

CITY OF PASADENA
City Council Minutes
November 18, 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 5:30 p.m. (Absent: Councilmembers Holden, Madison)

OVERVIEW OF FEDERAL LEGISLATIVE MATTERS WITH CAROLYN CHANEY

Councilmember Holden arrived at 6:05 p.m.

Ms. Carolyn Chaney, Pasadena's Federal Legislative Advocate, discussed and distributed a handout entitled "Homeland Security Funding Opportunities", provided a brief overview of federal legislative issues, and responded to questions.

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 6:10 p.m., to discuss the following closed sessions:

CITY CONFERENCE WITH LABOR NEGOTIATOR pursuant to Government Code Section 54957.6

Agency Negotiators: Karyn Ezell, Steve Lem

Employee Organization: Pasadena Police Officers Association

CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION - SIGNIFICANT EXPOSURE TO LITIGATION pursuant to Government Code Section 54956.9(b): One potential case

The above closed sessions were discussed with no reportable action at this time.

RECONVENED

On order of the Mayor, the regular meeting of the City Council reconvened at 7:00 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 (Absent)
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 Mr. Prentice Deadrick as member of the Pasadena Center Operating Company.

The City Manager introduced Ms. Joyce Amerson as the new Director of the Department of Transportation.

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

Mr. Robert Wittry, Pasadena resident, expressed safety concerns regarding generators and the need for additional staff for graffiti removal.

Vice Mayor Little was excused at 7:09 p.m.

The City Manager indicated response time for graffiti removal is tracked and she would provide information regarding graffiti removal to Council.

Ms. Nancy Sagatelian, Pasadena resident, commented regarding the revisions to the Zoning Code pertaining to the hours of loading and unloading, and expressed concern that the Planning Commission was not considering the public and residential needs.

CONSENT CALENDAR

Item discussed separately at the request of Councilmember Tyler.

LEASE EXTENSION FOR FIRE DEPARTMENT ADMINISTRATIVE OFFICES AT 199 SOUTH LOS ROBLES AVENUE

APPROVAL AND ACCEPTANCE OF PROPOSED EASEMENT DEDICATION FOR STREET PURPOSES AT 175 SOUTH LAKE AVENUE

Recommendation of City Manager: Adopt a resolution approving and accepting the proposed easement dedication for street purposes at 175 South Lake Avenue. (Resolution No. 8177)

APPROVAL AND ACCEPTANCE OF PROPOSED EASEMENT DEDICATION FOR STREET PURPOSES AT 160 SOUTH HUDSON AVENUE

Recommendation of City Manager: Adopt a resolution approving and accepting the proposed easement dedication for street purposes at 160 South Hudson Avenue. (Resolution No. 8178)

DIRECT THE CITY ATTORNEY TO PREPARE AN AMENDMENT TO THE COMPETITIVE BIDDING AND PURCHASING ORDINANCE, PASADENA MUNICIPAL CODE CHAPTER 4.08, TO ELIMINATE CONFLICT WITH FEDERAL CONTRACTING GUIDELINES FOR FEDERALLY FUNDED PROJECTS

Recommendation of City Manager: Direct the City Attorney to prepare an amendment to the Competitive Bidding and Purchasing Ordinance, Pasadena Municipal Code Chapter 4.08, to eliminate conflict with federal contracting guidelines for federally funded projects.

APPROVAL OF MINUTES

September 9, 2002

**CLAIMS RECEIVED AND
FILED**

| | | |
|----------------|------------------------------------|-----------|
| Claim No. 9138 | Jermaine Whitener | \$ 380.00 |
| Claim No. 9139 | John Newborne | 25,000.00 |
| Claim No. 9140 | Erik & Heather Records | Unknown |
| Claim No. 9141 | Jack W. Lloyd | 379.75 |
| Claim No. 9142 | Southern California Gas Company | 239.78 |
| Claim No. 9143 | Allstate Indemnity Company | 638.94 |
| Claim No. 9144 | Christopher Lee Macauley | 4,370.21 |
| Claim No. 9145 | Charles Auzenne | 1,203.04 |
| Claim No. 9146 | Denise A. Dorgan | 1,200.01 |

PUBLIC HEARINGS SET

December 9, 2002, 8:00 p.m. - Cost Recovery for Demolition of
1809 North Los Robles Avenue - Unsafe Structure

December 9, 2002, 8:00 p.m. - Adjustment of Residential Impact
Fees

It was moved by Councilmember Gordo, seconded by
Councilmember Haderlein, to approve the Consent Calendar items,
with the exception of Item 1 (Lease Extension for Fire Department
Administrative Offices), which was discussed separately. (Motion
unanimously carried) (Absent: Councilmember Madison, Vice Mayor
Little)

**CONSENT ITEM
DISCUSSED SEPARATELY**

Vice Mayor Little returned at
7:12 p.m.

