

CITY OF PASADENA
City Council Minutes
March 6, 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: Councilmember Crowfoot)

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 -
EXISTING LITIGATION pursuant to Government Code Section
54956.9**

**Name of Case: Garden State Newspapers, Inc. and Moore, et
al. vs. City of Pasadena, U.S. District Court Case No. 98-6942
WDK (AIJx)**

**CITY COUNCIL CONFERENCE REGARDING PUBLIC
EMPLOYMENT pursuant to Government Code Section 549567:
Title: City Prosecutor**

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

**Name of Case: Benge v City of Pasadena, U.S. District Court
Case No. CV-97-01605 SVW**

On order of the Mayor, the regular meeting reconvened at 6:35 p.m.
The Pledge of Allegiance was led by Councilmember Madison.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Joyce Streater
Councilmember William Crowfoot (Arrived at 6:40 p.m.)
Councilmember Steve Haderlein (Returned at 6:36 p.m.)
Councilmember Chris Holden (Returned at 6:38 p.m.)
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

The Mayor presented a proclamation to the Eta Lambda Omega
Chapter in recognition of 40 years of successful and contributing
service to the community, which was accepted by Goddess Drew,
Chapter President.

The Mayor reminded residents there are 26 days left before Census 2000 forms arrive, and stressed the importance of completing the forms and returning them.

PUBLIC COMMENT

Mr. Victor B. Daniels, District representative for Congressman James Rogan, submitted and read a letter from the Congressman, expressing his opposition to the completion of the 710 Freeway; urging the Council to consider a similar action and to support SB 1497 (Schiff) and AB 1930 (Scott) which would return local authority to cities negotiating with Caltrans prior to any construction; and announced he has requested \$46 million from the federal government to fund the Design Advisory Groups (DAG) projects throughout the 710 corridor.

Vice Mayor Streater stated before the Council takes any position on this item, it needs to know what is being recommended for funding.

Councilmembers Crowfoot and Madison were excused at 6:48 p.m.

Mr. Roy Begley, Pasadena resident, commented on the increased price of oil and the condition of rental properties and high rental rates.

Councilmember Madison returned at 6:53 p.m.

Renee Pierson, Pasadena resident, commented on recent Council action on Proposition 22.

Vice Mayor Streater was excused at 6:56 p.m.

Rev. C. R. Tillman, Pasadena resident, requested Council's support in demanding Supervisor Michael Antonovich resign from the Los Angeles County Board of Supervisors and write-in the Mayor's name as a write-in candidate.

Mr. Ronald Wallace, Pasadena High School student, requested Council's support in closing the median opening near the senior's parking lot during school hours or consider installing a traffic signal, in light of the recent traffic accident in which a student was killed.

Mayor Bogaard noted the City Manager has assured that staff will review the traffic configuration to see what can be done to make it safer, and to move forward as quickly as possible.

Vice Mayor Streater returned at 7:06 p.m.

Councilmember Holden questioned whether anyone from the School District has contacted the City to initiate a dialogue on this issue, and stated it would be helpful to know what the District's position is on this matter and how they would like it resolved.

Mayor Bogaard stated he and the City Manager would discuss this matter with the Superintendent of Schools and President of the School Board, to determine who should be involved from the District.

Mr. Ray Dashner, Pasadena resident, spoke on the topic of deficiency in arithmetic.

OLD BUSINESS

MID-YEAR PROJECT PERFORMANCE ASSESSMENT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), EMERGENCY SHELTER GRANT (ESG) PROGRAMS AND HUMAN SERVICES ENDOWMENT FUND (HSEF) 1999-2000 PY
Recommendation of City Manager: This item is for information only. No City Council action is required.

Mr. Richard Bruckner, Director of Housing & Development, and Eunice Gray, Program Coordinator, summarized the agenda report and responded to questions.

On order of the Mayor, this item was received and filed.

CONSENT CALENDAR

Councilmember Crowfoot
returned at 7:25 p.m.

