

CITY OF PASADENA  
City Council Minutes  
September 23, 2002 - 5:30 P.M.  
City Hall Council Chamber

REGULAR MEETING

**OPENING:**

Mayor Bogaard called the regular meeting of the City Council to order at 5:46 p.m. (Absent: Councilmember Holden)

On order of the Mayor, the regular meeting of the City Council recessed at 5:46 p.m., to discuss the following closed sessions:

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

Councilmember Holden arrived at 5:50 p.m.

**Name of Case: James and Cynthia Nelson v. City of Pasadena, et al.**

**Appellate Case No. 2 Civil No. B153868 and 2 Civil No. B17239 Los Angeles Superior Court Case No. BC 273319**

It was moved by Councilmember Tyler, seconded by Councilmember Haderlein, to withdraw the settlement offer and pursue an appeal. (Motion carried with Councilmembers Holden, Streater, and Vice Mayor Little objecting) (Absent: None)

On order of the Mayor, the regular meeting of the City Council reconvened at 6:47 p.m.

The Pledge of Allegiance was led by Councilmember Madison.

**ROLL CALL:**

Councilmembers:

Mayor Bill Bogaard  
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. Jacqueline Peete Ford as Human Relations Commissioner.

Ms. Barbara Rachlin, American Red Cross Chief Development Officer, presented the Heroes Plaque Award to the Pasadena Police and Fire Departments. Fire Battalion Chief Duncan Baird accepted the award on behalf of the City of Pasadena.

Mayor Bogaard proclaimed September 2002 as "National Alcohol & Drug Addiction Recovery Month." The proclamation was accepted by Mr. John Palomo, Program Coordinator for the Health Department.

**COUNCIL COMMENTS**

Vice Mayor Little informed Council that the issue regarding the closure of the postal service at the postal complex on Lincoln Avenue had been raised again and asked if Council can formally reiterate its position to Congressman Schiff's office in opposition to the closure of service and its impact to the community.

In response to an inquiry as to whether or not staff received written correspondence pertaining to the reasoning for the changes in the postal service, Mr. Enrique Martinez, Assistant City Manager, briefly described some of the changes in service and stated that the proposal was to cut costs and the Post Office believed it could provide some of the same services out of Los Angeles to Pasadena and other cities. However, no written correspondence had been received regarding its matter.

Councilmember Streater indicated that the City should vigorously oppose the changes in postal service. She also suggested alerting the Air Quality Management District (AQMD) and questioned if the method would comply with clean air when the post office would transport mail out of the city, just to transport it back into the city. She further requested Council contact as many federal officials as possible regarding the issue.

Councilmember Tyler inquired if under the Freedom of Information Act, Council could obtain the reasoning for the changes in service and receive copies of any studies.

Following the discussion, Mr. Martinez indicated he believed staff could obtain the information. The Mayor stated that the issue would be pursued with elected officials in Washington.

Ms. Wilma Allen, Director of Public Health Department, introduced Dr. Tisha Dowell as the City of Pasadena's new Health Officer.

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

Mr. Robert Wittry, Pasadena resident, expressed appreciation for the recent demolition of a burned structure in his neighborhood; spoke regarding placing a moratorium on demolitions; and expressed difficulty in obtaining a copy of a study regarding shared use of the City yards.

The following persons spoke regarding Planned Parenthood and reporting sexual abuse of minors and child abuse:

Councilmembers Haderlein and Holden were excused at 7:13 p.m.

- Mr. John O'Neill, Monrovia resident, distributed a handout
- Mr. Ross S. Heckmann, Arcadia resident, distributed a handout
- Ms. Christine Lowe, San Gabriel resident
- Mr. Michael DiPietro, Pasadena resident
- Ms. Gina Capobianco, Arcadia resident

The Mayor noted that when the Planned Parenthood subject arose a week ago, the Council determined to defer the issues raised to the Legislative Policy Committee, and notice would be given to all persons who had expressed an interest.

Mr. Ken Olesen, Altadena resident, submitted copies of two water bills and expressed concern regarding a malfunction of his water meter or a problem with personnel reading the water meters.