**LEASE EXTENSION FOR FIRE DEPARTMENT ADMINISTRATIVE
OFFICES AT 199 SOUTH LOS ROBLES AVENUE**

Recommendation of City Manager: Approve the terms and
conditions as generally described in the agenda report, and
authorize the City Manager to execute a new lease extending the
occupancy of the Fire Department's administrative offices at 199
South Los Robles Avenue, Suite 550, for three years with an option
for an additional two years. (Contract No. 18,118)

The City Manager responded to questions from Councilmember
Tyler.

Mr. Richard Bruckner, Director of Planning and Development, briefly
described the operating expenses for the administrative offices.

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

**REPORTS AND
COMMENTS FROM
COUNCIL COMMITTEES**

**ECONOMIC
DEVELOPMENT AND
TECHNOLOGY
COMMITTEE**

TOURNAMENT OF ROSES CONTRACT AMENDMENT

Recommendation of City Manager:

(1) Authorize the City Manager to enter into an amendment of
the Master License Agreement with the Pasadena Tournament of
Roses Association according to the proposed modifications
described both in the agenda report and in the redlined contract
document.

(2) Authorize the City Manager to reopen negotiations with the
Pasadena Tournament of Roses Association following this year's
events to discuss post parade for future years. (Contract No.
16,249-1)

FINANCE/AUDIT
COMMITTEE

In the absence of the Chair of the Economic Development and Technology Committee, Vice Mayor Little summarized the agenda report and noted that the Committee would like to discuss with the Tournament of Roses Committee ways to mitigate impacts to the neighborhoods, following the 2003 New Year's Day events.

Mr. Mitch Dorger, Tournament of Roses, briefly informed Council of upcoming activities at the Rose Bowl and responded to questions.

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

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

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

Mr. Vic Erganian, Treasurer, summarized the agenda report and stated in response to a previous request of Councilmember Holden, a one page summary of the financial investments would be in the upcoming In Focus newsletter and would also be posted on the City's web site.

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

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 7:32 p.m. to a joint meeting with the Community Development Commission (Absent: Councilmember Madison)

JOINT ACTION: 2002 - 2003 INVESTMENT POLICY

Recommendation of City Manager/Chief Executive Officer: It is recommended that the City Council and Pasadena Community Development Commission adopt the City Treasurer's Statement of Investment Policy and Investment Strategy for Fiscal Year 2003.

Due to the Chair's absence at the Finance Committee meeting, Councilmember Tyler summarized the agenda report.

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

JOINT ACTION: APPROVAL OF COMMUNITY BANK TERM CREDIT LOAN TO THE CITY OF PASADENA IN THE AMOUNT OF \$1,300,000 AND APPROVAL OF \$1,300,000 LOAN BY THE CITY OF PASADENA TO THE PASADENA COMMUNITY DEVELOPMENT COMMISSION (PLAZA LAS FUENTES II)

Recommendation of City Manager/Chief Executive Officer:

(1) It is recommended that the City Council adopt a resolution:
(A) Approving the terms and conditions of a loan between the City and Community Bank, subject to the terms and conditions as contained in Exhibit A of the agenda report; and final documentation.

(B) Approving a loan to Pasadena Community Development Commission (the "Commission") from the City in the amount of \$1.3 million in accordance with a promissory note/reimbursement and repayment agreement which reflects the terms and conditions of Community Bank loan.

(C) Authorizing the City Manager to execute: (1) the requisite loan documents between Community Bank and the City, and (2) a promissory note/reimbursement and repayment agreement between the City and the Commission. (Resolution No. 8179)

(2) It is recommended that the Commission take the following actions:

(A) Approve a loan in the amount of \$1.3 million to the Commission from the City in accordance with a promissory note/reimbursement agreement which reflects the same terms and conditions of the Community Bank loan.

(B) Authorize its Chief Executive Officer to execute the promissory note/reimbursement repayment agreement between the City and the Commission.

Councilmember Tyler summarized the agenda report.

