

CITY OF PASADENA
City Council Minutes
August 13, 2001 - 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 5:45 p.m.
(Absent: Councilmembers Madison, Streater)

On order of the Mayor, the regular meeting recessed at 5:45 p.m.,
to discuss the following closed sessions:

**CITY COUNCIL CONFERENCE WITH REAL PROPERTY
NEGOTIATORS** pursuant to Government Code Section 54956.8
Property: All public right-of-way, public service easements, and
public utility easements within corporate boundaries of the City
of Pasadena

City Negotiator: John Pratt for the City of Pasadena

Negotiating Party: Altrio Communications, Inc.

Under Negotiation: Terms of Franchise Agreement relating to
rights-of-way, public utility easements and public service
easements

CITY COUNCIL CONFERENCE WITH REAL PROPERTY
Property: Former railroad right-of-way along Walnut Avenue
commencing at the Foothill/Walnut split and proceeding east
to Sunnyslope

City Negotiators: Richard Bruckner and Eric Duyshart for City
of Pasadena

Negotiating Party: Los Angeles to Pasadena Blue Line
Construction Authority

Under Negotiation: Price and terms of acquisition

On order of the Mayor, the regular meeting reconvened at 6:40 p.m.
The Pledge of Allegiance was led by Vice Mayor Little.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Paul Little
Councilmember Victor Gordo (Returned at 6:50 p.m.)
Councilmember Steve Haderlein
Councilmember Chris Holden
Councilmember Steve Madison (Arrived 7:21 p.m.)
Councilmember Joyce Streater (Absent)
Councilmember Sidney F. Tyler, Jr.

Staff:

City Manager Cynthia J. Kurtz
Assistant City Attorney Nicholas G. Rodriguez
City Clerk Jane L. Rodriguez

CEREMONIAL MATTERS

The City Clerk administered the oath of office to Ms. Rene Morgan Hampton as Cultural Heritage Commissioner.

Public Information Officer Ann Erdman gave recognition to volunteers who have staffed the City's Information Booth over the last five years, and presented certificates of appreciation to the volunteers.

PUBLIC COMMENT

Councilmember Gordo returned at 6:50 p.m.

Mr. Roy Begley, Pasadena resident, spoke regarding City Hall seismic funding.

Mr. Steve Lipira, Pasadena resident, expressed concerns that he had tried to call the Police Department's non-emergency phone number to report a residential party out of control, and repeatedly received a busy signal. He questioned whether the Police Department's non-emergency phone system is capable of carrying the load of non-emergency calls.

At the request of Councilmember Haderlein, the matter was referred to the upcoming Public Safety Committee meeting on September 17, 2001, to address the issue.

OLD BUSINESS

APPROVAL OF MASTER COOPERATIVE AGREEMENT WITH THE LOS ANGELES TO PASADENA METRO BLUE LINE CONSTRUCTION AUTHORITY

Recommendation of City Manager:

- (1) Adopt a resolution to approve the Master Cooperative Agreement with the Los Angeles to Pasadena Metro Blue Line Construction Authority;
- (2) Authorize the City Manager to execute said agreement; and
- (3) Authorize the City Clerk to attest and place the City seal on said agreement. (Resolution No. 8030; Agreement No. 17.730)

The City Manager noted that two memoranda from the City Attorney's Office were included in Council's agenda packet in response to proposed changes to the Agreement language and responding to a question from last week regarding a conflict of interest waiver.

Assistant City Attorney Nicholas Rodriguez reviewed proposed changes to the Agreement language.

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

CONSENT CALENDAR

CONTRACT BETWEEN THE CITY AND THE PASADENA CHAMBER OF COMMERCE ASSOCIATION FOR CONCESSION SERVICES RELATED TO NEW YEARS' DAY EVENTS

Recommendation of City Manager:

- (a) Authorize the City Manager to enter into a contract with the Pasadena Chamber of Commerce Association for the provision of

Councilmember Haderlein
was excused at 7:04 p.m.

food and beverage concessions at the 2002 New Year's Fan Fest event as well as the site of post-Rose Parade float viewing. The proposed contract is exempt from competitive bidding pursuant to City Charter Section 1002(F), contracts for professional or unique services.

(b) Grant the proposed 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.

(c) Authorize the City Manager to extend the proposed agreement for an additional three years provided all terms and conditions are deemed acceptable by the City Manager in her sole discretion. (Contract No. 17.731)

PURCHASE OF TWO 14-FOOT STEP VANS FOR UNDERGROUND CABLING

Recommendation of City Manager: Authorize the Purchasing Administrator to issue a purchase order contract to Los Angeles Freightliner, Inc. in an amount not to exceed \$114,724 for the purchase of two 14-Foot Step Vans.

