

CITY OF PASADENA  
City Council Minutes  
July 15, 2002 – 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)

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

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL  
pursuant to Government Code Section 54956.9(c)  
Regarding Consideration of Initiation of Litigation: One  
potential case.**

It was moved by Councilmember Streater, seconded by Councilmember Haderlein, to direct the City Attorney to initiate or intervene in an action, the particulars of which will be disclosed upon inquiry once the action is formally commenced. (Motion unanimously carried) (Absent: Councilmembers Holden, Madison)

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

**Name of Case: James and Cynthia Nelson v. City of Pasadena, et al., Appellate Case Nos. 2 Civil No. B153868 and 2 Civil No. B17239 LASC Case No. BC 273319**

The above closed session item was discussed, with no reportable action.

On order of the Mayor, the regular meeting reconvened at 6:30 p.m. The Pledge of Allegiance was led by Councilmember Haderlein.

**ROLL CALL:**

Councilmembers:

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

Staff:

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

**CEREMONIAL MATTERS**

The City Clerk administered the oath of office to J. Guadalupe Flores as Planning Commissioner, and Barry Jones as South Lake Parking Place Commissioner.

**PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA**

Mr. John Cooper, Pasadena resident, commented on the Arroyo Seco Master Plan process and the complexity of the documents presented during this process; and expressed concerns regarding the process, the need for a sufficient number of informational public meetings, and the inclusion of public comments for the record. He requested Council consider issuing a summary of the Plan to the public.

Ms. Mary Barrie, Chair of the La Canada Trails Council, commented on the Initial Study Negative Declaration dated June 2002 and the Arroyo Seco Draft Master Environmental Impact Report (MEIR) as they pertained to the Metropolitan Water District (MWD) property lease in the Hahamongna area. Ms. Barrie expressed concerns regarding the limited distribution of these reports, the proposed changes contained in the MEIR for the Old Park Road (trail), the possible environmental impacts on this area, and the effects of the proposed changes on equestrian usage. She questioned the discrepancies between the statements made in the Negative Declaration and the Draft MEIR, proposed uses of the Hahamongna area and the MWD property, and scheduling of public hearings on the Negative Declaration.

The City Manager indicated there were no plans, at this time, to make any changes to the MWD property that would affect the usage of this area by the Trail Council and current users, and clarified the environmental review process. She noted that Council had adopted the Arroyo Seco Master Plan with the proviso of examining alternatives which had additional usage possibilities, these proposed usage options had been previously discussed by the Council, and the environmental documents currently presented to the public for comment looked at the most intense Plan to include impacts for all proposed options.

The City Manager agreed to follow up with Ms. Barrie regarding the proposed uses for the MWD property, and encouraged the public to submit comments regarding the proposed usage options for the Arroyo Seco area during the public comment period for the Draft MEIR.

Councilmember Streator noted a public meeting regarding the Arroyo Seco MEIR was scheduled for July 16, 2002, at the Brookside Clubhouse.

Following discussion, the Mayor directed a general discussion of the Environmental Impact Report process be agendized for a future Council meeting.

Mr. Robert Wittry, Pasadena resident, expressed concerns regarding a house relocation and its impact on oak trees located in the area, and a lack of information from staff on how to address this problem.

On order of the Mayor, the matter was referred to the City Manager.

Ms. Cheryl Auger, Pasadena resident, submitted a letter signed by Susan Hardman, Tim Brick, Polly Wheaton, Don Rogers, and herself which expressed concerns regarding plans for a project which would modify Oak Grove Drive and offered alternative suggestions to solve the traffic and parking problems for La Canada High School. She questioned whether this project was in conflict with considerations related to the Arroyo Seco MEIR.

The City Manager agreed to respond to Ms. Auger's concerns and provide this information in the Council's weekly information memorandum.

