

CITY OF PASADENA  
City Council Minutes  
January 8, 2001 - 5:30 P.M.  
City Hall Council Chamber

REGULAR MEETING

**OPENING:**

On order of the Mayor, the regular meeting of the City Council was called to order at 5:50 p.m. (Absent: Councilmembers Haderlein, Holden, Streater)

On order of the Mayor, the regular meeting of the City Council recessed at 5:50 p.m., to discuss the following closed session:

**CITY COUNCIL AND COMMISSION CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8**

**Property: 730, 738, 750, 756, 768, 770, 782 and 790 N. Fair Oaks Avenue, Pasadena**

**Negotiators: Richard Bruckner & Greg Robinson for City and Commission; Property owners Donald and Sally Follett, Thomas D. Scott, John Clay, James and Kathleen Ipekjian, Paul Gedigian Trust, Gordon Robinson, Chong Kim and Young Ho Under Negotiation: Price and terms**

The above closed session item was not discussed.

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

**Properties: 734 S. Raymond Avenue, 240 S. Raymond Avenue, and 3360 E. Foothill Boulevard, Pasadena**

**Negotiators: Richard Bruckner & Kirk Pelsler for City; Rick Thorpe for the Metropolitan Blue Line Authority**

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

**Name of Case: DeJong, et al. v. Rose Bowl Aquatics Center, City of Pasadena, et al., Case No. BC241315**

On order of the Mayor, the regular meeting of the City Council reconvened at 6:44 p.m. The Pledge of Allegiance was led by Mark Leon, Planning Commissioner.

**ROLL CALL:**

Councilmembers:

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

Staff:

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

**CEREMONIAL MATTERS**

The City Clerk administered the Oath of Office to Mark Leon as Planning Commissioner.

Mayor Bogaard announced the recent passing of former Mayor Walter L. Benedict, noting tonight's meeting would be adjourned in his memory.

**PUBLIC COMMENT**

Mr. Roy Begley, Pasadena resident, spoke regarding the recent power shortage and in support of nuclear power as an energy source.

Mr. Darryl Henriques, South Pasadena resident, spoke regarding the election of officers to the Rose Bowl Aquatics Center Board; the dismissal of his daughter from the swim team; the absence of a scholarship program; and requested Council find out why the Center has been able to use almost \$1 million in public funds.

Mr. David Fertig, Pasadena resident, spoke regarding the Rose Bowl Aquatics Center and alleged acts of racism at the Center, and urged the Council address these issues.

**CONSENT CALENDAR**

Discussed separately at the request of Councilmember Tyler

**AUTHORIZATION TO APPLY FOR DEMAND TREATMENT GRANT FUNDS AND FACILITATE IMPLEMENTATION OF A DEMAND TREATMENT PROJECT IN PASADENA**

**AUTHORIZATION FOR SUBMITTAL OF RENEWAL APPLICATION TO THE CALIFORNIA HEALTHY CITIES PROJECT AND ADOPTION OF A RESOLUTION FOR CONTINUED PARTICIPATION IN THE CALIFORNIA HEALTHY CITIES PROJECT FOR THE PERIOD JANUARY 1, 2001 THROUGH DECEMBER 31, 2001**

**Recommendation of City Manager:**

- (a) Adopt a resolution supporting continued participation in the California Healthy Cities for the period January 1, 2001 through December 31, 2001; and
- (b) Authorize the City Manager to execute an agreement with California Healthy Cities and Communities to continue participation

in the California Healthy Cities Project and execute a license agreement for the use of the program logo and related materials. (Resolution No. 7959; Contract Nos. 17,516, & 17,517)

Discussed separately at the request of Councilmember Tyler

**AUTHORIZATION TO APPLY FOR A GRANT AND A LOAN FROM THE STATE OF CALIFORNIA ENERGY COMMISSION FOR THE TRAFFIC SIGNAL LAMP CONVERSION AND TO ENTER INTO CONTRACTS AS NECESSARY**

**AUTHORIZATION TO ENTER INTO A CONTRACT WITH PERRY C. THOMAS CONSTRUCTION, INC., TO PROVIDE LABOR AND MATERIALS FOR WELL 58 PUMPING PLANT CONSTRUCTION FOR THE WATER AND POWER DEPARTMENT, SPECIFICATION WD-99-02**