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

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

JOINT ACTION: FISCAL YEAR 2002 ANNUAL FINANCIAL REPORTS (CAFR)

Recommendation of City Manager/Chief Executive Officer: It is recommended that the audited reports for the year ending June 30, 2002 be received by the City Council and/or Pasadena Community Development Commission (PCDC):

- Comprehensive Annual Financial Report
- Single Audit Report on Federal Awards
- Pasadena Community Development Commission Annual Financial Report
- Pasadena Center Operating Company Financial Statements
- Rose Bowl Operating Company General Purpose Financial Statements
- Pasadena Fire and Police Retirement System Report on Audited Financial Statements and Required Supplemental Information (Final Draft)
- Air Quality Improvement Fund Financial and Compliance Report
- Independent Accountant's Report on agreed-Upon Procedures Applied to Appropriation Limit Worksheets

- Independent Accountant's Report on agreed-Upon Procedures Applied to Employee Deduction for the Internal Revenue Code Section 457
- Management Letters - City of Pasadena, Rose Bowl Operating Company and Pasadena Center Operating Company
- Report on Compliance and on Internal Control Over Financial Reporting Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards

Councilmember Tyler summarized the agenda report.

Mr. Jay Goldstone, Director of Finance, introduced Ms. Marcie Medina as the new Accounting Administrator.

Mr. Ken Al-Imam, Conrad & Associates, briefly summarized the audit findings.

Vice Mayor Little complimented staff and the auditor for their work.

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

JOINT MEETING
ADJOURNED

On order of the Mayor, the joint meeting of the City Council and Community Development Commission adjourned at 7:45 p.m.

REGULAR MEETING
RECONVENED

On order of the Mayor, the regular meeting of the City Council reconvened at this time. (Absent: Councilmember Madison)

LEGISLATIVE POLICY
COMMITTEE

AUTHORIZATION TO EXECUTE A GRANT AGREEMENT TO THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT FOR A PARTICULATE MATTER RETROFIT PROGRAM GRANT

Recommendation of City Manager: Authorize the City Manager to execute a grant agreement, amendments, and any other documents necessary to secure and implement such grant.

Mr. Douglas K. Lee, Management Analyst, summarized the agenda report and responded to questions.

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

ESTABLISH A NEUTRAL POSITION ON H.R. 3824 (BONO) GABRIELENO BAND OF MISSION INDIANS FEDERAL RECOGNITION ACT AND DECLINE PARTICIPATION IN JOINT POWERS AUTHORITY OPPOSING THIS BILL

Recommendation of City Manager:

(1) Remain neutral on H.B. 3824 (Bono) Gabrieleno Band of Mission Indians Federal Recognition Act and similar bills, but place this issue on "watch" status for future developments; and

(2) Decline participation, at this time, in the Joint Powers Authority seeking to oppose this bill.

Ms. Stephanie DeWolfe, Assistant to the City Manager, summarized the agenda report and responded to questions.

The City Manager responded to additional questions.

MAIN MOTION

It was moved by Councilmember Holden, seconded by Vice Mayor Little, to approve the City Manager's recommendation and adopt a position of support for legal recognition of the Gabrielino Band of Mission Indians under Federal law, so long as the legislation does not grant in any form the power to establish any gaming operations on any territory that is associated with this recognition.

Discussion ensued concerning local laws, zoning, and land use issues if land was acquired by the Gabrielino Band of Mission Indians.

Ms. DeWolfe confirmed H.B. 3824 would provide immunity from various federal, state, local, and tax laws, if land was acquired by the tribe.

Councilmember Streater indicated that she wanted to recognize the tribe and offer the same benefits as the Federal government. However, she expressed concern regarding adopting a resolution allowing the tribe the authority to do whatever it wants in the City of Pasadena, with no local control over land issues.

Following discussion, the maker of the motion suggested tabling the above issue.

SUBSTITUTE MOTION

Following further discussion, Councilmember Holden offered the following substitute motion, seconded by Vice Mayor Little, to refer the City Manager's Recommendation No. 1 back to the Legislative Policy Committee to reflect on the comments of City Council, to monitor the legislation and return to Council with a new recommendation, and approve Recommendation No. 2 to decline participation in the Joint Powers Authority. (Motion unanimously carried) (Absent: Councilmember Madison)

LEGISLATIVE ADVOCACY TO EXPEDITE DELIVERY OF SOUNDWALL PROJECTS ALONG FREEWAY 210 FROM ARROYO BOULEVARD TO THE 210/134 INTERCHANGE **Recommendation of City Manager:**

(1) Pursue advocacy efforts compelling the Metropolitan Transportation Authority (MTA) Board to re-evaluate the prioritization criteria whereby soundwalls on High Occupancy Vehicles (HOV) and non-HOV routes could be simultaneously delivered;

(2) Pursue advocacy efforts to identify potential funding to provide the mandatory 33 percent non-refundable contribution to expedite this soundwall project; and

(3) Advocate future legislation dedicating a portion of transportation funds specifically for soundwall projects that mitigate new impacts on residential areas exposed to increased traffic and noise.

