

CITY OF PASADENA
City Council Minutes
July 22, 2002 - 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

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

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

**CITY COUNCIL CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8
Property: 72 East Glenarm, Pasadena
Negotiation Parties: Richard Bruckner, Don Cosgrove; Art Center College of Design
Under Negotiation: Price and terms**

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

On order of the Vice Mayor, the regular meeting reconvened at 6:34 p.m. The Pledge of Allegiance was led by Councilmember Tyler.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard (Absent)
Vice Mayor Paul Little
Councilmember Victor Gordo
Councilmember Steve Haderlein
Councilmember Chris Holden
Councilmember Steve Madison (Absent)
Councilmember Joyce Streater (Absent)
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 Mr. Gary Johnston as Planning Commissioner.

PUBLIC COMMENT

Mr. William Papanian, Pasadena resident and former Councilmember and Mayor, spoke and expressed opposition regarding the Terrorism, Information and Prevention System (TIPS) program, and urged the City Council to opt out of the program.

The City Manager indicated right now there is no intent for the City to become a part of the program.

Councilmember Haderlein suggested referring this issue to the Public Safety Committee.

Councilmember Holden noted it would be helpful for the Public Safety Committee to have more information on the program, and on any legislation or policy being proposed in Washington.

Following a brief discussion regarding the timeline for placing it on the Public Safety Committee's agenda, Mr. Paparian suggested discussing this issue at the Council level and then referring it to the Public Safety Committee.

Vice Mayor Little noted he would refer this item to the Mayor with a suggestion that it come back to the City Council.

Mr. Michael Enger, Pasadena resident, submitted a handout and spoke in opposition to the proposed installation of a power supply box at Paloma Street and Craig Avenue by Altrio Communications. He also submitted a petition with 86 signatures in opposition to the proposed installation of the power supply box.

Councilmember Haderlein indicated the City has taken some action and work on this particular site has been halted pending answers to questions regarding notification and alternative sites.

Mr. Harold Zechner, Pasadena resident, referred to new electric rates and expressed concern regarding an increase in his bill.

The City Manager stated staff would follow up with Mr. Zachner to review his bill.

Mr. Robert Wittry, Pasadena resident, referred to a building with glass-etched graffiti and expressed concern the graffiti has not been removed, concern that adaptive pedestrian signals have not been installed at Orange Grove Boulevard and Lake Avenue, and concern that the Initial Study and Negative Declaration for the Metropolitan Water District property lease was not available at the Central Library.

Ms. Viktoria Valentin, Pasadena resident, expressed concern regarding displaced pets due to the fourth of July fireworks. She distributed a handout and spoke regarding the need for a centralized system to assist animal owners in locating their displaced pets.

CONSENT CALENDAR

**PURCHASE OF ONE JOHN DEERE FOUR-WHEEL DRIVE
LOADER IN AN AMOUNT NOT TO EXCEED \$75,798**

Recommendation of City Manager:

(1) Authorize a purchase order to Coastline Equipment in an amount not to exceed \$75,798 for the purchase of one Four-Wheel Drive Loader;

- (2) Grant an exemption from competitive bidding pursuant to City Charter Section 1002(H), contracts with other governmental entities or their contractors for labor, material, supplies or services; and
- (3) Grant this contract an exemption to the competitive selection process of the Competitive Bidding and Purchasing Ordinance, pursuant to Pasadena Municipal Code Section 4.08.047(B), contracts for which the City's best interests are served.

Item discussed separately due to public comment.

RECOGNITION AND APPROPRIATION OF GRANTS IN THE FISCAL YEAR 2003 CAPITAL IMPROVEMENT PROGRAM BUDGET

APPROVAL OF APPLICATION AND RESOLUTION TO THE RESOURCES AGENCY OF THE STATE OF CALIFORNIA FOR THE LOS ANGELES RIVER PARKWAY GRANT PROGRAM FOR THE WESTSIDE PERIMETER TRAIL AND HABITAT RESTORATION PROJECT AT HAHAMONGNA WATERSHED PARK IN THE ARROYO SECO

Recommendation of City Manager: Approve the City of Pasadena's application and resolution to the Resources Agency of the State of California for the Los Angeles River Parkway Grant Program in the amount of \$600,000 for the Westside Perimeter Trail and Habitat Restoration Project at Hahamongna Watershed Park in the Arroyo Seco. (Resolution No. 8137)

Recommendation of Recreation and Parks Commission: At their regular meeting on July 2, 2002, the Recreation and Parks Commission reviewed and unanimously endorsed approval of the City of Pasadena's application and resolution to the *Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2002* and recommend that City Council take similar action.