Discussed separately at
the request of
Councilmember Gordo.

LICENSE AGREEMENT BETWEEN THE CITY AND DEL MAR STATION, LLC, A DELAWARE LIMITED LIABILITY COMPANY, TO TEMPORARILY RELOCATE THE HISTORIC SANTA FE STATION AT 240 SOUTH RAYMOND AVENUE TO A LOCATION IN CENTRAL PARK AT 275 SOUTH RAYMOND AVENUE

Discussed separately at
the request of
Councilmember Tyler.

APPROVE A PURCHASE ORDER IN THE AMOUNT OF \$406,300 WITH CONTROL MANAGEMENT SYSTEMS TO PURCHASE AND INSTALL AN ANDOVER CONTROLS ENERGY MANAGEMENT SYSTEM

CONTRACT WITH COTTON/BRIDGES/ASSOCIATES TO PROVIDE PROFESSIONAL CONSULTING SERVICES FOR AN ENVIRONMENTAL IMPACT REPORT FOR UPDATES CURRENTLY UNDER PREPARATION TO THE CITY'S GENERAL PLAN (INCLUDING THE LAND USE ELEMENT, THE MOBILITY ELEMENT, THE NOISE ELEMENT, AND THE SAFETY ELEMENT), PREPARATION OF THE CENTRAL DISTRICT SPECIFIC PLAN, CONSOLIDATION OF CITYWIDE DESIGN GUIDELINES, AND THE REVISION TO THE ZONING CODE

Recommendation of City Manager:

(a) Authorize the City Manager to execute a contract with Cotton/Bridges/Associates (CBA), for an amount not to exceed \$200,000 to provide consulting services for an Environmental Impact Report (EIR) for updates currently under preparation to the City's General Plan (including the Land Use Element, the Mobility Element, the Noise Element, and the Safety Element), preparation of the Central District Specific Plan, consolidation of Citywide Design Guidelines, and the revision to the Zoning Code.

(b) Approve a journal voucher appropriating \$200,000 from the Building Services Fund Balance to Account No. 8115-101-444100-95601. (Contract No. 17,732; Journal Voucher No. 2002-11)

PUBLIC HEARING SET

September 10, 2001, 8:00 p.m. - 2001 Annual City of Pasadena Self-Certification of Conformance with the Los Angeles County Congestion Management Program and 2001 Local Implementation Report

It was moved by Vice Mayor Little, seconded by Councilmember Gordo, to approve the Consent Calendar, except Item 3 (License Agreement with Del Mar Station, LLC) and Item 4 (Purchase Order with Control Management Systems) which were discussed separately. (Motion unanimously carried) (Absent: Councilmembers Haderlein, Madison, Streator)

**CONSENT ITEMS
DISCUSSED SEPARATELY**

LICENSE AGREEMENT BETWEEN THE CITY AND DEL MAR STATION, LLC, A DELAWARE LIMITED LIABILITY COMPANY, TO TEMPORARILY RELOCATE THE HISTORIC SANTA FE STATION AT 240 SOUTH RAYMOND AVENUE TO A LOCATION IN CENTRAL PARK AT 275 SOUTH RAYMOND AVENUE

Recommendation of City Manager:

(a) Approve the use of a portion of Central Park located at 275 South Raymond Avenue to temporarily relocate the historic Santa Fe Station owned by Del Mar Station, LLC, a Delaware Limited Liability Company.

(b) Adopt a resolution approving the License Agreement with Del Mar Station, LLC, with the terms and conditions as set forth in the background section of the agenda report.

(c) Authorize the City Manager to execute and the City Clerk to attest said License Agreement on behalf of the City of Pasadena.

(d) Authorize the transfer of \$6,000 per month in the form of a license fee for the duration of the License Agreement to Account No. 78461, Central Park Implementation of Master Plan.

(e) Approve a journal voucher amending the Fiscal Year 2002 Capital Improvement Program Budget, Account No. 78461, to increase appropriations in the amount of \$72,000. (Resolution No. 8031; Agreement No. 17,733; Journal Voucher No. 2002-10)

Staff responded to questions from Councilmember Gordo regarding alternative parking for El Centro de Accion. Councilmember Gordo expressed concern that children not be dropped off on Fair Oaks Avenue, and urged staff to give some thought to an appropriate site for drop-off of children.