**CONSENT CALENDAR**

**EXTENSION OF TIME REQUIRED TO MEET CONDITION FOR AMENDMENT TO THE ALKEBU-LAN CULTURAL CENTER LEASE AT 1435 NORTH RAYMOND AVENUE**

**Recommendation of City Manager:**

(1) Approve a two-year extension for Alkebu-Lan to raise 75% of the estimated \$1,300,000 construction costs through donations or grants prior to commencement of construction on the proposed addition and thereby meet the requirements for a 50-year lease extension.

(2) Authorize the City Manager to execute the Lease Amendment and all other documents pertaining thereto and to perform such other and further acts as required under the Lease Amendment.

**Recommendation of Northwest Commission:** Staff presented this item to the Northwest Commission at its July 9, 2002 meeting. The Northwest Commission recommended that the City Council approve the proposed two-year extension for fund raising to begin at the start of the Alkebu-Lan campaign in September 2002. (Lease Amendment No. 15,044-3)

Ms. Versie Mae Richardson, Chief Executive Officer of the Alkebu-Lan Cultural Center, responded to questions regarding the status of fund-raising plans for the building project presented in the above agenda item.

**CLAIMS RECEIVED AND FILED**

Claim No. 9040	James E. Jones	\$25,000.00+
Claim No. 9041	Valentina Wood	215.62
Claim No. 9042	Victoria Grace Young/ California Casualty	2,063.39
Claim No. 9043	Elyse Erica Parkinson	661.63

Claim No. 9044	Martin Swan	Unknown
Claim No. 9045	Russ Wassell	Unknown
Claim No. 9046	Amalia F. de Sotelo	Unknown

**PUBLIC HEARING SET**

August 12, 2002, 8:00 p.m. - Proposed Banbury Oaks Historic District

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

**REPORTS AND COMMENTS FROM COUNCIL COMMITTEES**

**LEGISLATIVE POLICY COMMITTEE**

**SUPPORT SB 972 (COSTA), PUBLIC WORKS: PREVAILING WAGES, WITH MODIFICATIONS**

**Recommendation of City Manager:**

- (1) Support SB 972, Public Works: Prevailing Wages, with modifications.
- (2) Authorize the Mayor to send letters to the appropriate authorities in support of the bill.

**OPPOSITION TO SENATE CONSTITUTIONAL AMENDMENT 16 (McCLINTOCK) - APPROPRIATIONS LIMIT**

**Recommendation of City Manager:**

- (1) Oppose Senate Constitutional Amendment 16 (McClintock) - Appropriations Limit.
- (2) Authorize the Mayor to send letters to the appropriate authorities stating Pasadena's position.

**SUPPORT FOR SB 68 (BATTIN): LOCAL AGENCY INVESTMENT FUND**

**Recommendation of City Manager:**

- (1) Support Senate Bill No. 68 (An act to amend Sections 16305.2, 16429.1, and 16480 of, and to add Sections 16305.9 and 16429.4 to, the Government Code, relating to local agency investments).
- (2) Authorize the Mayor to send letters to the appropriate authorities in support of the bill.

**SUPPORT OF ASSEMBLY CONSTITUTIONAL AMENDMENT 11 (RICHMAN AND CANCIAMILLA) - CALIFORNIA TWENTY-FIRST CENTURY INFRASTRUCTURE INVESTMENT FUND**

**Recommendation of City Manager:**

- (1) Support Assembly Constitutional Amendment 11 (Richman and Canciamilla) - *California Twenty-First Century Infrastructure Investment Fund*.
- (2) Authorize the Mayor to send letters to the appropriate authorities in support of the bill.

**SUPPORT SB 1528 (VINCENT), SHOPPING CARTS**

**Recommendation of City Manager:**

- (1) Support SB 1528, a legislative vehicle to reduce the

number of days unclaimed shopping carts may linger outside the premises or parking area of the retail establishments which purchased them.

(2) Authorize the Mayor to send letters to the appropriate authorities in support of Pasadena's position.

