

CITY OF PASADENA
City Council Minutes
January 6, 2003 - 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting of the City Council to order at 5:45 p.m. (Absent: Councilmembers Holden, Streater)

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

**CITY COUNCIL CONFERENCE REGARDING PUBLIC
EMPLOYEE PERFORMANCE EVALUATION pursuant to
Government Code 54957
Title: City Manager**

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

On order of the Mayor, the regular meeting of the City Council reconvened at 6:36 p.m. The Pledge of Allegiance was led by Councilmember Haderlein.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Paul Little
Councilmember Victor Gordo
Councilmember Steve Haderlein
Councilmember Chris Holden (Absent)
Councilmember Steve Madison
Councilmember Joyce Streater (Absent)
Councilmember Sidney F. Tyler, Jr.

Staff:

City Manager Cynthia J. Kurtz
City Attorney Michele Beal Bagneris
City Clerk Jane L. Rodriguez

CEREMONIAL MATTERS

The City Clerk administered oaths of office to Mr. Stephen Macala as Human Relations Commissioner, Ms. Donna Pomerantz as Accessibility and Disability Commissioner, and Mr. Sam A. Thomas as Senior Commissioner.

PRESENTATION BY MR. DAN YORK REGARDING PASADENA UNIFIED SCHOOL DISTRICT'S DADS ARE DOING SOMETHING (DADS) PROGRAM (Vice Mayor Little)

Mr. Dan York, President of Dads are Doing Something (DADS) Program and Mr. John Whitaker, Program Coordinator, provided an overview of the nationwide DADS program and encouraged involvement of fathers in the classrooms and schools to assist in the development of children in conjunction with the educational process.

Vice Mayor Little encouraged everyone to participate in the classroom events and noted his personal rewards in participating in the Program.

Due to the past evening's windstorms, the Assistant City Manager and the City Manager briefly apprised Council of windstorm damage and utility outages.

Councilmember Madison noted the recent loss of Pasadena resident Mr. Donald Hensman who was an award winning architecture of post war modernist homes and a well known architect and requested that the meeting adjourn in memory of Mr. Hensman. He noted that there would be a celebration of his life on Saturday, January 11, 2003 at 2:00 p.m. at the USC School of Architecture.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Mr. Marvin Schachter, Senior Advocacy Council of Pasadena/California Commission on Aging, expressed concerns regarding the State's financial crisis and proposed reductions to health and social programs; and urged Councilmembers to meet with State representatives.

In response to Mr. Schachter's comments, the Mayor noted the upcoming Municipal Services Committee meeting on January 7, 2003 at 4:00 p.m., and stated the purpose of the meeting was to review the legislative initiatives both at the Federal and State levels and the above concern would fit in with the meeting discussion.

Mr. Kurt Thorgerson, Pasadena resident, spoke regarding mass transit and urged greater utilization of large mini vans.

Mr. John T. Kvammen, Pasadena resident, distributed pictures and expressed concern regarding the maintenance and management of vacant property owned by Caltrans. He stated he had recently found a loaded weapon on a vacant piece of property owned by Caltrans in his neighborhood on South Pasadena Avenue. He stated he obtained documentation of approximately 50 other incidents that had occurred on Caltrans' vacant properties, and requested Council support him in encouraging Caltrans to not rent out its properties.

In response, the Mayor acknowledge continuing City concerns with Caltrans' property and encouraged Mr. Kvammen to also contact his State representative regarding his expressed concerns.

Mr. Kvammen requested that the neighborhood be included in future discussions or meetings.

Mr. Robert Wittry, Pasadena resident, spoke regarding safety issues of traffic and the gas meters related to Altrio's generators. He also inquired as to when the landscaping or other aesthetic treatments for the Altrio boxes would be in place, particularly at Atchison and Marengo, and expressed concern regarding maintenance issues and costs associated with the boxes.

Vice Mayor Little expressed concerns regarding the lapse in time with the completion of the landscaping at these boxes, stressed that mitigation needs to be done in a timely manner within days instead of weeks, and landscaping should be a priority with Altrio as this is part of the contract. He further noted that there is an existing box in a parkway at MacDonald Park and it is in a bad location, obscures an existing park sign, and stressed that this box needs to be removed.

The City Manager responded that there is a landscaping plan for each box, and the plans are done individually as some persons want fences while others want flowers or green coverage. She acknowledged the concern in the lapse in time in completing the landscaping plans, offered to look into the matter and timeframes for installing the landscaping plans, as well as expedite the landscaping plan for the box referenced by Mr. Wittry. In response to questions regarding the process for implementing a landscaping plan, the City Manager offered to follow-up on whether a property owner could opt out of having a landscaping plan in place.