It was moved by Councilmember Gordo, seconded by Vice Mayor Little, to approve the City Manager's recommendation. (Absent: Councilmembers Haderlein, Streator, Madison)

APPROVE A PURCHASE ORDER IN THE AMOUNT OF \$406,300 WITH CONTROL MANAGEMENT SYSTEMS TO PURCHASE AND INSTALL AN ANDOVER CONTROLS ENERGY MANAGEMENT SYSTEM

Recommendation of City Manager:

(a) Authorize the Purchasing Administrator to issue a purchase order to Control Management Systems in the amount not to exceed \$406,300 for the purchase and installation of an Andover Controls Energy Management System. The proposed purchase is exempt from competitive bidding, pursuant to City Charter Section 1002(C), contracts for labor, material, supplies or services available from only one vendor; and

(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.

Staff responded to questions from Councilmember Tyler regarding prior Council action on June 25, 2001, pertaining to the Energy Management System.

The City Manager clarified this is a two-step process – on June 25, Council appropriated funds for the project, and this agenda item is to implement and spend the funds which were earlier appropriated.

In response to a question regarding whether this project is listed in the Capital Improvement Program (CIP) budget, the City Manager stated staff would confirm whether it is listed in the CIP. She stated that if it is not, staff will bring that matter back to Council.

Following discussion, it was moved by Councilmember Tyler, seconded by Councilmember Little, to approve the City Manager's recommendation, with the understanding that the City Manager will confirm this project is listed in the CIP. (Motion unanimously carried) (Absent: Councilmembers Haderlein, Streater, Madison)

**REPORTS AND
COMMENTS FROM
COUNCIL COMMITTEES**

FINANCE/AUDIT
COMMITTEE

AMENDMENT TO THE CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET FOR FISCAL YEAR 2002 RELATING TO VARIOUS ROSE BOWL PROJECTS

Recommendation of Rose Bowl Operating Company: It is recommended that the City Council amend the CIP for FY 2002 related to the following Rose Bowl Operating Company (RBOC) projects:

(1) Amend the Rose Bowl Improvement section of FY 2002 CIP to include three new projects – New Signage within and adjacent to the Rose Bowl, Lighting in Parking Lots F and K, and Wrought Iron Fence Replacement around the Rose Bowl.

(2) Approve a journal voucher recognizing and appropriating \$1,650,000 from the Tournament of Roses as follows:

(a) New Signage within and adjacent to the Rose Bowl - \$950,000 to Account No. 88038

ECONOMIC
DEVELOPMENT AND
TECHNOLOGY
COMMITTEE

(b) Wrought Iron Fence Replacement around the Rose Bowl
- \$700,000 to Account 88039

(3) Approve a journal voucher recognizing \$240,000 from the City of Pasadena/Tournament of Roses Capital Improvement Fund and appropriating it to the lighting in parking lots F and K project to Account No. 88040. (Journal Voucher No. 2002-12)

It is also recommended that the management of the construction projects will be under the control of the RBOC and that the procurement procedures of the City of Pasadena will be followed.

Vice Mayor Little, Chair of the Finance Committee, summarized the report.

It was moved by Vice Mayor Little, seconded by Councilmember Tyler, to approve the Rose Bowl Operating Company recommendation. (Motion unanimously carried) (Absent: Councilmembers Haderlein, Streater, Madison)

ADOPTION OF A NEGATIVE DECLARATION FOR IMPROVEMENTS TO THE STADIUM AREA FOR THE "2002 ROSE BOWL GAME"

Recommendation of Rose Bowl Operating Company:

(a) Adopt a Negative Declaration and the finding that the project will not have the potential for a significant effect on the environment.

(b) Direct the City Clerk to file the Notice of Determination and Certificate of Fee Exemption from State Fish and Game fees with the Los Angeles County Registrar-Recorder/County Clerk.

Vice Mayor Little summarized the agenda report.

It was noted that this is for the Bowl Championship Game on January 3, 2002.

Mr. Darryl Dunn, General Manager of the Rose Bowl, briefly discussed expectations for increased revenue and positive impacts to Pasadena as a result of the Game, and it was noted that there will be activities planned prior to the Game. The City Manager noted that Bob Baderian, Special Assistant to the City Manager, will be coordinating with the business community to make sure different types of activities are planned between New Year's Day and the day of the Bowl Championship Game.

Councilmember Holden commented that in planning and creating activities for this event, it is important to also tie events to the community and merchants north of the freeway. The City Manager responded this was a good suggestion and staff would look further into it.

It was moved by Vice Mayor Little, seconded by Councilmember Tyler, to approve the Rose Bowl Operating Company's recommendation. (Absent: Councilmembers Haderlein, Streater, Madison)

ADOPTION OF A MITIGATED NEGATIVE DECLARATION FOR "2002-2003 MAJOR EVENTS AT THE ROSE BOWL"

Recommendation of Rose Bowl Operating Company:

(a) Adopt a Mitigated Negative Declaration and the finding that the project will not have the potential for a significant effect on the environment.