Mr. Tyrone Rucker, Pasadena resident, distributed a letter and expressed concern regarding senior abuse and adequate public relations training for City staff.

**CONSENT CALENDAR**

**LICENSE AGREEMENT BETWEEN THE CITY OF PASADENA AND SNK CORSON LLC, FOR THE INSTALLATION OF LANDSCAPE WORK IN THE PUBLIC RIGHT-OF-WAY AT 160 EAST CORSON STREET**

**Recommendation of City Manager:** Adopt a resolution approving a License Agreement with SNK Corson LLC, located at 160 East Corson Street, with the terms and conditions as set forth in the background section of the agenda report, and authorize the City Manager to execute, and the City Clerk to attest, said License Agreement on behalf of the City of Pasadena. (Resolution No. 8153; Contract No. 18,080)

**APPROVAL AND ACCEPTANCE OF PROPOSED EASEMENT DEDICATION FOR STREET PURPOSES AT 1888 NORTH FAIR OAKS AVENUE**

**Recommendation of City Manager:** Adopt a resolution approving and accepting the proposed easement dedication for street purposes at 1888 North Fair Oaks Avenue. (Resolution No. 8154)

**AWARD CONTRACT TO ALLHEALTH SECURITY SERVICES IN AN AMOUNT NOT TO EXCEED \$140,000 FOR SECURITY SERVICES AT THE PASADENA COMMUNITY HEALTH CENTER**

**Recommendation of City Manager:**  
(1) Authorize the City Manager to enter into a contract with ALLHealth Security Services, in an amount not to exceed \$140,000 for safety and security services at the Pasadena Community Health Center (PCHC) at 1845 North Fair Oaks Avenue for a period of one year. Competitive bidding is not required pursuant to City Charter Section 1002 (F), contracts for professional or unique services.  
(2) Authorize the City Manager to extend the contract for up to three additional one-year periods, provided that any costs increases do not exceed the most recent 12 months change in the Consumer Price Index (CPI). (Contract No. 18,081)

Ms. Wilma Allen, Director of Health Department, responded to questions from Vice Mayor Little.

**AWARD OF PURCHASE ORDER CONTRACT TO THORSON MOTOR CENTER FOR THE PURCHASE OF THREE NEW 1-TON EXTENDED CAB PICKUP TRUCKS**

**Recommendation of City Manager:**  
(1) Accept the bid dated August 17, 2002, submitted by Thorson Motor Center, in response to Specifications for the Purchase of Three New 1-Ton Extended Cab Four-Door Pickup Trucks;  
(2) Reject all other bids; and  
(3) Authorize the Purchasing Administrator to issue a purchase order contract to Thorson Motor Center in an amount not to exceed \$80,553.00.

**APPROVAL OF MINUTES**

June 10, 2002 (Joint meeting)  
July 1, 2002  
July 8, 2002 (Cancelled)  
July 10, 2002 (Special meeting)

**PUBLIC HEARING SET**

November 4, 2002, 8:00 p.m. - Amendments to the FY 2003 Fee Schedule for Bee Removal by the Public Health Department

**CLAIMS RECEIVED AND FILED**

Claim No. 9098	Clarence Count Smith	\$	1,008.00
Claim No. 9099	Catherine Kosty		Unknown
Claim No. 9100	Bernardo Sanchez		1,100.00
Claim No. 9101	Ada Valladares		355.16
Claim No. 9102	Sara Rosenthal		126.50
Claim No. 9103	Amy Siadak/House of Marketing Research		2,260.00
Claim No. 9104	Alfredo Lopez Maldonado, Sr.; Alfredo Maldonado, Jr.; Blanca Esther Maldonado; Blanca Estella Maldonado; Jose De Jesus Gomez		15,200,000.00
Claim No. 9105	Alan Quan		923.00

It was moved by Vice Mayor Little, seconded by Councilmember Tyler, to approve all items on the Consent Calendar. (Motion unanimously carried) (Absent: Councilmembers Haderlein, Holden)

**REPORTS AND COMMENTS FROM COUNCIL COMMITTEES**

LEGISLATIVE POLICY COMMITTEE

**FILM AND TELEVISION ACTION COMMITTEE'S PROPOSAL REGARDING COUNTERVAILING TARIFFS**

**Recommendation of City Manager:** It is recommended that the City Council oppose countervailing tariffs against American film and media companies.