CONTRACT AWARD TO VILLEGAS ELECTRIC FOR THE PASADENA PLAYHOUSE DISTRICT STREETSCAPES, WALKWAYS AND ALLEYS - INSTALLATION OF STREET LIGHTING AND STREET TREES - PHASE IB FOR AN AMOUNT NOT TO EXCEED \$193,000

Recommendation of City Manager:

(a) Accept the bid dated February 16, 2000 submitted by Villegas Electric in response to the Specifications for the Pasadena Playhouse District Streetscapes, Walkways and Alleys - Installation of Street Lighting and Street Trees - Phase IB, reject all other bids received, and authorize the City Manager to enter into such contract as is required.

(b) Acknowledge the project to be categorically exempt under the California Environmental Quality Act (CEQA) in accordance with Article 19, Section 15301 (Class 1), subsection (c) of the Resources Agency of California Guidelines (minor alteration involving negligible expansion of use beyond that previously existing) 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. (Contract No. 17,236)

Mr. Steve Bagish, Glendale resident who works in Pasadena, expressed his opposition to destroying street trees.

AMENDMENT TO CONTRACT NO. 16,409 FOR CONSTRUCTION OF THE ARROYO PARKWAY DIVERSION STORM DRAIN

Recommendation of City Manager: Authorize the City Manager to enter into an amendment to Contract No. 16,409 with Albert W. Davis Inc., for construction of the Arroyo Parkway Diversion Storm Drain project increasing the contract "not to exceed" amount by \$36,000 from \$1,600,000 to \$1,636,000, because of unforeseen conditions and changed site conditions that were added to the scope of work. (Contract No. 16,409-1)

Item discussed separately
at the request of
Councilmember Madison

AUTHORIZATION TO ENTER INTO A CONTRACT WITH PARSONS HARLAND BARTHOLOMEW & ASSOCIATES

CLAIMS RECEIVED AND FILED

Claim No. 8440	Willard Lane	\$	8,821.60
Claim No. 8441	Juana Escobar		1,154.08
Claim No. 8442	Cotelligent, Inc.		10,000.00+
Claim No. 8443	Lisa Frodsham		7,279.89
Claim No. 8444	The Hertz Corporation		Unknown

It was moved by Councilmember Little, seconded by Councilmember Tyler, to approve the Consent Calendar, except Item 3, Contract with Parsons Harland Bartholomew & Associates. (Motion unanimously carried) (Absent: None)

CONSENT ITEM DISCUSSED SEPARATELY
Councilmember Madison recused himself at 7:28 p.m., due to conflict of interest

AUTHORIZATION TO ENTER INTO A CONTRACT WITH PARSONS HARLAND BARTHOLOMEW & ASSOCIATES IN THE AMOUNT OF \$65,000 FOR THE PREPARATION OF A SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT TO THE WEST GATEWAY SPECIFIC PLAN

Recommendation of City Manager:

(a) Authorize the City Manager to enter into a contract with Parsons Harland Bartholomew & Associates for an amount not to exceed \$65,000 for consulting services to prepare a Supplemental Environmental Impact Report to the West Gateway Specific Plan Environmental Impact Report. The proposed contract is exempt from competitive bidding pursuant to City Charter Section 1002(F), contracts for professional or unique services.

(b) Grant this contract an exemption from the competitive selection process of the Affirmative Action in Contracting Ordinance, pursuant to Pasadena Municipal Code, Section 4.09.060(C), contracts for which the City's best interests are served. (Contract No. 17,237)

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

INFORMATION ITEM
Councilmember Madison returned at 7:30 p.m.

UPDATE ON PREDEVELOPMENT PLAN REVISION FOR THE PROPOSED AMBASSADOR COLLEGE PROJECT (300 W. GREEN STREET) WITHIN THE WEST GATEWAY SPECIFIC PLAN AREA

Recommendation of City Manager: This report is being provided for information only.

Mr. Darrell Lewis, Director of Planning and Permitting, reviewed the agenda report and briefly described the impacts to the processing time line, as a result of the proposed revisions.

Mr. Bill Shubin, representing Legacy Partners, briefly outlined the proposed revisions to the project, and responded to questions.

On order of the Mayor, this item was received and filed.

**REPORTS AND
COMMENTS FROM
COUNCIL COMMITTEES**

Mayor Bogaard noted a Council work session would be planned in the near future to discuss the role of the Pasadena Community Access Corporation; renewal of the cable franchise; and the role of a City initiative into delivering cable service, as raised by Councilmember Holden.