It was moved by Vice Mayor Little, seconded by Councilmember Streator, to approve the City Manager's recommendations for the above five items. (Motion unanimously carried) (Absent: Councilmembers Holden, Madison)

**OPPOSITION TO SENATE BILL 1918 (TORLAKSON), RELATED TO VEHICLES: ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES (EPAMD) [ALSO KNOWN AND ADVERTISED AS "GINGER"]**

**Recommendation of City Manager:**

(1) Oppose Senate Bill 1918 (Torlakson), an act to amend Sections 407.5 and 467 of, and add Section 313 to Division 11 of the Vehicle Code in relation to vehicles.

(2) Authorize the Mayor to send a letter to the appropriate authorities in opposition of the bill.

Councilmember Tyler clarified that this bill would allow these specific devices to be used on sidewalks.

Police Chief Bernard Melekian briefly discussed the safety and liability issues regarding these devices, and clarified the Motor Vehicle Code's regulation of various types of motorized devices on sidewalks.

Following discussion and by consensus of Council, the issues of regulating motorized devices on City sidewalks and mechanisms to discourage use of bicycles on sidewalks in commercial districts were referred to the Public Safety Committee for study and recommendation.

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

**NEUTRAL POSITION ON ASSEMBLY BILL 2052 (GOLDBERG), HEALTH CARE SERVICE PLANS: RATE CHANGES**

**Recommendation of City Manager:** The purpose of the agenda report is to inform the City Council about Assembly Bill 2052 (Goldberg), Health Care Service Plans: Rate Changes.

The City Manager and Mr. Jay Goldstone, Director of Finance, explained staff's neutral position on this bill and the business philosophy regarding insurance rate changes.

Following discussion, it was moved by Councilmember Streator, seconded by Councilmember Gordo, to support Assembly Bill 2052 and authorize the Mayor to send letters to the appropriate authorities in support of the bill. (Motion unanimously carried) (Absent: Councilmembers Holden, Madison)

**RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS**

**RESIGNATION OF STEVE WESSON FROM THE RECREATION AND PARKS COMMISSION** (District 3 Nomination)

**APPOINTMENT OF GARY JOHNSTON TO THE PLANNING COMMISSION** (District 2 Nomination)

It was moved by Vice Mayor Little, seconded by Councilmember Haderlein, to accept the above resignation with regret, and approve the above appointment. (Motion unanimously carried) (Absent: Councilmembers Holden, Madison)

**AUTHORIZATION TO AMEND CONTRACT NO. 17,879 WITH McLEAN & SCHULTZ FOR THE DESIGN OF A SOUTHERN PEDESTRIAN OVERCROSSING TO THE SIERRA MADRE VILLA LIGHT RAIL STATION**

**Recommendation of City Manager:** Authorize the City Manager to amend Contract No. 17,879, with McLean and Schultz for the design of a southern pedestrian overcrossing to the Sierra Madre Villa light rail station that will increase the "not to exceed" amount from \$295,000 to \$380,000 which is an increase of \$85,000. (Contract Amendment No. 17,879-1)

Mr. Dan Rix, City Engineer, briefly reviewed the report, and responded to questions regarding the project and available funding.

The City Manager updated the status of federal funding for the project; indicated a report would be presented to Council in December 2002, or sooner, after the Federal Government had acted on the appropriations; and noted that alternative funding would be discussed in the report, if federal funding would not cover project costs.

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

Councilmember Tyler recused himself at 7:41 p.m. due to a conflict of interest.

**APPROVAL OF RESOLUTION CONFIRMING THE AWARD OF ITS ELECTRIC REVENUE/REFUNDING BONDS, 2002 SERIES**

**Recommendation of City Manager:** Adopt a resolution

confirming the award of its Electric Revenue/Refunding Bonds, 2002 Series. (Resolution No. 8136)

Mr. Jay Goldstone, Director of Finance, reviewed the report and responded to questions.