APPROVAL OF MINUTES

April 29, 2002

CLAIMS RECEIVED AND FILED

Claim No. 9047	Joseph & John Dumbacher	\$25,000.00+
Claim No. 9048	Enterprise Rent A Car	\$3,230.21

PUBLIC HEARINGS SET

August 5, 2002, 4:30 p.m. - Revisions to Land Use Element - Objective, Policies and Procedures Section

August 5, 2002, 4:30 p.m. - Revisions to Historic Preservation Ordinance

August 5, 2002, 4:30 p.m. - Approval of Central District and General Plan Design Guidelines

August 5, 2002, 4:30 p.m. - Zoning Code Revisions - Single Family, RM-12 Commercial/Industrial Chapters

August 12, 2002, 8:00 p.m. - General Plan Amendment from Neighborhood Commercial and Medium Density Residential (0-16

dwelling units/net acre) to Medium-High Density Residential (0-32 dwelling units/net acre and a Zone Change from CL SD (Limited Commercial, Sign District Overlay) and RM-16 (Multi-family Residential, 16 dwelling units/net acre) to Planned Development (PD) for property located at 435 North Altadena Drive

August 19, 2002, 8:00 p.m. - General Plan Amendment from Medium Density Residential (0-16 units per acre) to Low-Medium Residential (2 units per lot) and a Zone Change from RM-16 (Multi-family Residential, 16 units per acre to RM-12 (Multi-family Residential, 2 units per lot) for parcels located along Raymond Avenue and Summit Avenue between Maple Street and Villa Street

It was moved by Councilmember Haderlein, seconded by Councilmember Gordo, to approve the Consent Calendar, with the exception of Item 2 (Recognition and Appropriation of Grants in the FY 2003 CIP Budget) which was discussed separately. (Motion unanimously carried) (Absent: Councilmembers Madison, Streater, Mayor Bogaard)

**CONSENT CALENDAR
ITEM DISCUSSED
SEPARATELY**

RECOGNITION AND APPROPRIATION OF GRANTS IN THE FISCAL YEAR 2003 CAPITAL IMPROVEMENT PROGRAM BUDGET

Recommendation of City Manager: Approve a journal voucher recognizing and appropriating the revenue from eight grants to Capital Improvement Program (CIP) projects as outlined in Attachment A of the agenda report. (Journal Voucher 2003-5)

Ms. Jo Barker, Los Angeles resident, requested the last sentence of Item 1 be amended to read: "*If the environmental impact report is certified, this project will be designed in fiscal year 2003 and constructed in fiscal year 2004*".

The City Manager briefly summarized the agenda report and responded to questions.

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

**R E P O R T S A N D
C O M M E N T S F R O M
C O U N C I L C O M M I T T E E S**

FINANCE COMMITTEE

AMENDMENT TO THE FY 2003 OPERATING BUDGET TO ADD A CITY SERVICE WORKER - ENGINEERING AIDE POSITION TO THE PUBLIC WORKS DEPARTMENT

Recommendation of City Manager:

(1) Amend the Fiscal Year 2003 Operating Budget to add 1.0 FTE, City Service Worker - Engineering Aide, to the Public Works Department for a period of one year; and

(2) Approve a journal voucher recognizing and appropriating \$51,000 in Private Capital from Altrio Communications to Budget Account No. 101-762100 to fund this position for one year. (Journal Voucher No. 2003-6)

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

Mr. Michael Enger, Pasadena resident, spoke in opposition to the above item. He also referred to the notice he received from Altrio regarding the proposed placement of a power supply box in his neighborhood, and expressed concern regarding the lack of information on the notice.