Councilmember Crowfoot asked that the work session be structured so he can participate in the discussion, as his law firm represents Charter Communications.

Vice Mayor Streator commented on an incident at the Burbank Glendale Pasadena Airport last night (airliner skidded off the runway), and requested Council consider sending a letter to the City of Burbank asking them to be more flexible in proceeding with requirements for a new airport terminal.

**RECOMMENDATIONS
FROM OFFICERS AND
DEPARTMENTS**

CONSIDERATION OF CALL FOR REVIEW TO BOARD OF ZONING APPEALS OF CONDITIONAL USE PERMIT NO. 3667, 96-98 EAST COLORADO BOULEVARD (ALCOHOL SALES [BEER AND WINE]) (Councilmember Madison)

Councilmember Madison outlined the basis for his request, stating he felt the applicant failed to satisfy the four elements required by the Pasadena Municipal Code to be issued a beer and wine license. He noted the area is already over-concentrated with alcohol licenses, and expressed concern that another alcohol license would be issued for a new establishment across the street from two problem establishments.

Councilmember Little stated the entire population of the city is bearing the cost of policing these establishments, and asked staff to consider adding to the Conditional Use Permit process conditions to require establishments to reimburse police costs.

The following individuals spoke in opposition to calling this matter for review:

Mr. Fred Glick, Director of Operations for Hooters Restaurant,
Mr. Steve Dahl, Architect
Mr. Frank Chopski, Hooters Restaurant employee

Discussion ensued whether these issues should be reviewed on a case-by-case basis, or whether Council should review the overlay district in Old Pasadena to see if it should be revised. Concern was also expressed by some Councilmembers that it was unfair to target one particular restaurant on the basis it is across the street from businesses that have a history of causing alcohol enforcement problems, when it was indicated that this particular chain of restaurants does not have problems at any of its other locations.

Following discussion, it was moved by Councilmember Madison, seconded by Councilmember Little, to call for review to the Board

of Zoning Appeals, Conditional Use Permit No. 3667, 96-98 E. Colorado.

Vote on the motion:

AYES: Councilmember Crowfoot, Little, Madison, Tyler,
Mayor Bogaard

NOES: Councilmembers Haderlein, Holden, Vice Mayor
Streator

ABSENT: None

DECLARE SEAT VACANT ON THE AFFIRMATIVE ACTION COMMISSION DUE TO THE DEATH OF CYNTHIA BUCKHALTER (Mayor's Appointment)

Vice Mayor Streator was excused at 9:00 p.m.

APPOINTMENT OF KATHRYN TEER McKNIGHT TO COMMISSION ON THE STATUS OF WOMEN (District 4 Appointment)

RESIGNATION OF CIRAN HADJIAN FROM PLANNING COMMISSION (Mayor's appointment)

RESIGNATION OF KATHY R. CARR FROM ACCESSIBILITY AND DISABILITY COMMISSION (Mayor's Appointment)

It was moved by Councilmember Tyler, seconded by Councilmember Haderlein, to approve the seat vacancy, to accept the appointment and resignations as listed above. (Motion unanimously carried) (Absent: Vice Mayor Streator)

AGREEMENT WITH COALITION FOR A NON-VIOLENT CITY FOR THE IMPROVEMENT OF MOUNTAIN PLACE

Recommendation of City Manager:

(a) Authorize the City Manager to enter into an agreement with the Coalition for a Non-Violent City for the City to provide engineering and construction services for the improvement of Mountain Place.

(b) Amend the FY 2000 Capital Improvement Program to include the Improvement of Mountain Place and approve a journal voucher to recognize receipt of and appropriate up to \$100,000 of Community Development Block Grant Funds from the Coalition for a Non-Violent City into new Budget Account No. 73119 for this project. (Contract No. 17,238; Journal Voucher No. 2000-65)

Mr. Jack Lidyard, Acting Director of Public Works and Transportation, summarized the agenda report and responded to questions.

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

Vice Mayor Streator returned at 9:05 p.m.