**Recommendation of City Manager:**

- (a) Accept the bid dated December 19, 2000, submitted by Perry C. Thomas Construction, Inc., in response to Specification WD-99-02 for providing labor and materials for Well 58 Pumping Plant Construction for Pasadena Water and Power;
- (b) Reject all other bids; and
- (c) Authorize the General Manager of the Water and Power Department to enter into such contract, not to exceed \$502,696.70, as is required. (Contract No. 17,518)

**AUTHORIZATION TO ENTER INTO A CONTRACT WITH SPINIELLO COMPANIES TO CLEAN AND CEMENT-MORTAR LINE CAST IRON WATER MAINS FOR THE PASADENA WATER AND POWER DEPARTMENT, SPECIFICATION WD-99-01**

**Recommendation of City Manager:**

- (a) Accept the bid dated December 6, 2000, submitted by Spiniello Companies in response to Specification WD-99-01 for providing labor and materials to clean and cement-mortar line cast iron water mains in place;
- (b) Reject all other bids; and
- (c) Authorize the General Manager of the Water and Power Department to enter into a contract for an amount not to exceed \$277,747. (Contract No. 17,519)

Discussed separately at the request of Councilmember Little

**AUTHORIZATION TO ISSUE A PURCHASE ORDER NOT TO EXCEED THE AMOUNT OF \$180,000 TO RECYCLE STREET SWEEPINGS AND BULKY ITEMS FOR FISCAL YEAR 2001 WITH AN OPTION TO RENEW IT FOR FISCAL YEAR 2002**

**AUTHORIZATION TO EXECUTE A ONE-YEAR CONTRACT EXTENSION WITH COMMUNITY ACTION EAP, A NON-PROFIT ORGANIZATION, TO CONTINUE OPERATING THE CITY'S EMPLOYEE ASSISTANCE PROGRAM**

**Recommendation of City Manager:**

- (a) Authorize the City Manager to execute a one-year extension of the City's contract with Community Action EAP without

competitive bidding, pursuant to City Charter Section 1002(F), contracts for professional or unique services, to continue operating the City's Employee Assistance Program (EAP) for an amount not to exceed \$42,000.

(b) Grant the proposed extension 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. 16,570-3)

**APPROVAL OF A RESOLUTION OF THE CITY OF PASADENA IMPLEMENTING PASADENA CITY CHARTER SECTION 1509.15 SERVICE RETIREMENT: RETIREMENT ALLOWANCE SUBSECTION (B)**

**Recommendation of City Manager:** Adopt a resolution implementing Pasadena City Charter Section 1509.15(B) regarding the City's Fire and Police Retirement System. (Resolution No. 7960)

**APPROVAL OF A SETTLEMENT AGREEMENT BETWEEN THE CITY OF PASADENA, PASADENA PLAYHOUSE STATE THEATRE, PASADENA PLAYHOUSE ASSOCIATES, AND OTHER RELATED PARTIES**

**Recommendation of City Manager:** It is recommended that the City Council approve a Settlement Agreement between the City of Pasadena, Pasadena Playhouse State Theatre (PPST), Pasadena Playhouse Associates (PPA), and other related parties and authorize the City Manager to sign said Agreement. (Contract No. 17,520)

Ms. Lyla L. White, Pasadena Playhouse, spoke in support of this item, and thanked the Council and staff for their help and support in getting settlement agreement signed.

**REVISION OF LIST OF DESIGNATED CITY OFFICIALS AND EMPLOYEES REQUIRED TO FILE CONFLICT OF INTEREST STATEMENTS**

**Recommendation of City Attorney:** Adopt a resolution updating those who will be required to file conflict of interest statements. These revisions reflect changes in positions, titles and duties which have occurred since the last revision in December, 1998. (Resolution No. 7961)

**APPROVAL OF MINUTES**

September 23, 2000 (Special)  
October 30, 2000

**CLAIMS RECEIVED AND FILED**

Claim No. 8669	Lillian Wilbert	\$	233.00
Claim No. 8670	Jennifer Ann Zago		Unknown
Claim No. 8671	Teadle Design		270.00
Claim No. 8672	Hsiao Pang Zee		1,073.53
Claim No. 8673	Chuck Thompson		Unknown

