

CITY OF PASADENA
City Council Minutes
September 16, 2002 - 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Vice Mayor Little called the regular meeting of the City Council to order at 5:50 p.m. (Absent: Mayor Bogaard, Councilmembers Gordo, Madison)

Councilmember Gordo arrived at 5:56 p.m.

On order of the Vice Mayor, the regular meeting of the City Council recessed at 5:50 p.m., to discuss the following closed session:

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

On order of Vice Mayor Little, the regular meeting of the City Council reconvened at 6:35 p.m. The Pledge of Allegiance was led by Councilmember Haderlein.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard (Absent)
Vice Mayor Paul Little
Councilmember Victor Gordo
Councilmember Steve Haderlein
Councilmember Chris Holden
Councilmember Steve Madison
Councilmember Joyce Streater
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. Janice Vander Steeg as Pasadena Center Operating Company Board member.

Vice Mayor Little, Chair Nat Nehdar and Vice Chair Nancy Sullivan, of the Human Relations Commission, presented a Model of Unity Award to Ms. Sue Miele and Tom Selinske.

Ms. Wilma Allen, Director of Public Health, introduced Ms. Maria "Candy" Corazon Jose Jara as the Division Manager of Communicable Disease Prevention & Control Division.

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

Mr. Gordon Stebenne, representing Pasadena Sister Cities Community, introduced the new Board of Directors for Pasadena Sister Cities Committee, and presented Honorary Member badges to City Council.

Ms. Bob Kneisel, Pasadena resident, referenced an agenda report of August 13, 2001 pertaining to Altrio's open video system franchise agreement, and expressed concerns regarding the Altrio agreement and adverse impacts of Altrio's work.

Ms. Roz Makuh, Pasadena resident, distributed a letter and expressed concerns regarding the installations conducted by Altrio and damage to trees in the stringing of cable lines. She urged the City to hire staff to monitor Altrio's work.

The City Manager apprised Council that a full-time staff person had been hired and would begin working shortly, a written commitment had been received by Altrio stating the notification changes that were different than what was agreed upon per the contract, and Altrio was now presenting landscape plans that staff would address to ensure the landscaping was performed in a more timely manner.

Vice Mayor Little requested that staff be more proactive, in the short-term, with monitoring the issues pertaining to the trees and landscaping.

In response, the City Manager indicated she would review the matter and, if necessary, include additional arborists in the project.

The following people expressed concerns regarding sexual abuse crimes against children and alleged Planned Parenthood does not follow mandated reporting laws regarding sexual abusers:

Mr. John O'Neill, representing Monrovia's Against Planned Parenthood, distributed a letter and video
Mr. Michael DiPietro, Pasadena resident
Sister Mariella Klein, Duarte resident
Sister Mary Karen Joseph, Duarte resident
Mr. Mike Hertz, Pasadena resident
Mr. Chris Jacobs, Pasadena resident

Councilmember Madison and Vice Mayor Little encouraged anyone in the community who had knowledge of any violations against children or any other laws to file a complaint with the Pasadena Police Department.

On order of the Vice Mayor, the matter was referred to the Legislative Policy Committee, with staff to communicate to the above speakers when the Committee will address the issue.

OLD BUSINESS

APPROVAL OF FINAL TRACT MAP NO. 53225, BEING A 10-UNIT CONDOMINIUM PROJECT AT 268 NORTH MAR VISTA AVENUE
Recommendation of City Manager: Adopt a resolution to approve final Tract Map No. 53225 and authorize the City Clerk to execute the certificate on the map showing the City's approval of said map. (Resolution No. 8146)

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

CONSENT CALENDAR

APPROVAL OF FINAL TRACT MAP NO. 53278, BEING A 48-UNIT CONDOMINIUM PROJECT AT 270-280 NORTH MADISON AVENUE

Recommendation of City Manager: Adopt a resolution to approve final Tract Map No. 53278 and authorize the City Clerk to execute the certificate on the map showing the City's approval of said map. (Resolution No. 8147)

APPROVAL OF FINAL TRACT MAP NO. 53487, BEING AN 18-UNIT CONDOMINIUM PROJECT AT 71-87 SOUTH SIERRA MADRE BOULEVARD

Recommendation of City Manager: Adopt a resolution to approve final Tract Map No. 53487 and authorize the City Clerk to execute the certificate on the map showing the City's approval of said map. (Resolution No. 8148)