On order of the Mayor, the above item was removed from the agenda at the request of the City Manager.

**H.R. 2534 (SOLIS), SAN GABRIEL RIVER WATERSHEDS STUDY ACT OF 2002, WITH AMENDMENTS**

**Recommendation of City Manager:** It is recommended that the City Council take a neutral position on H. R. 2534 (Solis), San Gabriel River Watersheds Study Act of 2002, with amendments.

**Recommendation of Recreation and Parks Commission:** On November 5, 2001, the Recreation and Parks Commission voted to support H. R. 2534 as originally introduced. However, on September 10, 2002, the Recreation and Parks Commission changed their position to neutral position due to the amendments made to this bill.

Councilmember Tyler summarized the agenda report.

It was moved by Councilmember Tyler, seconded by Councilmember Streater, to approve the City Manager's recommendation and take a neutral position. (Motion unanimously carried) (Absent: Councilmembers Haderlein, Holden)

Councilmember Holden returned at 7:37 p.m.

Councilmember Haderlein returned at 7:38 p.m.

**APPROVAL OF A GRANT APPLICATION AND RESOLUTION TO THE STATE OF CALIFORNIA DEPARTMENT OF PARKS AND RECREATION FOR THE RECREATIONAL TRAILS GRANT PROGRAM**

**Recommendation of City Manager:** Approve the City of Pasadena's application and resolution to the State of California Resources Agency, Department of Parks and Recreation in the amount of \$325,000 to restore existing trails in the Arroyo Seco.

**Recommendation of Recreation and Parks Commission:** At their special meeting on September 10, 2002, the Recreation and Parks Commission reviewed the unanimously endorsed the City of Pasadena's application and resolution to the State of California

Resources Agency Department of Parks and Recreation for the Recreational Trails Program Grant and recommended that the City Council take similar action. (Resolution No. 8155)

Councilmember Tyler provided an overview of the agenda report.

Ms. Julie Gutierrez, Director of Public Works, and Ms. Kathleen Woods, Administrator, responded to questions.

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

**APPROVAL OF A GRANT APPLICATION AND RESOLUTION TO THE STATE OF CALIFORNIA RESOURCES AGENCY DEPARTMENT OF PARKS AND RECREATION FOR THE HABITAT CONSERVATION FUND PROGRAM**

**Recommendation of City Manager:** Approve the City of Pasadena's application and resolution to the State of California resources Agency, Department of Parks and Recreation for the Habitat Conservation Fund Program in the amount of \$230,000 to implement the Habitat Restoration of the Flood Management and Water Conservation Pool in Hahamongna Watershed Park.

**Recommendation of Recreation and Parks Commission:** At their special meeting on September 10, 2002, the Recreation and Parks Commission reviewed and unanimously endorsed the City of Pasadena's application and resolution to the State of California Resources Agency Department of Parks and Recreation for the Habitat Conservation Fund Program and recommended that the City Council take similar action. (Resolution No. 8156)

Councilmember Tyler summarized the agenda report.

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

**RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS**

**UPDATE FROM THE PASADENA UNIFIED SCHOOL DISTRICT REGARDING ITS SITE SELECTION FOR A NEW SCHOOL IN NORTHWEST PASADENA, AND COUNCIL DECISION REGARDING USE OF THE HIGHLAND PLASTICS PROPERTY FOR EXPANSION OF ROBINSON PARK (Councilmember Holden)**

Councilmember Holden introduced the item and indicated he had requested the item be agendaized due to receiving strong opposition from the community pertaining to the site being used as a future school site.

