

CITY OF PASADENA  
City Council Minutes  
May 6, 2002 – 5:30 P.M.  
City Hall Council Chamber

REGULAR MEETING

**OPENING**

Mayor Bogaard called the regular meeting to order at 5:49 p.m.  
(Absent: Councilmembers Haderlein, Holden, Madison)

On order of the Mayor, the regular meeting recessed at 5:49 p.m., to discuss the following closed sessions:

Councilmembers Madison and Haderlein arrived at 5:53 p.m.

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

**Property: 4488 Don Milagro Drive, Los Angeles, CA 90008**  
**City Negotiator: Cynthia Kurtz**  
**Negotiating Party: Robbin Marie Randolph**  
**Under Negotiation: Price and terms**

It was moved by Councilmember Tyler, seconded by Councilmember Streator, to accept an offer of \$50,000 from negotiating party Randolph as payment on loan on the property. (Motion unanimously carried) (Absent: Councilmember Holden)

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

**Name of Case: In the Matter of the Application of the Los Angeles to Pasadena Metro Blue Line Construction Authority**  
**P.U.C. Application No. 00-10-012**

It was moved by Councilmember Tyler, seconded by Councilmember Streator, to direct staff to file comments with the Public Utilities Commission (PUC) supporting alternate decision of Commissioner Duque prior to the PUC's hearing of May 16, 2002. (Motion unanimously carried) (Absent: Councilmember Holden)

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION - CONSIDERATION OF INITIATION OF LITIGATION pursuant to Government Code Section 54956.9(c): One potential case**

The above closed session item was not discussed.

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

The above closed session item was not discussed.

On order of the Mayor, the regular meeting reconvened at 6:35 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  
Councilmember Steve Haderlein  
Councilmember Chris Holden (Absent)  
Councilmember Steve Madison (Returned at 6:37 p.m.)  
Councilmember Joyce Streater  
Councilmember Sidney F. Tyler, Jr.

Staff:

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

**ANNUAL REORGANIZATION**

The Mayor announced it was time for the annual reorganization of the City Council, and it was time to adjourn the City Council as currently constituted.

**MOTION TO ADJOURN  
COUNCIL – SINE DIE**

It was moved by Councilmember Gordo, seconded by Councilmember Tyler, to adjourn this City Council, sine die. (Motion unanimously carried) (Absent: Councilmembers Holden, Madison)

**ELECTION OF VICE MAYOR**

The Mayor opened nominations for Vice Mayor.

Councilmember Madison  
returned at 6:37 p.m.

It was moved by Councilmember Gordo, seconded by Councilmember Tyler, to nominate Paul Little as Vice Mayor. There being no further nominations, the Mayor declared the nominations closed and requested the City Clerk call the roll.

AYES: Councilmembers Gordo, Haderlein, Madison,  
Streater, Tyler, Mayor Bogaard

NOES: None

ABSENT: Councilmember Holden

ABSTAINED: Councilmember Little

Mayor Bogaard announced the election of Paul Little as Vice Mayor, and congratulated Mr. Little on his re-election.

**REMARKS BY ELECTED  
VICE MAYOR**

Vice Mayor Little stated he was honored to be elected as Vice Mayor, and expressed appreciation to his family for their support of his Council duties.

REMARKS BY MAYOR/  
COUNCILMEMBERS

Councilmember Gordo praised Vice Mayor Little for his service during the past year as Vice Mayor and as Councilmember of District 2.

Mayor Bogaard complimented Vice Mayor Little on the excellent job he has performed.

CEREMONIAL MATTERS

The City Clerk administered the oath of office to Desiree L. Rollins as Library Commissioner.

The Mayor presented a proclamation declaring May 11, 2002 as Letter Carriers' Food Drive Day. The proclamation was received by Jan Siechert, the Food Drive Coordinator for the National Association of Letter Carriers; Mark Roth and Derek Stephens with the U.S. Post Office; and Garvel Whyke, with the Salvation Army.