APPROVAL OF FINAL TRACT MAP NO. 52974, BEING A 6-UNIT CONDOMINIUM PROJECT AT 80 SOUTH MERIDITH AVENUE

Recommendation of City Manager: Adopt a resolution to approve final Tract Map No. 52974 and authorize the City Clerk to execute the certificate on the map showing the City's approval of said map. (Resolution No. 8149)

APPROVAL OF FINAL TRACT MAP NO. 53006, BEING AN 8-UNIT CONDOMINIUM PROJECT AT 1800 NORTH LINCOLN AVENUE

Recommendation of City Manager: Adopt a resolution to:

- (1) Approve final Tract Map No. 53006.
- (2) Accept the grant of easement for street purposes as shown on final Tract Map No. 53006.
- (3) Authorize the City Clerk to execute the certificate on the map showing the City's approval of said map and acceptance of said grant of easement. (Resolution No. 8150)

CONTRACT AWARD TO VART CONSTRUCTION FOR CONSTRUCTION OF WHEELCHAIR RAMPS 2002 FOR AN AMOUNT NOT TO EXCEED \$87,000

Recommendation of City Manager:

(1) Accept the bid dated August 28, 2002 submitted by Vart Construction in response to the Specifications for Construction of Wheelchair Ramps - 2002, reject all other bids received, and authorize the City Manager to enter into such contract as required.

(2) Acknowledge the project to be categorically exempt under Section 21084 of the California Environmental Quality Act of 1984 in accordance with Article 19, Section 15301 (Class 1), subsection (c) of the Resources Agency of California Guidelines (maintenance of existing public streets) pursuant to the findings of the Secretary of the Resources Agency and authorize the City Manager to execute and the City Clerk to file a Notice of Exemption for the project with the Los Angeles County Clerk. (Contract No. 18,074)

FOUR-MONTH EXTENSION OF CITY MANAGER'S EMPLOYMENT CONTRACT PENDING NEGOTIATION OF CONTRACT RENEWAL

Recommendation of Mayor: It is recommended that the City Council approve a four-month extension of the City Manager's employment agreement (Contract Nos. 16,858 and 16,858-1), through January 21, 2002, to allow for negotiation of a renewal of her employment agreement with the City. (Contract No. 16,858-2)

The City Attorney noted that there was a technical error on the Four-Month Extension of City Manager's Employment Contract and stated that it should indicate from January 21, 2003 rather than 2002.

APPROVAL OF MINUTES

June 17, 2002 (Removed for separate discussion)
June 24, 2002

CLAIMS RECEIVED AND FILED

Claim No. 9095	Melyssa A. Avola	\$ Unknown
Claim No. 9096	Frank Zamora, Jr.	5,637.91
Claim No. 9097	Mei Wei Sofferin	Unknown

PUBLIC HEARING SET

October 14, 2002, 5:00 p.m. - Housing Element
October 14, 2002, 5:00 p.m. - Safety Element

It was moved by Councilmember Streater, seconded by Councilmember Gordo, to approve the Consent Calendar, with the exception of the June 17, 2002 minutes and with the correction noted above to the Four-Month Extension of City Manager's Employment Contract. (Motion unanimously carried) (Absent: Mayor Bogaard)

**CONSENT CALENDAR
ITEM DISCUSSED
SEPARATELY**

Councilmember Tyler noted that on Page 9, second paragraph of the June 17, 2002 minutes, it should state the 710 Freeway rather than the 210 Freeway. He further inquired concerning the status of the Record of Decision and design work.

The City Manager stated that due to the injunction on the freeway, the design work has ceased.

Brief discussion ensued concerning the gap closure and the need to revisit the issues with staff from Caltrans and Southern California Association of Governments ("SCAG").

The City Manager indicated that she would get staff up to speed on the issue and prepare a report for City Council.

It was moved by Councilmember Tyler, seconded by Councilmember Streater, to approve the June 17, 2002 minutes as corrected. (Motion unanimously carried) (Absent: Mayor Bogaard)

**REPORTS AND
COMMENTS FROM
COUNCIL COMMITTEES**

FINANCE COMMITTEE

**QUARTERLY INVESTMENT REPORT - QUARTER ENDING
JUNE 30, 2002**

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

Mr. Vic Erganian, City Treasurer, summarized the agenda report and responded to questions.