Ms. Stephanie DeWolfe, Assistant to the City Manager, summarized the agenda report and responded to questions.

The City Attorney responded to questions concerning environmental requirements.

In response to an inquiry, Ms. DeWolfe noted that staff recommended amending the prioritization criteria or look for new funding not specifically targeted to any specific soundwall project, but rather soundwall projects in general.

Councilmember Haderlein also stressed the need to advocate for soundwalls on the 210 Freeway east of Allen Avenue as well as throughout the entire city.

Ms. Emina Darakjy, East Arroyo Residents Association, commented in support and emphasized the need for soundwalls.

Discussion ensued concerning funding for the sound walls. It was suggested to include some funding in the federal and state transportation priorities and funding from the City's Capital Improvement Program budget as a means of identifying funds for the City's 33 percent local match of the estimated \$5 million for the projects.

The City Manager indicated that she would look into the suggestions, review other funding sources, and obtain estimates for sound walls on a 'per mile' basis and provide the information to City Council.

In addition, Councilmember Holden commented that as the City Manager reviews funding sources for the sound walls, he believed there was a nexus between mitigation of the impacts to the neighborhood and the non-completion of the 710 Freeway, and this may possibly serve to mitigate the impacts to the community.

In response, the City Manager indicated that the City would not receive HOV lanes on the northbound 210 Freeway because the 710 Freeway is not connected and completed. However, she would review the matter and discuss with Caltrans.

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

Following discussion, it was moved by Councilmember Holden, seconded by Vice Mayor Little, to direct the City Manager to pursue all revenue sources to address or meet the 33% non-refundable contribution as it relates to sound walls, not the least of which would be to look at whether or not the 710 Freeway mitigation dollars could

also be used for that purpose. (Motion unanimously carried)
(Absent: Councilmember Madison)

In addition, Councilmember Streator also requested staff find out from the Metropolitan Transportation Authority (MTA) how the uncompleted portion of the freeway can be completed as part of the project and the process for doing so.

REQUESTS FOR STATE LEGISLATION FOR 2003 SESSION

Recommendation of City Manager: It is recommended that the City Council request that State legislators sponsor legislation to dedicate a portion of transportation funds specifically for soundwall projects that mitigate new environmental impacts on residential areas exposed to increased traffic and noise.

Recommendation of Legislative Policy Committee: On November 5, 2002, the Legislative Policy Committee reviewed the agenda report and recommended that in addition to the sound walls, the City also make a request for legislation to provide funding for upgrades to local water infrastructure. Portions of the City's water infrastructure date back to the 1800's and total renovation is estimated at \$235 million over eighteen years.

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

Councilmember Holden expressed his appreciation and recognized Ms. Carolyn Chaney for her support and assistance for making things happen in the City of Pasadena.

Ms. Carolyn Chaney, Federal Legislative Advocate, briefly described her participation in the process for obtaining funding sources for the City.

PUBLIC SAFETY COMMITTEE

CONSIDERATION OF LIMITING THE USE OF THE PASADENA POLICE FIRING RANGE TO AGENCIES CURRENTLY SHOOTING AT THE RANGE

Recommendation of City Manager: It is recommended that the City Council limit the use of the police firing range to those outside agencies currently shooting at the range.

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

MAIN MOTION

It was moved by Councilmember Haderlein, seconded by Councilmember Tyler, to approve the City Manager's recommendation.

Councilmember Streator expressed concern regarding the Police Chief not having the flexibility for the use of the firing range and substitution of one agency over another.

The following persons commented in opposition:

Mr. Ron Woodford, representing Friends of Eaton Canyon
Dr. Loren L. Lutz, representing Society for the Preservation &
Protection of Wildlife

Police Chief Bernard Melekian responded to questions.

Following discussion, Councilmember Streater offered an amendment to allow the Police Chief the ability to substitute one agency or another, as needed. (The amendment died due to a lack of a second.)

Councilmember Haderlein expressed his opposition to the amendment and stated that he believed if there were going to be different users to the firing range, the public should be made aware of the users.

The City Manager indicated that Council may want to look at the operations and staff would like to have the latitude to return to Council, if necessary. She stated the present concern was the noise and the possibility of fire from the outdoor range, but it was believed that both concerns would be addressed with the indoor firing range and a new policy could be put into place once the new range is operational.

In response to an inquiry, Chief Melekian indicated that staff could report back to Council on the operations of the range within six months after opening.

