

CITY OF PASADENA
City Council Minutes
March 26, 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 5:30 p.m. (Absent: Councilmember Streator)

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

CITY COUNCIL CONFERENCE REGARDING PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code 54957:
Title: City Clerk

CITY COUNCIL CONFERENCE REGARDING PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code 54957:
Title: City Attorney

On order of the Mayor, the regular meeting of the City Council reconvened at 6:48 p.m. The Pledge of Allegiance was led by Reverend Mark Smutny

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Bill Crowfoot (Returned at 6:52 p.m.)
Councilmember Steve Haderlein (Returned at 6:55 p.m.)
Councilmember Chris Holden
Councilmember Paul Little
Councilmember Steve Madison
Councilmember Joyce Streator (Absent)
Councilmember Sidney F. Tyler, Jr.

Staff:

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

ANNOUNCEMENT -
CONTINUED PUBLIC
HEARING

Mayor Bogaard announced that the public hearing pertaining to the Raymond Theater (Variance No. 11319) would be continued to the meeting of May 14, 2001, at 8:00 p.m., at the request of the applicant to allow all possible alternatives to be explored.

PUBLIC COMMENT

The City Manager introduced Ms. Karyn Ezell as the new Director of Human Resources.

Mr. Ron Woodford, Pasadena resident, distributed copies of a letter from the City Manager dated August 20, 1998, regarding the Police firing range.

The City Manager clarified that she would encourage staff and the public to work together; and she apologized to Mr. Woodford for any misunderstandings.

Mr. Roy Begley, Pasadena resident, spoke regarding nuclear power.

MR. GARY S. GONZALEZ REGARDING REQUEST FOR A WAIVER OF PASADENA MUNICIPAL CODE 9.36.220 - AMPLIFIED SOUND FOR WEDDING CEREMONY AND RECEPTION ON APRIL 14, 2001

Mayor Bogaard noted that Mr. Gonzalez withdrew his request to speak.

OLD BUSINESS

ESTABLISHMENT OF THE PLAYHOUSE DISTRICT ASSOCIATION PROPERTY AND BUSINESS IMPROVEMENT DISTRICT (PBID)

Recommendation of City Manager: Adopt a resolution of intention to establish the Pasadena Playhouse District Property and Business Improvement District (Attachment No. 1 of the agenda report). (Resolution No. 7987)

Vice Mayor Crowfoot, Chair of the Business Enterprise Committee, provided a brief overview of the discussions of the Committee; and the improvements and benefits the project would provide for the City.

Councilmember Tyler noted that it would have been helpful to see in the agenda report, the historical financial assistance that the City has provided to the Playhouse District. In addition, he requested that in the future, when a property-based business improvement district comes forward, that it include the expectations; and when developments succeed beyond expectation, consideration be given to returning the assistance provided.

Mr. Begley, Pasadena resident, spoke in opposition to the PBID.

Rev. Mark Smutny, Pasadena Presbyterian Church, expressed his appreciation to Council for their support and spoke in support.

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

SECOND QUARTER FY 2001 INTERNAL AUDIT REPORTS

Recommendation of City Manager: It is recommended that the following reports for the second quarter of fiscal year ending June 30, 2001 be received by the City Council:

- Rose Bowl Operating Company (RBOC) Audit Report
- Petty Cash Internal Audit Report

Vice Mayor Crowfoot was excused at 7:22 p.m.

Mr. Jay Goldstone, Director of Finance, introduced Marianne Valmonte, Senior Internal Auditor. He indicated that the staff was presenting the audit reports and quarterly reports would be submitted to Council in the near future.

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

CONSENT CALENDAR

PURCHASE OF ONE 16-FOOT STEP VAN/UNDERGROUND OIL VAN; TWO 16-FOOT STEP VANS WITH SPLIT SHAFT AIR COMPRESSORS; AND TWO 14-FOOT STEP VANS WITH UNDERGROUND SPLICERS

Recommendation of City Manager:

(a) Accept the bids dated December 13, 2000, December 19, 2000, and December 20, 2000 submitted by Los Angeles Freightliner, Inc. in response to Specifications for the Purchase of a Total of Five Specialized Step Vans for the Water and Power Department, and

(b) Authorize the Purchasing Administrator to issue a purchase order contract to Los Angeles Freightliner, Inc. in an amount not to exceed \$331,191.