Claim No. 8674 Elissa A. Lopez 915.66  
Claim No. 8675 Kevin O'Callaghan 186.00

It was moved by Councilmember Little, seconded by Councilmember Tyler, to approve the Consent Calendar, except Item 1 (Authorization to apply for Demand Treatment Grant Funds), Item 3 (Authorization to apply for Grant and Loan from State of California Energy Commission) and Item 6 (Authorization to issue a Purchase Order to Recycle Street Sweeping and Bulky Items), which items were voted on separately. (Motion unanimously carried) (Absent: Councilmembers Haderlein, Holden, Streator)

**CONSENT ITEMS**  
**DISCUSSED SEPARATELY**

**AUTHORIZATION TO APPLY FOR DEMAND TREATMENT GRANT FUNDS AND FACILITATE IMPLEMENTATION OF A DEMAND TREATMENT PROJECT IN PASADENA**

**Recommendation of City Manager:**

- (a) Adopt a resolution authorizing submittal of a grant application to Join Together for Pasadena to implement a *Demand Treatment!* project; and
- (b) Authorize submittal of a letter of commitment from the Mayor for the application. (Resolution No. 7962)

Ms. Wilma Allen, Director of Public Health, responded to questions from Councilmember Tyler regarding incremental costs in carrying out this project.

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

**AUTHORIZATION TO APPLY FOR A GRANT AND A LOAN FROM THE STATE OF CALIFORNIA ENERGY COMMISSION FOR THE TRAFFIC SIGNAL LAMP CONVERSION AND TO ENTER INTO CONTRACTS AS NECESSARY**

**Recommendation of City Manager:**

- (a) Adopt a resolution approving the filing of grant and loan applications for funds to replace incandescent traffic signal lamps with energy efficient light emitting diodes (LEDs).
- (b) Authorize the Purchasing Administrator to issue a purchase order in the amount not to exceed \$135,000 to Synchronex to provide LEDs for the subject project. Competitive bidding is not required pursuant to City Charter Section 1002(H), contracts with other governmental entities or their contractors.
- (c) Grant the proposed contract with Synchronex an exemption from the competitive selection process of the Affirmative Action in Contracting Ordinance pursuant to Pasadena Municipal Code Section 4.09.060, contracts for which the City's best interests are served.
- (d) Amend the FY 2001 Capital Improvement Program to include this new project, Traffic Signal Indication Energy Conservation. (Resolution No. 7963; Contract No. 17,531)

Councilmember Tyler clarified that this item is authorizing the City Council to take out a loan from the State that will be repaid by a grant from the State and partly repaid by the energy savings from the LEDs (light emitting diodes) for years one and two, so it nets out at \$152,000.

The City Manager responded that staff would continue to budget for energy costs as if they were what they are today and use the savings to pay off the loan because there will be significant savings in what the actual cost for energy will be.

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

**AUTHORIZATION TO ISSUE A PURCHASE ORDER NOT TO EXCEED THE AMOUNT OF \$180,000 TO RECYCLE STREET SWEEPINGS AND BULKY ITEMS FOR FISCAL YEAR 2001 WITH AN OPTION TO RENEW IT FOR FISCAL YEAR 2002**

**Recommendation of City Manager:**

(a) Authorize the Purchasing Administrator to issue a purchase order not to exceed the amount of \$180,000 to Community Recycling and Resource Recovery to recycle street sweepings and bulky items for a period of one year with an option to renew it for an additional year provided that prices, terms and conditions remain the same.

(b) Grant this contract a partial exemption (vendor outreach only) from 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. The proposed contract is exempt from competitive bidding pursuant to City Charter Section 1002(H), contracts with other governmental entities or their contractors for labor, material, supplies, or services.

In response to Councilmember Little, the City Manager stated staff will explore, with the City Attorney, the possibility of including a provision in the franchise agreements which would impose penalties on waste haulers who do not have a recycling program.

