

CITY OF PASADENA
City Council Minutes
November 4, 2002 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 6:00 p.m. (Absent: Councilmember Gordo)

On order of the Mayor, the regular meeting recessed at 6:00 p.m., to discuss the following closed session:

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL
pursuant to Government Code Section 54956.9(a)
Name of Case: Matilda Mitchell v. City of Pasadena
Case No.: LASC BC272877**

The above closed session 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 Vice Mayor Little.

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

CEREMONIAL MATTERS

Councilmember Tyler introduced Major Michael Crandell with the U.S. Army Medical Recruiting Center.

Major Crandell announced the opening of a new Pasadena office for recruitment of medical personnel for the Army, and responded to questions.

The Mayor presented a proclamation declaring November 2002 as "Environmental Awareness Month" and November 15, 2002 as "America Recycles Day." The proclamation was received by Julie Gutierrez, Director of the Public Works Department.

Mr. Jim Berryhill, Administrator of the Street Maintenance and Integrated Waste Management Division, recognized the initial recipients of the Outstanding Recycler Awards: Avon Products, Inc., the Community for Self Determination, Earthwise Friends

Productions, J.L. Moseley Company, Inc., and San Rafael Elementary School. Ms. Carolyn Meredith, Recycling Coordinator, presented those representatives who were in attendance with their awards.

Mr. Berryhill briefly explained this annual award program and acknowledged Ms. Meredith's work in developing this program.

Councilmember Haderlein announced a Veterans Day event co-sponsored by the City and Chamber of Commerce which would be held on the City Hall steps on Monday, November 11, 2002.

The Mayor urged citizens to vote on Tuesday, November 5, 2002.

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

Mr. Richard McDonald, Transportation Advisory Commissioner, expressed appreciation to Council for its support of the ARTS bus funding, and thanked staff for its assistance.

The Mayor acknowledged Mr. McDonald for his leadership in the ARTS bus project.

Mr. Robert Wittry, Pasadena resident, expressed opposition to the ARTS bus fares and concerns regarding several City permit process issues which he felt were not being addressed.

OLD BUSINESS

OPPOSITION TO PROPOSITION 51, "TRANSPORTATION. DISTRIBUTION OF EXISTING MOTOR VEHICLE SALES AND USE TAX. INITIATIVE STATUTE."

Recommendation of City Manager:

- (1) Oppose Proposition 51, "Transportation. Distribution of Existing Motor Vehicle Sales and Use Tax. Initiative Statute."
- (2) Authorize the Mayor to communicate the City's position to the appropriate parties.

The City Manager reviewed the agenda report.

Councilmember Madison explained he would be abstaining on the vote for this item based on a lack of sufficient information to take a position on the Proposition.

It was moved by Councilmember Tyler, seconded by Councilmember Haderlein, to approve the City Manager's recommendation. (Motion unanimously carried, with Councilmember Madison abstaining) (Absent: None)

ADOPTION OF THE ROBINSON PARK MASTER PLAN AND NEGATIVE DECLARATION

Recommendation of City Manager:

- (1) Approve the Initial Study and adopt the Negative Declaration prepared for the Robinson Park Master Plan;
- (2) Adopt the De Minimis Finding of No Impact on Fish and Wildlife;
- (3) Adopt the Robinson Park Master Plan; and
- (4) Direct the City Clerk to certify the Notice of Determination,

Negative Declaration, and Certificate of Exemption from Fish and Game fees with the Los Angeles County Registrar-Recorder/County Clerk.

Review of Commissions: The Robinson Park Master Plan was presented to the Recreation and Parks Commission, the Fair Oaks Project Area Committee, the Design Commission, the Northwest Commission, the Accessibility and Disability Commission, the Planning Commission, the Human Services Commission, the Commission on the Status of Women, the Senior Commission and the Arts Commission during August, September and October 2001. None of the comments received at any of the Commission and Committee presentations necessitated any modification to the proposed plan and the recommended plan is identical to the draft plan that was presented to the City Council on July 16, 2001. On October 2, 2001, the Recreation and Parks Commission recommended that the City Council grant conceptual approval of the Robinson Park Master Plan.