Mr. Jay Goldstone, Director of Finance, responded to questions.

Councilmember Holden requested that the above information be provided in a condensed version for the general public to understand.

In response, the City Manager indicated that staff was required to include specific items in the report to City Council. However, staff could create charts to show where the money is located with possibly a half page narrative to communicate quarterly on the investments.

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

**MUNICIPAL SERVICES
COMMITTEE**

**REVISION OF THE STANDARD URBAN STORM WATER
MITIGATION PLAN (SUSMP)**

Recommendation of City Manager: Adopt a resolution amending storm water and urban runoff control regulations and repealing Resolution No. 7950. (Resolution No. 8151)

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

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

**PUBLIC SAFETY
COMMITTEE**

**DIRECT THE CITY ATTORNEY TO PREPARE AN ORDINANCE
MODIFYING THE PASADENA MUNICIPAL CODE TO
AUTHORIZE PARKING RESTRICTIONS ON CITY STREETS AND
CITY PARKING LOTS DURING SPECIAL EVENTS**

Recommendation of City Manager: Direct the City Attorney to prepare a modification of the Pasadena Municipal Code to authorize parking restrictions on City streets and City parking lots during Special Events.

Councilmember Haderlein, Chair of the Public Safety Committee, summarized the agenda report.

Police Chief Bernard Melekian responded to questions.

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

AUTHORIZATION TO ENTER INTO AN AUTOMATIC/MUTUAL AID AGREEMENT FOR EXCHANGE OF FIRE PROTECTION, SPECIALIZED, RESCUE AND EMERGENCY MEDICAL SERVICES BETWEEN THE CITY OF LOS ANGELES AND THE CITIES OF BURBANK, GLENDALE AND PASADENA (VERDUGO)

Recommendation of City Manager: Authorize the City Manager to execute an agreement between the City of Los Angeles and the Cities of Burbank, Glendale and Pasadena (Verdugo) which provide for automatic/mutual aid for exchanging fire protection, specialized, rescue and emergency medical services. (Contract No. 18,075)

Councilmember Haderlein summarized the agenda report.

Fire Chief Ernest Mitchell responded to questions.

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

PROVISION OF LEGISLATIVE SUPPORT TO ASSIST THE COMMUNITY HEALTH ALLIANCE OF PASADENA (CHAP) IN OBTAINING DESIGNATION AS A FEDERALLY QUALIFIED HEALTH CENTER

Recommendation of City Manager: Approve the dedication of legislative support services in Washington, D.C., to assist CHAP in obtaining designations as a Federally Qualified Health Center.

Councilmember Haderlein summarized the agenda report.

Councilmember Tyler expressed his support and asked if City Council would receive a business plan in due course.

Ms. Wilma Allen, Director of Public Health, stated that preliminary information would be forthcoming to City Council.

Vice Mayor Little recognized Ms. Nina Aguayo Sorkin, representing the Bill Moore Community Health Clinic.

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

**PUBLIC SAFETY
COMMITTEE UPDATE**

Councilmember Haderlein informed the Council that the Committee began discussions regarding traffic management and there would be a continued discussion on November 4, 2002; and an informational item regarding Terrorism Intervention Prevention System (TIPS) Program was scheduled due to a concern expressed by a constituent, however, he noted the Federal Government was backing away from the Program and did not have the same concerns that were raised by the constituent. He further announced that there would be a Fire Prevention Expo with the City of Pasadena and the Los Angeles County held at the Pasadena Nazarene Church, 3700 East Sierra Madre Boulevard, on Tuesday, September 17, 2002 at 5:00 p.m., for persons living near hillsides.

**RECOMMENDATIONS
FROM OFFICERS AND
DEPARTMENTS**

CONSIDERATION OF A CALL FOR REVIEW TO BOARD OF ZONING APPEALS FOR MODIFICATION TO CONDITIONAL USE PERMIT NO. 4040, THE CONTAINER STORE, 1 E. UNION STREET, PASADENA (Councilmember Holden)

At the request of Councilmember Holden, the item was pulled and it was noted that staff and the applicant had reached an agreement, as noted in a distributed letter dated September 16, 2002 from Daniel P. Hayes, President, Hayes & Company.