SUBSTITUTE MOTION

It was moved by Councilmember Haderlein, seconded by Councilmember Tyler, to approve the City Manager's recommendation with staff to report back to Council within six months after the opening of the new range, and Council to revisit the policies at that time. (Motion unanimously carried) (Absent: Councilmember Madison)

PUBLIC HEARINGS

PUBLIC HEARING: PROPOSED UTILIZATION FOR THE LOCAL LAW ENFORCEMENT BLOCK GRANT FUNDS AND CITIZENS' OPTION FOR PUBLIC SAFETY GRANT FUNDS

Recommendation of City Manager:

(1) Approve a journal voucher reducing revenue from the United States Local Law Enforcement Block Grant Program by \$29,532, Account No. 6225-107. A total of \$230,000 in anticipated revenue was recognized during the Fiscal Year 2003 budget process, and \$200,468 was actually received.

(2) Approve a journal voucher transferring \$22,274 from the Police Department's Asset Forfeiture Fund 207 unappropriated fund balance to the Local Law Enforcement Block Grant Revenue Fund Account No. 107-6839-407600 to serve as the required 10% matching funds.

(3) Approve a journal voucher recognizing \$15,700 in revenue from the Supplemental Law Enforcement Grant (State of California Citizens' Option for Public Safety Grant), Account No. 6407-201, and appropriate \$85,700 from the Supplemental Law Enforcement Services Fund to Account No. 201-8504-407400. A total of

\$260,000 in anticipated revenue was recognized during the Fiscal Year 2003 budget process and \$275,700 was actually received. (Journal Voucher No. 2003-23)

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published in the Pasadena Star News on November 18, 2002.

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

There was no public comment.

It was moved by Vice Mayor Little, seconded by Councilmember Streater, to close the public hearing. (Motion unanimously carried) (Absent: Councilmember Madison)

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

PUBLIC HEARING: CONSIDERATION OF A MORATORIUM ON THE DEMOLITION OF OLDER STRUCTURES WITHIN DESIGNATED STUDY AREAS

Recommendation of City Manager: It is recommended that the City Council, following a public hearing take the actions identified below:

- (1) Find the proposed project to be Statutorily Exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act, CEQA Guidelines, Section 15262, Feasibility and Planning Studies;
- (2) Approve a moratorium for a period of six months on the demolition of structures (20 years old or older) within the multi-family residential zones bounded by East Colorado Boulevard on the north, South Bonnie Avenue on the west, East Del Mar Boulevard on the south and South San Gabriel Boulevard on the east (Designated Study Area 1); and Alpine Street on the north, South Marengo Avenue on the west, Wallis Street on the south, and South Euclid Avenue on the east (Designated Study Area 2) as shown in Exhibit A of the agenda report;
- (3) Find that the proposed moratorium is consistent with the goals and policies of the General Plan;
- (4) Find that in accordance with the Pasadena Municipal Code (Section 2.75.220b, as amended) (a) continued approval of the demolition of structures (20 years old or older) within the designated study areas would have a specific, adverse impact upon the public health, safety or welfare pursuant to the standards and policies set forth in the General Plan, (b) an interim ordinance establishing the proposed moratorium is necessary to mitigate or avoid the specific, adverse impacts, and (c) there is no feasible alternative to satisfactorily mitigate or avoid the specific, adverse impact identified with a less burdensome or restrictive effect, than the adoption of the proposed interim ordinance; and

(5) Direct the City Attorney to prepare an interim ordinance implementing these recommendations.

Recommendation of Cultural Heritage Commission: The Cultural Heritage Commission at its meeting on Monday, November 4, 2002, adopted a motion recommending City Council approve the Demolition Moratorium with two amendments: (a) that the moratorium apply to the originally proposed 11 study areas, and (b) that the moratorium take effect for one year. The Cultural Heritage Commission also expressed concern that a limited moratorium would simply divert demolitions to another study area and one member of the Commission argued that the moratorium should apply to the area north of Colorado Boulevard and south of Walnut Street (Study Area 5 adjacent to Pasadena City College).

Further, based on discussion at the Cultural Heritage Commission meeting regarding the prospects for demolition of two older multi-family structures located at 1240 & 1250 Marengo Avenue, respectively, immediately south of Designated Study Area 2, staff is recommending one additional study area (Study Area 12) for analysis. Study Area 12 would not be subject to the restrictions of the moratorium.

