

CITY OF PASADENA  
City Council Minutes  
September 24, 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 6:33 p.m.

The following closed session item was not discussed:

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

**Case Name: Hermaratanatorn v. City of Pasadena, Case No. B14608**

The Pledge of Allegiance was led by Assistant City Manager Enrique Martinez.

**ROLL CALL:**

Councilmembers:

Mayor Bill Bogaard  
Vice Mayor Paul Little  
Councilmember Victor Gordo  
Councilmember Steve Haderlein  
Councilmember Chris Holden (Arrived at 6:44 p.m.)  
Councilmember Steve Madison (Arrived at 6:40 p.m.)  
Councilmember Joyce Streater  
Councilmember Sidney F. Tyler, Jr.

Staff:

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

**CEREMONIAL MATTERS**

The Mayor proclaimed October 1 - 5, 2001 as Rideshare Week in the City of Pasadena. The proclamation was accepted by Mr. Bahman Janka, Ms. Cathi Cole, and Ms. Madelyn Robinson of the Public Works and Transportation Department.

The City Clerk administered the oath of office to Anita Fromholtz as Recreation and Parks Commissioner.

**PUBLIC COMMENT**

Ms. Deborah Diehl, Director of School Programs at the Armory Center for the Arts, distributed a compact disc with calendar entitled "Children Investigate the Environment" to City Council, she spoke

Councilmember Madison  
arrived at 6:40 p.m.

Councilmember Holden  
arrived at 6:44 p.m.

concerning the program that visualizes arts and sciences for children and expressed her appreciation to individuals for their support.

Mr. Raymond Dashner, Pasadena resident, spoke concerning the stranded debt fund; and requested that the stranded debt fund be returned to rate payers.

Mr. Roy Begley, Pasadena resident, spoke regarding the stranded debt and requested a notice to be sent to rate payers, within 10 days, indicating the amount of refund to be returned.

Mayor Bogaard noted that a stranded debt discussion was scheduled on an upcoming agenda for the Municipal Services Committee, and he would refer the matter to the Committee.

Mr. Robert Wittry, Pasadena resident, noted the Zoning Code is in the process of being rewritten, and expressed concern he has not been able to obtain a draft copy. He noted that the City is known for its gardens and street trees and expressed concern that construction is being allowed up to the sidewalk in the downtown area and this does not allow for adequate tree root growth. He suggested that setbacks be proportional to the height of the buildings.

The Mayor indicated that his comments and suggestions would be forwarded to the appropriate staff and the Planning Commission.

Mr. Philip Koebel, Pasadena resident, expressed concern that low-income tenants are being evicted so landlords can raise the rents. He spoke in support of a rent control ordinance.

## OLD BUSINESS

### **SUPPLEMENTAL REPORT FOR THE CALL FOR REVIEW OF CONDITIONAL USE PERMIT NO. 3655, 727 SOUTH ARROYO PARKWAY**

#### **Recommendation of City Manager:**

- (1) Adopt the Initial Environmental Study recommending a Negative Declaration;
- (2) Adopt findings for approval of the Conditional Use Permit for off-site sale of beer and wine as shown in Attachment A of the agenda report;
- (3) Adopt findings for approval of the Conditional Use Permit for a drive-thru pharmacy as shown in Attachment A of the agenda report;
- (4) Adopt findings for approval of the Sign Exception for the wall signs for the Arroyo Parkway frontage as shown in Attachment A of the agenda report; and
- (5) Adopt the Conditions of Approval as contained in Attachment B of the agenda report.

The City Manager indicated that at the previous Council meeting, Council had requested staff report back with findings and conditions for allowing the drive-thru pharmacy. She referenced and summarized the conditions, findings, and distributed to Council "Additional Recommended Findings of Fact for Conditional Use Permit #3655," Findings No. 12 and 13 for the drive-thru pharmacy.

Mr. Lanny Woo, Associate Planner, responded to questions pertaining to the drive-thru pharmacy.

Mr. Richard Bruckner, Director of Planning and Development, responded to questions pertaining to signage.

Following discussion, it was moved by Councilmember Madison, seconded by Vice Mayor Little, to approve the City Manager's recommendation with the addition of the distributed findings (Nos. 12 and 13) and the addition of Condition No. 30 to read: "Sales from the drive-thru pharmacy are limited to prescription medication and other medical supplies."