Councilmember Gordo requested staff communicate to Altrio that the lack of noticing is not acceptable and that the mailers should include Altrio's phone number. He suggested revisiting the issue of the boxes and possibly require some type of landscaping.

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

AMENDMENTS TO THE FY 2003 CAPITAL IMPROVEMENT PROGRAM BUDGET

Recommendation of City Manager: Approve a journal voucher amending five projects in the FY 2003 - 2008 Capital Improvement Program as outlined in Attachment A of the agenda report.

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

Following a brief discussion, it was moved by Councilmember Tyler, seconded by Councilmember Haderlein, to approve the City Manager's recommendation, except Item 4 (Replace Fire Department's Mobile Data Terminals) to be further reviewed by the Finance Committee. (Motion unanimously carried) (Absent: Councilmembers Madison, Streator, Mayor Bogaard)

APPROPRIATION OF FUNDS FOR RETENTION OF A CONSULTANT TO CONDUCT A NEEDS ASSESSMENT STUDY OF COMPUTER ASSISTED DISPATCH, RECORDS MANAGEMENT AND MOBILE COMPUTING IN THE PASADENA POLICE DEPARTMENT

Recommendation of City Manager: Approve a journal voucher amending FY 2003 Operating Budget by appropriating \$75,000 from the unappropriated Supplemental Law Enforcement Services Fund balance to Budget Account No. 8115-201-407400, Supplemental Law Enforcement Services Contract Services account. (Journal Voucher No. 2003-8)

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

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

APPROPRIATION OF FUNDS FOR THE PURCHASE OF TWO NEW VEHICLES FOR THE COUNTER TERRORISM SECTION OF THE PASADENA POLICE DEPARTMENT

Recommendation of City Manager: Approve a journal voucher amending the FY 2003 Operating Budget by appropriating \$50,000 from the unappropriated Asset Forfeiture Fund balance to Budget Account No. 8505-207-407500, Asset Forfeiture. (Journal Voucher 2003-9)

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

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

APPOINTMENT OF JAMES C. CAILLOUETTE TO THE COMMISSION ON THE STATUS OF WOMEN (District 7 Nomination)

APPOINTMENT OF WAYNE MILLER TO THE PASADENA COMMUNITY ACCESS CORPORATION BOARD (District 2 Nomination)

APPOINTMENT OF VANNIA DE LA CUBA TO THE RECREATION AND PARKS COMMISSION (District 5 Nomination)

It was moved by Councilmember Haderlein, seconded by Councilmember Tyler, to approve the above appointments. (Motion unanimously carried) (Absent: Councilmembers Madison, Streater, Mayor Bogaard)

ORDINANCE - ADOPTED

Adopt "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" (Introduced by Vice Mayor Little) (Ordinance No. 6903)

Mr. Robert Wittry, Pasadena resident, expressed concern that there is a loophole pertaining to flag-lot subdivisions, and stressed the need to correct the wording.

The above ordinance was adopted by the following vote:
AYES: Councilmembers Gordo, Haderlein, Holden, Tyler, Vice Mayor Little
NOES: None
ABSENT: Councilmembers Madison, Streater, Mayor Bogaard

**RECOMMENDATIONS
FROM OFFICERS AND
DEPARTMENTS**

REVISIONS TO PRIVATE DEVELOPMENT PUBLIC ART GUIDELINES, CAPITAL IMPROVEMENT PROGRAM PUBLIC ART GUIDELINES, BOUNDARIES OF THE DOWNTOWN CULTURAL TRUST FUND DISPERSAL AREA, AND NEW APPLICATION GUIDELINES FOR TRUST FUND MONIES

Recommendation of City Manager: It is recommended that the City Council approve the proposed revisions to the:

- (1) Consolidation of two current sets of Private Development Public Art Guidelines;
- (2) Capital Improvement Program (CIP) Public Art Guidelines to pool CIP public art funds;
- (3) Downtown Cultural Trust Fund (DCTF) distribution area to include the entire city;
- (4) Downtown Cultural Trust Fund name to Cultural Trust Fund to reflect city-wide application;
- (5) Downtown Cultural Trust Fund application process.

Recommendation of Arts Commission: On June 12, 2002, the Arts Commission approved staff's recommendation and recommends to City Council the aforementioned revisions.

