

CITY OF PASADENA
City Council Minutes
April 17, 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 Holden, Little)

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(a):**

**Name of Case: Arana/Banks v. City of Pasadena, U.S. District
Court Case No. CV-99-10174**

The above closed session was not discussed.

Councilmember Holden
arrived at 6:20 p.m.

**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 6:34 p.m.
The Pledge of Allegiance was led by Stephanie DeWolfe, Special
Assistant to the City Manager.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Joyce Streater
Councilmember William Crowfoot (Returned 6:50 p.m.)
Councilmember Steve Haderlein
Councilmember Chris Holden (Returned at 6:42 p.m.)
Councilmember Paul Little (Absent)
Councilmember Steve Madison
Councilmember Sidney F. Tyler, Jr.

Staff:

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

PUBLIC COMMENT

Mr. Roy Begley, Pasadena resident, commented on the new transit
service in the city of San Diego.

CONSENT CALENDAR

REHABILITATION OF THE LINDA VISTA AVENUE/ARROYO BOULEVARD TRUNK SEWER: AMENDMENT OF CONTRACT NO. 16,712 WITH CLARKE CONTRACTING CORPORATION FOR \$410,000

Recommendation of City Manager:

(a) Authorize the City Manager to execute an amendment to Contract No. 16,712 with Clarke Contracting Corporation for the rehabilitation of the Linda Vista Avenue/Arroyo Boulevard trunk sewer that will increase the contract "not to exceed" amount from \$680,000 to \$1,090,000 - an increase of \$410,000 - because of the need to put the line in a good state of repair so that it may be relinquished to County Sanitation District No. 2 of Los Angeles County.

(b) Approve a journal voucher appropriating \$345,000 in Sewer Funds to Budget Account 76523 (Linda Vista Avenue/Arroyo Boulevard Trunk Sewer). (Contract No. 16,712-1; Journal Voucher No. 2000-74)

FURNISHING, DELIVERY AND INSTALLATION OF A MAIL INSERTING SYSTEM

Recommendation of City Manager: Accept the bid dated March 21, 2000, submitted by Pitney Bowes Production Mail, in response to the specifications to furnish, deliver and install a mail inserting system and authorize the Purchasing Administrator to issue a purchase order not to exceed \$138,298.

REJECTION OF ALL BIDS FOR THE PURCHASE OF POLICE UNIFORMS AND PERSONAL EQUIPMENT

Recommendation of City Manager: Reject all bids to purchase police uniforms and personal property.

MINUTES APPROVED

February 7, 2000

CLAIMS RECEIVED AND FILED

Claim No. 8476	John Dukes	\$50,000.00+
Claim No. 8477	Roy Faison	Unknown

PUBLIC HEARINGS SET

May 1, 2000, 8:00 P.M. - Financing of Certain Public Capital Improvements Through the Pasadena Public Financing Authority

May 15, 2000, 8:00 P.M. - FY 2001 Operating Budget

It was moved by Councilmember Tyler, seconded by Vice Mayor Streater, to approve the Consent Calendar. (Motion unanimously carried) (Absent: Councilmembers Crowfoot, Holden, Little)

REPORTS AND COMMENTS FROM COUNCIL COMMITTEES D E R E G U L A T I O N COMMITTEE

Councilmember Holden returned at 6:42 p.m.

Councilmember Tyler, Chair of the Deregulation Committee, updated the Council on the Committee's recent discussions with the Utility Advisory Commission and its role and the role of the Deregulation Committee.

REPORTS FROM REPRESENTATIVES

Councilmember Crowfoot returned at 6:50 p.m.

Vice Mayor Streater stated at the last meeting of the Independent Cities Association, it was announced that the City of Los Angeles is considering implementing a 3-1-1 program as a general city information number, and asked the City Manager to look into the ramifications/impacts this would have on Pasadena, and report back to Council.

The City Manager indicated she would discuss this with the Police and Fire Chiefs, and bring something forward to Council.

Following discussion which focused on the need to look at an emergency number program on a regional basis, whether Los Angeles' proposal would cause all of L.A. County to be locked into a general 3-1-1 number, and re-routing 911 calls to our Police Department rather than the Highway Patrol, it was suggested by Vice Mayor Streater that we communicate our concerns to the City of Los Angeles and ask them to slow down and take our input into consideration before making a decision.

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

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

Councilmember Madison requested consideration of this item be postponed for one week to allow for full Council discussion. He also stated he has an appointment with the applicant this week to discuss some issues and concerns, and wanted time to do that.