Councilmember Gordo amended the motion, with consent of the maker and seconder, to revise Condition No. 22 to read: "Beer in containers greater than 16 ounces shall not be sold on the premises."

Councilmember Madison noted that he had received correspondence related to landscaping concerns and he expressed his appreciation to the Zoning Administrator for approving the landscape plan.

Vote on the motion, as amended:

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

NOES: None

ABSENT: None

## CONSENT CALENDAR

### **APPROVAL OF MASTER AGREEMENT BETWEEN THE CITY OF PASADENA AND THE STATE OF CALIFORNIA FOR STATE-FUNDED TRANSIT PROJECTS**

**Recommendation of City Manager:** Adopt a resolution approving the Master Agreement No. 64A0056, between the City of Pasadena and the State of California, acting through the California Department of Transportation (Caltrans) for State Transportation projects. The resolution will authorize the City Manager to sign the Master Agreement and future Program Supplements for specific projects. This is a contract between the City of Pasadena and the California Department of Transportation (Caltrans) for the term of 10 years. (Resolution No. 8046; Contract No. 17,776)

MINUTES APPROVED

July 30, 2001  
August 6, 2001

CLAIM RECEIVED AND  
FILED

Claim No. 8864

Miguel Uribe

Unknown

It was moved by Vice Mayor Little, seconded by Councilmember Streator, to approve the Consent Calendar. (Motion unanimously carried) (Absent: None)

**REPORTS AND  
COMMENTS FROM  
COUNCIL COMMITTEES**

FINANCE/AUDIT  
COMMITTEE

**RECOMMENDED BUDGET ENHANCEMENTS TO THE FISCAL  
YEAR 2002 ADOPTED OPERATING AND CAPITAL  
IMPROVEMENT BUDGETS**

**Recommendation of City Manager:** Amend the City's Fiscal Year 2002 Operating and Capital Improvement Budgets and authorize the transfer of \$8,273,759 from the General Fund unappropriated fund balance to:

- (1) Allocate \$5,000,000 to the City Hall capital improvement project;
- (2) Establish a stabilization reserve account in the amount of \$1,890,000 in anticipation of future cuts in the State's backfill of Vehicle License Fee (VLF) revenues; and
- (3) To fund various accounts, programs and projects as discussed and identified in Attachment E of the agenda report, in the amount of \$1,383,759. (Journal Voucher No. 2002-26)

Vice Mayor Little presented the agenda report and summarized the budget enhancements.

The City Manager responded to questions.

Discussion ensued concerning the increase in shopping carts being abandoned throughout the city and if consideration had been given to picking up shopping carts as bulky items, and increasing service.

The City Manager indicated that consideration had been given to requiring a condition for businesses who come into the city to join a service for the removal of carts. She indicated that staff would review the matter, noted a central telephone number was available for the removal of shopping carts, and offered to check to make sure the number is adequately publicized.

Councilmember Gordo suggested adopting an ordinance requiring stores to contract with an entity to remove the carts or the City remove the carts and charge the stores which could subsidize some of the other services.

The City Manager indicated that if the carts were removed as suggested by Councilmember Gordo, it would require an adoption of a fee by City Council. She further indicated that she would review both ideas and return to Council with a recommendation.

Discussion ensued regarding the funding set aside for the City Hall seismic retrofit project.

Councilmember Holden voiced opposition to making a financial commitment for the City Hall seismic retrofit project. He suggested Council receive additional information and have a policy discussion before making a commitment for the project. He stated that if the project remained in the budget enhancement, he could not support the motion.

The Mayor noted that if the motion was approved, no expenditures would occur until the project had been reviewed by Council, and it would be subject to reconsideration each time the Finance Committee underwent the budget process.

The City Manager and Mr. Jay Goldstone, Director of Finance, referenced impacts of the State's budget and responded to questions.

Councilmember Holden requested a presentation by an economist to provide additional insight on the state of the economy and what could be anticipated for the city in the next year.

The City Manager stated that on the list of unfunded projects, match money for Proposition 14 was not included and would need to be reviewed. In addition, Council had requested projects be pursued at La Pintaresca and Allendale Parks and the combined cost for both was approximately \$4 - \$4.5 million. She noted there was a 35 percent match and she was looking to see if the City could partner with the School District. She further indicated that she would continue to watch and ensure that the issue becomes a higher priority for staff's thinking on appropriations.