The Mayor presented a proclamation declaring May 13-17, 2002 as California Bike Commute Week. The proclamation was received by Bahman Janka, Eric Shen, and Jolene Piel with the City's Public Works and Transportation Department.

Mr. Richard Bruckner, Director of Planning and Development, introduced John Poindexter as the newly appointed Planning Manager.

PUBLIC COMMENT

Mr. Robert Wittry, Pasadena resident, commented on the need for door felts on the Council Chamber doors; and questioned the City's interest in property located in Los Angeles which had been discussed in closed session on this evening's agenda.

Mr. Hövel Babikian, Pasadena resident, expressed concerns regarding Altrio Telecommunications' infrastructure boxes which had been installed adjacent to his property, the lack of prior notice regarding this action, and property damage caused during this installation. He questioned whether these boxes could be relocated; noted that Altrio Communications had been cooperative in remedying the property damage; and submitted a handout of photos of the property in question.

Councilmember Madison noted this issue had been discussed by the Economic Development and Technology Committee and staff was following up on problems.

The City Manager discussed the size and location of the boxes, and indicated staff would follow up on the issue of proper notice to Mr. Babikian.

Mr. Dan Rix, Public Works and Transportation Department, explained the notification process to property owners which was to be followed by Altrio Communications.

Councilmember Haderlein requested to be informed of the information developed by staff.

Councilmember Gordo was excused at 7:10 p.m.

Mr. Harald Zechner, Pasadena resident, expressed concerns regarding the lack of adequate parking at the future Gold Line station at Allen Avenue and the 210 Freeway.

**CONSENT CALENDAR**

**AUTHORIZATION TO ISSUE A PURCHASE ORDER TO ROAD RESCUE IN AN AMOUNT NOT TO EXCEED \$117,956 TO PURCHASE ONE REPLACEMENT RESCUE AMBULANCE**

**Recommendation of City Manager:**

(1) Authorize the issuance of a purchase order to Road Rescue in the amount of \$117,956 for the purchase of one rescue ambulance to replace Equipment No. 1280. The proposed purchase is exempt from competitive bidding pursuant to City Charter Section 1002(H), contracts with other governmental entities or their contractors for labor, material, supplies or services.

(2) 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.

**APPROVAL OF FINAL TRACT MAP NO. 53310, BEING A 15-UNIT CONDOMINIUM PROJECT AT 742-748 LOCUST STREET**

**Recommendation of City Manager:** Adopt a resolution to approve final Tract Map No. 53310 and authorize the City Clerk to execute the certificate on the map showing the City's approval of said map. (Resolution No. 8104)

Item discussed separately at the request of Councilmember Tyler.

**APPROVAL OF A CONTRACT WITH LABORATORY CORPORATION OF AMERICA (LABCORP) FOR PROVISION OF CLINICAL LABORATORY SERVICES TO THE PASADENA PUBLIC HEALTH DEPARTMENT**

Item discussed separately at the request of Councilmember Tyler.

**ADOPTION OF A RESOLUTION FOR THE APPLICATION TO THE CALIFORNIA DEPARTMENT OF PARKS AND RECREATION FOR THE MURRAY-HAYDEN GRANT PROGRAM FOR THE ROBINSON PARK RECREATIONAL FACILITY PROJECT**

**MINUTES APPROVED**

March 4, 2002  
March 11, 2002

**CLAIMS RECEIVED AND FILED**

Claim No. 8999	Debbie & Alexandra Rodriguez	\$ 9,000.00
Claim No. 9000	Dr. Mujtaba Bhat	1,700.00
Claim No. 9001	United Pumping Service	1,876.06
Claim No. 9002	Larry E. Byrnes	Unknown
Claim No. 9003	Maxine Howes	108.18
Claim No. 9004	Suzanne Ziesche & Shannon Miller	Unknown

**PUBLIC HEARING SET**

June 3, 2002, 8:00 p.m. - Noise Element

It was moved by Councilmember Haderlein, seconded by Councilmember Tyler, to approve the Consent Calendar with the exception of Item 3 (Contract with Laboratory Corporation of