Vice Mayor Little suggested that as the City issues new permits to Altrio, conditions should be placed on the permits to require the work to be completed within 10 days, and noted that a landscaping plan should be agreed upon with the property owner prior to Altrio pulling a permit.

The City Manager concurred that conditions could be placed on the permit, and noted several schematic landscaping plans could be prepared for property owners to select from to expedite the process instead of having unique landscaping plans.

Mr. Dan Rix, Public Works Department, responded to questions and confirmed that abutting property owners are responsible for maintaining the landscaping around the boxes, however, if fences are installed, maintenance of the fences is the responsibility of Altrio.

**RECOMMENDATIONS
FROM OFFICERS AND
DEPARTMENTS**

**RESOLUTION AMENDING THE DESIGN GUIDELINES FOR
SIGNS AND AWNINGS CITYWIDE**

Recommendation of City Manager: Adopt a resolution adopting the revised Design Guidelines for signs and awnings citywide.

On order of the Mayor, the above item was held to January 13, 2003, at the request of the City Attorney.

**ORDINANCE - FIRST
READING**

**Conduct first reading of "AN ORDINANCE OF THE CITY OF
PASADENA AMENDING CHAPTERS 12.15, 17.12, 17.20, 17.22,
17.24, 17.28, 17.32, 17.33, 17.57, 17.72, 17.76, 17.82 AND
REPEALING AND REPLACING IN ITS ENTIRETY CHAPTER
17.72 RELATING TO SIGN REGULATIONS"**

On order of the Mayor, the above item was held to January 13, 2003, at the request of the City Attorney.

CONSENT CALENDAR

**AUTHORIZATION TO ENTER INTO A CONTRACT WITH
MONTGOMERY WATSON HARZA FOR CONSULTING
SERVICES FOR NEEDS ASSESSMENT, SPECIFICATION
DEVELOPMENT AND IMPLEMENTATION PLANNING OF PHASE
II OF THE GEOGRAPHIC INFORMATION SYSTEM (GIS)**

Recommendation of City Manager: Authorize the City Manager to enter into a contract with Montgomery Watson Harza for an amount not to exceed \$329,500, for consulting services for Phase II of GIS Development, Implementation and Integration Plans Project. (Contract No. 18,147)

**APPROVAL AND ACCEPTANCE OF PROPOSED EASEMENT
DEDICATION FOR PUBLIC SIDEWALK PURPOSES AT THE
SOUTHWEST CORNER OF WALNUT STREET AND MARENGO
AVENUE**

Recommendation of City Manager: Adopt a resolution approving and accepting the proposed easement dedication for public sidewalk purposes at the southwest corner of Walnut Street and Marengo Avenue. (Resolution No. 8201)

Item discussed separately
at the request of
Councilmember Gordo.

**AUTHORIZATION TO ENTER INTO A CONTRACT WITH
LAMBCO ENGINEERING, INC. FOR THE CONSTRUCTION OF
UNDERGROUND ELECTRICAL CONDUIT SYSTEMS, VAULTS
AND OTHER MISCELLANEOUS WORK FOR THE WATER AND
POWER DEPARTMENT - SPECIFICATION LD-02-10**

APPROVAL OF MINUTES

October 7, 2002

CLAIMS RECEIVED AND
FILED

Claim No. 9174	Dailey R. Mayo	\$	Unknown
Claim No. 9175	John Henno		338.60
Claim No. 9176	Pascual L. Cervantes		8,080.00
Claim No. 9177	Linda Adlean		Unknown

Claim No. 9178	Kwan Hung	Unknown
Claim No. 9179	Jeanne Howard-Young	250.00
Claim No. 9180	Jimmy Johnson	Unknown
Claim No. 9181	Martin Gonzalez	Unknown
Claim No. 9182	Rosemary Lozada Rodriguez	Unknown
Claim No. 9183	Tracey Johnson, Reece Clark, Mikayla Johnson, Briana Johnson, and Reece Clark, Jr.	Unknown
Claim No. 9184	Carmen Castell for Jose Castell (minor)	500.00

It was moved by Vice Mayor Little, seconded by Councilmember Tyler, to approve the Consent Calendar items, with the exception of Item 3 (Authorization to Enter into a Contract with Lambco Engineering, Inc.), which was discussed separately. (Motion unanimously carried) (Absent: Councilmembers Holden, Streater)