PROPOSED 'N SYNC CONCERT - JUNE 9, 2000

Recommendation of Rose Bowl Operating Company:

(a) Adopt the Mitigated Negative Declaration, Mitigation Monitoring Program and the de minimis finding of no impact on fish and wildlife prepared for the June 9, 2000 concert and two additional concerts in the year 2000 and of suspending the Noise Ordinance for the June 9, 2000 event. (The RBOC is seeking approval only for the June 9, 2000 event. If one or two more concerts become possible, the RBOC will have to first review and approve the proposal, as will the City Council).

(b) Make the required findings, pursuant to Arroyo Seco Ordinance Section 3.32.270, to authorize the presentation of a June 9 concert event and two additional concerts during the year 2000 to be held at the Rose Bowl as additional displacement events.

(c) Direct the City Attorney to prepare an ordinance to suspend Sections 9.36.220 (amplification sound regulations) and 9.36.230 (general noise sources) of the Pasadena Municipal Code from 12:00 p.m. to 5:00 p.m. on June 8, 2000 for a sound check, and 1:00 p.m. to 11:00 p.m. on June 9, 2000 for the presentation of this first concert.

(d) Authorize a license agreement with House of Blues Concerts or SFX Entertainment for the presentation of a concert featuring the pop group 'N Sync on Friday, June 9, 2000.

(e) Direct the City Clerk to file a Notice of Determination regarding the June 9, 2000 concert and two additional concerts for the year 2000. (Contract No. 17,311)

Mr. Darrell Dunn, General Manager, Rose Bowl, summarized the agenda report, and responded to questions.

Mr. Marion Schmitz, representing the Lincoln Howard Arroyo Freeway Neighborhood Association, commented on the negative impacts to the residents of loud concert noise, and stated Council suspended the Noise Ordinance too often.

Mr. Allen Dezon, Vice President of SFX Entertainment, responded to questions about sound checks and noise levels.

Following discussion, it was moved by Councilmember Little, seconded by Councilmember Crowfoot, to approve the Rose Bowl Operating Company's recommendation.

Councilmember Holden asked Council to consider amending the motion to request the promoter make available 1000 tickets for under privileged youth and for the promoter to make a special effort to identify job opportunities during the concert, if appropriate. He noted for the record, this is a city made up of a considerable number of people who don't necessarily make up the economic profile of the community, and we need to continue to remind those trying to do business with the City of this fact. Staff should be working with diligence and understanding to met this goal.

AMENDMENT TO MOTION

Councilmember Little offered to amend his motion to include that the promoter make a best effort to provide a minimum of 250, up to 1000 tickets, for distribution to underprivileged youth. This amendment was agreed to be the seconder.

Vote on motion, as amended:

AYES: Councilmembers Crowfoot, Haderlein, Holden, Little, Madison, Tyler, Vice Mayor Streator, Mayor Bogaard
NOES: None
ABSENT: None

ORDINANCE - ADOPTED

Adopt "AN ORDINANCE OF THE CITY OF PASADENA AMENDING VARIOUS SECTIONS OF TITLE 2 OF THE PASADENA MUNICIPAL CODE REGARDING THE NUMERICAL COMPOSITION OF ADVISORY BODIES AND INCORPORATING THE CURRENT DESIGNATIONS FOR THE CITY COUNCIL, MAYOR, AND VICE MAYOR" (Introduced by Councilmember Tyler) (Ordinance No. 6820)

The above ordinance was adopted by the following vote:

AYES: Councilmembers Crowfoot, Haderlein, Holden, Little, Madison, Tyler, Mayor Bogaard
NOES: Vice Mayor Streator
ABSENT: None

INFORMATION ITEM

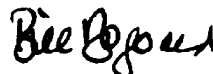
AFFIRMATIVE ACTION IN CONTRACTING ANNUAL REPORT - CALENDAR YEAR 1999

Recommendation of City Manager: The following annual report is for information only. Staff is not recommending any changes to the Affirmative Action in Contracting Ordinance at this time and the City Attorney's Office has advised that none are required.

Mr. Steve Mermell, Purchasing Administrator, summarized the agenda report, and responded to questions.

On order of the Mayor, this item was received and filed.

On order of the Mayor, the regular meeting of the City Council adjourned at 9:27 p.m.



Bill Bogaard
Mayor

ATTEST:



City Clerk
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