

CITY OF PASADENA  
City Council Minutes  
September 12, 2005 – 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 5:40 p.m.  
(Absent: Vice Mayor Madison)

On order of the Mayor, the regular meeting recessed at  
5:40 p.m., to discuss the following closed sessions:

**CONFERENCE REGARDING PUBLIC EMPLOYEE  
PERFORMANCE EVALUATION pursuant to Government  
Code Section 54957**

**Title: City Clerk**

**CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
pursuant to Government Code Section 54956.8**

**Property: 316, 330, 334, 336, 338, 340, 342, 350, 366, 372,  
384, 400, 408, 439, 443, 445, 447, 453, 455, 459, and 497  
East Orange Grove Boulevard; 639, 641, 653, 659, and 667  
North Garfield Avenue; 452, 470, 669, 726, 728, 730, and  
736 North Los Robles Avenue; and 335 Parke Street,  
Pasadena, California**

**Agency negotiator: Cynthia J. Kurtz**

**Negotiating parties: James J. & Grace Kim; Door of Hope,  
Inc.; Tony Danialian; Mt. Moriah Missionary Baptist  
Church; Marsdin Carsipian; Francisco & Christina Soria;  
I.D. & Gayle A. Weiner, Trustees, Weiner Trust, & David L.  
Weiner; Siegfried J. Hattler; Lindaura G. Gonzales; Luz &  
Angela Fernandez; Ruben M. & Angelina Anguiano; Albert  
V. & Justa Padilla; Jose J. & Gabriela Rivera; Orange  
Grove Shopping Center; Thomas & Sophie Lanza,  
Trustees; and Los Robles Villa Property (Steve Wilkin)**

**Under negotiation: Price and terms**

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

**CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
pursuant to Government Code Section 54956.8**

**Property: Public rights-of-way, utility easements and  
facilities within the City of Pasadena**

**Negotiators: Cynthia Kurtz (City); Susan Evans (Charter  
Communications Entertainment II, LLC, dba Charter  
Communications)**

**Under Negotiation: Price and terms**

**CONFERENCE WITH LEGAL COUNSEL regarding consideration of initiation of litigation pursuant to Government Code Section 54956.9(c): One potential case**

The above two closed session items were not discussed.

On order of the Mayor, the regular meeting reconvened at 6:41 p.m. The Pledge of Allegiance was led by Councilmember Gordo.

**ROLL CALL:**

Councilmembers:

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

Staff:

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

**CEREMONIAL MATTERS**

The Mayor presented a commendation to the YWCA Pasadena-Foothill Valley in celebration of its 100th anniversary. The commendation was received by Margaret Checca, YWCA President.

Ms. Toby Osos, YWCA Past President, commented on a booklet titled "The YWCA in Pasadena – 100 years 1905-2005," which was distributed to Council and captures the essence of what the YWCA has been doing for young women.

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

Mr. Paul Lines, Pasadena Jazz Institute representative, updated the Institute's activities for the past year, invited the Council and community to the final Jazz on the Terrace concert featuring the Barbara Morrison ensemble to be held on September 16-17, 2005, and distributed a pamphlet of information on the Institute's Jazz on the Terrace program.

Mr. Harden Carter, Pasadena resident, expressed concerns regarding possible neglect of various City programs and issues affecting the African-American community involving the Northwest Programs Office, Northwest Commission, Lincoln Avenue Political Action Committee (PAC), unresolved long-term economic and housing issues, equitable distribution of benefits from development within the City, forced out-migration as a result of various racial issues involving employment and the local business/economic community, and anti-social attitudes affecting young African-American men.

Mr. Joe Brown, Pasadena National Association for the Advancement of Colored People (NAACP) representative, expressed concerns regarding the need to distribute information on the City's emergency plan to all residents, and issues involving a towing company located at the corner of Lincoln Avenue and Washington Boulevard.

Mr. Okorie Ezieme, Pasadena resident, expressed concerns regarding family members who have been affected by Hurricane Katrina in New Orleans, questioned whether the City's emergency disaster plan would address the needs of the African-American community, asked what steps the City had taken to assist the hurricane victims in New Orleans, and described a problem in receiving service that had occurred at the local Department of Public Social Services office.

The City Manager outlined various City services that are being offered to hurricane victims who are relocating to the City and resources that are being made available at the impacted areas, and noted the City would respond to additional requests for assistance as they arise. She stated that a presentation on the City's emergency preparedness plan will be scheduled for a Council meeting in October 2005, and outlined some of the elements of the current plan.