The City Attorney noted the Municipal Code provides that consideration of a call for review must be agendized at the next regular meeting (which this is), and that the Code is silent as to any continuance. She strongly recommended, if there is a continuance, that it be no longer than one week to ensure the matter is considered promptly in determining whether or not to call it up for review.

The following individuals spoke in opposition to the call for review: Mr. Christopher Sutton, Attorney for the applicant, objected to any delay, noting it would violate the permit streamlining act, and requested the matter be decided tonight.

Mr. Stephen Dahl, Dahl Architects

Councilmember Madison indicated, for the record, his reasons for asking this matter be called for review stating he did not feel the four findings of fact (as presented in the agenda report) required for the approval of a conditional use permit had been met. He further noted the Board of Zoning Appeals approval was by a close vote of 3-2. He asked his colleagues to give him the courtesy of a one week delay since this project is in his district, to meet with the

applicant in hopes some of his issues may be resolved. He further stated, for the record, in discussions with the applicant's representative, it was noted the reason for requesting a meeting was to discuss the specifics of the project, not just policy issues, and to see how the applicant foresees the four findings being satisfied.

Mayor Bogaard stated the Council has two options: to acquiesce to Councilmember Madison's request or not; and if no action is taken by the Council, it was his understanding that the Board of Zoning Appeals' (BOZA) decision would stand.

Councilmembers Holden, Tyler, and Haderlein indicated they did not support Councilmember's Madison request, and stated the need to address the issues of the totality of alcohol licenses and cost recovery for police enforcement of alcohol-related incidents citywide and/or in Old Pasadena, on a broader policy level.

The City Manager stated the Council's Public Safety Committee has had preliminary discussions relating to these issues, and had asked for additional information on what other cities are doing. She indicated the matter would be coming back to the Committee at its first meeting in May.

Councilmember Crowfoot stated he was prepared to support Councilmember Madison's request for a one week delay, to give him the opportunity to meet with the applicant. He agreed to the need for a policy discussion on the broader issues noted above.

Following discussion, it was moved by Councilmember Madison, seconded by Councilmember Crowfoot, to continue this matter for one week.

AYES: Councilmembers Crowfoot, Madison
NOES: Councilmembers Haderlein, Holden, Tyler, Vice Mayor Streator, Mayor Bogaard
ABSENT: Councilmember Little
(Motion failed)

Councilmember Madison offered to go forward with his meeting with the applicant, noting there did not appear to be support from Councilmembers to call this matter up for review.

Additional discussion followed with respect to the need to review the Alcohol Density Overlay District in Old Pasadena, and make modifications, if needed; Mayor Bogaard stated he was confident City Council wants to look at this on a policy basis to decide whether our rules need to be tightened in some way to protect vitality, activity and safety of Old Pasadena.

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 7:45 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 8:05 p.m. (Absent: None)

ORDINANCE - FIRST READING

Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA REGULATING CABLE, VIDEO, AND TELECOMMUNICATIONS SERVICE PROVIDERS AND AMENDING TITLE 18 OF THE PASADENA MUNICIPAL CODE"

Mr. Robert Person, Assistant to the City Manager, distributed revised language to pages 18 and 19 of the ordinance, as follows: 18.04.050, Section G.1, add a third sentence to read "Grantee may impose only a nominal fee for voluntary termination or downgrade of service unless a visit to the subscriber's premises is required to remove a converter box or other equipment or property owned by Grantee". Section H, amend first sentence to read "Except as otherwise provided by federal law, subscribers must not be required to pay any additional fee or charge, other than the regular service fee and a nominal charge for change in service, in order to receive the services selected. Mr. Persons indicated the recommended changes were based on discussions with Charter Communications today.

Vice Mayor Streator voiced her opposition to charging a subscriber to downgrade their service.

Mr. Mel Matthews, representing Charter Communications, Inc., spoke in support of the proposed changes.

Following discussion, Mayor Bogaard suggested this should be part of the franchise negotiation discussions, and Councilmember Holden asked to have a closed session scheduled for this purpose.

The City Manager suggested Council not act on the ordinance this evening, and to allow staff to meet with Charter representatives again, regarding the proposed language revisions.

It was the consensus of the Council to hold this item to allow staff an opportunity for further discussions with Charter Communications representatives regarding the revised language.

PUBLIC COMMENT - CONTINUED

Mr. Raymond Dashner, Pasadena resident, noted that he and Pasadena resident, Roy Begley, had recently discovered an ancient escarpment in the Arroyo Seco.

On order of the Mayor, the regular meeting of the City Council adjourned at 8:32 p.m.



Bill Bogaard
Mayor

ATTEST:



City Clerk
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