The City Manager reviewed the agenda report.

The following persons spoke in support of the Robinson Park Master Plan:

Mr. Robert Wittry, Pasadena resident

Mr. Gregory Mosley, WD Edson representative and Robinson Park Master Plan Committee member, also distributed a cd-rom regarding the Robinson Park Master Plan, and offered to assist in raising funds for the project.

Mrs. Delano "Mack" Robinson, Pasadena resident, also spoke in support of increased services for children and seniors.

Councilmember Holden stressed the need to identify funding for the project. He acknowledged the Robinson Park Master Plan Committee with Greg Mosley, community members, City staff, and the consultant for their dedication, assistance, and input in the development of the Plan. He also acknowledged Bob Baderian, Special Assistant to the City Manager, for his role and contributions to the City's parks.

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

Councilmember Haderlein recused himself at 7:07 p.m., due to a conflict of interest.

SUPPORT FOR LOS ANGELES COUNTY MEASURE "B", PRESERVATION OF TRAUMA CENTERS AND EMERGENCY MEDICAL SERVICES AND BIOTERRORISM RESPONSE

Recommendation of City Manager: Adopt a resolution and authorize the Mayor to send correspondence to the appropriate officials supporting Los Angeles County Measure "B" for Preservation of Trauma Centers and Emergency Medical Services and Bioterrorism Response. (Resolution No. 8170)

Councilmember Tyler questioned why Huntington Memorial Hospital was not mentioned in the resolution. He requested the language in the resolution be amended to add "system" ("Los Angeles County trauma center system").

Vice Mayor Little expressed concerns that funding would not be allocated to the San Gabriel Valley, and that language in the Measure did not guarantee funding for Huntington Memorial Hospital.

In response to questions, Ms. Wilma Allen, Director of the Public Health Department, outlined Los Angeles County Supervisor Don Knabe's current position to support the Measure, and commented on the indirect benefits to the City which could be achieved by this Measure in strengthening the County's trauma system as a whole.

It was moved by Councilmember Holden, seconded by Councilmember Tyler, to approve the City Manager's recommendation, and to modify the resolution language to read "... Los Angeles County's trauma center system" (Motion carried, with Vice Mayor Little objecting) (Absent: Councilmember Haderlein)

Councilmember Gordo suggested the Los Angeles County Board of Supervisors should be informed that the City supports the Measure with the expectation that monies will be allocated in the San Gabriel Valley.

CONSENT CALENDAR

APPROVE QUITCLAIM OF CITY'S EASEMENT AT 300 NORTH SAN RAFAEL AVENUE FOR WATER UTILITY PURPOSES

Recommendation of City Manager: It is recommended that, based upon the information herein, the City Council:

(1) Approve the City's Quitclaim to release and terminate the City of Pasadena's water line easement on the prescribed real property located in the County of Los Angeles, State of California, Lot 2, Tract 8009, as recorded in Book 131, Pages 68 to 82 of maps, in the office of the County Recorder of said County, commonly known as 300 North San Rafael.

(2) Authorize the City Manager or her designee to execute and record with the County Recorder the quitclaim deed on behalf of the City. (Quitclaim Deed No. 7822)

Item discussed separately at the request of Councilmember Gordo.

APPROVAL AND ACCEPTANCE OF PROPOSED EASEMENT DEDICATION FOR STREET PURPOSES AT 607-619 NORTH RAYMOND AVENUE

APPROVAL AND ACCEPTANCE OF PROPOSED EASEMENT DEDICATION FOR STREET PURPOSES AT 100 NORTH SAN GABRIEL BOULEVARD

Recommendation of City Manager: Adopt a resolution approving and accepting the proposed easement dedication for street purposes at 100 North San Gabriel Boulevard. (Resolution No. 8171; Easement No. 7825)

CLAIMS RECEIVED AND FILED

Claim No. 9135 Alexander Lee	\$ Unknown
Claim No. 9136 Mercury Insurance	1,414.25
Claim No. 9137 Andrew Gantner	3,315.00