Assistant City Manager Brian Williams indicated he would contact Mr. Ezieme regarding some of the specific questions and problems that Mr. Ezieme wanted addressed.

Councilmember Gordo asked that jurisdictional issues be discussed as a part of the report on the City's emergency plan, and suggested the City revisit a plan to coordinate local neighborhood efforts during a disaster.

Councilmember Little asked for the inclusion of information on how the emergency plan applies to all residents, how the particular needs of the citizens will be addressed, and how various cooperative agreements will be utilized.

Councilmember Holden stressed the need to distribute the information on the emergency plan to all residents, and to encourage neighbor-to-neighbor and individual emergency plans during the time immediately after a disaster.

The Mayor affirmed each individual's and family's responsibilities and roles in preparing and responding to disasters.

Mr. Roy Hayes, Altadena resident, described discrimination as a part of the early history of the YWCA in Pasadena.

Mr. Marvin Schachter, Senior Advocacy Council representative, urged the City to create a census that identifies the various types of housing used by disabled and elderly persons and their location within the City to ensure that the needs of these people are included in the emergency plan.

Mr. Oscar Manzanares and Mr. Jaime Garcia, Madison Neighborhood Partners representatives, invited Council and City residents to the 5th Annual Madison Neighborhood Health Fair to be held on September 24, 2005, which will provide information on resources and programs related to health issues; and distributed flyers on the event and the organization.

Mr. Gary Moody, Altadena resident, suggested each district and various local organizations (Valley Hunt Club, Rotary Club, Chamber of Commerce, and Tournament of Roses) donate funds to the Hurricane Katrina victims.

The Mayor reported the San Gabriel Valley Red Cross had recently thanked the Rose Bowl for assistance in its recent fund-raising efforts at the Bowl, which had raised \$550,000 for relief to the hurricane victims.

Mr. James Farr, Black Leadership Coalition representative, asked the City to dedicate/allocate available City properties to be developed as affordable housing for the citizens of Pasadena.

Pastor William Turner, New Revelation Baptist Church, asked the City to formalize assistance for 40 Hurricane Katrina victims who are ready to be transported to Pasadena from Louisiana.

Following brief discussion and by Council consensus, Assistant City Manager Brian Williams will meet with Pastor Turner to gather additional information on Pastor Turner's request.

Mr. Paris Jordan, Pasadena resident, asked Council to drop the case against his brother, Carlton Creighton.

The City Attorney noted the Council would have no authority to drop a criminal case, if that was this circumstance.

The Mayor indicated that staff would research the case and contact Mr. Jordan regarding what Council could or could not do.

Mr. Philip Koebel, Pasadena resident, expressed concerns regarding the lack of available affordable housing in Pasadena.

Ms. Diana Peterson-More, Pasadena resident, asked Council to focus on non-outsourcable living wage jobs and collaborate with the Workforce Investment Board and local unions

regarding this issue. She also encouraged Council to vote no on Proposition 76.

The City Manager thanked Beth Walker for her leadership as Acting Director of the Information Services Department, and introduced Jan Sanders as the new Director of the Information Services Department.

## **CONSENT CALENDAR**

### **AUTHORIZATION TO ENTER INTO A PURCHASE ORDER CONTRACT WITH AREVA FOR \$3,042,389 TO SUPPLY 34.5 KV SULPHUR HEXAFLUORIDE GAS (SF6) FILLED CIRCUIT BREAKERS FOR THE CITY OF PASADENA**

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

- (1) Accept the bid dated August 2, 2005 submitted by Areva in response to Specification LD-05-5 to furnish and deliver 34.5 kV Sulphur Hexafluoride Gas (SF6) breakers for the Water and Power Department;
- (2) Reject all other bids; and
- (3) Authorize the issuance of a purchase order contract to Areva for a total amount not to exceed \$3,042,389 for an initial period of three years. The contract may be extended by the City Manager in two-year increments up to a total of seven years, with the provision that the total expended amount shall not exceed \$3,042,389.

### **APPROVAL OF AN AMENDMENT TO CONTRACT NO. 18,829 WITH KALBAN, INC. IN THE AMOUNT OF \$135,000 FOR THE REPLACEMENT OF WALKWAYS AT VICTORY, GWINN, AND SUNNYSLOPE PARKS**

**Recommendation of City Manager:** Authorize the City Manager to execute an amendment to Contract No. 18,829 with Kalban, Inc., contractor for the construction of a project entitled "Site Improvements at Various Parks", to increase the total contract "not to exceed" amount from \$530,000 to \$665,000, an increase of \$135,000 for the replacement of walkways at Victory, Gwinn and Sunnyslope Parks. It is further recommended that, to the extent this might be viewed as a separate project which should be competitively bid, the City Council exempt this transaction from competitive bidding based on this action serving the best interest of the City. (Contract Amendment No. 18,829-1)

Councilmember Haderlein requested that staff provide information on the source of funding and timelines for the proposed walkways projects.