America) and Item 4 (Application for the Murray-Hayden Grant Program for the Robinson Park Recreational Facility Project). (Motion unanimously carried) (Absent: Councilmembers Gordo, Holden)

**CONSENT ITEMS  
DISCUSSED SEPARATELY**

**APPROVAL OF A CONTRACT WITH LABORATORY CORPORATION OF AMERICA (LABCORP) FOR PROVISION OF CLINICAL LABORATORY SERVICES TO THE PASADENA PUBLIC HEALTH DEPARTMENT**

**Recommendation of City Manager:**

- (1) Authorize a contract with Laboratory Corporation of America (LabCorp) for a period of one year or \$90,000, whichever occurs first, for the provision of clinical laboratory services to the Pasadena Public Health Department; and
- (2) Authorize the City Manager to extend the contract for up to two additional years provided any requested cost increases do not exceed the change in the Consumers Price Index for the latest available 12- month preceding period.

Councilmember Tyler questioned the length and costs of the contract; and expressed concerns regarding the weight given to pricing in awarding the contract and the apparent discrepancy in the budget figures shown in the fiscal impact section of the report.

Ms. Wilma Allen, Director of Public Health, explained the process for weighting criteria used in the recommended award of the contract; and suggested the report be held to clarify the cost and budget figures.

On order of the Mayor, this item was held one week.

**ADOPTION OF A RESOLUTION FOR THE APPLICATION TO THE CALIFORNIA DEPARTMENT OF PARKS AND RECREATION FOR THE MURRAY-HAYDEN GRANT PROGRAM FOR THE ROBINSON PARK RECREATIONAL FACILITY PROJECT**

**Recommendation of City Manager:** It is recommended that the City Council adopt a resolution to the California Department of Parks and Recreation for the Murray-Hayden grant program in the amount of \$3,000,000 for the Robinson Park recreational facility project. (Resolution No. 8105)

**Recommendation of the Recreation and Parks Commission:** The Recreation and Parks Commission reviewed and unanimously endorsed approval of the Competitive Park Grant Application Plan, authorizing staff to apply for the various grants, which included the above grant, at their special meeting held on January 16, 2002.

Councilmember Tyler expressed concern that adoption of this resolution could be seen as the Council taking a position on future plans for the use of the Highland Plastics property adjacent to Robinson Park.

The City Manager clarified the application had already been submitted contingent on the approval of the resolution; the local matching funds had not been identified; and the grant was to be used to replace the building at the north end of Robinson Park and did not reflect on plans for the Highland Plastics property at the south end of the Park.

Mr. Robert Wittry, Pasadena resident, spoke in support.

Councilmember Haderlein requested staff provide Council with information on the tracking of park usage.

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

**RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS**

**CONSIDERATION OF CALL FOR REVIEW TO THE CITY COUNCIL OF CONDITIONAL USE PERMIT NO. 4010 (COMMERCIAL RECREATION USE - ARCADE), 319 SOUTH ARROYO PARKWAY (Councilmember Madison)**

Councilmember Madison introduced the item.

It was moved by Councilmember Madison, seconded by Councilmember Tyler, to call for review Conditional Use Permit No. 4010. (Motion unanimously carried) (Absent: Councilmembers Gordo, Holden)

**REPORTS AND COMMENTS FROM COUNCIL COMMITTEES**

**ECONOMIC DEVELOPMENT AND TECHNOLOGY COMMITTEE**

**SELECTION OF ROSE BOWL MITIGATION PROJECTS**

**Recommendation of Rose Bowl Operating Company:** It is recommended that the City Council approve the mitigation projects listed in the agenda report.

Councilmember Madison, Chair of the Economic Development and Technology Committee, briefly reviewed the report.

Ms. Emina Darakjy, representing East Arroyo Residents Association, spoke in support.