Vice Mayor Little congratulated staff on its work.

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

**ORDINANCE – FIRST  
READING**

Councilmember Tyler returned at 7:44 p.m.

**Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 16 (THE SUBDIVISIONS CODE) AND TITLE 17 (THE ZONING CODE) TO ALLOW FLAG-LOT SUBDIVISIONS ONLY IN THE HILLSIDE DEVELOPMENT (HS) OVERLAY DISTRICT, AND THE ADOPTION OF DEVELOPMENT STANDARDS FOR FLAG-LOT SUBDIVISIONS”**

Mr. Robert Wittry, Pasadena resident, expressed concern regarding regulations for the development/subdivision of lots with extreme topographical conditions under this ordinance.

Mr. Richard Bruckner, Director of Planning and Development, clarified that current codes would provide protection to address Mr. Wittry's concern.

The above ordinance was offered by Vice Mayor Little.

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

NOES: None

ABSENT: Councilmembers Holden, Madison

**INFORMATION ITEM**

**STATUS REPORT ON PASADENA AREA RAPID TRANSIT SYSTEM (ARTS) RIDERSHIP**

**Recommendation of City Manager:** The agenda report is for information only.

Ms. Cathi Cole, Transit Manager, summarized the report, and responded to questions regarding bus capacities and the gathering of data contained in the report.

The City Manager noted that use of larger buses should address the capacity issues, and staff would again monitor and report back to Council when the school year begins in the fall.

Following discussion, staff agreed to also include data regarding passenger totals based on time of day, data totals from stop to stop, and data on sites where buses are at capacity and pick ups are not made.

The City Manager noted the Transportation Advisory Commission (TAC) was also studying funding of increased ARTS bus usage by students, and a report would be presented to Council in the future.

Ms. Cole confirmed that a Gold Line services agenda item would be heard by the TAC on July 30, 2002, and a report would be presented to Council in early October.

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

### **PUBLIC HEARING**

**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:** Continue public hearing to July 22, 2002 at 7:30 p.m.

On order of the Mayor, the public hearing was continued to July 22, 2002 at 7:30 p.m.

### **COUNCIL COMMENTS**

Vice Mayor Little noted the Economic Development and Technology Committee had begun discussion of initiatives regarding hiring and contracting within the City, and had tentatively scheduled August, 2002, to return to Council with recommendations.

Councilmember Tyler expressed concern in a noticeable trend within the City of replacing older homes and affordable housing units with larger condominiums/developments; and suggested staff or the Planning Commission review the Zoning Code or develop criteria for establishing more affordable housing, in the context of this trend.

Brief discussion followed on the affordable housing aspect of the demolition of older buildings in the City, and impacts on the profile of a neighborhood caused by denser development.

The City Attorney clarified that Cultural Heritage Commission decisions are appealed to the City Council, and suggested that this topic should be agendized if the Council wanted to pursue further discussion.

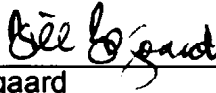
The City Manager reported the Affordable Housing Task Force applications had been compiled and would be distributed to Council on July 16, 2002.



Brief discussion followed on the composition of the Task Force, the process for appointment of the Task Force members, and the Task Force's role in exploring this issue.

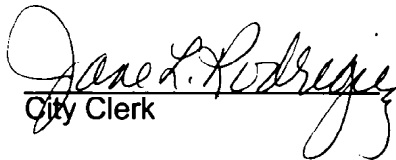
Following discussion and by consensus of Council, it was agreed that the issue of demolishing buildings and replacing them with denser developments would be referred to the Affordable Housing Task Force, and that the City Manager would provide Council with an issue paper which would define the problem and identify possible solutions.

On order of the Mayor, the regular meeting of the City Council adjourned at 8:09 p.m.



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

ATTEST:



\_\_\_\_\_  
Jane L. Rodriguez  
City Clerk

kv:Data/Minutes/min-july15,2002