Councilmember Gordo stated that, in the future, he would like to see priority given to funding for some of the Specific Plans and Park Plans that have been adopted. He suggested that Council discussions should be held for prioritization of projects.

Following discussion, it was moved by Vice Mayor Little, seconded by Councilmember Tyler, to approve the City Manager's recommendation. (Motion carried, with Councilmember Holden objecting) (Absent: None)

Councilmember Holden noted, for the record, that his objection was to Recommendation 1 only.

**THIRD QUARTER FY 2001 INTERNAL AUDIT REPORTS**

**Recommendation of Audit Committee:** It is recommended that the agenda report for the third quarter of fiscal year ending June 30, 2001 be received by the City Council:

- Accounts Payable Review
- Utility Accounting Accounts Payable Review

Vice Mayor Little provided an overview of the agenda report.

Mr. Jay Goldstone, Director of Finance, introduced Ms. Marianne Valmonte, Senior Internal Auditor, and Mr. Matt Pressey, Accounting Administrator, members of the audit team. He indicated that a work plan had been developed and a report would be forthcoming to Council, and responded to questions.

It was moved by Vice Mayor Little, seconded by Councilmember Holden, to accept the Audit Committee's recommendation. (Motion unanimously carried) (Absent: None)

**GRANT TO ARMORY CENTER FOR THE ARTS FOR SEISMIC UPGRADE OF COMMISSION OWNED PROPERTY AT 145 NORTH RAYMOND AVENUE**

**Recommendation of City Manager:** Approve a journal voucher appropriation of \$100,013 from the Unappropriated General Fund Balance to Account No. 8114-101-952100 for the purpose of granting the Armory Center for the Arts \$100,013 for seismic work on the Commission owned Armory building. (Journal Voucher No. 2002-27)

Vice Mayor Little summarized the agenda report.

Recognition was given to the Armory Center for its contributions to the community.

It was moved by Vice Mayor Little, seconded by Councilmember Holden, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: None)

**MUNICIPAL SERVICES COMMITTEE**

Councilmember Madison and Vice Mayor Little were excused at 8:02p.m.

**AUTHORIZE THE GENERAL MANAGER OF PASADENA WATER AND POWER TO ENTER INTO A LICENSE AGREEMENT WITH THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION FOR ACCESSING CITY PROPERTIES**

**Recommendation of City Manager:** Authorize the General Manager of Pasadena Water and Power to enter into a license agreement with the National Aeronautics and Space Administration for accessing City properties for groundwater monitoring. (Contract No. 17,777)

Councilmember Tyler summarized the agenda report.

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

**AUTHORIZE THE GENERAL MANAGER OF PASADENA WATER AND POWER TO AMEND THE TERM OF CONTRACT NO. 14,061 WITH THE CALIFORNIA INSTITUTE OF TECHNOLOGY FOR THE TREATMENT OF CONTAMINATED GROUNDWATER IN THE ARROYO SECO**

**Recommendation of City Manager:** Authorize the General Manager of Pasadena Water and Power (PWP) to amend the term of Contract No. 14,061 with California Institute of Technology (Caltech) for reimbursement of costs associated with the removal of Volatile Organic Compounds from contaminated groundwater in City wells in the Arroyo Seco. The term of the contract is for three years with two optional, one-year extension periods. (Contract No. 14,061-5)

Vice Mayor Little returned at 8:06 p.m.

Councilmember Tyler summarized the agenda report.

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

LEGISLATIVE POLICY COMMITTEE

**APPROVAL OF GRANT APPLICATION AND RESOLUTION IN SUPPORT OF STATE OF CALIFORNIA RESOURCES AGENCY DEPARTMENT OF PARKS AND RECREATION TRAILS PROGRAM FOR THE FLINT WASH TRAIL CROSSING**

**Recommendation of City Manager:** Adopt a resolution approving the grant application request for \$365,000 for the Recreational Trails Program Grant from the State of California Resources Agency, Department of Parks and Recreation for the Restoration of Flint Wash Trail Crossing at the terminus of La Canada-Verdugo Road between Devil's Gate Dam and the Old Oak Grove Park Service Road. (Resolution No. 8047)

**Recommendation of Recreation and Parks Commission:** At their regular meeting of September 4, 2001, the Recreation and Parks Commission unanimously endorsed the City of Pasadena's application to the State of California Resources Agency, Department of Parks and Recreation for the Recreation Trails Program Grant in the amount of \$365,000 to complete funding for the construction of the Flint Wash Trail crossing at the terminus of La Canada-Verdugo Road between Devil's Gate Dam and the Old Oak Grove Park Service Road.