PUBLIC HEARINGS SET

November 25, 2002, 5:00 p.m. - Revisions to the Zoning Code regarding Administrative Provisions; Use Classifications; Transit-Oriented Development; Parking Provisions; Hours of Loading and Unloading; Fences; Internet Cafes; and Tandem Parking in Multi-Family Residential

November 25, 2002, 5:00 p.m. - Revisions to the Land Use Element of the General Plan

November 25, 2002, 5:00 p.m. - Overview of the General Plan Mobility Element Update General Guidelines and Framework

November 25, 2002, 5:00 p.m. - Central District Specific Plan Framework

In response to Councilmember Tyler's question, the City Manager clarified the scheduling of the four public hearings on November 25th.

It was moved by Councilmember Tyler, seconded by Vice Mayor Little, to approve the Consent Calendar, with the exception of Item 2 (Easement at 607-619 North Raymond Avenue) which was discussed separately. (Motion unanimously carried) (Absent: Councilmember Haderlein)

CONSENT ITEM DISCUSSED SEPARATELY

Councilmember Gordo recused himself at 7:17 p.m., due to a conflict of interest.

Councilmember Haderlein returned at 7:17 p.m.

APPROVAL AND ACCEPTANCE OF PROPOSED EASEMENT DEDICATION FOR STREET PURPOSES AT 607-619 NORTH RAYMOND AVENUE

Recommendation of City Manager: Adopt a resolution approving and accepting the proposed easement dedication for street purposes at 607-619 North Raymond Avenue. (Resolution No. 8172; Easement No. 7826)

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

REPORTS AND COMMENTS FROM COUNCIL COMMITTEES

ECONOMIC DEVELOPMENT AND TECHNOLOGY COMMITTEE

Councilmember Gordo returned at 7:18 p.m.

FILMING NOTIFICATION

Recommendation of City Manager: It is recommended that the filming notification area remain 300 linear feet with discretion for administratively expanding the area in case of unique circumstances.

Ms. Ariel Penn, Filming and Special Events Manager, reviewed the agenda report and responded to questions.

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

MUNICIPAL SERVICES
COMMITTEE

ADOPTION OF THE WATER SYSTEM MASTER PLAN

Recommendation of City Manager: Adopt the findings of the Water System Master Plan (Master Plan) prepared by Montgomery Watson Harza (MWH) as a framework for water system capital improvements through the year 2020.

Councilmember Tyler, Chair of the Municipal Services Committee, reviewed the agenda report and responded to questions.

Ms. Phyllis Currie, General Manager of the Water and Power Department, noted the Plan would provide a framework for capital improvements over a period of time, and responded to questions.

Discussion followed regarding the coordination of undergrounding facilities with the implementation of the Master Plan, and the schedule for discussion of an accelerated timetable for undergrounding projects and related costs.

The City Manager responded to questions, and noted the discussion of undergrounding facilities was scheduled to be heard by the Finance Committee during the early part of December 2002, with discussion by the Council in January 2003.

In response to questions, Ms. Currie briefly discussed the coordination of undergrounding projects, funding sources, and availability of funding at the State level; and noted this information would be included in the future report to the Finance Committee.

Councilmember Haderlein requested staff provide information on the total cost of the undergrounding program.

Councilmember Holden suggested staff draft legislation to be presented to the City's State legislators requesting statewide funding of infrastructure projects for local water systems.

Councilmember Streater expressed concern about the impact of outside controls that could be attached to State funding.

On order of the Mayor, staff was directed to follow up on Councilmember Holden's suggestion to prepare draft legislation regarding funding.

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

PROPOSED CHANGES TO THE WATER RATE ORDINANCE

Recommendation of City Manager: Direct the City Attorney to prepare an amendment to the Water Rate Ordinance, Chapter 13.20 of the Pasadena Municipal Code to:

(1) Establish and assess a formula-based capital improvements charge (CIC) averaging \$0.20 per billing unit on the water

delivered to customers effective January 2003, to fund the proposed Water System Master Plan (WSMP) capital improvements program, thereby increasing overall water operating revenue by 11%. A billing unit is a hundred cubic feet of water.