Recommendation of Planning Commission: The Planning Commission at its meeting on Wednesday, November 13, 2002, recommended City Council approve the Demolition Moratorium and associated study with one amendment requesting that staff monitor the pace of demolitions within the study areas to determine if there is a need to include and/or extend the demolition moratorium to study areas where the moratorium has not been applied. Staff intends on monitoring the demolition activity.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on November 4 and 11, 2002 in the Pasadena Star News and November 14, 2002 in the Pasadena Journal. On October 31, 2002, 331 copies of the notice were posted and 1,218 copies of the notice were mailed; one letter in support, one petition with 27 signatures in support, five letters in support with expansion of the area, one petition with 17 signatures in support with an expanded area; two letters in opposition; and three letters requesting excluded locations were received and distributed to City Council.

Mr. Gregory Robinson, Housing Administrator, summarized the agenda report and responded to questions.

The City Manager responded to questions.

The following persons spoke in support:

Ms. Barbara Cole, representing the Cultural Heritage Commission, requested Council direct staff to begin an additional process for extension of area in the moratorium.

Ms. Gail Anderson, representing Lamanda Park Neighborhood Association

Mr. Robert Wittry, Pasadena resident, requested inclusion of other various areas in the moratorium.

Ms. Ann Thomas, Pasadena resident, distributed a handout of photograph copies and requested inclusion of Study Area 12
Ms. Colette Ostrye, Pasadena resident
Mr. Robert Lopuck, Pasadena resident, submitted a petition with 27 signatures
Mr. Benny A. Estorga, Pasadena resident, requested the inclusion of Study Area 12
Ms. Hazel Michelson, Pasadena resident
Mr. Simon Kelly, Pasadena resident, requested the inclusion of various areas
Mr. Carlos Gatti, Pasadena resident
Ms. Lucian Carter, Pasadena resident
Ms. Marilyn Yelda, Pasadena resident

The following persons commented in opposition:

Mr. Joe Tomich, Los Angeles resident
Mr. Steve Cole, Los Angeles resident
Mr. Les Beauchamp, San Clemente resident
Mr. Robert Tyler, Pasadena resident
Mr. David Schuman, Los Angeles resident

The following persons requested an exemption from the proposed moratorium:

Ms. Mei-Wen Wang, Pasadena resident
Mr. John Barakonski, Sherman Oaks resident, representing owners of proposed 8-unit condominiums located at 245 Wallis Street
Mr. David Schuman, Los Angeles resident

In response to inquiries received from public comments, Mr. Robinson noted that staff would research the matter pertaining to Mr. Tomich's property and determine whether or not previous discretionary approval had been obtained and if any approvals had expired. In response to the requests to include Study Area 12, Mr. Robinson stated noticing would be required as well as another public hearing which could take approximately one month to six weeks, however, for inclusion of the other 10 areas, it would be necessary to document the significant effects. He noted the property located at 245 Wallis was excluded from the proposed moratorium.

The City Attorney noted staff Recommendation No. 2 requests the City Attorney to prepare a six-month moratorium. It was clarified that under State statute, the ordinance would be effective for 45 days and then if the City Council chooses, it can be extended.

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

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

It was moved by Councilmember Tyler, seconded by Councilmember Haderlein, to approve the City Manager's recommendation, with the modification noted by the City Attorney, and direct staff to review Study Area 12 for inclusion in the moratorium with the understanding that the target date for returning to Council with the findings for Study Area 12 would be early January 2003. (Motion unanimously carried) (Absent: Councilmember Haderlein)

PUBLIC HEARING: WESTRIDGE SCHOOL MASTER DEVELOPMENT PLAN AMENDMENT AND VACATION OF PORTIONS OF MADELINE DRIVE (WEST)

Recommendation of City Manager: It is recommended that the City Council continue the public hearing to December 9, 2002, 8:00 p.m.

On order of the Mayor, the above public hearing was continued to December 9, 2002, 8:00 p.m.

PUBLIC HEARING: FAIR OAKS/ORANGE GROVE SPECIFIC PLAN GENERAL PLAN AMENDMENTS

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

Councilmember Gordo
recused himself at 10:14
p.m. due to a conflict of
interest.

(1) Find that the Specific Plan Environmental Impact Report (EIR), previously certified by the Council adequately assesses the potential environmental impacts of General Plan Amendments to designate the expanded Specific Plan area boundaries, to establish development intensities corresponding to the expanded Specific Plan area, and the residential building intensity standard that includes both market rate and affordable housing.