### **AGREEMENT WITH THE CITY OF LOS ANGELES, OFFICE OF REGULATORY SERVICES, DEPARTMENT OF TRAFFIC MANAGEMENT, FOR SUPPLEMENTAL TRAFFIC CONTROL PERSONNEL AT LARGE-SCALE EVENTS**

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

- (1) Authorize the City Manager to enter into a contract with the

City of Los Angeles, which would authorize the Office of Regulatory Services, Department of Traffic Management, to provide supplemental Traffic Management Services to the City of Pasadena during large-scale events held at the Rose Bowl for a period of up to three years at a cost not to exceed \$85,000 per year. The proposed contract is exempt from competitive bidding pursuant to City Charter Section 1002(H), contracts with government entities or their contractors.

(2) Authorize the City Manager to extend this contract for two additional years. (Contract No. 18,930)

**AUTHORIZATION TO ENTER INTO A CONTRACT WITH DENBOER ENGINEERING & CONSTRUCTION FOR \$460,900 TO PROVIDE LABOR AND MATERIALS FOR CONSTRUCTION OF A REINFORCED CONCRETE OIL CONTAINMENT SYSTEM AT THE T.M. GOODRICH RECEIVING STATION**

**Recommendation of City Manager:**

(1) Accept the bid dated August 12, 2005 submitted by Denboer Engineering & Construction in response to Specification LD-03-5 to provide labor and materials for Construction of a Reinforced Concrete Oil Containment System in T.M. Goodrich Receiving Station for the Water and Power Department;

(2) Reject all other bids; and

(3) Authorize the issuance of a contract not to exceed \$460,900, which includes the base amount of \$419,000 and a contingency of \$41,900 for any necessary change orders. (Contract No. 18,931)

**AUTHORIZATION TO ENTER INTO A CONTRACT WITH HIGHJUMP/3M FOR PURCHASE AND IMPLEMENTATION OF A WAREHOUSE MANAGEMENT SYSTEM FOR THE PASADENA WATER AND POWER WAREHOUSE IN AN AMOUNT NOT TO EXCEED \$217,382**

**Recommendation of City Manager:**

(1) Authorize the City Manager to enter into a contract, without competitive bidding pursuant to City Charter Section 1002(F), contracts for professional or unique services with HighJump/3M Inc., in an amount not to exceed \$217,382.

(2) Grant the proposed contract exemption from the competitive selection process of the Competitive Bidding and Purchasing Ordinance, pursuant to Pasadena Municipal Code Section 4.08.049(B), contracts for which the City's best interests are served. (Contract No. 18,932)

Item discussed separately  
at the request of  
Councilmember Holden.

**CONTRACT AWARD TO MODERN PARKING, INC., FOR PARKING GARAGE MANAGEMENT SERVICES AT PASEO COLORADO AND HOLLY STREET GARAGES**

**AUTHORIZATION TO ENTER INTO A THREE-YEAR CONTRACT WITH TWO OPTIONAL THREE-YEAR RENEWALS WITH EAST PASADENA WATER COMPANY TO FORMALIZE WATER EXCHANGES**

**Recommendation of City Manager:** Authorize the City Manager to enter into a new three-year contact with two three-year renewals with East Pasadena Water Company to enable Pasadena Water and Power to continue providing water through an existing interconnection located at the intersection of Del Mar Boulevard and Rosemead Boulevard. (Contract No. 18,933)

**AUTHORIZE THE CITY MANAGER TO AMEND THE TERM OF CONTRACT NO. 14,061 WITH CALIFORNIA INSTITUTE OF TECHNOLOGY FOR THE TREATMENT OF CONTAMINATED GROUNDWATER IN THE ARROYO SECO**

**Recommendation of City Manager:** Authorize the City Manager to amend the term of Contract No. 14,061 from August 30, 2005 to October 18, 2005. (Contract Amendment No. 14,061-10)

**MINUTES APPROVED**

August 8, 2005  
 August 15, 2005  
 August 22, 2005  
 August 29, 2005 (Cancelled)  
 September 5, 2005 (Cancelled)