Following brief discussion, it was moved by Councilmember Madison, seconded by Vice Mayor Little, to approve the Rose Bowl Operating Company's recommendation. (Motion unanimously carried) (Absent: Councilmembers Gordo, Holden)

**PROPOSED "WOMEN'S GOLD CUP" SOCCER TOURNAMENT AT THE ROSE BOWL ON OCTOBER 27, 2002 AND NOVEMBER 9, 2002**

**Recommendation of Rose Bowl Operating Company:**

(1) Authorization of a license agreement with Inter/Forever Sports, Inc. (IFS) for the hosting of the 2002 "Women's Gold Cup" Soccer Tournament, consisting of two doubleheaders at the Rose Bowl, including a preliminary game on Sunday, October 27, and the finals on Saturday, November 9, 2002.

(2) Make the required findings, pursuant to Arroyo Seco Ordinance Section 3.32.270, to authorize the presentation of the proposed November 9, 2002 doubleheader to be held at the Rose Bowl as a displacement event. (Agreement No. 17,934)

Councilmember Madison briefly reviewed the report.

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

**TELECOM HOTEL DEVELOPMENT FEASIBILITY**

**Recommendation of City Manager:** It is recommended that the City Council concur with the staff's findings that the feasibility of developing a telecom hotel in Pasadena is low at this time and should be revisited in 2 years.

Councilmember Madison briefly reviewed the report.

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

Councilmember Madison was recused at 7:40 p.m., due to a conflict of interest.

**JET PROPULSION LABORATORY(JPL)/CALTECH FIBER OPTIC NETWORK PLAN**

**Recommendation of City Manager:**

- (1) Approve the plan for creation of a JPL/Caltech fiber optic network using the City's fiber optic backbone; and
- (2) Authorize the City Manager to enter into license agreements with JPL and Caltech for use of a portion of the City's fiber optic backbone to link the two campuses and JPL subcontractors. (Agreement Nos. 17,935 & 17,936)

Vice Mayor Little, member of the Economic Development and Technology Committee, briefly summarized the report.

Mr. John Pratt, Chief Information Technology Officer, and Ms. Lori Sandoval, IT Planning & Program Manager, responded to questions.

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

**RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS**

Councilmember Madison returned at 8:48 p.m.

**OVERVIEW OF GENERAL PLAN ELEMENT UPDATES, ZONING CODE REVISION, AND CENTRAL DISTRICT SPECIFIC PLAN**

**Recommendation of City Manager:** It is recommended that the City Council review and receive the informational material.

The City Manager noted this presentation would update Council on the current status of the process being undertaken in

updating various General Plan elements, Zoning Code revisions, and the Central District Specific Plan.

The following staff made presentations on this item: Mr. John Spaulding, Consultant Planning Manager; Ms. Laura Dahl, Senior Planner; Mr. Bill Trimble, Planner; Mr. Denver Miller, Zoning Administrator; Mr. Jeff Cronin, Principal Planner; and Mr. Bahman Janka, Transportation Administrator.

The City Attorney clarified that a pending lawsuit filed by two individuals represented by the Neighborhood Legal Services in regards to the Orange Grove/Fair Oaks Specific Plan challenged whether the City's Housing Element was adopted and consistent with State law, and could affect the adoption of the Housing Element update.

Discussion followed on the process for presenting the various concept plans to the Council, setback issues, and the Central District Specific Plan. Concerns were expressed regarding the timing of additional discussions on various General Plan issues, and implications of a negative impact on staff progress caused by delaying Council consideration that could affect the direction to be taken on proposed changes in the General Plan.

The City Manager noted the process in development of the proposed changes included meetings with various Commissions/Committees and the community to derive input on the concepts, guidelines, and policies. She also noted the Council schedule included individual presentations of various components in May and June which also would occur during budget discussions; and the Council could provide input and express concerns or recommendations as these components were presented. The City Manager suggested that July could be used to schedule a Council workshop or special meeting to focus discussion on the General Plan revisions.

Mr. Richard Bruckner, Director of Planning and Development, pointed out that the August/September timeline would require Council decisions on numerous recommendations regarding the General Plan; and that the Environmental Impact Report work would not be done until Council consensus was achieved.