APPOINTMENT OF CARLTON A. MAESE TO THE SOUTH LAKE PARKING PLACE COMMISSION (At-large/District 7 Nomination)

APPOINTMENT OF JACQUELINE PEETE FORD TO THE HUMAN RELATIONS COMMISSION (District 7 Nomination)

REAPPOINTMENT OF JOHN RUSSELL TO THE TRANSPORTATION ADVISORY COMMISSION (District 1 Nomination)

REAPPOINTMENT OF CHERYL HUBBARD TO THE COMMISSION ON THE STATUS OF WOMEN (District 1 Nomination)

It was moved by Councilmember Holden, seconded by Councilmember Tyler, to approve the above appointments and reappointments. (Motion unanimously carried) (Absent: Mayor Bogaard)

UPDATE FROM THE CITY MANAGER ON SCHEDULE FOR REVIEW OF POTENTIAL MORATORIUM ON DEMOLITION OF OLDER RESIDENTIAL STRUCTURES (ORAL REPORT)
(Councilmember Tyler)

Councilmember Tyler expressed concern regarding the growing number of demolitions to older single-family residential homes in multi-family districts and replacing them with market rate housing, usually condominiums. He further stated that he had received complaints from persons who had their property sold from underneath them.

The City Manager indicated that staff had began to review the matter and confirmed that over the past two years, there were 52 structures that were demolished. She further provided an overview of the structures, stated staff would return to City Council in late October to ensure that there would be no secondary impacts with placing a moratorium on the structures, and responded to questions.

Mr. Richard Bruckner, Director of Planning and Development, noted that the demolition was occurring in the areas of the City that was zoned for the density that was being built. He clarified that the occupants of the units had not been surveyed for occupant income prior to demolition, zoning action, or housing affordability.

Councilmember Streater requested staff provide information concerning what replaced the demolished structures.

Mr. Bruckner stated when plans are submitted, staff could provide this information to Council. However, he noted that all demolished structures would not have plans.

Councilmember Haderlein requested when staff reports back to Council, that staff provide the number of structures taken down prior to the two-year period for a comparison of whether or not it is a growing problem.

PUBLIC HEARINGS

CONTINUED PUBLIC HEARING: UPDATED GENERAL PLAN NOISE ELEMENT

Recommendation of City Manager: Continue the public hearing to October 14, 2002 at 5:00 p.m.

On order of Vice Mayor Little, the public hearing was continued to October 14, 2002, at 5:00 p.m.

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

ADOPTION OF DESIGN GUIDELINES FOR HISTORIC DISTRICTS

Recommendation of City Manager:

(1) Find that adoption of the Design Guidelines for Historic Districts is categorically exempt from California Environmental Quality Act according to Section 15061 (Class 31): "... projects limited to maintenance, repair, stabilization, rehabilitation,

preservation, conservation or reconstruction . . . in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties," and

(2) Adopt a resolution (Attachment A of the agenda report) - the Design Guidelines for Historic Districts in the City of Pasadena, California to be used, along with the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, for design review as required under Chapter 2.75 of the Pasadena Municipal Code. (Resolution No. 8152)

Recommendation of Cultural Heritage Commission: On July 15, 2002, the Cultural Heritage Commission recommended that the City Council adopt the Design Guidelines for Historic Districts.

Ms. Mary Jo Winder, Senior Planner, summarized the agenda report and responded to questions.

Council commended staff for a good job.

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

SUPPORT FOR THE FUNDING FOR THE BILL MOORE COMMUNITY HEALTH CLINIC

Recommendation of City Manager: Authorize the Mayor to send correspondence to the appropriate County authorities to request support for funding the Bill Moore Community Health Clinic.

Ms. Wilma Allen, summarized the agenda report and responded to questions.

Ms. Nina Aguayo Sorkin, representing the Bill Moore Community Health Clinic, spoke in support.

Councilmember Gordo inquired if a letter of support could be prepared to go out the next business day (September 17, 2002).

In response, the City Manager indicated that it would be prepared and delivered on September 17, 2002, and phone calls would also be made in the morning.

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

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 8:18 p.m.

RECONVENED

On order of the Mayor, the regular meeting of the City Council reconvened at 8:19 p.m. (Absent: Mayor Bogaard)

ORDINANCE ADOPTED

Adopt "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 AND AREAS ON FEBRUARY 21 AND 22, 2003" (THE CALL ASSEMBLY) (Introduced by Vice Mayor Little) (Ordinance No. 6907)

The above ordinance was adopted by the following vote:

AYES: Councilmembers Gordo, Haderlein, Holden, Madison, Streator, Tyler, Vice Mayor Little
NOES: None
ABSENT: Mayor Bogaard

INFORMATION ITEMS

PROGRESS REPORT ON BIKEWAY IMPLEMENTATION

Recommendation of City Manager: This report is for information only.