(2) Increase the CIC by an additional \$0.22 per billing unit effective July 2004, thereby increasing overall water operating revenue by an additional 11%.

(3) Reduce the size of the first block water for 5/8-inch, 3/4-inch, 1-inch, and 1-½ inch meter sizes to reflect the actual amount of local water supply, effective January 2003.

(4) Adjust miscellaneous fees and charges to reflect cost of service, effective January 2003.

(5) Eliminate the current standby charges and replace them with new comparable distribution and customer charges to cover ongoing operating and maintenance costs of the water system, effective January 2003.

The Mayor emphasized the Council would discuss this item, but would not take action until a future Council meeting.

Councilmember Tyler briefly reviewed the agenda report.

Ms. Phyllis Currie, General Manager of the Water and Power Department, summarized the report and responded to questions.

Vice Mayor Little requested the public outreach enable residents to identify their usage category, clarify the effect of the increase on each household, and provide staff to explain the increases through the use of examples.

In response to questions, Ms. Currie discussed rates in comparable cities, and noted no special rates were being considered for seniors or low-income residents.

Mr. Robert Wittry, Pasadena resident, commended staff on the report; and expressed concerns regarding the increased fee impact on families and certain segments of the community, and the need to clarify the total amount of the proposed increases.

The City Manager indicated outreach would be conducted in each district prior to this item returning to Council.

At the request of the City Manager and on order of the Mayor, this item was continued to the Council meeting of December 9, 2002, to allow staff to conduct public outreach and explain the proposed increases, and to return for additional discussion by the Council.

PUBLIC HEARINGS

PUBLIC HEARING: AMENDMENT TO THE FY 2003 GENERAL FEE SCHEDULE - INCREASE OF FEE FOR VIOLATION OF FILMING RESTRICTIONS

Recommendation of City Manager: Adopt a resolution amending the FY 2003 General Fee Schedule to raise the fee for violation of the noise conditions in film permits from \$691.00 to \$5,373.00. (Resolution No. 8173)

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on October 25, 2002 in the Pasadena Star-News; and no letters were received.

Vice Mayor Little, Chair of the Finance Committee, reviewed the agenda report and reported the Committee had unanimously approved the recommendation.

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

The City Attorney noted language had been omitted from the resolution through an oversight, and the resolution would be amended to include the amount of the fee in the text ("... to include a fee of \$5,373.00 for violations")

It was moved by Vice Mayor Little, seconded by Councilmember Streator, to close the public hearing. (Motion unanimously carried) (Absent: None)

Ms. Ariel Penn, Filming and Special Events Manager, explained the appeal process.

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

CONTINUED PUBLIC HEARING: 2000-2005 HOUSING ELEMENT OF THE GENERAL PLAN

Recommendation of City Manager:

- (1) Adopt the Initial Environmental Study and Negative Declaration, with the appropriate findings (Attachment C of the agenda report);
- (2) Adopt a resolution adopting the 2000-2005 Housing Element of the Comprehensive General Plan (Attachment D of the agenda report); (Resolution No. 8174)
- (3) Approve the De Minimis Impact Finding on State Fish and Wildlife Habitat; and
- (4) Direct the City Clerk to file a Notice of Determination and Certificate of Fee Exemption for the California Department of Fish and Game with the Los Angeles County Recorder (Attachment E of the agenda report).

Recommendation of Planning Commission: The Planning Commission held a public hearing and reviewed the proposed 2000-2005 Housing Element at its regular meeting on September 25, 2002. The Commission unanimously adopted the staff recommendation that the City Council adopt the 2000-2005 Housing Element and related environmental documents. In addition, the Commission recommended that Policy 1.10 be added to the proposed 2000-2005 Housing Element. The additional policy, which is incorporated into the 2000-2005 Housing Element as recommended to the City Council, states: Promote the preservation of existing affordable housing stock.

The Commission also recommended that the City of Pasadena should be actively involved in the Regional Housing Needs Assessment, which is prepared by the Southern California Association of Governments, and to question the allocation of housing needs assigned to the City.