(b) Direct the City Clerk to file the Notice of Determination and Certificate of Fee Exemption from State Fish and Game fees with the Los Angeles County Registrar-Recorder/County Clerk.

Vice Mayor Little briefly summarized the agenda report.

It was moved by Vice Mayor Little, seconded by Councilmember Tyler, to approve the Rose Bowl Operating Company's recommendation (Motion unanimously carried) (Absent: Councilmembers Haderlein, Streater, Madison)

REPORTS FROM
REPRESENTATIVES -
AIRPORT AUTHORITY

Councilmember Holden referred to Council action of the prior week regarding an upcoming meeting to be held pertaining to the 10-Point Tri-City Principles proposed by the City of Burbank. He reported that Glendale had requested the meeting be televised, and the Airport Authority had received a letter from Burbank stated the meeting has been postponed to late September or October.

**RECOMMENDATIONS
FROM OFFICERS AND
DEPARTMENTS**

**REAPPOINTMENT OF JERRY LOMAS TO THE CULTURAL
HERITAGE COMMISSION** (District 5 Appointment)

Councilmember Madison
arrived at 7:20 p.m.

**REAPPOINTMENT OF LUTHER RENFROE TO THE SENIOR
COMMISSION** (District 5 Appointment)

**REAPPOINTMENT OF MARILYN DEE BUCHANAN TO THE OLD
PASADENA PARKING METER ZONE ADVISORY COMMISSION**
(At-large Appointment)

**RESIGNATION OF IKE MASSEY FROM THE PASADENA
CENTER OPERATING COMPANY** (City Council Appointment)

It was moved by Councilmember Tyler, seconded by Councilmember Holden, to approve the above reappointments and accept the resignation with regrets. (Absent: Councilmembers Haderlein, Streater)

**DISCUSSION OF COUNCIL COMPENSATION PROCESS AND
POSSIBLE INTRODUCTION OF "AN UNCODIFIED ORDINANCE
OF THE CITY OF PASADENA ESTABLISHING THE COMMITTEE
OF CITY COUNCILMEMBERS' COMPENSATION"** (Mayor
Bogaard)

Councilmember Haderlein
returned at 7:23 p.m.

Conduct first reading of "AN UNCODIFIED ORDINANCE OF THE CITY OF PASADENA ESTABLISHING THE COMMITTEE ON CITY COUNCILMEMBERS' COMPENSATION"

The above two items were discussed concurrently.

Mayor Bogaard provided an overview of the agenda report.

It was moved by Councilmember Holden, seconded by Vice Mayor Little, to establish a committee to review the City Council compensation as outlined in the agenda report, and offer the ordinance for first reading.

Discussion ensued and it was clarified that there can be no increase greater than 5% per year, from the base year compensation was initially established by the first ordinance in 1999 setting compensation. It was noted that the Committee would also be reviewing benefits, and its charge would not include making recommendations for any Charter changes.

Vote on the motion, to establish a committee and offer the ordinance for first reading:

AYES: Councilmembers Gordo, Haderlein, Holden, Vice Mayor Little, Mayor Bogaard

NOES: Councilmembers Madison, Tyler

ABSENT: Councilmember Streater

SUPPORT "RIM OF THE VALLEY CORRIDOR ACT" SPONSORED BY REPRESENTATIVES ADAM SCHIFF AND HOWARD BERMAN

Recommendation of Mayor: It is recommended that the City Council:

(1) Adopt a resolution to support the "Rim of the Valley Corridor Act" to be sponsored by Representative Adam Schiff and Howard Berman; and

(2) Authorize the Mayor to send letters to the appropriate authorities stating Pasadena's position. (Resolution No. 8032)

Mayor Bogaard provided an overview of the agenda report.

Vice Mayor Little expressed support for this item, but expressed concern that our involvement with the Santa Monica Mountains Conservancy has not brought a lot of benefit to Pasadena, and he suggested the Economic Development and Technology Committee look further into this matter. Regarding the Rim of the Valley, he stressed the need to have an equitable disbursement of resources.

The Mayor noted the City has a good representative on the Santa Monica Mountains Conservancy Board, and acknowledged City staff

and the Recreation and Parks Commission may need to focus more on the opportunities there and strategize on political activities that would be supportive of Pasadena.

