

CITY OF PASADENA  
City Council Minutes  
December 3, 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 Holden, Madison, Vice Mayor Little)

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

Councilmember Madison  
arrived at 5:49 p.m.

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL -  
ANTICIPATED LITIGATION - SIGNIFICANT EXPOSURE TO  
LITIGATION pursuant to Government Code Section 54956.9 (b):  
One potential case**

Discussion held, no action reported.

On order of the Mayor, the regular meeting reconvened at 6:30 p.m.  
The Pledge of Allegiance was led by Ms. Stephanie DeWolfe,  
Assistant to the City Manager.

**ROLL CALL:**

Councilmembers:

Mayor Bill Bogaard  
Vice Mayor Paul Little  
Councilmember Victor Gordo  
Councilmember Steve Haderlein  
Councilmember Chris Holden  
Councilmember Steve Madison  
Councilmember Joyce Streator  
Councilmember Sidney F. Tyler, Jr.

Staff:

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

**CEREMONIAL MATTERS**

The City Clerk administered the oath of office to Ms. Gloria  
Broderick as Accessibility and Disability Commissioner.

The Mayor gave recognition to the PAL/Villa Parke Youth Boxing  
Team who won first place at the California Police Activities League  
2001 Boxing Tournament, held at El Centro in October of this year.  
Boxing coach Fausto De La Torre introduced and presented the  
trophy to the team.

Council commended the team and encouraged corporate  
sponsorship of the team.

**PUBLIC COMMENT**

**MS. SUSAN N. MOSSMAN, EXECUTIVE DIRECTOR OF PASADENA HERITAGE, TO INTRODUCE MR. CHARLES LOVEMAN AS THE NEW EXECUTIVE DIRECTOR OF HERITAGE HOUSING PARTNERS AND PROVIDE AN UPDATE ON THE PROJECTS AND ACTIVITIES OF HERITAGE HOUSING**

Ms. Susan N. Mossman, Executive Director of Pasadena Heritage, briefly discussed and distributed material regarding the Heritage Housing Partners program. She introduced Mr. Charles Loveman, as the newly appointed Executive Director of the Program.

Mr. Charles Loveman distributed copies of his resume and provided a brief overview of the Program.

Ms. Tena Clark, Disc Marketing, promoted the New York firefighters "Thank You America Tour". She noted the firefighters and other riders were scheduled to arrive in Pasadena, at the old fire station on Dayton Street on December 16.

Mr. Raymond Dashner, Pasadena resident, spoke on the topic of loitering, defecation in public parks, and the Newsrack Ordinance. He expressed concerns regarding the lack of enforcement of certain ordinances.

Ms. Renee Rubalcava, Pasadena resident, spoke in support of Pasadena Heritage and highlighted accomplishments of the Garfield Heights neighborhood.

Mr. Roy Begley, Pasadena resident, spoke in opposition to the Metropolitan Transportation Authority's consideration of incorporating the carpool lane on the 210 Freeway to three occupants.

**OLD BUSINESS**

**APPROPRIATION OF AN URBAN PARK AND RECREATION RECOVERY (UPARR) GRANT IN THE AMOUNT OF \$130,357 AND THE TRANSFER OF FUNDS TO THE PLANNING AND DEVELOPMENT DEPARTMENT TO CONDUCT A SENSITIVE LAND SURVEY AND A POTENTIAL POCKET PARK INVENTORY, AND TO THE *PARK IMPROVEMENTS TO MEET ADA COMPLIANCE - PHASE V, WEST DISTRICT CAPITAL IMPROVEMENT (CIP) PROJECT***

Mayor Bogaard announced the above item is continued to the meeting of December 17, 2001.

**RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS**

**AUTHORIZATION TO ENTER INTO A LICENSE AGREEMENT WITH CIRQUE DU SOLEIL, ADOPT A REVISED AND UPDATED MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM AND HOLD A FIRST READING TO SUSPEND THE NOISE ORDINANCE FOR A SPECIFIED PERIOD OF TIME**

**ORDINANCE - FIRST READING**

Conduct first reading of "AN UNCODIFIED ORDINANCE OF THE CITY OF PASADENA SUSPENDING SECTIONS 9.36.220 (AMPLIFIED SOUND) AND 9.36.230 (GENERAL NOISE SOURCES) OF THE PASADENA MUNICIPAL CODE RELATING TO LIMITATIONS ON HOURS OF OPERATION OF AMPLIFIED SOUND AND NOISE SOURCES FOR SPECIFIED DAYS AND HOURS AT PARKING LOT I ADJACENT TO BROOKSIDE PARK FOR A PERIOD BETWEEN MARCH 6, 2002 TO APRIL 7, 2002 (CIRQUE DU SOLEIL)"

The Mayor announced the above two items were pulled from the agenda, and will not return to Council in the near future.