On order of the Mayor, the informational material was received; and staff was directed to schedule a workshop in mid-July, 2002, for further discussion of this information.

**ORDINANCE – FIRST  
READING**

**Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17 (THE ZONING CODE) TO LOWER THE THRESHOLDS FOR DESIGN REVIEW ALONG MAJOR CORRIDORS AND ARTERIALS"**

Mr. Robert Wittry, Pasadena resident, expressed concerns regarding the proposed ordinance.



The above ordinance was offered by Vice Mayor Little:  
AYES: Councilmembers Haderlein, Madison, Streator,  
Tyler, Vice Mayor Little, Mayor Bogaard  
NOES: None  
ABSENT: Councilmembers Gordo, Holden

## PUBLIC HEARINGS

### **PUBLIC HEARING: ORDINANCE AMENDING TITLE 16 (SUBDIVISIONS) AND TITLE 17 (ZONING) OF THE PASADENA MUNICIPAL CODE TO ALLOW FLAG-LOT SUBDIVISIONS ONLY IN THE HILLSIDE DEVELOPMENT (HD) OVERLAY DISTRICT, AND THE ADOPTION OF DEVELOPMENT STANDARDS FOR FLAG-LOT SUBDIVISIONS**

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

- (1) Acknowledge that the proposed amendments are exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15061(b)(3);
- (2) Find that the proposed amendments (see Attachments 2 and 3 of the agenda report) are consistent with the policies of the General Plan and the purposes of Title 16 (Subdivisions) and Title 17 (Zoning) of the Pasadena Municipal Code, as stated in the body of the report;
- (3) Approve the proposed amendments to Title 16 (Subdivisions) and Title 17 (Zoning) of the Pasadena Municipal Code;
- (4) Direct the City Attorney to prepare an ordinance amending Title 16 (Subdivisions) and Title 17 (Zoning) of the Pasadena Municipal Code; and
- (5) Direct the City Clerk to file a Notice of Exemption (Attachment 3 of the agenda report) with the Los Angeles County Recorder.

**Recommendation of Planning Commission:** The Planning Commission considered the proposed amendments at its meeting of March 13, 2002, and voted to recommend approval of the proposed actions with the following changes:

- Require that flag lots only be created through subdivision maps, not by lot-line adjustments.
- Require that pavement on the pole portions of flag lots be the minimum width allowed by the Municipal Code.
- Increase the area to be considered for purposes of defining neighborhood character to a radius of 1,000 feet.
- Require that new buildings located on flag lots be oriented in a manner that provides the maximum privacy to surrounding (existing and future) residential structures.
- Request that the Planning Commission receive periodic reports on flag-lot development proposals from staff, and review the amendments after one year.

Requested changes have been incorporated into the current proposal. As requested, staff will submit periodic reports to the Planning Commission on the status of flag-lot development proposals in the City, and return to the Planning Commission to review the amendments after one year of the effective date of the ordinance. In addition, the Notice of Exemption (see Attachment 1 of the agenda report) has been adjusted to match

the language utilized in the Conditional Use Permit (CUP) findings, as requested by the Planning Commission.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on April 19 and 22, 2002 in the Pasadena Star News and on April 25, 2002 in the Pasadena Journal; 111 copies of the notice were mailed on April 16, 2002; and one letter was received requesting that affordable housing be exempted from the ordinance.

Mr. Eduardo Schonborn, Associate Planner, summarized the report, and clarified the Planning Commission recommendations had been included in the proposed ordinance.

Mr. Richard Bruckner, Director of Planning and Development, and Mr. Denver Miller, Zoning Administrator, responded to questions.

Mr. Robert Wittry, Pasadena resident, expressed concerns regarding the proposed ordinance.

Ms. Michele White, representing Affordable Housing Services, spoke in support of including an exemption in the ordinance for affordable income housing developments for moderate income persons which could be applied to a development undertaken by Affordable Housing Services.

Mr. Bruckner noted staff was exploring other options to solve the issues with the Affordable Housing Services project which would not necessarily be applicable under the flag-lot ordinance.