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

OLD BUSINESS

ADOPTION OF THE "STREETS AND STREETSCAPES" AND "TRAFFIC CONTROL AND FACILITIES" SECTIONS OF THE CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2002 (Resolution No. 8034; Journal Voucher No. 2002-9)

Councilmember Little expressed support for an approach to fund three outstanding projects north of the 210 Freeway that have had significant community input over a long period of time: the North Lake Specific Plan, Lincoln Avenue Corridor Improvements, and East Washington Boulevard Streetscape Improvements. He suggested these projects be implemented over the next two years using the unallocated fund balances or other funds identified by staff, and that these projects be included in the workplan for the Capital Improvement Program for the next two years.

MOTION

It was moved by Vice Mayor Little, seconded by Councilmember Gordo, to approve the City Manager's recommendation to adopt the "Streets and Streetscapes" and "Traffic Control and Facilities" Sections of the Capital Improvement Program for Fiscal Year 2002, as amended to include the North Lake Specific Plan, Lincoln Avenue Corridor Improvements, and East Washington Boulevard Streetscape Improvements for implementation over the next two years.

The City Manager noted that regarding funding for the three projects, there are sufficient funds in the Unappropriated General Fund balance for these projects. The City Manager requested that if there was Council support to include these three projects, staff be allowed some flexibility as to completing the projects within the two-year time period, as these projects will need to be scheduled within the work program and there may be impacts to other projects. Vice Mayor Little expressed a desire to allow some flexibility as to the two-year timeframe stated in his pending motion.

Vice Mayor Little noted his motion includes projects that are being funded through the sales tax of the Macy's project on South Lake Avenue. In response, the City Manager requested these projects (No. 46, Traffic Improvements, San Pasqual St./Mentor Ave. Area - Phase I; No. 47, Traffic Improvements, San Pasqual St./Mentor Ave. Area - Phase II; and No. 48, Traffic Improvements - So. Mentor Avenue, Catalina Ave. and Cornell Rd.) be excluded from approval this evening in order to allow staff an additional week or two to ensure that the scope of work language for these projects is what was anticipated from a settlement agreement.

AMENDMENTS TO MAIN MOTION

Following discussion, Vice Mayor Little, with consent of the seconder, made the following amendments to the main motion:

- That funding for the North Lake Specific Plan, Lincoln Avenue Corridor Improvements, and East Washington Blvd. Streetscape Improvements are appropriated for now from the General Fund Unappropriated Fund balance.
- That staff will look at other possible funding sources and grants (other than the General Fund) that could be used to fund the three added projects and report back to Council on September 17 with further information on alternative funding sources.
- The requirement to have the above three projects implemented within two years is removed from the motion in order to give staff reasonable flexibility in implementing the projects.
- Projects 46, 47 and 48 are held from approval at this time, per the City Manager's request.

The City Manager noted that Projects 46, 47 and 48 will be funded from a combination of private and public funds, and appropriations for these projects will be made when they come back to Council for inclusion in the CIP.

Vice Mayor Little stressed the need for staff to look very hard for other possible funding sources for the three added projects (North Lake Specific Plan, Lincoln Avenue Corridor Improvements, and East Washington Blvd. Streetscape Improvements), and for staff to look at the estimated costs for these projects and whether there are ways to make them less expensive. He also stressed the need to have these projects implemented within a reasonable time period.

Prior to voting, it was clarified that if there is not identified alternative funding sources when the City Manager reports back to Council, then the three added projects will be funded by the Unappropriated General Fund balance. However, Vice Mayor Little noted that funding for these projects is not set in concrete if alternative funding sources are identified further in the future.

Vote on the motion, as amended:

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

NOES: None

ABSENT: Councilmember Streater

It was noted that the City Manager will report back to Council in the future regarding a timetable for implementing the three added projects. The City Manager acknowledged Council's urgency in implementing these projects.

PUBLIC HEARINGS

PUBLIC HEARING: GENERAL PLAN AMENDMENT FOR CENTRAL DISTRICT SPECIFIC PLAN "a5 LAKE AVENUE OFFICE AREA - DEL MAR/CORDOVA TO THE FREEWAY"; AND ADOPT RESOLUTIONS APPROVING A GENERAL PLAN

AMENDMENT FOR "a5 LAKE AVENUE OFFICE AREA - DEL MAR/CORDOVA TO THE FREEWAY" AND A GENERAL PLAN AMENDMENT FOR OUTPOST LANE FROM OS (OPEN SPACE) TO LOW DENSITY RESIDENTIAL