(2) Adopt a resolution approving the General Plan Amendments as follows: (a) Amendment to the map in the Land Use Element and the Diagram to reflect expansion of the Specific Plan area from Mountain Street northward to the City limit; (b) Amendment to the Land Use Element text to recognize development intensity (units and non-residential square footage for the "expanded area"; and (c) Amendment to the General Plan Policy 3.1 pertaining to the exemption for affordable housing. (Resolution No. 8180)

Recommendations of Advisory Bodies: At its meeting of March 13, 2002, the Planning Commission unanimously recommended approval of the proposed amendments with a clarification to staff's analysis of the proposed changes to General Plan Policy 3.1., Exemption for Affordable Housing. The Commission's discussion focused on the application of the proposed policy for the Fair Oaks/Orange Grove Specific Plan area and the mix of housing provided by the policy for District 3. As a result, the agenda report contains clarification of the proposed Interim Policy.

At its meeting of March 12, 2002, the Northwest Commission reviewed the General Plan amendments as an information item, as this was a follow-up to the approved Fair Oaks Specific Plan that they previously reviewed.

At its meeting of March 6, 2002, the Fair Oaks Project Area Committee reviewed the General Plan amendments as an information item, as this was a follow-up to the approved Fair Oaks Specific Plan that they previously reviewed.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on November 8 and 15, 2002 in the Pasadena Star News and published on November 14, 2002 in the Pasadena Journal. On November 5, 2002, 86 copies of the notice were posted and 1,303 copies of the notices were mailed.

Ms. Patrice Traylor, Senior Planner, summarized the agenda report and noted that the item was an implementing piece to the Specific Plan adopted in January 28, 2002.

Mr. Robert Wittry, Pasadena resident, expressed concerns that many impacts are not being addressed and requested that additional review be given at a future date to the potential impacts.

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

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

**ORDINANCE - FIRST
READING**

Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17 (THE ZONING CODE) OF THE PASADENA MUNICIPAL CODE, ESTABLISHING THE FAIR OAKS/ORANGE GROVE SPECIFIC PLAN ZONING DISTRICT AND SUBDISTRICTS TO IMPLEMENT THE FAIR OAKS/ORANGE GROVE SPECIFIC PLAN"

Mr. Richard Bruckner, Director of Planning and Development, noted that the Specific Plan did not permit any off-premise alcohol beverage sales, and many of the off-premise alcohol sale establishments are not regulated and do not have conditional use permits. He further noted that there was a proposal to cap the amount of off-premise alcohol sales and allow replacement of off-premise sales, if one were eliminated, which may be an issue that Council wants to discuss.

The City Manager explained the buy-out process for alcohol beverage sales and responded to questions.

Discussion ensued concerning regulating and reducing the alcohol beverage sales.

Mr. Robert Wittry, Pasadena resident, commented that he would like to move forward and protect the area from alcohol beverage sales.

There was a general consensus to address the sale of alcohol beverages at a later time.

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

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

NOES: None

ABSENT: Councilmembers Gordo, Madison

**RECOMMENDATIONS
FROM OFFICERS AND
DEPARTMENTS**

Councilmember Gordo
returned at 10:30 p.m.

**RESIGNATION OF JACQUELINE PEETE FORD FROM THE
HUMAN RELATIONS COMMISSION (District 7 Nomination)**

**RESIGNATION OF JERI L. MACK FROM THE HUMAN
RELATIONS COMMISSION (District 1 Nomination)**

It was moved by Councilmember Holden, seconded by Councilmember Tyler, to accept the above resignations with regret. (Motion unanimously carried) (Absent: Councilmember Madison)

**AUTHORIZATION TO INCREASE THE NOT-TO-EXCEED
AMOUNT OF CONTRACT NO. 16,849 WITH SAPPHOS
ENVIRONMENTAL FOR THE PREPARATION OF THE MASTER
ENVIRONMENTAL IMPACT REPORT (MEIR) FOR THE ARROYO
SECO MASTER PLAN**

Recommendation of City Manager:

(1) Authorize the City Manager to increase by \$90,000 the not-to-exceed amount of Contract No. 16,849 with Sapphos Environmental Inc., thereby increasing the not-to-exceed amount of the contract from \$332,848 to \$422,848 for the preparation of the MEIR for the Arroyo Seco Master Plan;

(2) Approve a journal voucher transferring \$30,000 from salary savings realized in the City Manager's budget, \$30,000 from salary savings in the Planning and Development Department budget, and \$30,000 from the Non-departmental budget, and appropriate \$90,000 to the Arroyo Seco MEIR Account No. 301-77475. (Contract No. 16,849-3; Journal Voucher No. 2003-24)

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

**PROPOSED CHARTER AMENDMENT BALLOT MEASURE FOR
THE CONSOLIDATED CITY OF PASADENA AND PASADENA
UNIFIED SCHOOL DISTRICT PRIMARY NOMINATING ELECTION
ON MARCH 4, 2003, TO ALLOW THE CITY COUNCIL AND THE
BOARD OF EDUCATION THE OPTION TO HOLD ALL-MAIL
BALLOT ELECTIONS**