The Mayor announced now was the time for the continued public hearing.

Mr. Bill Trimble, Planner, reviewed the agenda report, clarified that the Housing Element analyzes the City's capacity to provide housing under current codes and zoning regulations, and responded to questions.

Mr. Robert Wittry, Pasadena resident, thanked staff for responding to his questions/concerns regarding the Housing Element, and expressed support for the revitalization of the Washington Avenue area.

It was moved by Councilmember Tyler, seconded by Councilmember Gordo, to close the public hearing. (Motion unanimously carried) (Absent: None)

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

Councilmember Holden acknowledged the staff's efforts in development of the Housing Element.

In response to Councilmember Holden's question, Mr. Richard Bruckner, Director of the Planning and Development Department, indicated Greg Robinson, Housing Administrator, would be presenting a future report regarding the demolition moratorium issue.

PUBLIC HEARING: AMENDMENT TO THE FY 2003 GENERAL FEE SCHEDULE FOR BEE REMOVAL ON PRIVATE PROPERTY BY THE PUBLIC HEALTH DEPARTMENT

Recommendation of City Manager: Adopt a resolution to amend the FY 2003 General Fee Schedule to include a fee in the amount of \$133.00 during normal business hours and \$273.00 after business hours for emergency bee removal on private property by the Public Health Department. (Resolution No. 8175)

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on October 25, 2002 in the Pasadena Star-News; and no letters were received.

The City Manager reviewed the agenda report, indicated this recommendation had been based on a model being used by other cities, and responded to questions.

Mr. Mel Lim, Environmental Health Division Manager, outlined the City's response process and timeframe, and responded to questions.

Councilmember Madison was excused at 9:05 p.m.

Mr. Robert Wittry, Pasadena resident, expressed concern that this process does not address the community health issue for exposure to bees.

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

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

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

Councilmember Madison returned at 9:08 p.m.

RESIGNATION OF MERRILEE FELLOWS FROM THE PLANNING COMMISSION (District 6 Nomination)

APPOINTMENT OF PRENTICE DEADRICK TO THE PASADENA CENTER OPERATING COMPANY (City Nomination)

Councilmember Madison confirmed that Prentice Deadrick had affirmed his availability to serve on the Pasadena Center Operating Company.

It was moved by Councilmember Streator, seconded by Councilmember Gordo, to accept the above resignation with regret and to approve the above appointment. (Motion unanimously carried) (Absent: None)

REPORTS AND COMMENTS FROM COUNCIL COMMITTEES

PUBLIC SAFETY COMMITTEE

ADOPTION OF A RESOLUTION AUTHORIZING THE SUBMISSION OF A RESPONSE TO A REQUEST FOR PROPOSAL FOR TRANSIT COMMUNITY POLICING SERVICES FOR THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY GOLD LINE LIGHT RAIL SYSTEM FROM PASADENA TO LOS ANGELES

Recommendation of City Manager: Adopt a resolution authorizing the Pasadena Police Department to submit a response to a Request for Proposal (RFP) for Transit Community Policing Services for the Los Angeles County Metropolitan Transportation Authority (MTA) Gold Line Light Rail System for a period of 5 years under the following conditions:

- (1) That the MTA be responsible for full cost recovery for the City of Pasadena for police services rendered; and
- (2) That current levels of police service to the City of Pasadena will not be impacted. (Resolution No. 8176)

Councilmember Haderlein, Chair of the Public Safety Committee, introduced the item.

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

Councilmember Madison stated that the Mayor and Council's assistance in promoting the City's bid to the MTA would be helpful.

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

APPROVAL OF AN INTERIM JOINT POWERS AUTHORITY AGREEMENT WITH THE CITIES OF GLENDALE, BURBANK, BEVERLY HILLS, CULVER CITY, EL SEGUNDO, MONTEBELLO, POMONA, AND TORRANCE FOR EVALUATION OF A PUBLIC SAFETY INTERAGENCY COMMUNICATIONS INTEROPERABILITY SYSTEM (ICIS)

Recommendation of City Manager: Approve the Interim Joint Powers Authority Agreement with the cities of Glendale, Burbank, Beverly Hills, Culver City, El Segundo, Montebello, Pomona, and Torrance for evaluation of a Public Safety Interagency Communications Interoperability System. (Agreement No. 18,109)

Councilmember Haderlein reviewed the agenda report, and Councilmembers Haderlein and Madison responded to questions.