**CONSENT ITEM
DISCUSSED SEPARATELY**

AUTHORIZATION TO ENTER INTO A CONTRACT WITH LAMBCO ENGINEERING, INC. FOR THE CONSTRUCTION OF UNDERGROUND ELECTRICAL CONDUIT SYSTEMS, VAULTS AND OTHER MISCELLANEOUS WORK FOR THE WATER AND POWER DEPARTMENT - SPECIFICATION LD-02-10

Recommendation of City Manager: It is recommended that the City Council: (i) Accept the bid dated December 12, 2002, submitted by Lambco Engineering, Inc., in response to Specification LD-02-10; (ii) reject all other bids; and (iii) authorize the City Manager to enter into a contract for a period of one year or an amount not to exceed \$950,000, whichever occurs first. (Contract No. 18,148)

Ms. Phyllis Currie, General Manager of Water and Power, responded to questions regarding the scope of work.

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

**RECOMMENDATIONS
FROM OFFICERS AND
DEPARTMENTS**

APPROVAL OF A RESOLUTION CONFIRMING THE REPORT OF THE ADVISORY BOARD IN CONNECTION WITH THE ESTABLISHMENT OF THE PROPOSED PASADENA TOURISM BUSINESS IMPROVEMENT DISTRICT, DECLARING ITS INTENTION TO ESTABLISH SAID DISTRICT, DECLARING ITS INTENTION TO LEVY AN ASSESSMENT ON BUSINESSES WITHIN SAID DISTRICT FOR FISCAL YEAR 2003, AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING ON THE ESTABLISHMENT OF THE DISTRICT AND THE LEVY OF THE ASSESSMENT

Recommendation of Pasadena Center Operating Company: Adopt a resolution confirming the Report of the Advisory Board in connection with the establishment of the proposed Pasadena Tourism Business Improvement District, declaring its intention to establish said District, declaring its intention to levy an assessment on businesses within said District for Fiscal Year 2003, and setting

a time and place for a public hearing on the establishment of the District and the levy of the assessment. (Resolution No. 8186)

The City Clerk reported that on December 13, 2002, 22 copies of the notice for tonight's public meeting as well as the upcoming public hearing on January 27, 2002 were mailed to the property owners; no letters in support were received, one letter in opposition was received and distributed to Council.

Mr. Roger Smith, Chief Executive Officer of the Pasadena Center Operating Company, summarized the agenda report and responded to questions.

Mr. Rolin Bruno, Manager of Quality Inn Pasadena, summarized his January 5, 2003 letter in opposition.

Mr. Jay Goldstone, Director of Finance, responded to questions and noted additional financial information concerning the reserves and projected revenue will be provided at the January 27, 2003 City Council meeting.

It was also requested that when the item returns to Council, if the projected revenue target is not met, that information be provided on how high the percentage would have to go to meet the goal.

It was moved by Councilmember Madison, seconded by Councilmember Gordo, to approve the Pasadena Center Operating Company's recommendation with a note that this is the next step in the process and also the Council has received assurances both from internal and outside counsel that the item is legally compliant. (Motion unanimously carried) (Absent: Councilmembers Holden, Gordo)

DESIGNATION OF REPRESENTATIVES TO GO TO WASHINGTON, D.C., REGARDING BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY ISSUES

The Mayor provided an update on the Airport Authority withdrawing plans for construction of a new terminal at the Burbank Airport and he also discussed Burbank's position to place a curfew on flights from 10:00 p.m. to 7:00 a.m., should a new terminal be placed at the Airport.

Following brief discussion, it was moved by Councilmember Tyler, seconded by Councilmember Haderlein, to designate the Mayor and Vice Mayor Little as representatives to go to Washington, D.C. (Motion unanimously carried) (Absent: Councilmembers Holden, Streater)

The Mayor noted that he had been made aware that Congressman Adam Schiff would also be ready to assist in the advocacy effort.

CONSIDERATION OF A CALL FOR REVIEW OF CONDITIONAL USE PERMIT NO. 4114 TO THE BOARD OF ZONING APPEALS (1341 WALNUT STREET - MAJOR WIRELESS TELECOMMUNICATION FACILITY) (Vice Mayor Little)

Vice Mayor Little provided an overview of the proposal, stated the neighborhood would be better served if conditions of approval were imposed to better mitigate the impacts, and noted that the applicant had been notified and was willing to adhere to conditions of approval to mitigate the visual impacts. He further requested that the conditional use permit be sent back to the Board of Zoning Appeals to formally add the conditions of approval.

Mr. Richard Bruckner, Director of Planning and Development and Mr. Michael Huntley, Senior Planner, responded to question.