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

**INFORMATION ITEM**

**UPDATE ON ELECTRIC POWER COSTS, PUBLIC UTILITY COMMISSION (PUC) ACTION, GOVERNOR'S ANNOUNCED POWER PLAN, AND THE IMPACT ON PASADENA CUSTOMERS**

Interim General Manager William McCarley provided a briefing to the Council on the latest actions by the Governor, State legislature

and federal government with respect to the power crisis in California, how this impacts Pasadena's utility customers, and responded to questions.

Mr. McCarley indicated that prior Council decisions with respect to deregulation have worked to the advantage of our ratepayers and that the utility has a good reserve established which will allow Council to take a look at the various opportunities outlined in a resource plan which will be presented by staff in the near future. He cautioned Council against taking an precipitous action until this crisis situation plays out (at the minimum 2-3 years from now); to maintain reserves; maintain the utility's physical assets; to monitor the legislature closely and track any legislation that may cause the loss of local control.

Vice Mayor Crowfoot noted it would be important for the Council, at some point, to discuss what instructions are given to the City's lobbyists in Sacramento and Washington, D.C., regarding this issue.

**REPORTS AND  
COMMENTS FROM  
COUNCIL COMMITTEES**

**FINANCE COMMITTEE**

**AMENDMENT TO THE CONTRACT BETWEEN THE CITY OF PASADENA AND MBIA MUNISERVICES AND AUTHORIZATION TO AMEND THE CITY'S UTILITY USER TAX ORDINANCE**

Councilmember Tyler recused himself because of a conflict of interest. This item was held, due to a lack of a quorum.

**FY 2000 ANNUAL FINANCIAL REPORTS**

**Recommendation of City Manager:** It is recommended that the following audited reports for the year ending June 30, 2000 be received by the City Council:

- Comprehensive Annual Financial Report
- Single Audit Reports
- Pasadena Community Development Commission Annual Financial Report
- Pasadena Center Operating Company Annual Financial Statements
- Pasadena Fire and Police Retirement System Report on Audited Financial Statements and Required Supplemental Information
- Independent Auditors' Report on the Internal Control Over Financial Reporting Based on an Audit of the City of Pasadena General Purpose Financial Statements
- Independent Auditor's Report for Article XIIB Appropriations Limitation Verification
- Auditor's Management Letter

Councilmember Little, Chair of the Finance Committee, introduced this item.

Mr. Jay Goldstone, Director of Finance, summarized the agenda report, introduced KPMG auditors Ms. Peggy McBride and Ms. Elisa Stillwell, and responded to questions.

It was moved by Councilmember Little, seconded by Councilmember Tyler, to receive and file the FY 2000 Annual Financial Reports. (Motion unanimously carried) (Absent: Councilmembers Haderlein, Holden, Streater)

**RECOMMENDATIONS  
FROM OFFICERS AND  
DEPARTMENTS**

**APPOINTMENT OF THOMAS SIEFERT TO THE SANTA MONICA MOUNTAINS CONSERVANCY ADVISORY COMMITTEE** (Council Appointment/District 6 Recommendation)

At the request of Councilmember Little, the above item was held to the next scheduled Council meeting.

**APPOINTMENT OF RANDY SHULMAN TO THE CULTURAL HERITAGE COMMISSION** (At-large Appointment/District 7 Recommendation)

**APPOINTMENT OF DAVID R. GOODRICH TO THE 457 TRUST ADMINISTRATOR COMMITTEE** (Council Appointment/District 4 Recommendation)

**APPOINTMENT OF MERRILEE FELLOWS TO THE PLANNING COMMISSION** (District 6 Appointment)

It was moved by Councilmember Madison, seconded by Councilmember Tyler, to approve the above three appointments. (Motion unanimously carried) (Absent: Councilmembers Haderlein, Holden, Streater)

**EXTENSION OF CONTRACT WITH NATURAL BUILDING MAINTENANCE (NBM) CORPORATION FOR CITYWIDE HOUSEKEEPING SERVICES**

**Recommendation of City Manager:** Authorize the City Manager to extend Contract No. 16,544 with Natural Building Maintenance (NBM) Corporation for a period of six months with inclusion of the Living Wage Ordinance, pending negotiations between the Contractor and their employee labor union. (Contract No. 16,544-1)

The City Manager summarized the agenda report and responded to questions.