**CONSENT CALENDAR**

**APPROVAL AND ACCEPTANCE OF A PROPOSED EASEMENT DEDICATION FOR SIDEWALK PURPOSES AT 801 EAST WALNUT STREET**

**Recommendation of City Manager:** Adopt a resolution approving and accepting the proposed easement dedication for sidewalk purposes at 801 East Walnut Street. (Resolution No. 8065; Easement No. 7811)

**APPROVAL AND ACCEPTANCE OF PROPOSED EASEMENT DEDICATIONS FOR STREET AND SIDEWALK PURPOSES AT 1055 EAST COLORADO BOULEVARD**

**Recommendation of City Manager:** Adopt a resolution approving and accepting the proposed easement dedications for street and sidewalk purposes at 1055 East Colorado Boulevard. (Resolution No. 8066; Easement No. 7812)

Item discussed separately at the request of Councilmember Gordo, due to a conflict of interest.

**ADDENDUM TO PASADENA ASSOCIATION OF CLERICAL AND TECHNICAL EMPLOYEES (PACTE) MEMORANDUM OF UNDERSTANDING (MOU) TO IMPLEMENT CIVILIAN CAREER LADDER IN THE POLICE DEPARTMENT**

Item discussed separately at the request of Councilmember Tyler.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA DECLARING ITS INTENTION TO REIMBURSE ITSELF FROM THE PROCEEDS OF ONE OR MORE TAX-EXEMPT FINANCINGS FOR CERTAIN EXPENDITURES MADE AND/OR TO BE MADE IN CONNECTION WITH THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF CERTAIN CAPITAL IMPROVEMENTS**

**APPROVAL TO PAY FOR ADDITIONAL CONSULTANT FEES IN EXCESS OF AUTHORIZED CONTRACT AMOUNT**

**Recommendation of City Manager:** Authorize the City Manager to pay Christensen Associates, Inc. \$4,482.00 in excess of the authorized contract amount for performance of an electric cost of service study and rate design update supplied to Pasadena Water

and Power (PWP) under Contract No. 17,144, thus bringing the total cost to \$145,482.00.

MINUTES APPROVED

October 1, 2001  
October 8, 2001

CLAIMS RECEIVED AND FILED

Claim No. 8894	Linda Wade	\$25,000.00
Claim No. 8895	Barbara J. Brunston	7,000.00
Claim No. 8896	Kenneth B. Richmond	Unknown

PUBLIC HEARINGS SET

December 10, 2001, 8:00 p.m. - Raymond Theater, 121-129 North Raymond Avenue, Variance No. 11319

December 17, 2001, 8:00 p.m. - Tax Equity Financial Responsibility Act (TEFRA) hearing on behalf of Retirement Housing Foundation for the proposed acquisition of Pilgrim Towers North and other related improvements

December 17, 2001, 8:00 p.m. - To amend the General Plan designation from Low Density Residential (0-6 units/acre) to General Commercial (CG), and Change the Zone from Single Family Residential, 6 units/acre (RS-6) to General Commercial, Lincoln Corridor (CG-1), Corridor (CG-1) for a Portion of the Property located at the Northwest Corner of Lincoln Avenue and Montana Street

December 17, 2001, 8:00 p.m. - Proposed Amendment to the Zoning Code to lower the existing thresholds for design review along "Major Corridors" in the City of Pasadena

It was moved by Councilmember Streater, seconded by Councilmember Tyler, to approve the Consent Calendar, except Item 3 (Addendum to PACTE MOU) and Item 4 (Resolution of the City Council Declaring Its Intention to Reimburse Itself from the Proceeds for One or More Tax-Exempt Financings). (Motion unanimously carried) (Absent: None)

CONSENT ITEMS DISCUSSED SEPARATELY

**ADDENDUM TO PASADENA ASSOCIATION OF CLERICAL AND TECHNICAL EMPLOYEES (PACTE) MEMORANDUM OF UNDERSTANDING (MOU) TO IMPLEMENT CIVILIAN CAREER LADDER IN THE POLICE DEPARTMENT**

**Recommendation of City Manager:** Adopt an addendum to the PACTE MOU to implement a Civilian Career Ladder for non-sworn classifications in the Police Department. The Civilian Career Ladder will create the classifications of Police Specialist I through VI, as well as a revised salary structure for these classes. (Contract No. 17,392-1)