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER CONTRACT WITH AVENTIS PASTEUR TO ACQUIRE VACCINES FOR TRAVEL AND RABIES IMMUNIZATIONS

Recommendation of City Manager:

(a) Authorize the Purchasing Administrator to issue a purchase order contract to Aventis Pasteur for FY 2001 in an amount not to exceed \$120,000 for the purchase of travel and rabies immunizations;

(b) Authorize the Purchasing Administrator to issue purchase order contracts for a period of up to three additional one-year periods in the amounts not to exceed \$250,000 per year, for the purchase of additional travel and rabies immunizations.

(c) Grant an exemption from the vendor selection process of the Affirmative Action in Contracting Ordinance, pursuant to Pasadena Municipal Code Section 4.09.060(B), contracts for materials and

supplies available from a sole source. Competitive bidding is not required pursuant to City Charter Section 1002(C), contracts for labor, materials, supplies or services available from only one vendor.

Discussed separately at the request of Councilmember Haderlein

AUTHORIZATION TO ENTER INTO CONTRACT WITH RRM DESIGN GROUP TO PROVIDE PROFESSIONAL CONSULTING SERVICES FOR THE EAST COLORADO BOULEVARD SPECIFIC PLAN

MINUTES APPROVED

January 29, 2001 (Special)

CLAIMS RECEIVED AND FILED

Claim No. 8728	Esther Gonzales Pozos/ Auto Club of So. California	\$ 1,048.76
Claim No. 8729	Amy Lee Nelson	825.00+
Claim No. 8730	Gael S. Pullen	Unknown
Claim No. 8731	Margie Brown, Alton McGhee, Angie Robins & Lucas Gladden	Unknown
Claim No. 8732	Sempra Energy	101.69
Claim No. 8733	Peter Papas dba Colorado Square	5,000.00

PUBLIC HEARING SET

May 14, 2001, 8:00 p.m. - Establishment of the Playhouse District Association Property-based Business Improvement District and the Levy and Collection of Assessments for Fiscal Year 2001-02

It was moved by Councilmember Little, seconded by Councilmember Tyler, to approve the Consent Calendar with the exception of Item 4 (Contract with RRM Design Group). (Motion unanimously carried) (Absent: Councilmember Streator, Vice Mayor Crowfoot)

**CONSENT ITEM
DISCUSSED
SEPARATELY**

AUTHORIZATION TO ENTER INTO CONTRACT WITH RRM DESIGN GROUP TO PROVIDE PROFESSIONAL CONSULTING SERVICES FOR THE EAST COLORADO BOULEVARD SPECIFIC PLAN

Vice Mayor Crowfoot returned at 7:24 p.m.

Recommendation of City Manager: Authorize the City Manager to execute a contract with RRM Design Group for an amount not to exceed \$126,500 to provide consulting services for the East Colorado Boulevard Specific Plan. (Contract No. 17,557)

Councilmember Haderlein expressed the positive attributes of the Blue Line station at Sierra Madre Villa, the growth and success in the high tech industry in East Pasadena; and he noted that the Specific Plan should take into consideration the conversion to the Research and Development uses. He further commented that the Blue Line was located slightly outside the planned area, however, integration into the area would have a positive affect.

Councilmember Little requested a list of the Coordinating Committee members. The City Manager stated she would provide the list to the Council.

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

PUBLIC HEARING

PUBLIC HEARING: CALL FOR REVIEW OF VARIANCE NO. 11319, THE RAYMOND THEATER AT 121-129 NORTH RAYMOND AVENUE

On order of the Mayor, the public hearing was continued to May 14, 2001, 8:00 p.m., at the request of the applicant.

REPORTS AND COMMENTS FROM COUNCIL COMMITTEES/ INFORMATION ITEM

DEREGULATION COMMITTEE

AUTHORIZATION TO ENTER INTO NEGOTIATIONS WITH THE CALIFORNIA INDEPENDENT SYSTEM OPERATOR (ISO) TO MITIGATE ISO-IMPOSED ROLLING BLACKOUTS

Recommendation of City Manager: It is recommended that the City Council authorize the General Manager to negotiate revisions to contracts with the ISO to mitigate ISO-imposed rolling blackouts.

