councilmember Little, seconded by Councilmember Haderlein, to approve the above appointments. (Motion unanimously carried) (Absent: Councilmember Streater)

AMENDMENT TO THE FISCAL YEAR 2005 OPERATING BUDGET ADDING 1.0 PROJECT MANAGER AND A RESOLUTION OF THE CITY OF PASADENA ESTABLISHING THE AMOUNT OF CONSTRUCTION TAX REBATE FOR THOSE VOLUNTARILY PARTICIPATING IN THE CITY'S FIRST SOURCE HIRING PROGRAM

Recommendation of City Manager:

(1) Amend the Fiscal Year 2005 Operating Budget by adding 1.0 Project Manager to the City Manager's Office for the purpose of managing the First Source (Local Resident) Hiring Program.

(2) Approve a journal voucher transferring \$137,500 from the non-departmental portion of the General Fund Fiscal Year 2005 Operating Budget to the City Manager's Office Budget Account 101-141000, and \$12,500 to the Department of Finance Budget Account 101-321000.

(3) Adopt a resolution establishing the amount of Construction Tax rebate for those voluntarily participating in the City's First Source Hiring Program. (Resolution No. 8408; Journal Voucher No. 2005-18)

Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 14 OF THE PASADENA MUNICIPAL CODE BY ADDING CHAPTER 14.80 TO REQUIRE FIRST SOURCE HIRING ON CONSTRUCTION PROJECTS"

The above two items were discussed concurrently.

The City Manager reviewed the reports, clarified various residency requirement aspects of the program, confirmed the First Source Hiring Agreement would specify the job requirements necessary for compliance, and responded to questions.

Discussion followed on the use of new-hire vs. currently-employed local employees, and auditing and enforcement issues.

Councilmember Holden requested the Project Manager provide Council with a report at the end of a one-year period that reviews the numbers and types of projects and job opportunities, and whether targets are being met and guidelines followed.

Vice Mayor Tyler requested the First Source Hiring Program Guidelines be presented to Council when they are finalized.

The following persons spoke in support of the First Source Hiring program and ordinance:

Mr. Harden Carter, The Black Northwest Coalition representative

Mr. Tim Jones, The Black Northwest Coalition representative

It was moved by Councilmember Holden, seconded by Councilmember Little, to approve the City Manager's recommendation and offer the ordinance for first reading:

AYES: Councilmembers Gordo, Haderlein, Holden, Little, Madison, Vice Mayor Tyler, Mayor Bogaard

NOES: None

ABSENT: Councilmember Streator

Councilmember Holden complimented the City Manager and staff for their work in developing the program and ordinance to address the City's goal to promote and encourage local hiring for construction projects.

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 11:23 p.m. to the regular meeting of the Community Development Commission.

RECONVENED

On order of the Mayor, the regular meeting of the City Council reconvened at 12:03 a.m., October 26, 2004 (Absent: Councilmember Streator)

ORDINANCE – FIRST READING

Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTER 9.24 OF THE PASADENA MUNICIPAL CODE RELATING TO ALCOHOLIC BEVERAGES IN PUBLIC PLACES”

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

AYES: Councilmembers Gordo, Haderlein, Holden, Little, Madison, Vice Mayor Tyler, Mayor Bogaard

NOES: None

ABSENT: Councilmember Streator

COUNCIL COMMENTS

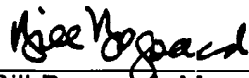
In response to Councilmember Madison’s questions regarding compensation for jury service, the City Manager provided general information on the City’s current policy regarding jury duty for City employees, and indicated options for limiting compensation for service could be explored.

ADJOURNMENT

Councilmember Madison requested the meeting be adjourned in memory of Dr. Joseph Jacobs, founder of Jacobs Engineering Group, Inc., civic leader and humanitarian, and recipient of the Hoover Medal (a national award recognizing engineers for civic and humanitarian achievements).

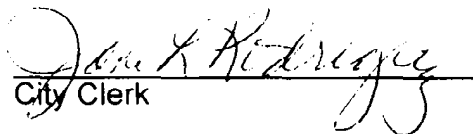
Councilmember Holden also requested the meeting be adjourned in memory of David Evans, owner of Honeybaby’s Old-Fashioned Teacakes and former Human Services Commissioner.

On order of the Mayor, the regular meeting of the City Council adjourned at 12:08 a.m., October 26, 2004, in memory of Joseph Jacobs and David Evans.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:


City Clerk