It was moved by Councilmember Tyler, seconded by Councilmember Haderlein, to approve the City Manager's recommendation. (Motion carried, with Councilmember Gordo abstaining due to a conflict of interest) (Absent: None)

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA DECLARING ITS INTENTION TO REIMBURSE ITSELF FROM THE PROCEEDS OF ONE OR MORE TAX-EXEMPT FINANCINGS FOR CERTAIN EXPENDITURES MADE AND/OR TO BE MADE IN CONNECTION WITH THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF CERTAIN CAPITAL IMPROVEMENTS**

**Recommendation of City Manager:** It is recommended that the City Council adopt a resolution:

- (a) Declaring its intention to reimburse itself from the proceeds of one or more tax-exempt financings for certain expenditures made and/or to be made in connection with the acquisition, construction and equipping of certain capital improvements within the Light and Power Fund; and
- (b) Declaring its intention to reimburse itself from the proceeds of one or more tax-exempt financings for certain expenditures made and/or to be made in connection with the acquisition, construction and equipping of certain capital improvements associated with the Pasadena Center Operating Company. (Resolution Nos. 8067 & 8068)

The City Manager responded to questions from Councilmember Tyler.

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

**REPORTS AND  
COMMENTS FROM  
COUNCIL COMMITTEES**

**FINANCE COMMITTEE**

**REJECTION OF PROPOSAL FROM CITY LIGHT AND POWER TO TAKE OVER THE MAINTENANCE AND OPERATION OF THE CITY OF PASADENA'S STREET LIGHTS AND TRAFFIC SIGNAL OPERATIONS**

**Recommendation of City Manager:** Reject the proposal of City Light and Power to take over the maintenance and operations of the City of Pasadena's Street Lights and Traffic Signal Operations.

Vice Mayor Little summarized the agenda report and indicated that this item was moving forward to Council without a Committee recommendation.

Councilmember Haderlein was excused at 7:42 p.m.

Mr. Jim Mosier, Vice President of City Light and Power, spoke in opposition to the City Manager's recommendation and responded to questions.

Mr. Barry Poole, Union Representative, International Brotherhood of Electrical Workers No. 18, spoke in support of the City Manager's recommendation.

Councilmember Tyler indicated that he believed the City should welcome uninvited or invited bids for proposals, and review them.

He expressed his opinion there is a cost savings identified in City Light and Power's proposal.

In response to a question from Councilmember Tyler, the City Manager offered to provide follow-up information to Council on the 1700 Series circuit replacement costs. The City Manager also noted she will give further thought to the process for reviewing other proposals.

Following discussion, it was moved by Vice Mayor Little, seconded by Councilmember Streater, to approve the City Manager's recommendation. (Motion carried, with Councilmember Tyler objecting) (Absent: Councilmember Haderlein)

#### PUBLIC SAFETY

Councilmember Haderlein returned at 7:52 p.m.

Councilmember Gordo was excused at 7:58 p.m.

#### **APPROPRIATION OF PUBLIC SAFETY AUGMENTATION FUND FOR POLICE EQUIPMENT TO ENHANCE TECHNOLOGY, YOUTH SERVICES AND FOR OFFICE EQUIPMENT**

**Recommendation of City Manager:** Approve a journal voucher amending the FY 2002 Operating Budget for the Police Department to appropriate \$184,500 to the State of California 172 Account 202-407300. (Journal Voucher No. 2002-41)

Police Chief Bernard Melekian summarized the staff report.

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

#### **RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS**

Councilmember Gordo returned at 8:00 p.m.

#### **APPOINTMENT OF CHERYL L. HUBBARD TO THE COMMISSION ON THE STATUS OF WOMEN**

It was moved by Councilmember Tyler, seconded by Vice Mayor Little, to approve the above appointment. (Motion unanimously carried) (Absent: Councilmember Gordo)

#### **MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PASADENA AND PASADENA UNIFIED SCHOOL DISTRICT (PUSD) TO WORK COOPERATIVELY TO SUSTAIN AFTER SCHOOL PROGRAMS, AS APPROVED BY THE PUSD BOARD OF EDUCATION ON OCTOBER 27, 2001**

**Recommendation of City Manager:** Approve the Memorandum of Understanding (MOU) adopted by the Pasadena Unified School District (PUSD) Board of Education on October 27, 2001, with the purpose that the City and District work collaboratively to facilitate, sustain funding and expand safe programs for school-age children during non-school hours. (Contract No. 17,729)

The City Manager summarized the report and responded to questions. She clarified the MOU no longer calls for a non-profit group to assist in soliciting outside funds. She noted PUSD has asked to work with the City and look at different groups and make

a determination on who the non-profit partners should be as a separate decision.