**CLAIMS RECEIVED AND FILED**

Claim No. 9891	Richard and Linda	\$	Not Stated
Claim No. 9892	Joseph Gordon, by his		Not Stated
Claim No. 9893	Maria Panal		3,554.72+
Claim No. 9894	Henry A. Amos		1,554.87
Claim No. 9895	Southern California Gas Company		600.00
Claim No. 9896	Vera Bezjak		10,000.00
Claim No. 9897	Lily Wang		192.00
Claim No. 9898	Jose Luna		150.00
Claim No. 9899	Michael F. Weber		1,526.11
Claim No. 9900	Harry Jon Hendry		6,000.00
Claim No. 9901	Julian Sweet		35.00
Claim No. 9902	Jessica Brooke Darian		1,278.57
Claim No. 9903	John Mazur		Not Stated
Claim No. 9904	Maria H. Alvarez		151.40
Claim No. 9905	USAA Insurance as Subrogee for Anne Perdigon		2,163.53
Claim No. 9906	Karin Storck Frost		15,000.00
Claim No. 9907	John C. Wood		363.79
Claim No. 9908	Ken Ho		8,720.00
Claim No. 9909	Cornell Greathouse		Not Stated
Claim No. 9910	Cindy Welch		Not Stated

PUBLIC HEARINGS SET

September 19, 2005, 8:00 p.m. - Appeal of Zoning Hearing Officer decision regarding Conditional Use Permit No. 4501, Tentative Parcel Map No. 061201, and Hillside Development Permit (500 Madeline Drive)

September 26, 2005, 7:30 p.m. - Call for Review of Zoning Hearing Officer Decision for Tentative Parcel Map No. 061676, Hillside Development Permit No. 4395 and Tree Removal (725 Hillside Terrace)

October 3, 2005, 8:00 p.m. - Designation of 985 N. Los Robles as a Local Landmark

October 3, 2005, 8:00 p.m. - Designation of 435 Martelo as a Local Landmark

October 3, 2005, 8:00 p.m. - Adjustment of the Residential Impact Fee

It was moved by Councilmember Tyler, seconded by Councilmember Little, to approve the Consent Calendar with the exception of Item 6 (Contract for Modern Parking, Inc.), which was discussed separately. (Motion unanimously carried) (Absent: Vice Mayor Madison)

**CONSENT ITEM DISCUSSED SEPARATELY**

**CONTRACT AWARD TO MODERN PARKING, INC., FOR PARKING GARAGE MANAGEMENT SERVICES AT PASEO COLORADO AND HOLLY STREET GARAGES**

**Recommendation of City Manager:** Authorize the City Manager to enter into a contract with Modern Parking, Inc., for parking garage management services at the Paseo Colorado garages and the Holly Street garage in an amount not to exceed \$4,431,993 for the initial three-year term of the contract. Competitive bidding is not required pursuant to the City Charter Section 1002(F), professional or unique services. (Contract No. 18,934)

Councilmember Haderlein was excused at 7:50 p.m.

Mr. Amir Sedadi, Parking Manager, responded to Councilmember Holden's questions regarding the bidding process and contractor.

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

**OLD BUSINESS**

**Adopt "AN INTERIM URGENCY ORDINANCE OF THE CITY OF PASADENA TEMPORARILY PROHIBITING THE CONSTRUCTION OF STRUCTURES THREE STORIES OR MORE IN HEIGHT IN ANY ZONE WHERE THE PROJECT**



Councilmember Haderlein returned at 7:55 p.m.

**WOULD ABUT AN RS-SINGLE FAMILY RESIDENTIAL ZONE”** (Introduced by Councilmember Little)  
**Ordinance No. 7017)**

The above ordinance was adopted by the following vote:  
AYES: Councilmembers Gordo, Haderlein, Holden, Little, Streater, Tyler, Mayor Bogaard  
NOES: None  
ABSENT: Vice Mayor Madison

**REPORTS AND COMMENTS FROM COUNCIL COMMITTEES**

**LEGISLATIVE POLICY COMMITTEE**

**RECOMMENDATION TO SUPPORT PROPOSITION 76 - “LIVE WITHIN OUR MEANS”**

**Recommendation of City Manager:** It is recommended that the City Council support Proposition 76 - “Live Within Our Means”, an initiative placed on the November 8, 2005 Special Election by Governor Schwarzenegger.

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

Ms. Shari Thomas, Deputy Finance Director, reviewed the agenda report and responded to questions.