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

- (1) Approve the Initial Environmental Study (Attachment 1 of agenda report) and Negative Declaration;
- (2) Approve the De Minimis Impact on the State Fish and Wildlife Habitat (Attachment 2 of agenda report);
- (3) Find that the proposed General Plan Amendment is consistent with the principles, objectives and policies of the General Plan;
- (4) Approve the General Plan Amendment to allow residential uses in the "a5 Lake Avenue Office Area - Del Mar/Cordova to the Freeway";
- (5) Direct the City Clerk to file a Notice of Determination and a Certificate of Fee Exemption for the California Department of Fish and Game with the Los Angeles County Recorder; and
- (6) Adopt a resolution approving the General Plan Amendment for the "a5 Lake Avenue Office Area - Del Mar/Cordova to the Freeway", and for the General Plan Amendment for Outpost Lane from OS (Open Space) to Low Density Residential (Attachment 3 of the agenda report). (Resolution No. 8033)

Recommendation of Planning Commission: The Planning Commission reviewed the proposed General Plan Amendment at its meetings of April 25 and June 27, 2001. At the public hearing on June 27, the Planning Commission unanimously approved the staff recommendation with minor changes that staff supports and that are reflected in the above recommendation.

Mayor Bogaard opened the public hearing.

The City Clerk reported the public hearing notice was published on August 2 and 9, 2001 in the Pasadena Journal and on August 7, 2001 in the Pasadena Star News; 169 notices were posted and 534 notices were mailed on August 2, 2001. One letter in support with recommended changes was received and distributed.

Ms. Carol Hunt-Hernandez, Planner, summarized the agenda report and responded to questions from Council.

Mr. Robert Champion, speaking on behalf of a (unnamed) property owner at the corner of South Lake Avenue and Cordova Street, spoke in support.

Ms. Brenda C. Mendoza, Pasadena resident, spoke in opposition and raised concern regarding the impact on housing rental rates in the area.

It was moved by Vice Mayor Little, seconded by Councilmember Tyler, to close the public hearing. (Motion unanimously carried) (Absent: Councilmembers Haderlein, Streater)

Councilmember Haderlein
was excused at 8:30 p.m.

Councilmember Haderlein returned at 8:33 p.m.

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

Councilmember Gordo expressed hope that there would be this type of mixed use in other areas of the City, especially in the North Lake Avenue area.

Regarding a concern made by a public speaker pertaining to impacts on affordable housing rental rates, Councilmember Holden suggested that, in the future, staff include on these types of reports an analysis of the economic impacts.

PUBLIC HEARING: EXECUTION OF AN OPEN VIDEO SYSTEM FRANCHISE AGREEMENT BETWEEN THE CITY AND ALTRIO COMMUNICATIONS, INC.

Recommendation of City Manager:

- (1) Conduct a public hearing to gather public input on the proposed open video system franchise agreement between the City and Altrio Communications, Inc. and to identify impacts of the franchise, as required by California Government Code Section 53066.3; and
- (2) Hold first reading of **"AN UNCODIFIED ORDINANCE OF THE CITY OF PASADENA AUTHORIZING THE EXECUTION OF A FRANCHISE AGREEMENT BETWEEN THE CITY AND ALTRIO COMMUNICATIONS, INC. TO CONSTRUCT AND TO OPERATE AN OPEN VIDEO SYSTEM"**.

Mayor Bogaard opened the public hearing.

The City Clerk reported the public hearing notice was published on August 2, and 9, 2001, in both the Pasadena Journal and the Pasadena Star News. Two letters in opposition were received and distributed at the hearing; and one e-mail in support was received and previously distributed.

Councilmembers expressed concern that attorneys representing Charter Communications were submitting at the hearing lengthy correspondence, which included a binder of attachments, and displeasure was expressed that this information was not submitted more timely.

The City Manager provided an overview of the agenda report.

Mr. John Pratt, Chief Information Technology Officer, summarized the terms of the proposed Agreement and responded to questions.

The following people spoke in support of awarding a franchise agreement with Altrio:

Ms. Beth Leyden, PUSD Telecommunications Department, speaking as an individual, requested John Muir High School and Rose City High School be added to the list of locations to receive two-way interactive connections. In response, Ms. Lori Sandoval, City Information and Technology Manager, reported on discussions with School District officials to prioritize the list of locations.

Ms. Laura Ortiz, Pasadena resident

Mr. Dave Rozzelle, President/Chief Executive Officer, Altrio Communications

The following people spoke in opposition to awarding a franchise agreement with Altrio:

Ms. Amanda Susskind, legal counsel representing Charter Communications

Mr. Jeremy H. Stern, legal counsel representing Charter Communications

Dr. G. Michael Phillips, Pasadena resident

Mr. Robert Neff, Pasadena resident

Mr. Robert Strings, Pasadena resident

Mr. Bert Tibbet, Pasadena resident

Ms. Leticia Sosa, Pasadena resident

Ms. Elvira Lopez, Pasadena resident

Mr. Pedro Sosa, Pasadena resident

Ms. Rutely Conde, Pasadena resident

Councilmember Holden was excused at 9:15 p.m.