Mr. Richard Boccia, Director of Educational Alliances of the Pasadena Unified School District, apprised Council that the Board of Education would be taking an action on the item at its meeting on September 24, 2002. He further stated that the action would include the hiring of a consultant to evaluate the properties and it was anticipated that the consultant would bring forth a recommendation to the Board within 30 days.

Discussion ensued concerning other potential locations and sizes needed for school sites, how the community can get involved in the upcoming process, and whether or not the Board had established a

criteria for the consultant. It was requested that Mr. Boccia provide a list of potential school sites and the size needed in the northwest area to Council.

Mr. Boccia indicated that he could provide the information to Council in one week. However, he was not sure how the community could get involved in the upcoming process but stated he would have a better idea once the Board took its action. He further indicated that he believed the criteria had been established based on previous community meetings and background materials compiled by two groups gathering information.

In response to an inquiry regarding the size of the desired site, the City Manager informed Council it was her understanding that if it was a stand alone school, with its own outside space and not with a shared park, 5 to 5 ½ acres were needed.

Councilmember Holden also inquired if there was a staff recommendation from the School District or the Board subcommittee for a preferred school site.

In response, Mr. Boccia indicated that he was not aware of a recommendation but he could review the matter and provide an answer.

Following discussion regarding the ranking of the site, Councilmember Holden stressed the importance of keeping things in perspective and that there should be support and a consensus in the community for the selection of the new school site.

Vice Mayor Little expressed that he did not want to see good will jeopardized or the potential for moving forward and partnership in this particular item and other future projects. He further urged that the process be one that works for a consensus so neither body tries to leverage something with an uncooperative partner and that there be thoughtful consensus building.

The following persons spoke in opposition to a school facility being located at the Highland Plastics site:

Mr. Robert Wittry, Pasadena resident  
Ms. Joan Chin, Sunset Oaks Neighborhood Association  
Mr. Gregory W. Mosley, W.D. Edson and Robinson Park Master  
Master Plan Committee  
Ms. Renee Morgan-Hampton, Pasadena resident  
Ms. Juliet Y. Cabigas, Sunset Oaks Neighborhood Association

Following discussion, it was moved by Councilmember Holden, seconded by Vice Mayor Little, that the City remove from consideration the Highland Plastics site to be used for School District purposes as a new school, with the understanding that the motion will be tabled for one week (September 30, 2002) to see what actions are taken by the School District on September 24, 2002.

There was a general consensus to table the motion and agendize the matter in one week.

Councilmember Streator noted that it is important for Mr. Boccia to relay to the School District that the City intends to use the Highland Plastics site until 2007 (for the relocation of City staff during the seismic retrofit of City Hall).

**PUBLIC HEARINGS**

**PUBLIC HEARING: ZONING CODE AMENDMENT PROHIBITING THE CONSTRUCTION OF SELF-STORAGE USES WITHIN THE CITY OF PASADENA**

**Recommendation of City Manager:** It is recommended that the City Council, following a public hearing, approve the following:

- (1) Acknowledge that the proposed amendments are exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to the CEQA Guidelines, Section 15061 (b)(3) (i.e., no possibility of impact);
- (2) Amend the "Self-Storage" definition to the Commercial use classification in Title 17 (Zoning) of the Pasadena Municipal Code as contained in the agenda report;
- (3) Amend Title 17 of the Pasadena Municipal Code to prohibit the construction of new self-storage uses in the CL, CL-1, CG, CG-1, IG and CD zoning districts;
- (4) Find the proposed amendments are consistent with the policies of the General Plan and the purposes of Title 17 (Zoning) of the Pasadena Municipal Code;
- (5) Direct the City Attorney to prepare an ordinance amending Title 17 of the Pasadena Municipal Code; and
- (6) Direct the City Clerk to file a Notice of Exemption with the Los Angeles County Recorder.

**Recommendation of the Planning Commission:** On July 24, 2002, the Planning Commission considered the proposed amendments and recommended approval of staff's recommendation.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published in the Pasadena Star News on September 13 and 18, 2002 and in the Pasadena Journal on September 19, 2002. No letters had been received.

Mr. Fred Jones, Senior Program Manager, summarized the agenda report and responded to questions.