Councilmember Madison questioned the lack of a City ridgeline ordinance.

Mr. Miller noted staff was studying the Hillside Ordinance and could examine this issue during the review process for updating this part of the Code.

Councilmember Tyler complimented the Planning Commission and staff on the quality of the report.

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

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

**CONTINUED PUBLIC HEARING: ZONING CODE AMENDMENT TO REVISE THE SIGN REGULATIONS, AND MODIFY THE SIGN DESIGN GUIDELINES IN OLD PASADENA AND THE CENTRAL DISTRICT AND CONSOLIDATE THE GUIDELINES INTO ONE SET OF CITY-WIDE SIGN DESIGN GUIDELINES**

**Recommendation of City Manager:**

- (1) Find that the proposed code amendment is consistent with the General Plan as outlined in the report;
- (2) Adopt a negative declaration of environmental impacts indicating that there are no significant adverse impacts associated with the proposed code amendment;
- (3) Approve the proposed amendments to the Draft Sign Regulations, and the changes to the Sign Design Guidelines consolidating the existing guidelines into one set of city-wide Sign Design Guidelines; and
- (4) Direct the City Attorney's Office to draft an ordinance amending the Zoning Code to revise the Sign Regulations and Sign Design Guidelines as set forth in the agenda report.

**Recommendation of Design Commission and Planning Commission:** At the February 11, 2002 meeting, the Design Commission reviewed the Final Draft of the Sign Ordinance. At that meeting, the Commission recommended that the Planning Commission and City Council approve the revised Sign Ordinance and Sign Design Guidelines.

At the February 13, 2002 meeting, the Planning Commission also reviewed the Final Draft of the Sign Ordinance. At that meeting, the City Attorney's Office recommended minor changes to the draft ordinance due to issues related to First Amendment concerns. The Planning Commission recommended that the City Council approve the Sign Ordinance and Sign Design Guidelines subject to changes related to First Amendment issues, clarification to the number and size of signs permitted in single-family residential districts, and minor modifications to the sign maintenance provisions to differentiate between what constitutes general maintenance and alterations of existing signs. Staff concurred with the Planning Commission's recommended changes and has included these changes into the proposed Sign Ordinance.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on April 9, 2002 in the Pasadena Star News and on April 18 and 25, 2002 in the Pasadena Journal; 19 copies of the notice were mailed on April 10, 2002; and no letters were received.

Mr. Michael Huntley, Planner, summarized the report and responded to questions.

Council expressed concerns regarding the use of banner signs, the time allowed by a banner sign permit, and contingent enforcement issues.

Mr. Richard Bruckner, Director of Planning and Development, and Mr. Denver Miller, Zoning Administrator, responded to additional questions.

Mr. Robert Wittry, Pasadena resident, agreed on the need to update the sign ordinance; and voiced concerns detailed in his handout.

Mr. Harald Zechner, Pasadena resident, expressed concerns regarding the negative impacts of the proposed sign ordinance on smaller businesses, and the large number of signs which would become nonconforming under the ordinance. He noted that input from the business community could have been better integrated into the ordinance.

Ms. Michelle White, representing Affordable Housing Services, spoke in support of retaining banner sign usage. She requested the City's political action committees be included in future discussions with the community regarding this issue.

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

The City Manager indicated staff would return with additional sign regulations and guidelines to address Council's concerns on banners, balloons, and enforcement issues.

On order of the Mayor, staff was directed to report back with additional information to be presented at a noticed public hearing.

**CONTINUED PUBLIC HEARING: ADOPTION OF THE FY 2003-2008 CAPITAL IMPROVEMENT PROGRAM BUDGET**

**Recommendation of City Manager:** Receive public comment and continue this public hearing to 8:00 p.m., May 13, 2002, or such other date as the City Council may determine, and at which time the City Council will be asked to close the public hearing and formally adopt the FY 2003-2008 Capital Improvement Program Budget.

The Mayor expressed Council's appreciation of staff's work to this point, and noted the Finance Committee was continuing to hold public meetings regarding various budget subjects.

