

CITY OF PASADENA
City Council Minutes
January 3, 2000 - 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

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

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

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL -
ANTICIPATED LITIGATION - CONSIDERATION OF INITIATION
OF LITIGATION pursuant to Government Code Section
54956.9(c): One potential case**

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL -
EXISTING LITIGATION pursuant to Government Code Section
54956.9:**

**Name of Case: Riggins v. City of Pasadena, et al., Los Angeles
County Superior Court Case No. GC 020604**

On order of the Mayor, the regular meeting reconvened at 6:49 p.m.
The Pledge of Allegiance was led by Pasadena resident Roy
Begley.

ROLL CALL:

Councilmembers:

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

Staff:

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

CEREMONIAL MATTERS

Mayor Bogaard and various members of the Council commended
the City Manager and staff for their efforts to ensure a smooth and
successful New Year's eve and New Year's day in Pasadena, and
in particular, commended Robert Person for overseeing Y2K
compliance transition, and the Police and Fire Chiefs for public
safety.

PUBLIC COMMENT

RICK WILSON, PASADENA RESIDENT, REGARDING PUBLIC STREET SWEEPING

Mayor Bogaard announced Mr. Wilson had telephoned his office to withdraw his request to speak because the matter has been satisfactorily resolved by City staff.

Mr. Roy Begley, Pasadena resident, commented the new millennium begins January 1, 2001, and expressed his hope that schools were properly teaching students of this fact.

Mr. Raymond Dashner, Pasadena resident, commented on his discovery of a forgotten path in the Arroyo Seco and his personal efforts to restore it.

CONSENT CALENDAR

KAWEAH DRIVE OUTLET DRAIN RIGHT-OF-WAY

Recommendation of City Manager: Adopt a resolution that will:

(1) Authorize the City Manager, or her designee, to approve a right-of-way map showing the interests in real property to be acquired for the construction of the Kaweah Drive Outlet Drain Project.

(2) Authorize the City Manager, or her designee, to approve the appraisal report made by a qualified independent appraiser for the interests in real property to be acquired for the construction of the Kaweah Drive Outlet Drain Project; to make the determination on behalf of the City of the just compensation for up to \$1,000 for said interests in real property; to make an offer on behalf of the City for the purchase of said interests in real property based on the approved just compensation and enter into an acquisition agreement therefor; and to consent to and accept on behalf of the City any deeds or grants whereby any interest in real property is conveyed to the City for said outlet drain project. (Resolution No. 7830)

Separately discussed at the request of Councilmember Little

APPROVAL AND ACCEPTANCE OF PROPOSED EASEMENT FOR SANITARY SEWER PURPOSES AT 1575 ONTARIO AVENUE

AUTHORIZATION TO ENTER INTO A CONTRACT WITH TRAF0 FOR FURNISHING AND DELIVERING ONE 3750/4687kVA 34,400-4360 VOLTS TCUL THREE PHASE SUBSTATION TRANSFORMER FOR THE WATER AND POWER DEPARTMENT

Recommendation of City Manager: Accept the bid dated October 25, 1999, submitted by TRAF0 in response to the Notice Inviting Bids for one 3750/4687kVA 34,400-4360 Volts TCUL Three Phase Substation Transformer; reject all other bids; and authorize the Purchasing Administrator to issue a purchase order contract for an amount not to exceed \$193,970.

— Separately discussed at
the request of
Councilmember Tyler

**AUTHORIZATION TO INCREASE THE NOT-TO-EXCEED
AMOUNT OF CONTRACT NO. 16,955 WITH R. T. LARSEN, INC.
FOR UTILITY STREET REPAIRS FOR PASADENA WATER AND
POWER, SPECIFICATION WD-98-06**

**AUTHORIZATION TO EXTEND THE PURCHASE ORDER
CONTRACTS FOR FLEET FUEL WITH FALCON FUELS, INC.
AND ULTRAMAR, INC.**

Recommendation of City Manager: Authorize the Purchasing Administrator to extend the purchase order contracts with Falcon Fuels, Inc. and Ultramar, Inc. for the purchase of fuel for the City's fleet vehicles in amounts necessary to meet the City's fuel needs for an additional six month period. The purchase order contracts are exempt from competitive bidding pursuant to City Charter Section 1002(H), contracts with other government entities or their contractors.

It is further recommended that the City Council grant these purchase orders an exemption from the competitive selection process of the Affirmative Action in Contracting Ordinance, pursuant to Section 4.09.060(C), contracts for which the City's best interests are served.