It was moved by Vice Mayor Little, seconded by Councilmember Haderlein, to call the matter for review to the Board of Zoning Appeals, to be scheduled as expeditiously as possible. (Motion unanimously carried) (Absent: Councilmembers Holden, Streator)

PUBLIC HEARINGS

CONTINUED PUBLIC HEARING: COST RECOVERY FOR DEMOLITION OF 1809 NORTH LOS ROBLES - UNSAFE STRUCTURE

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

- (1) Confirm the total cost of \$19,942.50 for demolition of a single-family structure at 1809 North Los Robles.
- (2) Order that said charges be assessed against the property and record such assessment with the Los Angeles County Assessor's Office.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published November 29, 2002 and December 13, 2002 in the Pasadena Star News; no letters in support or in opposition were received.

The City Manager reviewed the agenda report and responded to questions.

Mr. George Chapjian, Neighborhood Revitalization Division Manager, discussed the process for the demolition of the structure and responded to questions.

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

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

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

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

Vice Mayor Little complimented staff on a good job.

**RECOMMENDATIONS
FROM OFFICERS AND
DEPARTMENTS**

**CONSIDERATION OF A CALL FOR REVIEW OF APPLICATION
PLN2002-02115 TO THE DESIGN COMMISSION
(CONSOLIDATED DESIGN REVIEW - NEW CONSTRUCTION OF
A THREE-STORY, 8-UNIT CONDOMINIUM BUILDING AT 86-88
S. VIRGINIA AVENUE) (Councilmember Tyler)**

Councilmember Tyler summarized the proposed project and expressed his belief that the proposed height of the building was uncharacteristic with the surrounding area. He noted that the neighbors were also opposed to the height, and requested that the item be referred to the Design Commission.

The following persons spoke in support for the call for review and expressed concern regarding the height of the proposed building:

- Mr. Steve Waller, representing Lamanda Park Neighborhood Association
- Ms. Gail Anderson, representing Lamanda Park Neighborhood Association, distributed a handout and petition with 117 signatures
- Ms. Nancy Deleray, representing Lamanda Park Neighborhood Association
- Mr. Robert S. Harshbarger, representing Lamanda Park Neighborhood Association
- Mr. Jason and Michelle Romaine, Pasadena resident

It was moved by Councilmember Tyler, seconded by Councilmember Gordo, to approve the call for review of Application PLN2002-0215 to the Design Commission. (Motion unanimously carried) (Absent: Councilmembers Holden, Streater).

Councilmember Haderlein requested that should the review return to Council as an appeal, staff provide the data presented by the Neighborhood Association, particularly the map and the number of three-story, and one and two-story homes in the area.

Councilmember Tyler complimented both City staff and the Neighborhood Association as to the professional manner in which the case was handled.

The City Manager noted staff would target January 27, 2003 as the date for the Design Commission to review the matter.

**CONSIDERATION OF A CALL FOR REVIEW OF CONDITIONAL
USE PERMIT NO. 3881 TO THE BOARD OF ZONING APPEALS
(3271 NEW YORK DRIVE, #3 - CONSTRUCTION OF A NEW**

HOME IN HILLSIDE OVERLAY DISTRICT - SLOPE GREATER THAN 50%, AND ASSOCIATED VARIANCE REGARDING TOP PLATE HEIGHT REQUIREMENT) (Councilmember Haderlein)

CONSIDERATION OF A CALL FOR REVIEW OF CONDITIONAL USE PERMIT NO. 3882 TO THE BOARD OF ZONING APPEALS (3315 CALVERT ROAD - CONSTRUCTION OF A NEW HOME, WITH AN AVERAGE SLOPE OVER 50%) (Councilmember Haderlein)

The above two items were discussed concurrently.

Councilmember Haderlein provided an overview of the proposed project and expressed his concerns regarding the size of the project and the removal of trees as the reasoning for requesting the above items to be called up and referred to the Board of Zoning Appeals.

Mr. Carl Siechert, Pasadena resident, expressed concerns as to whether or not issues related to the subdivision of the property could be resolved by the Board of Zoning Appeals. He further indicated that in August 2002, the City had accepted a bond from the developer ensuring compliance with the subdivision conditions of approval and the City Council routinely approved the subdivision, however, he didn't believe that all of the conditions of approval for the subdivision were met and could ever be met, and expressed the opinion this has created the inability to legally build a home on the lot. He further requested that the subdivision issue be revisited by the City.

Vice Mayor Little was excused at 8:33 p.m.

In response, the Mayor indicated that the issues raised would not be part of the present action, however, staff would make note of his concerns and review the subdivision issues raised and report back to Council.

Vice Mayor Little returned at 8:37 p.m.