UPDATE ON ELECTRIC POWER ISSUES AND THE IMPACT ON PASADENA CUSTOMERS (Oral report)

The above two items were discussed concurrently.

Councilmember Tyler reminded Council that ISO was the City's coordinator that provided backup generation for emergency services; and that the City had generated substantial revenues from their services. He further reported two current problems: 1) payment had not been received for a substantial portion of the recently generated revenues; and 2) the blackouts that had occurred recently were due to a required "shed load" rather than an inadequate amount of power for the area. He further advised Council that the Committee would revisit the existing agreement and take additional steps to possibly renegotiate portions of the agreements to better protect the City.

The City Manager briefed Council of the actions that caused the recent rolling blackouts and indicated that staff would be requesting direction from Council to develop strategies to better protect the City's energy supply.

Mr. Jay Panzica, Interim General Manager, explained the issues pertaining to balancing costs versus the quality of electricity; and the diversification of local control and ownership as a separate entity versus cooperation and working with other utility agencies.

Mr. Eric Klinkner, Director of Power Supply, provided an overview

of the benefits of cooperating and sharing resources and reserves, and described the circumstances surrounding the recent blackouts.

Discussion ensued concerning debts owed for power; the strategy concerning the collection of debts and interest charges; whether interest is being charged on the \$13 million owed the City; the need to recover legal costs if litigation pursued; and provisions to cancel for non-payment. The Council requested a closed session regarding options, litigation, and a review of current contracts as it pertained to the energy issues.

Councilmember Madison requested staff provide an executive summary on the web page to ensure the public was well informed concerning energy issues. The City Manager indicated that a letter would be distributed to the press and staff would also place it on the web site.

Councilmember Holden commented that it was important to notify beyond newspaper ads and suggested public outreach meetings.

Mr. Alfred Gerrie, Pasadena resident, emphasized the need for urgency in finding a solution to the energy crisis.

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

AUTHORIZATION TO ENTER INTO A PLANNING AGREEMENT WITH THE SOUTHERN CALIFORNIA PUBLIC POWER AUTHORITY FOR THE MAGNOLIA POWER PROJECT

Recommendation of City Manager:

(a) It is recommended that the City Council authorize the General Manager of Pasadena Water and Power (PWP) to enter into a planning agreement (Agreement) with the Southern California Public Power Authority (SCPPA) for up to an 8% share of the Magnolia Power Project (Project). The Project and Agreement are further described in Attachments I and II of the agenda report.

Execution of this Agreement will:

- Obligate Pasadena to fund a pro-rata share of the planning and permitting costs for the project, with Pasadena's share ranging up to \$400,000; and
- Preserve PWP's option to participate in the Project, but does not obligate PWP beyond the Planning and Permitting Phase.

(b) It is further recommended that the City Council appropriate \$400,000 from unappropriated Light and Power Fund to CIP Account No. 3156 to fund the expenses associated with the Planning and Permitting Phase of the Project. (Contract No. 17,558, Journal Voucher No. 2001-79)

Councilmember Holden was excused at 8:47 p.m.

Vice Mayor Crowfoot was excused at 8:51 p.m.

Councilmember Tyler, Deregulation Committee Chair, and the City Manager briefly reviewed the agenda report and responded to questions.

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

Mayor Bogaard requested that the Deregulation Committee be apprised of staff's strategies as to the process and progress during the next six months; even if it did not require discretionary decisions by the Committee and/or City Council.

**PUBLIC SAFETY
COMMITTEE**

Vice Mayor Crowfoot
returned at 8:57 p.m.

Councilmember Holden
returned at 9:02 p.m.

**APPROVAL OF FUNDING AND POSITIONS FOR A PARK
RANGER PROGRAM AND EXPANSION OF AFTER SCHOOL
RECREATION PROGRAMS**

Recommendation of City Manager:

(a) Approve the addition of six full-time Community Service Officer II positions and one Sergeant position in the Police Department for FY 2002 budget;

(b) Approve the addition of .69 Recreation Leader and .228 Site Coordinator positions in the Human Services, Recreation and Neighborhoods Department for FY 2002 budget.