The City Manager responded to questions regarding requiring reserves under the Proposition and scenarios showing possible impacts on and/or protection of City funding.

Mr. Jay Goldstone, Director of Finance Department, commented on the protection of City funding and responded to questions.

Discussion followed regarding the required State reserves in the proposed legislation, the impact of this legislation on Proposition 98 (re: school funding), the extent of the Governor’s powers under the legislation, and the likelihood of a shift of power from the Legislature to the Governor under the legislation.

Councilmember Holden expressed concerns about a scenario in which revenues fall below estimates leaving the Governor with the power to propose a plan to reduce expenditures and implement the plan, if the Legislature does not act within 45 days; and noted he could not support the Proposition because of this shift in the balance of power and the possible negative impact on the City.

Councilmember Little expressed opposition to the Proposition based on concerns regarding the negative impacts on Proposition 98, the possible shift of power as outlined by Councilmember Holden, and the apparent lack of protection for both schools and the City.

Councilmember Gordo expressed opposition to the Proposition based on the possible negative impacts this might have on public school systems and potentially to the City.

The City Manager discussed the League of California Cities' shifting position on the legislation.

The following persons expressed opposition to Proposition 76:

Mr. Scott Phelps, Pasadena Unified School District (PUSD)  
Board of Education member

Mr. Rich Boccia, Blair International Baccalaureate School  
Principal (PUSD)

Mr. Ed Honowitz, PUSD Board of Education President,  
distributed information from the California State PTA on  
the Proposition.

Mr. Mike Babcock, PUSD Board of Education member

Councilmember Haderlein suggested postponing consideration on the Proposition until PUSD can provide a formal position and information as to possible impacts of the legislation on the District's finances.

Councilmember Tyler expressed support for the Proposition as a means to move the State forward in responsibly managing its finances, and suggested deferring the agenda item to allow for additional study.

It was moved by Councilmember Streater, seconded by Councilmember Little, that the City Council oppose Proposition 76 – "Live Within Our Means".

AYES: Councilmembers Gordo, Haderlein, Holden, Little,  
Streater, Mayor Bogaard

NOES: Councilmember Tyler

ABSENT: Vice Mayor Madison

The Mayor affirmed that the City's voting delegate to the 2005 California League of Cities Annual Conference would convey the City's position in opposition to Proposition 76 during future discussions/considerations by that organization.

## **OLD BUSINESS**

### **IMPACTS OF RECENT LEGISLATION REGARDING DENSITY BONUS AS APPLIED TO THE CITY'S INCLUSIONARY HOUSING ORDINANCE**

**Recommendation of City Manager:** It is recommended that the City Council give direction to the City Attorney regarding whether the Inclusionary Housing Ordinance should be amended to include projects of fewer than ten units.

The Mayor introduced the agenda item.

The City Manager provided background information regarding SB 1818 – Density Bonus and staff's recommendation to include projects of fewer than ten units under the City's Inclusionary Housing Ordinance, and responded to questions.

Ms. Stephanie DeWolfe, Deputy Planning Director, reviewed the agenda report and responded to questions.

Mr. Greg Robinson, Housing Administrator, responded to questions regarding the implementation of SB 1818 and concessions that may be applied to projects, and the process for future review of the ordinance.

The City Attorney discussed the incentives included in SB 1818.

Discussion followed on the impacts of SB 1818 on proposed projects of fewer than ten units, possible enhancement of the development of denser projects by applying a density bonus under the Inclusionary Housing Ordinance, and the relationship between SB 1818 and the proposed modifications of the Inclusionary Housing Ordinance and possible effects on neighborhoods resulting from this relationship.

The following persons expressed concerns regarding elements of the proposed revisions in the Inclusionary Housing Ordinance and/or the need to produce more affordable housing:

Ms. Michelle White, Pasadena resident  
Mr. Harden Carter, Pasadena resident

Councilmember Holden expressed concerns that the exclusion of projects with fewer than 10 units might result in no additional affordable housing being built and no fees would be collected on this type of project, suggested staff review the ordinance and impacts of SB 1818 at the end of a year, and noted that SB 1818 applies regardless of the provisions in the Inclusionary Housing Ordinance.

Councilmember Gordo suggested the City communicate its concerns to the State legislators regarding the perceived unforeseen impacts of SB 1818 on the development of affordable housing as conveyed in Council's discussion.

Councilmember Little suggested a future review of the ordinance include information on cities that include projects with fewer than 10 units under their inclusionary housing ordinances, and the legal history that may be created on the issues related to the implementation of SB 1818.