It was moved by Councilmember Haderlein, seconded by Councilmember Tyler, to refer Conditional Use Permit No. 3881 and its associated variance to the Board of Appeals. (Motion unanimously carried) (Absent: Councilmembers Holden, Streater, Vice Mayor Little)

It was moved by Councilmember Haderlein, seconded by Councilmember Gordo, to approve the call for review of Conditional Use Permit No. 3882 and refer it to the Board of Zoning Appeals. (Motion unanimously carried) (Absent: Councilmembers Holden, Streater)

Councilmember Madison was excused at 8:41 p.m.

APPOINTMENT OF RICHARD A. McDONALD TO THE PLANNING COMMISSION (District 6 Nomination)

RESIGNATION OF JAMES L. HALFERTY FROM THE PASADENA CENTER OPERATING COMPANY BOARD (City Representative)

It was moved by Vice Mayor Little, seconded by Councilmember Tyler, to approve the above appointment and accept the above resignation with regret. (Motion unanimously carried) (Absent:

Councilmembers Holden, Madison, Streater)

Councilmember Haderlein commended Mr. Richard McDonald for his work on the Transportation Advisory Commission.

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 8:42 p.m.

RECONVENED

On order of the Mayor, the regular meeting of the City Council reconvened at 8:43 p.m. (Absent: Councilmembers Holden, Streater)

ORDINANCES - ADOPTED

Adopt "AN ORDINANCE OF THE CITY OF PASADENA AMENDING SUBSECTION 2.140.110(B) OF THE PASADENA MUNICIPAL CODE RELATING TO THE PURPOSES AND FUNCTIONS OF THE UTILITY ADVISORY COMMISSION" (Introduced by Councilmember Tyler) (Ordinance No. 6924)

The above ordinance was adopted by the following vote:

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

NOES: None

ABSENT: Councilmembers Holden, Streater

Adopt "AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17 OF THE PASADENA MUNICIPAL CODE TO PROHIBIT THE NEW CONSTRUCTION OF SELF-STORAGE FACILITIES IN THE CL, CG, IG AND CD ZONING DISTRICTS" (Introduced by Councilmember Haderlein) (Ordinance No. 6925)

The above ordinance was adopted by the following vote:

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

NOES: None

ABSENT: Councilmembers Holden, Streater

INFORMATION ITEMS

UPDATE ON IMPACT OF ABANDONED SHOPPING CART ORDINANCE

Recommendation of City Manager: The agenda report is an information item only.

Assistant City Manager Enrique Martinez summarized the agenda report and responded to questions.

Council commended Mr. George Chapjian and staff on their work.

Mr. Robert Wittry, Pasadena resident, commended staff on their work but noted further work still needs to be done to resolve the problem.

Councilmember Haderlein suggested further publicizing the shopping cart removal program in the City's In Focus newsletter, on the City's web page, in utility bills, and on the cable network.

In response, Mr. Martinez indicated that there was a recent In Focus article regarding the program and the other venues could certainly be used to help publicize the program.

The City Manager also indicated that there would be an upcoming outreach program called "Looking Good" that would become public February 1, 2003 regarding what the City does and what the neighborhoods could do to keep the neighborhoods visibly pleasing, and staff would also publicize the telephone number for the shopping cart removal program.

COUNCIL COMMENTS

Councilmember Gordo referenced the October 7, 2002 minutes where Council discussed keeping sidewalks clean and noted many sidewalks in his District were in desperate need of cleaning. He inquired as to when a report would come before Council for owners to clean their sidewalks.

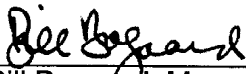
In response, Mr. Enriquez stated he expected the issue to return to Council within approximately three weeks which was part of the citywide appearance committee that was the foundation for the "Looking Good" effort as one of the ancillary services. He further stated that staff would like to inform business owners through utility bills and when business permits were issued.

Councilmember Gordo indicated that many business owners inherited the sidewalks and he would like to see a Request for Proposal (RFP) created that would allow one contractor to clean citywide sidewalks.

The Mayor announced the State of City event on Thursday, January 9, 2003 at 7:00 p.m., at Caltech, Rainbow Auditorium, and noted the theme is "Visibly Pasadena".

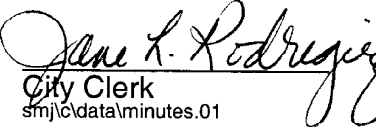
ADJOURNMENT

On order of the Mayor, there was a moment of silence and the regular meeting of the City Council adjourned in memory of Mr. Donald Hensman at 9:02 p.m.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk
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