Councilmember Haderlein provided an overview of the Public Safety Committee recommendation and Patsy Lane, Director Human Services, Recreation and Neighborhoods responded to questions concerning the proposed program.

Councilmember Tyler and Holden expressed concerns regarding approving the proposal prior to the review of the overall budget.

The City Manager clarified the issues regarding the recommendation and indicated that the item was brought before the Council to approve the positions in order to begin the recruitment process prior to the summer months and emphasized that no appropriation of funds was being requested currently, however, appropriate funding would be requested when the FY 2002 budget was presented to Council for action.

Councilmember Little requested staff to consider implementing the programs at areas that did not require extensive transportation such as Madison, Washington, and Cleveland schools and encouraged staff to ensure the programs were accessible to the children in the community that needed it most.

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

**RECOMMENDATIONS
FROM OFFICERS AND
DEPARTMENT**

**MODIFICATIONS TO THE CITY'S NON-EXCLUSIVE POLICE
TOWING FRANCHISE SYSTEM, PASADENA MUNICIPAL CODE
CHAPTER 10.46**

Recommendation of City Manager: Direct the City Attorney to prepare modifications to the non-exclusive police towing franchise system, Pasadena Municipal Code Chapter 10.46, which will:

- (1) Clarify the procedure for the award of non-exclusive police towing franchises;
- (2) Allow for the automatic renewal of police towing franchises on an annual basis without the requirement of submitting a new application for up to five years;
- (3) Establish an administrative mechanism for suspension of a franchise if a franchisee is not current in franchise fee payments owed the City.

The City Manager and Jay Goldstone, Director of Finance provided an overview of the report and recommendation.

Mr. William Annabe, 1539 Lincoln Avenue, spoke in opposition and he requested a meeting with staff regarding the criteria.

The City Manager offered to provide Mr. Annabe the criteria.

It was moved by Councilmember Tyler, seconded by Councilmember Little, to approve the City Manager's recommendation with the modification to Recommendation (3) as follows: "Establish an administrative mechanism for suspension or termination of a franchise, if a franchise is not current in franchise fee payments owed the City." (Motion unanimously carried) (Absent: Councilmember Streator)

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 9:40 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 9:42 p.m. (Absent: Councilmember Streator)

**ORDINANCES - FIRST
READING**

Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA AMENDING THE LIGHT AND POWER RATE ORDINANCE, CHAPTERS 13.04.095(C), 13.04.096, AND 13.04.170 OF THE PASADENA MUNICIPAL CODE TO REPLACE THE ENERGY COST ADJUSTMENT CHARGE (ECAC) AND DIRECT ACCESS ENERGY CREDIT (DEAC) WITH THE FOLLOWING CHARGES: ENERGY CHARGE; TRANSMISSION ACCESS CHARGE (TAC); AND DIRECT ACCESS TRANSITION CHARGE (DATC)"

On order of the Mayor, the ordinance was referred to the Deregulation Committee for further review.

Conduct first reading of "AN UNCODIFIED ORDINANCE OF THE CITY OF PASADENA SUSPENDING SECTIONS 9.36.220 AND 9.36.230 OF THE PASADENA MUNICIPAL CODE RELATING TO LIMITATIONS ON HOURS OF OPERATION OF AMPLIFIED SOUND AND NOISE SOURCES FOR SPECIFIED HOURS AT THE ROSE BOWL ON JULY 23, 24, AND 25, 2001" ('N SYNC CONCERTS)

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

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

NOES: None

ABSENT: Councilmember Streator

Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA SUSPENDING SECTIONS 9.36.220 AND 9.36.230 OF THE PASADENA MUNICIPAL CODE RELATING TO LIMITATIONS ON HOURS OF OPERATION OF AMPLIFIED SOUND AND NOISE SOURCES FOR A PERMITTED EVENT AT VICTORY PARK FOR SPECIFIED HOURS ON SUNDAY, APRIL 15, 2001"

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

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

NOES: None

ABSENT: Councilmember Streator

On order of the Mayor, the regular meeting of the City Council adjourned at 9:44 p.m.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



Jane Rodriguez
City Clerk

sjc:\data\minutes.01\mar26.wpd