MINUTES APPROVED

October 18, 1999 (Special)
November 1, 1999
November 8, 1999 (Special & Regular)
November 15, 1999
November 22, 1999 (Special Joint Meeting)
November 22, 1999
November 24, 1999 (Special)

CLAIMS RECEIVED AND
FILED

Claim No. 8395	Johanna Jacobs	\$	Unknown
Claim No. 8396	Frederick Cooper		Unknown
Claim No. 8397	Brenda Lee Lavere		7,000.00
Claim No. 8398	Mr. & Mrs. Ron Coyne		200.00
Claim No. 8399	Kista Jerome & Ralph Neil Pickens		Unknown
Claim No. 8400	Teudy Patron, Haley Nieto, Giselle Basulto & Paul Rodman		Unknown
Claim No. 8401	Randy Williams		Unknown
Claim No. 8402	Wade Kafkaluff		Unknown
Claim No. 8403	Roberto Cani		1,843.49
Claim No. 8404	Rudy Lemos		1,662.73

PUBLIC HEARINGS SET

January 10, 2000, 8:00 p.m. - Appeal of Cultural Heritage Commission decision to approve a Certificate of Appropriateness for demolition of a house at 175 North Bonnie Avenue

January 24, 2000, 8:00 p.m. - Conceptual Approval of the Hahamongna Watershed Park Master Plan

It was moved by Councilmember Little, seconded by Councilmember Tyler, to approve the Consent Calendar, except Item 2, Approval and Acceptance of Proposed Easement for Sanitary Sewer Purposes at 1575 Ontario Avenue, and Item 4, Authorization to Increase the not-to-exceed amount of Contract No. 16,955 with R. T. Larsen, Inc., and with a correction to the minutes of November 22, 1999, page 7, to note, Councilmember Madison "recused due to conflict".

**CONSENT ITEMS
DISCUSSED SEPARATELY**

**APPROVAL AND ACCEPTANCE OF PROPOSED EASEMENT
FOR SANITARY SEWER PURPOSES AT 1575 ONTARIO
AVENUE**

Recommendation of City Manager: Adopt a resolution approving and accepting the proposed easement for sanitary sewer purposes for 1288 Inverness Drive at 1575 Ontario Avenue. (Resolution No. 7831)

In response to a question from Councilmember Little, Mr. Jack Lidyard, Acting Director of Public Works & Transportation, responded that the liability for the easement remains with the owner of the property, not the City.

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

Councilmember Madison
was excused at 7:17 p.m.

**AUTHORIZATION TO INCREASE THE NOT-TO-EXCEED
AMOUNT OF CONTRACT NO. 16,955 WITH R. T. LARSEN, INC.
FOR UTILITY STREET REPAIRS FOR PASADENA WATER AND
POWER, SPECIFICATION WD-98-06**

Recommendation of City Manager: Authorize the City Manager to increase the not-to-exceed amount of Contract No. 16,955 with R. T. Larsen, Inc., for utility street repairs, by \$250,000 for a new annual not-to-exceed amount of \$750,000. (Contract No. 16,955-1)

In response to questions from Councilmember Tyler, Mr. Rufus Hightower, General Manager of Water and Power, identified four separate budget account fund sources for the project.

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

**REPORTS AND
COMMENTS FROM
COUNCIL COMMITTEES
FINANCE COMMITTEE**

FY 1999 ANNUAL FINANCIAL REPORTS

Recommendation of City Manager: It is recommended that the following reports for the year ending June 30, 1999 be received by the City Council:

Comprehensive Annual Financial Report
Single Audit Reports
Pasadena Community Development Commission Annual
Financial Report
Agreed-Upon Procedures Applied to Appropriation Limit
Worksheets
Independent Auditors' Report on the Internal Control over AB
2766 and the Report on Compliance with Laws and
Regulations Required by AB 2766
Management Letter
Finance Committee Letter from KPMG regarding the conduct
of their audit

Councilmember Little, Chair of the Finance Committee, summarized the various financial reports and commended staff and the auditor for a job well done.

Councilmember Madison
returned at 7:30 p.m.

Ms. Becky McBride, representing KPMG, summarized the audit process, various findings, and discussed the internal audit function. A discussion ensued with respect to the responsibilities of an internal auditor, accountability and reporting authority.

Vice Mayor Streater clarified her understanding of the recommendation regarding the Internal Auditor's reporting responsibility that the day-to-day operations and supervision of the internal auditor would be done by the Accounting Administrator, who reports to the Finance Director; but, there are going to be specific requirements that allow the Internal Auditor to respond directly to the City Manager and to the Audit Committee without the approval of the Accounting Administrator or the Finance Director; so it is incumbent upon the Finance Committee and the City Manager to know specifically when the Internal Auditor is to report to us and what they are to report; and, with regard to the Internal Auditor's performance evaluation, there should be input from the City Manager and the Finance Committee.

Ms. McBride concurred with the Vice Mayor's comments.

Following discussion, it was moved by Councilmember Little, seconded by Vice Mayor Streater, to receive and file the financial reports. (Motion unanimously carried) (Absent: Councilmembers Crowfoot, Holden)

CHARTER REFORM TASK
FORCE ON SCHOOL
DISTRICT GOVERNANCE

Councilmember Haderlein, member of the Task Force, announced the Task Force's upcoming public forums.