The City Manager and Mr. Jonathon Glus, Executive Director for the Arts, summarized the report and responded to questions.

Councilmembers Holden and Gordo expressed concern regarding imposing a fee in the Northwest area, where it is still difficult to do projects. They indicated they are not opposed to a study, but noted if a recommendation comes forward to add the 1% Public Art fee to development projects in the Enterprise Zone or the Northwest, there needs to be a significant justification of that as well as an explanation of how those funds are going to be spent.

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

PUBLIC HEARING

CONTINUED PUBLIC HEARING: ZONING CODE AMENDMENT TO REVISE THE SIGN REGULATIONS, 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 agenda 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 code amendment 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 that would codify the approved code amendment. **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 in the proposed Sign Ordinance.

The Vice Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published in the Pasadena Star-News on July 5 & 12, 2002; in the Pasadena Journal on July 11, 2002; on July 1, 2002 twelve copies of the notice were mailed. One letter in support with a modification pertaining to temporary signs was received and distributed to Council.

The City Manager and Mr. Michael A. Huntley, Planner, summarized the report and responded to questions.

The following individuals spoke on this item:

Mr. Harold Zachner, Pasadena resident, spoke in opposition.

Mr. Robert Wittry, Pasadena resident, voiced support for a sign ordinance but expressed concerns regarding the proposed ordinance.

Ms. Lynn Hess, Chamber of Commerce, summarized her letter dated July 18, 2002, requesting a modification to the duration requirements in the standards for temporary signs. She also suggested setting up an information line and making available printed information regarding the proposed ordinance.

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

Councilmember Tyler referred to illegal sandwich board sidewalk signs, and suggested a more aggressive enforcement campaign after the Blue Line construction is finished.

It was moved by Councilmember Haderlein, seconded by Councilmember Holden, to approve the City Manager's recommendation, with the modification suggested by the Chamber of Commerce that the duration requirements in the standards for temporary signs be returned to 30-day permits up to 90 days in any calendar year. (Motion unanimously carried) (Absent: Councilmembers Madison, Streator, Mayor Bogaard)

It was clarified that this modification would still only provide for three permits throughout the year, and at the conclusion of each permit, there is a review for the next permit.

**REPORTS AND
COMMENTS FROM
COUNCIL COMMITTEES**

**MUNICIPAL SERVICES
COMMITTEE**

INCREASED RECYCLING REQUIREMENTS FOR THE NON-EXCLUSIVE SOLID WASTE FRANCHISE SYSTEM FOR COLLECTION OF COMMERCIAL WASTE

Recommendation of City Manager: Direct the City Attorney to draft an ordinance amending Chapter 8.61 of the Pasadena Municipal Code to require non-exclusive franchise haulers to recycle 50% of all materials collected and make other modifications to the chapter as detailed in the agenda report.

Councilmember Tyler, Chair of the Municipal Services Committee, summarized the agenda report.

Mr. Jim Berryhill, Administrator, responded to questions.

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

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

PUBLIC HEARING

CONTINUED PUBLIC HEARING: TO CONSIDER GRANTING NON-EXCLUSIVE SOLID WASTE FRANCHISES

Recommendation of City Manager:

- (1) Hold a public hearing to consider granting non-exclusive solid waste franchises.
- (2) After the public hearing is held, grant a franchise to all applicants.
- (3) Direct the City Attorney to prepare the necessary ordinances for the approved applications and authorize the City Manager to enter into the franchise agreements on or after the effective date of the ordinance approving such franchise.

The Vice Mayor opened the public hearing.

The City Clerk reported on April 26, 2002 in the Pasadena Star News the resolution declaring the City's intention to consider the granting of non-exclusive solid waste franchises and setting the public hearing date was published; no posting or mailing was required; and one letter expressing various concerns was received.

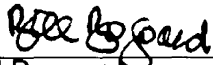
The City Manager summarized the agenda report.

Mr. Mike Hammer, representing Looney Bins Solid Waste Hauler, spoke in support.

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

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

On order of the Vice Mayor, the regular meeting of the City Council adjourned at 8:27 p.m.



Bill Bogaard
Mayor

ATTEST:



City Clerk
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