Recommendation of City Clerk: It is recommended that the City Council:

(1) Adopt a joint resolution of the City Council and Board of Education ordering the submission to the qualified electors of the City of Pasadena and the Pasadena Unified School District at the primary nominating election to be held on Tuesday, March 4, 2003,

a certain Charter amendment measure to allow the City Council and the Board of Education the option to hold all-mail ballot elections; and

(2) Adopt a joint resolution of the City Council and Board of Education authorizing a combined total of no more than five members of the City Council and the Board of Education to file a written argument in favor of the measure, and directing the City Attorney to prepare an impartial analysis of the measure.

(Note: The above joint resolutions will be presented to the Board of Education on November 26, 2002, and shall take effect upon the date adopted by both bodies.) (Resolution Nos. 8181 and 8182)

Mr. Robert Wittry, Pasadena resident, commented in opposition.

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

PROPOSED BALLOT MEASURE TO DETERMINE WHETHER THE EXISTING REMARRIAGE PENALTY FOR MEMBERS OF THE CITY'S FIRE AND POLICE RETIREMENT SYSTEM SHOULD BE ELIMINATED

Recommendation of Fire and Police Retirement Board: Adopt a resolution:

(1) Adding a proposed charter amendment ballot measure to the March 4, 2003 Primary Municipal Election to determine whether the City should retain a Charter provision which discontinues the pension allowance to the spouse of a deceased Fire and Police Pension System member upon the remarriage of the surviving spouse.

(2) Directing the City Attorney to draft an impartial analysis of this ballot measure. (Resolution Nos. 8183 and 8184)

Councilmember Streater briefly summarized the agenda report and responded to questions.

It was moved by Councilmember Gordo, seconded by Vice Mayor Little, to approve the Fire and Police Retirement Board's recommendation. (Motion unanimously carried) (Absent: Councilmember Madison)

APPROVAL OF TEMPORARY STORAGE FACILITY IN THE LOWER ARROYO FOR THE PASADENA ROVING ARCHERS

Recommendation of Recreation and Parks Commission: The Recreation and Parks Commission unanimously recommends that the City Council:

(1) Allow a temporary storage facility in the Lower Arroyo Seco for use by the Pasadena Roving Archers; and

(2) Allocate up to \$500 of Arroyo Park maintenance funds to pay for the costs of the temporary storage facility.

Mr. James MacQuarrie, representing Pasadena Roving Archers, commented in support.

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

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 10:42 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 10:43 p.m. (Absent: Councilmember Madison)

ORDINANCES - ADOPTED

Adopt "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" (Introduced by Vice Mayor Little) (Ordinance No. 6916)

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

Adopt "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" (Introduced by Councilmember Streater) (Ordinance No. 6917)

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

Adopt "AN ORDINANCE OF THE CITY OF PASADENA GRANTING NON-EXCLUSIVE FRANCHISES FOR SOLID WASTE COLLECTION TO 17 APPLICANTS" (Introduced by Councilmember Streater) (Ordinance No. 6918)

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

Adopt "AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTER 2.165 OF THE PASADENA MUNICIPAL CODE REGARDING THE PASADENA CENTER OPERATING COMPANY" (Introduced by Councilmember Madison)

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

COUNCIL COMMENTS

Councilmember Streater inquired concerning when the Master Plan for the Arroyo Seco was scheduled for Council.

In response, the City Manager indicated January 27, 2003.

Councilmembers Holden and Streater provided a brief update on the affairs of the Airport Authority and responded to questions.

The Mayor noted that there was a Joint Airport meeting scheduled with the Cities of Burbank, Glendale, and Pasadena on December 4, 2002, and he distributed a handout entitled "LA County Moving Together Mobility 21." He briefly provided an update on the Transportation Summit and the efforts to identify and secure funding for transportation in Southern California.

Councilmember Holden inquired if the City Council would receive an update from Mr. Moag concerning the City obtaining an NFL team.

In response, Councilmember Streater invited all Councilmembers to attend her upcoming District meeting at the Rose Bowl on Thursday, November 21, 2002, and she indicated an update would be provided at that meeting from Mr. Darryl Dunn, General Manager of the Rose Bowl.

The City Manager also informed Council that Mr. Moag would also provide an update regarding an NFL team to the Rotary Club.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 10:54 p.m.



Bill Bogaard
Mayor

ATTEST:



Jane L. Rodriguez
City Clerk
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