It was moved by Councilmember Tyler, seconded by Councilmember Madison, to approve the City Manager's recommendation, with the understanding that staff will do no re-bidding before bringing this back to Council. (Motion unanimously carried) (Absent: Councilmembers Haderlein, Holden, Streater)

**CALTRANS FUNDING FOR REHABILITATION AND RENOVATION OF PROPERTIES ALONG THE PROPOSED 710 FREEWAY ROUTE**

**Recommendation of City Manager:** It is recommended that the City Council take a position in support of the appropriation of additional State funding for continued renovation of the historic Caltrans properties along the proposed 710 Freeway route.

Councilmember Madison recused himself for a potential conflict of interest. No action was taken on this item due to a lack of a quorum.

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 9:06 p.m., to the Community Development Commission.

RECONVENE

On order of the Mayor, the regular meeting of the City Council reconvened at 9:07 p.m. (Absent: Councilmembers Haderlein, Holden, Streator)

**ORDINANCES - ADOPTED**

**Adopt "AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17 OF THE PASADENA MUNICIPAL CODE, THE REVISED ZONING CODE, TO IMPLEMENT AMENDMENTS REGARDING FILMING"** (Introduced by Councilmember Little) (Ordinance No. 6849)

The above ordinance was adopted by the following vote:

AYES: Councilmembers Little, Madison, Tyler, Vice Mayor Crowfoot, Mayor Bogaard

NOES: None

ABSENT: Councilmembers Haderlein, Holden, Streator

**Adopt "AN ORDINANCE OF THE CITY OF PASADENA TO DISESTABLISH THE OLD PASADENA BUSINESS IMPROVEMENT DISTRICT"** (Introduced by Councilmember Little) (Ordinance No. 6848)

The above ordinance was adopted by the following vote:

AYES: Councilmembers Little, Madison, Tyler, Vice Mayor Crowfoot, Mayor Bogaard

NOES: None

ABSENT: Councilmembers Haderlein, Holden, Streator

**PUBLIC COMMENT - CONTINUED**

The City Attorney opined the following individuals could address the Council, under public comment, as an item not on the Council agenda.

Mr. Chris Sutton, representing Historic Property Tenants Association, spoke regarding the rehabilitation of properties owned by Caltrans.

Ms. Lyn Miller, Historic Property Tenants Association member, echoed comments made by Mr. Sutton.

Mr. E. C. Cox, Historic Property Tenants Association member, noted his house has not been rehabilitated.

Mr. Lloyd Allan Roth, Historic Property Tenants Association member, noted the vacant homes need to be rented/occupied.

Mr. David Arnay, Pasadena resident, distributed and referred to a report by the California State Auditor dated December 2000, detailing the funding issue with respect to the Caltrans-owned properties.

Ms. Sue Mossman, Executive Director of Pasadena Heritage, submitted a letter requesting Council send a representative to the California Transportation Committee meeting on January 18, 2001, to comment on the housing along the 710 freeway route.

RECESS

On order of the Mayor, the regular meeting of the City Council recessed to a closed session, at 9:39 p.m., with a moment of silence in memory of former Mayor Walter L. Benedict.

**CLOSED SESSION**

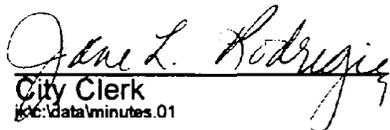
**CITY COUNCIL CONFERENCE WITH REAL PROPERTY NEGOTIATORS** pursuant to Government Code Section 54956.8  
**Properties:** 734 S. Raymond Avenue, 240 S. Raymond Avenue, and 3360 E. Foothill Boulevard, Pasadena  
**Negotiators:** Richard Bruckner & Kirk Pelsler for City; Rick Thorpe for the Metropolitan Blue Line Authority

The regular meeting of the City Council adjourned at 10:16 p.m.



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Bill Bogaard, Mayor  
City of Pasadena

ATTEST:



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Jane L. Rodriguez  
City Clerk  
jcc:data\minutes.01