Councilmember Streator expressed support for including projects with fewer than 10 units in the Inclusionary Housing Ordinance.

It was moved by Councilmember Tyler, seconded by Councilmember Haderlein, to direct the City Attorney to prepare amendments to the Inclusionary Housing Ordinance, as previously directed by Council, which would not include projects of fewer than 10 units, with a review of the ordinance to be conducted in one year. (Motion carried, with Councilmember Streator objecting) (Absent: Vice Mayor Madison)

**RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS**

**CONSIDERATION OF CALL FOR REVIEW OF BOARD OF ZONING APPEALS DECISION TO THE CITY COUNCIL FOR CONDITIONAL USE PERMIT NO. 4419 - A TRANSPORTATION DISPATCH FACILITY FOR THE OPERATION OF A TOW TRUCK DISPATCH SERVICE (1355 NORTH LINCOLN AVENUE) (Councilmember Streator)**

Councilmember Streator outlined reasons for reviewing the Board of Zoning Appeals decision.

The City Manager explained the Zoning Hearing Officer's decision to deny the Conditional Use Permit.

The following persons spoke in opposition to the call for review:

- Ms. Ann Higginbotham, representing Paul's Auto Service (applicant)
- Mr. Burke Farrar, Odyssey Development, project manager for the applicant

The following persons spoke in support of the call for review:

- Mr. Otis Know, Pasadena resident
- Mr. Nathaniel Lewis, Jr., Lincoln Avenue Political Action Committee (PAC)
- Mr. Ronald Lewis, Pasadena resident

Councilmember Haderlein was excused at 9:44 p.m.

It was moved by Councilmember Streator, seconded by Councilmember Gordo, to call this matter for review to the City Council. (Motion unanimously carried) (Absent: Councilmember Haderlein, Vice Mayor Madison)

**REPORTS AND COMMENTS FROM COUNCIL COMMITTEES**

**LEGISLATIVE POLICY COMMITTEE**

**OPPOSE PROPOSITION 78 - DISCOUNTS ON PRESCRIPTION DRUGS; AND SUPPORT PROPOSITION 79 - PRESCRIPTION DRUG DISCOUNTS AND STATE NEGOTIATED REBATES**

**Recommendation of City Manager:** It is recommended that the City Council:

- (1) Oppose Proposition 78 - Discounts on Prescription Drugs.

(2) Support Proposition 79 - Prescription Drug Discounts and State Negotiated Rebates.

Dr. Takashi Wada, Public Health Department, reviewed the agenda report and responded to questions.

Councilmember Haderlein returned at 10:02 p.m.

Mr. Marvin Schachter, Senior Advocacy Council representative, expressed support for Proposition 79, and submitted copies of a resolution from the Senior Advocacy Council in support of Proposition 79 and information on the legislation.

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

#### FINANCE COMMITTEE

**AUTHORIZE THE CITY MANAGER TO NEGOTIATE AND EXECUTE A CONTRACT WITH GONZALEZ/GOODALE ARCHITECTS FOR ARCHITECTURE AND ENGINEERING SERVICES TO PREPARE ARCHITECTURAL DESIGN AND CONTRACT DOCUMENTS FOR THE WATER AND POWER OFFICE BUILDING AND REMODELING OF THE EXISTING WAREHOUSE AT 311 WEST MOUNTAIN STREET, AND REJECT ALL OTHER BIDS**

Councilmember Little, Chair of the Finance Committee, requested the above item be held for additional review by the Committee.

On order of the Mayor, the above item was held to the Council meeting of September 26, 2005 for additional review by the Finance Committee.

**APPROVAL OF A JOURNAL VOUCHER AMENDING PROJECTS IN THE FISCAL YEAR 2006 CAPITAL IMPROVEMENT PROGRAM BUDGET**

**Recommendation of City Manager:**

(1) Approve a journal voucher in the amount of \$1,180,002 amending twelve projects in the Fiscal Year 2006 Capital Improvement Program as detailed in Attachment A of the agenda report;

(2) Amend the Fiscal Year 2006 Capital improvement Program budget to add back the Purchase Seven Alternative Fuel, Medium Duty Transit Vehicles - (75058) project to the budget.

(3) Adopt a resolution with the County of Los Angeles Regional Park and Open Space District moving the Proposition A funding from the Jefferson Park - Picnic Area Project to the Jefferson Park Restroom Project. (Journal Voucher No. 2006-8; Resolution No. 8508)

Councilmember Little summarized the agenda report and responded to questions.