Mr. Robert Wittry, Pasadena resident, spoke in support of allocating additional funds to improve accessibility issues for public places, buildings, and transit.

Vice Mayor Little reported the Finance Committee had recently completed discussions regarding traffic control and facilities, street lighting, electric system undergrounding, and the water and electric system. He noted the Committee would discuss technology projects and recommend Council adoption of the CIP budget at its meeting on May 13, 2002.

On order of the Mayor, the public hearing was continued to May 13, 2002 at 8:00 p.m.

**PUBLIC HEARING: FISCAL YEAR 2003 RECOMMENDED OPERATING BUDGET**

**Recommendation of City Manager:** It is recommended that the City Council continue the public hearing to May 13, 2002, at 8:00 p.m.

There was no public comment.

On order of the Mayor, the public hearing was continued to May 13, 2002 at 8:00 p.m.

**PUBLIC HEARING TO CONSIDER GRANTING NON-EXCLUSIVE SOLID WASTE FRANCHISES**

**Recommendation of City Manager:** It is recommended that the public hearing be continued to May 13, 2002, 8:00 p.m.

There was no public comment.

On order of the Mayor, the public hearing was continued to May 13, 2002 at 8:00 p.m.

RECESS

On order of the Mayor, the regular meeting of the City Council was recessed at 9:58 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 9:59 p.m. (Absent: Councilmembers Gordo, Holden, Madison)

**REPORTS AND COMMENTS FROM COUNCIL COMMITTEES**

FINANCE COMMITTEE

**AMENDMENTS TO THE FY 2002 CAPITAL IMPROVEMENT PROGRAM BUDGET**

**Recommendation of City Manager:** It is recommended that the City Council approve a journal voucher amending four projects in the Fiscal Year 2002 Capital Improvement Program as detailed in Attachment A of the agenda report. (Journal Voucher No. 2002-69)

Vice Mayor Little briefly reviewed the report, and clarified the correction being made in regards to the Central Park playground equipment was administrative in nature.

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

MUNICIPAL SERVICES COMMITTEE

**PROPOSAL TO MODIFY COMMERCIAL AND RESIDENTIAL REFUSE RATES AND REFUSE FRANCHISE FEE FOR FISCAL YEAR 2003**

**Recommendation of City Manager:**  
(1) Increase refuse rates for both residential and commercial

collection services by 3.0% effective July 1, 2002, and amend the General Fee Schedule so that in the future these rates will be reviewed for annual Consumer Price Index (CPI) increases.

(2) Modify the billing cycle so that residents will pay refuse fees 30 days in arrears rather than the current 60 days in arrears. This will result in one-half of the bi-monthly bill being paid in arrears and will reduce the accounts receivables from approximately \$1.3 million to \$672,000.

(3) Adopt a resolution increasing the franchise fee charged to commercial refuse and recycling haulers from the current 11% to 12% with the revenue generated as a result of that 1% increase going to the Refuse Fund to cover the increased cost of providing services, as outlined in the City's Integrated Waste Management Plan.

(4) Authorize the waiver of any interest charges that would otherwise accrue against the Refuse Fund's negative cash balance and instead have the General Fund cover this cost. (Resolution No. 8106)

Councilmember Tyler, Chair of the Municipal Services Committee, reviewed the Committee's recommendations contained in the City Manager's memorandum dated May 6, 2002, as follows: The Committee requested that staff develop a proposal that would eliminate the current cash flow deficit by the year 2005 instead. The revised proposal will accomplish this through an increase in residential and commercial refuse rates by 5.3% and a franchise fee increase of 3%.