Councilmember Streator was excused at 8:29 p.m.

Ms. Frances Banerjee, Interim Director Department of Transportation, provided a display entitled "Funded Bikeway Segments and On-street Parking Impact", summarized the agenda report, and responded to questions.

In response to an inquiry regarding the timing of the bikeway lane project, Ms. Banerjee stated that some of the preliminary engineering had begun, and the City Manager informed Council that the update was an attempt to accelerate what was reviewed in the Capital Improvement Program.

Councilmember Streator returned at 8:34 p.m.

Discussion ensued concerning the funding for the project. Ms. Banerjee confirmed that the funds from Caltrans could be utilized for preliminary engineering and construction and the funds from Metropolitan Transportation Authority (MTA) were for construction only and reserved until 2003. She further indicated that staff intended to expedite and focus on the preliminary engineering and save as much funding as possible for construction. In addition, she stated staff would look at any other grant opportunities available and provide Council a progress report in the future.

The City Manager indicated that the Finance Committee receives quarterly reports and the expenditures can be made available regarding the amount spent on projects.

Mr. Eric Shen, Transportation Planning and Development Manager, responded to questions.

Councilmember Gordo expressed concern regarding the removal of parking in the South Orange Grove area.

Vice Mayor Little stressed the importance of building a consensus in the process as to what was going to happen and noted Councilmembers can assist by identifying "hot spots" within their Districts.

The following persons commented in support:

Mr. Michael Bodie, representing Foothill Initiative
Ms. Erica Roluffs, representing Foothill Initiative
Mr. Terence Flynn, representing Foothill Initiative
Mr. Michael Johnson, representing Foothill Initiative
Mr. Kerin Huber, representing Foothill Bicycle Initiative
Mr. Andrei Marinescu, representing Foothill Bicycle Initiative
Ms. Rosie Jones, Pasadena resident
Ms. Talia Starkey, representing Foothill Bicycle
Mr. Matthew Roluffs, representing Foothill Bicycle Initiative
Mr. Denis Tremblay, representing Pasadena resident
Mr. Jasper Simon, representing Foothill Bike Initiative
Mr. Branislav Kecman, representing Foothill Bike Initiative
Mr. Roger Gray, representing Pasadena Walks

Councilmember Holden was excused at 9:09 p.m.

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

SUMMARY OF OUTREACH PROGRAM FOR THE GENERAL PLAN UPDATE AND IMPLEMENTATION

Recommendation of City Manager: It is recommended that the City Council review and receive the agenda report.

Ms. Laura F. Dahl, Senior Planner, summarized the agenda report and responded to questions.

Mr. Richard Bruckner, Director of Planning and Development, briefly informed Council of outreach regarding the General Plan at Commission meetings.

On order of Vice Mayor Little, the above item was received and filed.

COUNCIL COMMENTS

Vice Mayor Little expressed his appreciation to staff involved in Pasadena Pops and in the preparation of the September 11 commemorative event.

PUBLIC COMMENT
(Continued)

The following people echoed comments made at the beginning of the meeting regarding Planned Parenthood and requested the City Council write a letter to the Attorney General in opposition of granting Planned Parenthood any waivers of reporting requirements:

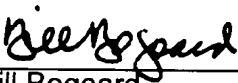
Mr. George Brown, Monrovia resident
Ms. Jeanmarie Phillips, representing Monrovia Against
Planned Parenthood
Ms. Pam Larson, Pasadena resident
Dr. Paddy Jim Boggot, Duarte resident

Vice Mayor Little informed the speakers. Brown that Council was not the appropriate body for acting on State laws.

Mr. Philip Koebel, Pasadena resident, spoke regarding the need to disburse affordable housing throughout the city.

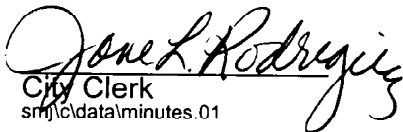
ADJOURNMENT

On order of the Vice Mayor, the regular meeting of the City Council adjourned at 9:42 p.m.



Bill Bogaard
Mayor

ATTEST:



City Clerk
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