In response to Councilmember Haderlein's questions, the City Manager responded to questions regarding the Pasadena High School Pick Up and Drop Off Plan (Project 3 in the Background section of the agenda report), and indicated an agreement/Memorandum of Understanding that would formalize operational issues and budget sharing for the project would be entered into with the Pasadena Unified School District (PUSD) prior to beginning the project.

Councilmember Haderlein encouraged staff to work with PUSD to draft the Memorandum of Understanding within the next 30 days, if possible.

In response to Councilmember Gordo's questions regarding Project 13 – Villa Parke, Mr. Martin Pastucha, Director of Public Works Department, responded to questions regarding the scope of the work done on the field turf at Villa Parke, and commented on the current management and maintenance of the field.

The City Manager discussed the current condition of the field turf and irrigation system.

Councilmember Gordo expressed concerns regarding the decision to not replace the irrigation system at Villa Parke, and asked that the rehabilitation of the multi-purpose field turf project be retained as an unfunded project until there is assurance that the condition of the field will be sustained and with the provision that the irrigation system will be replaced if the turf improvements fail.

The City Manager acknowledged this request.

Regarding Project 1 – Walnut Street Improvements, the City Manager indicated staff would provide Council with information on the status of City properties that were sold to adjacent property owners along the railroad right-of-way adjacent to Walnut Street.

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

**APPROVAL OF JOURNAL VOUCHER AND CONTRACT AWARD TO GERSHMAN, BRICKNER & BRATTON, INC., (GBB) FOR THE INTEGRATED WASTE MANAGEMENT DATA COLLECTION AND ROUTING SYSTEM SERVICES**  
**Recommendation of City Manager:**

(1) Authorize the City Manager to enter into a contract with Gershman, Brickner & Bratton, Inc., a consultant firm, to

Councilmember Haderlein was excused at 10:28 p.m.

provide a field audit of the residential refuse services in comparison to actual billing records, and to implement new residential refuse collection routes, in an amount not to exceed \$497,987. The contract is exempt from competitive bidding pursuant to City Charter Section 1002(F) (a contract for professional services); and  
(2) Approve a journal voucher recognizing and appropriating \$497,987 of the unappropriated Refuse Fund balance to the Refuse Residential Fund budget account (8114-406-764120). (Contract No. 18,935; Journal Voucher No. 2006-9)

Councilmember Little 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: Councilmember Haderlein, Vice Mayor Madison)

**ACCEPTANCE OF THE RENEWAL OF GRANT FUNDS FROM THE STATE OF CALIFORNIA, OFFICE OF EMERGENCY SERVICES - ELDER ABUSE ADVOCACY AND OUTREACH PROGRAM; AUTHORIZATION TO ENTER INTO A CONTRACT WITH THE COMMUNITY ASSISTANCE PROGRAM FOR SENIORS ("HERITAGE CLINIC"), TO OPERATE THE ELDER ABUSE ADVOCACY AND OUTREACH PROGRAM**

**Recommendation of City Manager:**

- (1) Accept the grant from the State of California, Office of Emergency Services - Elder Abuse Advocacy and Outreach Program in the amount of \$90,000 (Grant No. EA 04077625) and approve a journal voucher recognizing that amount and appropriating it to the Police Department's Fiscal Year 2006 Operating Budget, Account No. 8114-101-402500;
- (2) Authorize the City Manager to enter into a contract with the Heritage Clinic in an amount not to exceed \$82,941 without competitive bidding pursuant to City Charter Section 1002(F), contracts for professional or unique services, to operate the Elder Abuse Advocacy and Outreach Program. The remaining \$7,059 will remain in the Department's budget for the Police Department's administrative costs; and
- (3) Grant the proposed contract an exemption from the competitive selection process of the Competitive Bidding and Purchasing Ordinance, pursuant to Section 4.08.049(B), contracts for which the City's best interests are served. (Journal Voucher No. 2006-10; Contract No. 18,936)

Councilmember Little introduced the agenda item.

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

**QUARTERLY INVESTMENT REPORT, QUARTER ENDING  
JUNE 30, 2005**

**Recommendation of City Manager:** This report is for informational purposes only.

Councilmember Little introduced the agenda item.

Mr. Vic Erganian, City Treasurer, highlighted the agenda report.

On order of the Mayor, the report was received and filed.