Mr. Richard Bruckner, Director of Housing and Development, responded to questions.

Councilmember Tyler referred to Page 5 of the agenda report and suggested the definition of self storage specify that the "600 square feet or less" is a unit within a structure.

The following persons spoke in support:

- Mr. Robert Wittry, Pasadena resident
- Mr. George Minter, representing RHC Communities

The following persons spoke in opposition:

- Mr. Bob Oltman, Pasadena resident
- Mr. Bob McClellan, Pasadena resident
- Mr. Brett Barnard, Pasadena resident

Councilmember Holden was excused at 9:04 p.m.

Councilmember Madison was excused at 9:06 p.m.

The City Manager and City Attorney responded to questions regarding nonconforming uses and possible exceptions to the proposed ordinance.

Mr. Bruckner stated that staff would work with the City Attorney's Office to develop standards and criteria when the ordinance returns to Council for action.

It was moved by Councilmember Streator, seconded by Councilmember Haderlein, to close the public hearing. (Motion unanimously carried) (Absent: Councilmember Holden, Madison)

It was moved by Councilmember Streator, seconded by Councilmember Haderlein, to approve the City Manager's recommendation, with direction given to the City Attorney to include a provision to handle the rebuilding of a non-conforming use. (Motion unanimously carried) (Absent: Councilmember Holden, Madison)

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 9:20 p.m.

RECONVENED

On order of the Mayor, the regular meeting of the City Council reconvened at 9:21 p.m. (Absent: Councilmember Holden)

**ORDINANCES - FIRST READING**

**Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA ADDING SUBSECTION F TO TITLE 10, SECTION 10.40.170 OF THE PASADENA MUNICIPAL CODE TO AUTHORIZE THE CHIEF OF POLICE TO RESTRICT PARKING ON CITY STREETS AND CITY PARKING LOTS DURING SPECIAL EVENTS"**

The above ordinance was offered for first reading by Councilmember Gordo:

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

NOES: None

ABSENT: Councilmember Holden

**Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA ADOPTING THE CALIFORNIA BUILDING CODE, 2001 EDITION, CHAPTERS 1-35 AND APPENDIX CHAPTERS 3 - DIVISION II, 9, 12, 15, 16, 18, 31, 33, AND 34-DIVISION III; THE 2001 CALIFORNIA BUILDING STANDARDS CODE PARTS 8, 10, AND 12; THE 2001 CALIFORNIA ELECTRICAL CODE; THE 2001 CALIFORNIA MECHANICAL CODE; THE 2001 CALIFORNIA PLUMBING CODE; AND THE 2001 CALIFORNIA ENERGY CODE ALL AS PUBLISHED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION AND AS AMENDED BY THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD), THE DIVISION OF THE STATE ARCHITECT/ACCESS AND COMPLIANCE (DSA/AC); AND THE OFFICE STATEWIDE HEALTH PLANNING AND DEVELOPMENT (OSHDP); THE 1997 UNIFORM HOUSING CODE; THE 1997 UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, ALL AS PUBLISHED BY THE INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS; THE CALIFORNIA FIRE CODE, 2001 EDITION; THE URBAN-WILD LAND INTERFACE CODE, 2000 EDITION; MODIFICATIONS OF SUCH CODES AS NECESSARY TO MEET LOCAL CONDITIONS"**

Councilmember Madison was excused at 9:22 p.m.



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

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

NOES: None

ABSENT: Councilmember Holden, Madison

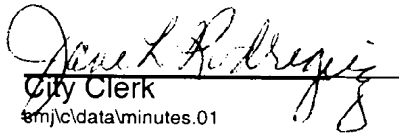
**ADJOURNMENT**

On order of the Mayor, the regular meeting of the City Council adjourned at 9:25 p.m. in memory of Mr. Ira Yellin who greatly impacted the rehabilitation of historic structures and downtown developments in Southern California and worldwide.



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

ATTEST:



\_\_\_\_\_  
Jane L. Rodriguez  
City Clerk  
smj\c\data\minutes.01