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

Ms. Rosa Laveaga, Public Works Supervisor, described the trail crossing project and responded to questions.

Mr. Bernard Gilpin, Director of Public Works and Transportation Department, responded to questions and indicated that staff would return to Council in approximately 30 days with the estimate of the actual costs for the project.

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

**APPROVAL OF GRANT APPLICATION AND RESOLUTION IN SUPPORT OF STATE OF CALIFORNIA RESOURCES AGENCY DEPARTMENT OF PARKS AND RECREATION FOR THE NON-MOTORIZED TRAILS GRANT PROGRAM**

**Recommendation of City Manager:** Approve the City of Pasadena's application and accompanying Resolution to the State of California Resources Agency, Department of Parks and Recreation in the amount of \$275,000 to construct trails in the Central Arroyo area, specifically a new trail along the Salvia Canyon, and four trails within Brookside Park.

**Recommendation of Recreation and Parks Commission:** At their regular meeting of September 4, 2001, the Recreation and Parks Commission unanimously endorsed the City of Pasadena's application to the State of California Resources Agency, Department of Parks and Recreation in the amount of \$275,000 to construct new trails along the Salvia Canyon and restore five existing trails in Brookside Park and requests that the City Council take similar action.

The City Manager summarized the agenda report.

Councilmember Tyler requested clarification as to the number of trails.

Ms. Rosa Laveaga, Public Works Supervisor, clarified that there were five trails in Brookside Park and one in Salvia Canyon.

The City Manager requested that the item be held due to irregularities in the report.

Councilmember Streater commented that it was important not to lose the grants due to the application deadline.

The City Manager indicated that she would ensure that the grant funding would not be lost due to the application deadline.

Councilmember Tyler requested staff provide the fiscal implications when the report returns to City Council.

On order of the Mayor, and at the request of the City Manager, the report was held one week.



REPORTS FROM  
REPRESENTATIVES

Councilmember Tyler reported that at the September 20, 2001 meeting of the San Gabriel Valley Council of Governments, it was noted that the Red Cross began to facilitate blood drives prior to the September 11, 2001 disaster, and emphasized the need for blood nationally. He further indicated that the Red Cross was asking cities to participate in a challenge or competition to target a specific number of blood pints to be donated.

The City Manager indicated that she would like to contact the Fire Department and see what could be orchestrated.

Councilmember Holden reported on Airport security measures, a Burbank initiative election to place limitations on the Airport, and a Tri City joint meeting tentatively planned for October 25, 2001.

**RECOMMENDATIONS  
FROM OFFICERS AND  
DEPARTMENTS**

**AUTHORIZATION TO EXECUTE A SERVICE CONTRACT WITH COACH U.S.A. TRANSIT SERVICES FOR THE PROVISION OF FIXED ROUTE (ARTS) AND DIAL-A-RIDE SERVICES IN THE CITY OF PASADENA AND EXTENSION OF CURRENT CONTRACTS WITH LAIDLAW TRANSIT SERVICES UNTIL NEW SERVICES BEGIN**

**Recommendation of City Manager:**

- (1) Authorize the City Manager to enter into a contract with Coach U.S.A. Transit Services to provide fixed route transit (ARTS) and Dial-A-Ride services in an amount not to exceed \$13,123,108 for an initial period of five years. Competitive bidding is not required pursuant to City Charter Section 1002(F), contract for professional or unique services;
- (2) Authorize the City Manager to negotiate an agreement with Laidlaw Transit Services to extend the current contracts until November 30, 2001 at a cost not to exceed \$308,000 for ARTS (Contract No. 15,375) and \$186,000 for Dial-A-Ride (Contract No. 15,986) (Contract No. 15,375-9; Contract No. 15,986-4); and
- (3) Approve a journal voucher amending the FY 2002 Operating Budget to recognize and appropriate \$459,868 to the ARTS program (Account No. 8114-209-763309) and \$216,284 to the Dial-A-Ride program (Account No. 8114-208-763312) from the unencumbered Proposition C fund balance.