**RECOMMENDATIONS FROM  
OFFICERS AND  
DEPARTMENTS**

**APPOINTMENT OF MARK M. KASSABIAN TO THE  
LIBRARY COMMISSION (District 4 Nomination)**

**APPOINTMENT OF STAN KONG TO THE ARTS AND  
CULTURE COMMISSION (At Large/District 4 Nomination)**

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

**APPOINTMENT OF ED EYERMAN TO THE OLD PASADENA  
PARKING METER ZONE ADVISORY COMMISSION (At  
Large/Owner/District 3 Nomination)**

The Mayor discussed residency requirements for this Commission.

The City Manager outlined the meeting schedule and role for the Commission, and explained the rationale for not transferring these advisory responsibilities to the Old Pasadena Management District.

At the request of Councilmember Tyler, the City Clerk noted information on the Council committee that would review the annual report of the Commission would be provided.

Councilmember Streater asked that information on the Commission's past activities/recommendations be provided to Council.

It was moved by Councilmember Holden, seconded by Councilmember Streater, to approve the above appointment. (Motion unanimously carried) (Absent: Councilmember Haderlein, Vice Mayor Madison)

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 10:43 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 10:44 p.m. (Absent: Councilmember Haderlein, Vice Mayor Madison)

**ORDINANCES – FIRST READING**

**Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF PASADENA ESTABLISHED BY TITLE 17, SECTION 17.08.040 OF THE PASADENA MUNICIPAL CODE (HOLLISTON AVENUE LANDMARK OVERLAY DISTRICT)”**

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

AYES: Councilmembers Gordo, Holden, Little, Streator, Tyler, Mayor Bogaard

NOES: None

ABSENT: Councilmember Haderlein, Vice Mayor Madison

**Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17, CHAPTERS 17.42 AND 17.80 OF THE PASADENA MUNICIPAL CODE TRANSFERRING SIGNATORY AUTHORITY RELATING TO THE AFFORDABLE HOUSING INCENTIVES AND REQUIREMENTS FROM THE PLANNING AND DEVELOPMENT DIRECTOR TO THE CITY MANAGER OR THE ASSISTANT CITY MANAGER”**

The City Manager explained the need for the transfer of signatory authority.

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

AYES: Councilmembers Gordo, Holden, Little, Streator, Tyler, Mayor Bogaard

NOES: None

ABSENT: Councilmember Haderlein, Vice Mayor Madison

**ORDINANCE – ADOPTED**

**Adopt “AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17 OF THE PASADENA MUNICIPAL CODE TO ADD A DEFINITION FOR ‘MEDICAL MARIJUANA DISPENSARY’ AND PROHIBITING SUCH USE” (Introduced by Councilmember Little) (Ordinance No. 7018)**

The above ordinance was adopted by the following vote:

AYES: Councilmembers Gordo, Holden, Little, Streator, Tyler, Mayor Bogaard

NOES: None

ABSENT: Councilmember Haderlein, Vice Mayor Madison

**COUNCIL COMMENTS**

The City Manager responded to Councilmember Tyler's questions involving information previously provided to Council regarding the status of the number of housing units in the Central District.

Councilmember Tyler asked staff to also provide information on the number of applications for housing units.

Councilmember Gordo expressed concerns regarding the poor level of maintenance by Caltrans of trash, dry brush, and sprinklers along the freeway, and asked staff to contact Caltrans about these cleanup and maintenance concerns.

The City Manager indicated Caltrans would be contacted about the status of this maintenance work.

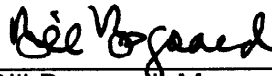
Councilmember Holden commented on a recent news report of a possible 2016 Olympics bid by the City of Los Angeles.

The Mayor indicated he would confer with the City Manager and the General Manager of the Rose Bowl about the possible role of the City in the bid and report back to Council.

Councilmember Little reported the Finance Department had prepared and distributed to Council a booklet titled "The Budget in Brief," which is also available to the public.

**ADJOURNMENT**

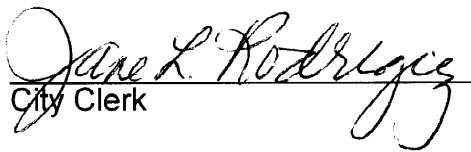
On order of the Mayor, the regular meeting of the City Council adjourned at 10:55 p.m., in memory of Kenneth Rhodes, a lifelong resident of Pasadena who spent a significant amount of time in charitable and nonprofit volunteer work.



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Bill Bogaard, Mayor  
City of Pasadena

ATTEST:



Jane L. Rodriguez  
City Clerk