The following people made general comments:

Mr. Petra Rojas, Pasadena resident, suggested that neighborhoods be allowed to decide for themselves how their neighborhoods should look and which franchisee they would like to provide the service.

Mr. Steve Rosenthal, public access producer with Ability First, stressed the need to make sure there is a public access facility.

Ms. Brenda Mendoza, public relations consultant, spoke in support of the public having a choice in cable provider, but expressed concern whether Altrio will have funds to finish construction, and stressed the need to have community outreach efforts regarding construction scheduling.

Mr. Lawrence Stark, Pasadena resident and telecommunications consultant, said he was generally in favor but urged Council to get a rock solid plan from Altrio before granting a franchise

It was moved by Vice Mayor Little, seconded by Councilmember Haderlein, to close the public hearing. (Motion unanimously carried)
(Absent: Councilmembers Holden, Streator)

Councilmember Gordo noted the agreement calls for a \$150,000 bond (\$50,000 cash/\$100,000 bond), and inquired if the City had a construction timeline that would reflect that the City would not incur any liability if Altrio was not able to complete construction, and that the City would not incur more than \$150,000 in liability at any given time. Mr. Pratt responded that staff is confident that Altrio will not be in situation that will put the City in jeopardy with respect to having \$150,000 worth of open street/trenching work, and discussed how the trenching work will be done in phases.

Councilmember Gordo suggested that language be included in the agreement to the effect that if at any given time any of the phases are above \$150,000, that Altrio be required to increase the bond so the City is never liable for any of the construction costs above \$150,000.

A question was raised regarding the process Altrio will use in selecting which neighborhood will be offered service first.

It was noted the public hearing would need to be reopened in order to hear Altrio's response to the question.

It was moved by Councilmember Gordo, seconded by Councilmember Haderlein, to reopen the public hearing. (Motion unanimously carried) (Absent: Councilmembers Holden, Streator)

Mr. Dave Rozelle, representing Altrio, responded that the agreement between the City and Altrio requires Altrio to build and pass every residential home in the city. He noted the agreement contains an incentive for Altrio to build to every home faster than 10 years. He stated it is Altrio's intent to earn the incentive and build within 5 years. In response to another question, Mr. Rozelle discussed how the visual impacts of ground pedestals will be minimized.

It was moved by Councilmember Madison, seconded by Vice Mayor Little, to close the public hearing. (Motion unanimously carried) (Absent: Councilmembers Streator, Holden)

Discussion ensued regarding proper notification to affected neighborhoods, monitoring of tree trimming; and the issue of how complaints will be handled.

Councilmember Gordo made the following suggestions:

- That Altrio be required to directly notify affected residents when there is significant trenching, especially when trenching is directly in front of a resident's home.
- That tree trimming be monitored closely by the City when overhead lines are installed.
- That there be a mechanism for follow-up and updates on complaints.

Councilmember Madison urged staff to be sensitive to the opportunity to combine other overhead wires when trenching is being done for this project.

It was moved by Vice Mayor Little, seconded by Councilmember Gordo, to approve the City Manager's recommendation with the amendments suggested by Councilmember Gordo (increasing the bond if construction work exceeds \$150,000 at any given time; direct notification to affected residents; monitoring of tree trimming; complaint follow-up), and offer the ordinance for first reading.

AYES: Councilmembers Gordo, Haderlein, Madison, Tyler, Vice Mayor Little, Mayor Bogaard

NOES: None

ABSENT: Councilmembers Streator, Holden

LOCATION OF ELECTRICAL FACILITY FOR BLUE LINE LIGHT RAIL SYSTEM

Recommendation of City Manager: It is recommended that the Pasadena City Council support the relocation of a Los Angeles to Pasadena Metro Blue Line electrical facility to a location within the Blue Line right-of-way south of Green Street as far south as possible, oriented perpendicular to the Blue Line and adjacent to the entrance to the Blue Line tunnel and contribute one-half of the cost of the relocation up to a maximum of \$15,000 provided the adjacent property owner funds half the cost.

Mr. Richard Bruckner, Director of Planning and Development, summarized the agenda report and discussed various options for location of the electrical facility and associated costs.

Mr. Steve Stathatos, representing the Stats Group, commented there is a location on his property to locate the vault underground, but the cost estimate from the contractor is \$600,000 - \$1,000,000, depending on the timing of the move. Recognizing the high costs, Mr. Stathatos stated he did not believe his company would be prepared to underground the vault on the Stats property now or in the future. On the expectation that it may be done at a lesser price, he expressed support for the City Manager's recommendation to locate the box south and turned sideways, and expressed support to underground it later.