The City Manager requested that the City Council bifurcate the two contract awards and extensions recommended. She noted that the Laidlaw contract would expire during the month and she requested Council take action so there would be no disruption in services. In addition, she requested that Recommendations 1 and 3 be held until October 8, 2001 in order to address questions that were previously raised.

Mr. Roy Begley, Pasadena resident, spoke in opposition to the transit services.

Mr. Robert Wittry, Pasadena resident, expressed concern regarding awarding a contract with many problems related to handicap lifts, maintenance, and service issues.

The Mayor noted that the action taken by Council was for a 60-day extension to the existing services and within two weeks it was expected to have a new contract with a new vendor. He further indicated that the quality of service had been the heart of the competitive process.

Councilmember Gordo inquired if any safety agencies conducted bus inspections.

Ms. Cathi Cole, Transit Manager, reported on annual inspections by the California Highway Patrol (CHP) and noted that no inspections by the CHP had failed.

The City Manager indicated that staff could provide a summary of the inspection reports to Council.

Discussion ensued concerning the maintenance and routes of the Uptown routes.

Mr. Mark Gillingham, Project Manager of Laidlaw, indicated that he had assumed the project since July 5, 2001. When he arrived, there had been some maintenance issues but the repairs had been completed. He explained the Downtown vehicles usually remained in Downtown and for an unknown reason these buses were usually newer than the Uptown buses. He further indicated that he could follow up on this issue and provide an explanation to Council on October 8, 2001.

Several Councilmembers stated that they were interested in an explanation.

Councilmember Streater emphasized the need to address the overcrowding issues concerning the bus routes.

It was moved by Councilmember Streater, seconded by Councilmember Haderlein, to approve City Manager's Recommendation 2 only. (Motion unanimously carried) (Absent: Councilmember Madison).

It was noted Recommendations 1 and 3 will come back to Council on October 8, 2001.

**ORDINANCE ADOPTED**

**Adopt "AN ORDINANCE OF THE CITY OF PASADENA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF PASADENA ESTABLISHED BY SECTION 17.98.040 OF THE PASADENA MUNICIPAL CODE TO CHANGE THE DESIGNATION OF A PORTION OF THE PROPERTY LOCATED AT 236 NORTH CHESTER AVENUE" (Ordinance No. 6877)**

The above ordinance was adopted by the following vote:

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

NOES: None

ABSENT: Councilmembers Streator, Madison

**RECESS**

On order of the Mayor, the regular meeting of the City Council recessed at 8:44 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 8:47 p.m. (Absent: Councilmembers Madison, Streator)

**INFORMATION ITEMS**

**PRESENTATION ON ARROYO SECO WATERSHED RESTORATION FEASIBILITY STUDY**

Mr. Tim Brick, Director of the Arroyo Seco Foundation, and Ms. Lynne Dwyer, Executive Director of North East Trees, informed Council that the Arroyo Seco had been designated as a pilot watershed for the State of California. They announced an Arroyo Seco Watershed Event scheduled on October 5, 2001 to celebrate the excellent work completed on the Arroyo Seco Watershed Restoration Feasibility Study.

Ms. Dwyer discussed the scope of work, stakeholder process, recommendations and participants of the Arroyo Seco study.

Mr. Brick discussed the public meetings conducted, expressed his appreciation to the participating agencies that cooperated with the study, and announced the website [www.arroyoseco.org](http://www.arroyoseco.org) contains the preliminary report.

Councilmember Streator inquired as to the stakeholder groups and asked if the Master Plan for the area had been reviewed.

Ms. Dwyer indicated that there were over 200 organizations and the Master Plan was reviewed during the study.

There was no action on this informational presentation.

On order of the Mayor, the regular meeting of the City Council adjourned at 9:05 p.m.

*Bill Bogaard*

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Bill Bogaard, Mayor  
City of Pasadena

ATTEST:

*Joseph K. Rodriguez*  
\_\_\_\_\_  
City Clerk  
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