Mr. John Pratt, Chief Information Technology Officer, described how the system would operate, and responded to questions.

Steve Hronek, Information Services Administrator for the City of Glendale, explained the strategy for building the system with the designated participating cities and designing a regional plan, and responded to questions.

The City Manager noted the Joint Powers Agreement (JPA) could assist in competing for funding dollars; and pointed out that this was an interim JPA, and a report would be brought to Council prior to membership status becoming permanent or funds being spent.

Mr. Hronek stated that the interim JPA would expire at the end of June 2003, and a status report would be made to Council at that time.

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

ORDINANCES – FIRST READING

Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTER 2.165 OF THE PASADENA MUNICIPAL CODE REGARDING THE PASADENA CENTER OPERATING COMPANY"

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

Councilmember Madison
recused himself at 9:39 p.m.,
due to a conflict of interest.

**INTRODUCTION AND FIRST READING OF AN ORDINANCE
AMENDING CHAPTERS 8.60 AND 8.61 OF THE PASADENA
MUNICIPAL CODE ("SOLID WASTE" AND "SOLID WASTE
COLLECTION FRANCHISE SYSTEM") REGARDING
RECYCLING REQUIREMENTS FOR THE COLLECTION OF
SOLID WASTE AND RELATED AMENDMENTS**

Recommendation of City Manager:

(1) Acknowledge that the ordinance amending Chapters 8.60 and 8.61 of the Pasadena Municipal Code ("solid waste and solid waste collection franchise system") is exempt from the California Environmental Quality Act. Pursuant to CEQA Guidelines, General Rule, Section 1506(b)(3), the proposed project does not have the potential to result in a significant effect on the environment under CEQA.

(2) Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTERS 8.60 AND 8.61 OF THE PASADENA MUNICIPAL CODE ("SOLID WASTE" AND "SOLID WASTE COLLECTION FRANCHISE SYSTEM") REGARDING RECYCLING REQUIREMENTS FOR THE COLLECTION OF SOLID WASTE AND RELATED AMENDMENTS" to require non-exclusive solid waste franchise haulers to recycle 50% of all materials collected and make other modifications to the chapters as detailed in the Ordinance Fact Sheet.

(3) Direct the City Clerk to file the Notice of Exemption with the Los Angeles County Recorder's Office.

Mr. Jim Berryhill, Administrator of the Street Maintenance and Integrated Waste Management Division, reviewed the staff report, and responded to questions regarding liquidated damages.

The City Manager and Ms. Julie Gutierrez, Director of the Public Works Department, responded to questions regarding monitoring the franchisees' diversion plans.

The following persons spoke in support:

Mr. Dave Hauser, BFI representative
Mr. Andrew Casaña, California Restaurant Association
representative

It was moved by Vice Mayor Little, seconded by Councilmember Tyler, to approve the City Manager's recommendation and to offer the ordinance for first reading:

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

Vice Mayor Little commended Councilmembers Streator and Tyler for their ongoing efforts in addressing this recycling issue.

INTRODUCTION AND FIRST READING OF AN ORDINANCE ADDING CHAPTER 8.62 OF THE PASADENA MUNICIPAL CODE ESTABLISHING A REQUIREMENT TO SUBMIT AND COMPLY WITH A WASTE MANAGEMENT PLAN FOR CERTAIN CONSTRUCTION AND DEMOLITION PROJECTS WITHIN THE CITY OF PASADENA

Recommendation of City Manager:

(1) Acknowledge that the ordinance adding Chapter 8.62, A Waste Management Plan for Certain Construction and Demolition Projects within the City of Pasadena, is exempt from the California Environmental Quality Act. Pursuant to CEQA Guidelines, General Rule, Section 15061(b)(3), the proposed project does not have the potential to result in a significant effect on the environment under CEQA.