Mr. Jim Plotkin, merchant in Old Pasadena, spoke in support of placing the electrical vault in Mercantile Alley in the Blue Line right-of-way.

Mr. Dan Mellinkoff, merchant in Old Pasadena, spoke in support of temporarily placing the electrical vault in Mercantile Alley.

Mr. John McHugh voiced opposition to the City Manager's recommendation to place the vault south of Green Street.

Ms. Maggie Campbell, representing the Old Pasadena Management District, spoke in support of locating the electrical vault in Mercantile Alley.

Discussion ensued regarding various options, timing and costs, and complications if the vault were to be located in Mercantile Alley.

It was noted that if Council does not take action on this matter this evening, then the electrical vault will be located where the Blue Line Construction Authority originally proposed to locate the vault.

Councilmember Madison spoke in support of locating the vault in Mercantile Alley, but acknowledged there did not appear to be majority support for this location.

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

INFORMATION ITEM

STATUS REPORT ON CITY HALL SEISMIC RETROFIT

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

Mr. Bernard Gilpin, Director of Public Works and Transportation, summarized the agenda report and responded to questions.

Mr. Gee Heckscher, Architectural Resources Group, reviewed drawings of Alternatives D and E and responded to questions.

Ms. Nina Chomsky, Pasadena resident, suggested the City use late Building Official Bob Fowler's proposal to "wrap" the building. In response, the City Manager commented that she had discussed that proposal with Mr. Fowler on many occasions, and many of Mr. Fowler's ideas were incorporated.

Mr. Robert McClellan, Pasadena resident and architect, suggested the City take the time to give Mr. Fowler's wrapping proposal one more look, and offered his volunteer assistance to the City Manager.

Mr. Gilpin discussed various meetings with Mr. Fowler and consultants to discuss whether "wrapping" would be appropriate in our circumstances, and commented that Mr. Fowler concluded those meetings convinced that the alternative proposed now is the most appropriate.

The City Manager expressed appreciation to Mr. McClellan for his offer to provide additional review, and stated she would ask Committee Chair Jennings to conduct one more round of review where Mr. McClellan and others may provide input to the Committee.

It was noted that the Finance Committee will receive an update on this matter in approximately one month.

Mr. Lorenzo Hernandez expressed the need for more synergy and communication between the Restoration Oversight Committee and the City Hall Finance Committee.

On order of the Mayor, the report was received and filed.

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 11:28 p.m. to the regular meeting of the Community Development Commission.

RECONVENED

On order of the Mayor, the regular meeting of the City Council reconvened at 11:36 p.m. (Absent: Councilmembers Holden, Madison, Streater)

ORDINANCES ADOPTED

Adopt "AN ORDINANCE OF THE CITY OF PASADENA SUSPENDING SECTIONS 9.36.220 AND 9.36.230 OF THE PASADENA MUNICIPAL CODE RELATING TO AN EXEMPTION FROM THE NOISE ORDINANCE FOR PERMITTED EVENTS AT AREA H AND THE ARROYO SECO FOR SPECIFIED HOURS ON SUNDAY, OCTOBER 28, 2001 AND ON SUNDAY, NOVEMBER 4, 2001"(MAKING STRIDES AGAINST BREAST CANCER AND RACE FOR THE CURE EVENTS) (Introduced by Councilmember Little) (Ordinance No. 6871)

The above ordinance was adopted by the following vote:

AYES: Councilmembers Gordo, Haderlein, Tyler, Vice Mayor Little, Mayor Bogaard

NOES: None

ABSENT: Councilmembers Holden, Madison, Streater

Adopt "AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17, "THE ZONING CODE," OF THE PASADENA MUNICIPAL CODE ESTABLISHING THE EAST PASADENA SPECIFIC PLAN ZONING DISTRICT AND SUBDISTRICTS TO IMPLEMENT THE EAST PASADENA SPECIFIC PLAN" (Introduced by Councilmember Haderlein) (Ordinance No. 6872)

The above ordinance was adopted by the following vote:

AYES: Councilmembers Gordo, Haderlein, Tyler, Vice Mayor Little, Mayor Bogaard

NOES: None

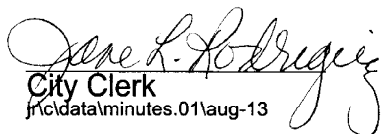
ABSENT: Councilmembers Holden, Madison, Streater

On order of the Mayor, the regular meeting of the City Council adjourned at 11:37 p.m.



Bill Bogaard
Mayor

ATTEST:



Gene L. Rodriguez
City Clerk
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