REPORTS FROM
REPRESENTATIVES

Councilmember Little, Chair of the Blue Line Construction Authority, announced the election of Los Angeles Councilmember Mike Hernandez as chair of the Authority.

PUBLIC HEARING

PUBLIC HEARING: A MORATORIUM ON THE CREATION OF FLAG LOTS IN SINGLE-FAMILY RESIDENTIAL ZONING DISTRICTS CITYWIDE (EXCLUDING HILLSIDE OVERLAY DISTRICTS), AND A MORATORIUM ON SUBDIVISIONS WITHIN THE TWO STUDY AREAS ALONG THE SAN PASQUAL/CALIFORNIA CORRIDOR

Recommendation of City Manager: It is recommended that the City Council, following a public hearing:

- (1) Find the proposed project to be statutorily exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (CEQA) Guidelines, Section 15262, Feasibility and Planning Studies; and
- (2) Approve a moratorium on the creation of flag lots in single-family residential zoning districts citywide (excluding hillside overlay districts);
- (3) Approve a moratorium on subdivisions within the two study areas along the San Pasqual/California corridor (Attachment 1 of the agenda report);
- (4) Find that the proposed moratoriums are consistent with the policies of the General Plan; and
- (5) Direct the City Attorney to prepare an ordinance implementing these recommendations.

Recommendation of Planning Commission: The Planning Commission recommends approval of:

- (1) A moratorium on the creation of flag lots in single-family residential districts citywide (excluding hillside overlay districts); and
- (2) A moratorium on subdivisions within the two study areas until the zone change study is complete.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published in the Pasadena Star News on December 20, 1999, and in the Pasadena Journal on December 23, 30, 1999; 536 notices were mailed on December 17, and 159 notice were posted on December 23, 1999; no letters were received in favor or in opposition.

The City Manager and Mr. Darrell Lewis, Director of Planning & Permitting, summarized the issue, and responded to questions.

Mr. Ariel Socarras, Assistant Planner, reviewed the agenda report, discussed the various recommendations, and the impacts and effects of the proposed moratoriums.

The following individuals spoke on this matter:

Ms. Nina Chomsky, representing the Linda Vista Annandale Association, expressed opposition to the moratorium.

Mr. Roy Begley, Pasadena resident, advocated for the use of jitneys.

Mr. William Grimm, Pasadena resident, requested clarification of the zone change areas.

Mrs. Carroll Anawalt, Pasadena resident, spoke in support of the moratorium.

Mr. Richard Flagan, Pasadena resident, spoke in support of the moratorium.

Councilmember Madison expressed concern that the proposed moratorium excluded hillside areas, which compose 90% of his district.

Discussion ensued whether this matter should be referred back to the Planning Commission in total, or segment the two issues and proceed with the subdivision moratorium tonight and refer only the flag lot/hillside district issue to the Planning Commission for further review.

Following discussion, it was moved by Vice Mayor Streater, seconded by Councilmember Tyler, to close the public hearing. (Motion unanimously carried) (Absent: Councilmembers Crowfoot, Holden)

It was moved by Vice Mayor Streater, seconded by Councilmember Haderlein, to approve the City Manager's recommendation and direct the Planning Commission to review the Hillside Ordinance and whether or not it would be appropriate to have flag lots on hillsides, and report back to the Council as soon as possible with a recommendation. (Motion unanimously carried) (Absent: Councilmembers Crowfoot, Holden)

RECOMMENDATION FROM OFFICERS AND DEPARTMENTS

REAPPOINTMENT OF JOSEPH BAIUNCO TO SOUTH LAKE PARKING PLACE COMMISSION (District 7 Appointment)

APPOINTMENT OF DR. GLOVIOELL ROWLAND TO THE CODE ENFORCEMENT COMMISSION (Mayor/District 3 Appointment)

It was moved by Councilmember Tyler, seconded by Councilmember Little, to approve the above reappointment and appointment. (Motion unanimously carried) (Absent: Councilmembers Crowfoot, Holden)

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 8:44 p.m. to the regular meeting of the Community Development Commission.

RECONVENE

On order of the Mayor, the regular meeting of the City Council reconvened at 8:45 p.m. (Absent: Councilmembers Crowfoot, Holden)

ORDINANCE - ADOPTED

Adopt "AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17, THE ZONING CODE TO CONDITIONALLY PERMIT AFFORDABLE SENIOR HOUSING WITHIN THE PS (PUBLIC AND SEMI-PUBLIC) ZONING DISTRICT (Introduced by Vice Mayor Streater) (Ordinance No. 6815)

The above ordinance was adopted by the following vote:

AYES: Councilmembers Haderlein, Madison, Tyler, Vice Mayor Streater, Mayor Bogaard

NOES: Councilmember Little

ABSENT: Councilmembers Crowfoot, Holden

On order of the Mayor, the regular meeting of the City Council adjourned at 8:47 p.m.



Bill Bogaard
Mayor

ATTEST:



City Clerk
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