The Committee approved the revised recommendation as follows:

1. Increase refuse rates for both residential and commercial collection services by 5.3% effective July 1, 2002, and;
2. Modify the billing cycle so that residents will pay refuse fees 30 days in arrears rather than the current 60 days in arrears. This will result in one-half of the bi-monthly bill being paid in arrears and will reduce the accounts receivables from approximately \$1.3 million to \$672,000.
3. Adopt a Resolution increasing the franchise fee charged to commercial refuse and recycling haulers from the current 11% to 14% with 100% of the revenue generated as a result of this 3% increase going to the Refuse Fund to cover the increased cost of providing services, as outlined in the City's integrated waste management plan.
4. Authorize the waiver of any interest charges that would otherwise accrue against the Refuse Fund's negative cash balance and instead have the General Fund cover this cost.

The Committee did not endorse adding these fees to the General Fee Schedule but instead requested that staff review these rates periodically in light of current and projected costs of services.

Mr. Robert Wittry, Pasadena resident, spoke in opposition to modifying the billing cycle.

Ms. Michelle White, representing Affordable Housing Services, explained the financial impacts the increase would have on those customers with limited or no income, and requested consideration be given to affordable housing developers who cannot be compensated for this increase.

Councilmember Tyler noted that the refuse increase should be offset by the upcoming electric rate reductions.

Councilmember Streater indicated that customers would need prior notification before these changes take place.

It was moved by Councilmember Tyler, seconded by Councilmember Haderlein, to approve the Municipal Services Committee's recommendation. (Motion unanimously carried) (Absent: Councilmembers Gordo, Holden, Madison)

**ORDINANCES - ADOPTED**

**Adopt "AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTER 2.80 OF THE PASADENA MUNICIPAL CODE (DESIGN COMMISSION) REGARDING AN ADDITIONAL DUTY OF THE DESIGN COMMISSION AND CREATING THE URBAN FORESTRY ADVISORY COMMITTEE"** (Introduced by Councilmember Tyler) (Ordinance No. 6894)

Mr. Robert Wittry, Pasadena resident, suggested the wording of the ordinance regarding the Design Commission be changed from "may" delegate to "shall" delegate; and suggested that Committee membership be increased to at least nine members.

The above ordinance was adopted by the following vote:

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

NOES: None

ABSENT: Councilmembers Gordo, Holden, Madison

**Adopt "AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17, THE ZONING CODE, TO ADD PD-26 COLORADO-LOS ROBLES AND TO RECLASSIFY CERTAIN PROPERTY KNOWN AS PLAZA LAS FUENTES IN THE CD-16 ZONING DISTRICT TO PD-26"** (Introduced by Councilmember Holden) (Ordinance No. 6895)

Mr. Robert Wittry, Pasadena resident, spoke in opposition to the proposed ordinance.

The above ordinance was adopted by the following vote:

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

NOES: None

ABSENT: Councilmembers Gordo, Holden, Madison

**Adopt "AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTER 8.52 OF THE PASADENA MUNICIPAL CODE, ENTITLED 'CITY TREES AND TREE PROTECTION ORDINANCE' AND AMENDING RELATED SECTIONS OF TITLE 17 AND CHAPTER 1.25" (Introduced by Councilmember Tyler) (Ordinance No. 6896)**

Mr. Robert Wittry, Pasadena resident, spoke in support.

The above ordinance was adopted by the following vote:

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

NOES: None

ABSENT: Councilmembers Gordo, Holden, Madison

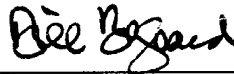
The City Manager indicated staff was working with Pasadena Beautiful to prepare an informational brochure regarding the Tree Ordinance and regulations to be distributed to residents; the In-Focus and usual venues would be used to provide information; and an informational packet was being developed to be provided to people moving into the city with their utility hookup information.

**COUNCIL COMMENTS**

Councilmember Streator requested a future staff presentation that would review significant trends in housing shifts as reflected in census data indicators.

Vice Mayor Little announced that two Pasadena Unified School District students (his son and a student from Wilson Middle School) had been honored at USC for achievement on the Johns Hopkins University Center for Talented Youth Program for their outstanding scores on the SAT test as taken by 7th and 8th graders.

On order of the Mayor, the regular meeting of the City Council adjourned at 10:20 p.m.



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

ATTEST:

  
\_\_\_\_\_  
Sharon McCon  
City Clerk

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