Ms. Anne Pursel, Partnership for School Age Children, spoke in support of the City Manager's recommendation. She recommended Council and the School Board form a subcommittee to define a process on how to move forward from this point, and that the process be inclusive of the Partnership and other community groups.

Councilmember Holden suggested staff provide a report on the needs assessment and the types of after school programs. He stressed the need for a more detailed discussion of the different elements.

Councilmember Gordo suggested holding a workshop and inviting Supervisor Antonovich, the Altadena Town Council, the Sierra Madre City Council, and the School Board to discuss what should be done beyond June 6 (when the first Federal grant expires).

In response to a question, Ms. Patsy Lane, Director of Human Services, Recreation and Neighborhoods, indicated staff is in the process of putting a strategy together and identifying potential sources of funding and options.

The City Manager indicated staff would be returning to Council in January or February with a recommendation.

Following discussion, it was moved by Councilmember Holden, seconded by Councilmember Haderlein, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: None)

## PUBLIC HEARING

### **PUBLIC HEARING: PROPOSED UTILIZATION FOR THE LOCAL LAW ENFORCEMENT BLOCK GRANT FUNDS AND CITIZEN'S OPTION FOR PUBLIC SAFETY GRANT FUNDS**

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

(1) Approve a journal voucher recognizing \$262,622 in revenue from the United States Local Law Enforcement Grant Program and appropriate \$32,897 to the Police Department FY 2002 Operating Budget Account No. 8011-107-407600; \$229,725 has already been appropriated in the budget for FY 2002.

(2) Approve a journal voucher transferring \$29,180 from the Police Department's Asset Forfeiture Fund 207 unappropriated fund balance to the Local Law Enforcement Block Grant FY 2002 Operating Budget Account No. 8011-107-407600 to serve as the required 10 percent matching funds.

(3) Approve a journal voucher recognizing \$274,597 in revenue from the State of California Citizen's Option for Public Safety Grant and appropriating it to the Police Department FY 2002 Operating Budget, identified as the Supplemental Law Enforcement Services Fund, Account No. 201-407400; \$162,996 has already been

appropriated in the budget for FY 2002.

(4) Approve the addition of two full-time Police Officer positions. (Journal Voucher 2002-42)

The Mayor opened the public hearing.

The City Clerk reported the notice of hearing was published on November 23 and 26, 2001 in the Pasadena Star News, and on November 29, 2001 in the Pasadena Journal; no posting or mailing was required.

Police Chief Bernard Melekian summarized the agenda report and responded to questions.

Mr. Robert McCordic, resident, spoke in support of the City Manager's recommendation.

It was moved by Councilmember Madison, seconded by Vice Mayor Little, to close the public hearing. (Motion unanimously carried) (Absent: None)

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

Councilmember Streator commended Lieutenant Gales, Sergeant Wallace, and Corporal Thompson, for their outstanding performance in the line of duty at the Mayor's children's Christmas party.

**RECOMMENDATIONS  
FROM OFFICERS AND  
DEPARTMENTS**

**MODIFICATION OF PASADENA MUNICIPAL CODE SECTION, 10.45.200 CIVIC CENTER PARKING METER ZONE AND DESIGNATION OF A PLAYHOUSE PARKING DISTRICT WITH A PARKING METER ZONE**

**Recommendation of City Manager:**

(a) Direct the City Attorney to prepare an ordinance amendment to Pasadena Municipal Code Section 10.45.200 for the purpose of expanding the Civic Center Parking Meter Zone as shown in Exhibit B of the agenda report;

(b) Direct the City Attorney to prepare an ordinance establishing a Playhouse Parking Meter Zone on the street shown in Exhibit C of the agenda report;

(c) Direct the City Manager to establish a Playhouse Parking Fund to track on and off-street parking revenues and expenses in the Playhouse area;

(d) Acknowledge the project to be categorically exempt under the California Environmental Quality Act (CEQA) in accordance with Article 19, Section 15311 of the State CEQA Guidelines and Pasadena Environmental Guidelines, Class II: Accessory Structures, and authorize the City Manager to execute and the City Clerk to file a Notice of Exemption therefor with the Los Angeles County Clerk; and

(e) Approve a journal voucher transferring \$75,900 in revenues



and \$74,925 in expenses from the Civic Center Parking Meter Fund to the new Playhouse Parking Fund. (Journal Voucher 2002-43)

The City Manager and Ms. Julie A. Gutierrez, Acting Director of Public Works and Transportation, summarized the report and responded to questions.