(2) Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA ADDING CHAPTER 8.62 TO TITLE 8 OF THE PASADENA MUNICIPAL CODE ESTABLISHING A REQUIREMENT TO SUBMIT AND COMPLY WITH A WASTE MANAGEMENT PLAN FOR CERTAIN CONSTRUCTION AND DEMOLITION PROJECTS WITHIN THE CITY OF PASADENA" to divert waste generated in the construction process from landfills to beneficial use to increase the City's recycling diversion rate.

(3) Direct the City Clerk to file the Notice of Exemption with the Los Angeles County Recorder's Office.

Mr. Jim Berryhill, Administrator of the Street Maintenance and Integrated Waste Management Division, reviewed the staff report and outlined the process to be followed.

The City Manager and Ms. Julie Gutierrez, Director of the Public Works Department, confirmed staff would return to Council with a recommendation to amend the fee resolution prior to the ordinance becoming effective.

It was moved by Councilmember Streator, seconded by Councilmember Tyler, to approve the City Manager's recommendation and to offer the ordinance for first reading:

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

NOES: None

ABSENT: Councilmember Madison

SUSPENSION OF THE NOISE ORDINANCE RELATING TO THE OLD PASADENA FOOD BOWL TO BE HELD IN OLD PASADENA ON SUNDAY, DECEMBER 29, 2002

Recommendation of City Manager: Direct the City Attorney to prepare an ordinance to suspend the Noise Ordinance and a Notice of Exemption, with respect to the proposed Old Pasadena Food Bowl to be held on Colorado Boulevard on Sunday, December 29, 2002 from 10:00 a.m. to 10:00 p.m.

On order of the Mayor, the above item was removed from the agenda, since the event will not be held due to a lack of adequate funding.

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 9:59 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 10:00 p.m. (Absent: Councilmember Madison)

**ORDINANCE – FIRST
READING**

Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA GRANTING NON-EXCLUSIVE FRANCHISES FOR SOLID WASTE COLLECTION TO 17 APPLICANTS”

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

ORDINANCES - ADOPTED

Adopt “AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTER 2.265 TO CHANGE THE NAME OF THE HUMAN SERVICES, RECREATION AND NEIGHBORHOODS DEPARTMENT TO THE HUMAN SERVICES AND RECREATION DEPARTMENT” (Introduced by Councilmember Streator) (Ordinance No. 6913)

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

Adopt “AN ORDINANCE OF THE CITY OF PASADENA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF PASADENA ESTABLISHED BY SECTION 17.08.040 OF THE PASADENA MUNICIPAL CODE (BANBURY OAKS LANDMARK OVERLAY DISTRICT)” (Introduced by Vice Mayor Little) (Ordinance No. 6914)

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

Adopt “AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTERS 2.75, 17.52, AND 17.92 OF THE PASADENA MUNICIPAL CODE RELATING TO HISTORICAL PRESERVATION” (Introduced by Councilmember Gordo) (Ordinance No. 6915)

Mr. Robert Wittry, Pasadena resident, expressed concerns regarding the need to clarify the ordinance language regarding areas covered by the definition of "demolition by neglect."

The above ordinance was adopted by the following vote:

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

NOES: None

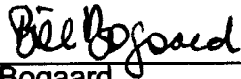
ABSENT: Councilmember Madison

The Mayor noted this ordinance could be modified in the future if the experience of applying, interpreting, and administering the ordinance would indicate that changes should be made to better implement the original purpose of the ordinance.

COUNCIL COMMENT

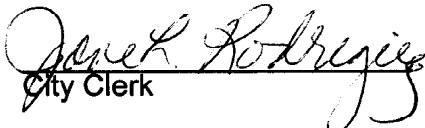
Councilmember Tyler announced the Municipal Services Committee had changed its meeting days to the first and third Wednesday of the month.

On order of the Mayor, the regular meeting of the City Council adjourned at 10:05 p.m.



Bill Bogaard
Mayor

ATTEST:



Janet Rodriguez
City Clerk

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