Discussion ensued regarding parking validations at Paseo Colorado; the complaints Councilmembers have received from constituents; the need to do a better job of explaining to the public why Paseo Colorado parking is different than Old Pasadena parking structures; and the need for better signage in the parking structure, including signage for Gelson's Market.

The City Manager indicated staff will work with Paseo Colorado and will look at providing better signage in the parking structure.

Councilmember Tyler requested information on sources and uses of the Parking Meter Zone funds.

The City Manager offered to provide the information to Council.

Councilmember Streater stressed the need to look at why our garages are not self-supporting.

The City Manager noted the Meyer Mohades Parking Study was scheduled to come before Council in late January.

It was noted the merchants at Paseo Colorado do not pay for parking validations. The Mayor suggested the merchants need to be charged for parking validations.

The following individuals spoke in opposition:

Ms. Mary Sands, First United Methodist Church  
Mr. Robert Wittry, Pasadena resident  
Mr. Raymond Dashner, Pasadena resident

Reverend Mark Smutny, President of the Playhouse District Association, and Co-Pastor of Pasadena Presbyterian Church, spoke in support.

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

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 9:30 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 9:31 p.m. (Absent: None)

**ORDINANCE - FIRST READING**

Councilmember Holden was excused at 9:32 p.m.

**Introduced "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 JANUARY 23 AND 30, 2002 (GOLD CUP SOCCER TOURNAMENTS)"**

The above ordinance was offered for first reading by Vice Mayor Little:

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

NOES: None

ABSENT: Councilmember Holden

**REPORTS AND COMMENTS FROM COUNCIL COMMITTEES**

**MUNICIPAL SERVICES COMMITTEE**

Councilmember Madison was excused at 9:33 p.m.

**PASADENA WATER AND POWER ELECTRIC RATE RESTRUCTURING PLAN AND ELIMINATION OF STRANDED INVESTMENT SURCHARGE**

**Recommendation of City Manager:**

(a) Direct the City Attorney to prepare an ordinance in conjunction with Pasadena Water and Power (PWP) to restructure electric rates as described in the agenda report, to be effective in February 2002.

(b) Eliminate collection of the non-bypassable, non-taxable Stranded Investment Surcharge (SIS) of \$0.0137 on each kWh delivered to all customers, effective with the implementation date of the new rate design.

(c) Authorize PWP to refund all SIS charges collected from each customer since July 1, 2001 through the implementation date of the new rates.

(d) Recognize the Reserve for Stranded Investment (Reserve) balance of approximately \$150 million as of June 30, 2001, and authorize withdrawals from the Reserve to pay debt associated with the Intermountain Power Project (IPP), effective with the implementation of the new rates.

(e) Eliminate the Underground Surtax Rebate Program, effective with the implementation date of the new rate design.

(f) Eliminate the Utility Users Tax Rebate Program of 0.17 percent for electric customers, effective with the implementation date of the new rate design.

Ms. Phyllis Currie, General Manager of Water and Power, summarized the proposal and responded to questions.

Vice Mayor Little suggested the City Attorney's Office look closely at the proposed ordinance, and make sure that it complies with the ordinance that established the Stranded Investment Surcharge.

Mayor Bogaard noted for the record a letter had been received from Mr. David Powell on this issue.

The following individuals spoke in opposition:  
Mr. Roy Begley, Pasadena resident  
Mr. Raymond Dashner, Pasadena resident  
Ms. Elsie Robinson, Pasadena resident

Ms. Mary Dee Romney, Pasadena resident, requested clarification with regards to residential rates. She expressed support for the undergrounding program.

Ms. Currie responded that all residential users would get a decrease in rates.

Following discussion, it was moved by Vice Mayor Little, to direct staff to suspend the Stranded Investment Surcharge at the earliest possible moment, and refund to customers the amount that has been paid into that by those same customers since July 1, 2001. (Motion died due to lack of a second.)

Following further discussion, it was the consensus of Council to continue this item to December 17, 2001, and agendaize it for an early time in the meeting.

**PUBLIC COMMENT**  
**(CONTINUED)**

Mr. Robert L. McCordic, resident, alleged his bank funds were stolen.

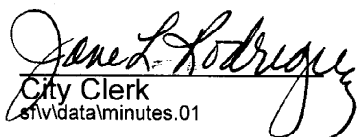
Mr. Robert Wittry, Pasadena resident, commended the Planning Commission for its meeting statement that materials would be provided in Braille, but expressed concern that documents were not made available in Spanish prior to the meeting.

On order of the Mayor, the regular meeting of the City Council adjourned at 11:01 p.m.



\_\_\_\_\_  
Bill Bogaard  
Mayor

ATTEST:



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City Clerk  
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