

CITY OF PASADENA
City Council Minutes
January 27, 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 5:35 p.m. (Absent: Councilmembers Holden, Madison)

On order of the Mayor, the regular meeting of the City Council recessed at 5:35 p.m., to discuss the following closed sessions:

Councilmember Holden arrived at 6:00 p.m.

CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATOR pursuant to Government Code Section 54957.6
Agency Negotiators: Karyn Ezell, Steve Lem
Employee Organizations: Pasadena Association of Fire Fighters, Local 809

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

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

On order of the Mayor, the regular meeting of the City Council reconvened at 6:47p.m. The Pledge of Allegiance was led by the Mayor.

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

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Mr. Hovel Sarkissian, Pasadena resident, expressed his concerns regarding the installation of an Altrio box on the corner of Paloma Street and Craig Avenue and questioned the legality of the installation on a street corner.

Mr. Michael Enger, Pasadena resident, spoke concerning the installation of the Atrio box at the northwest corner of Paloma Street and Craig Avenue and requested that it not be installed. He also expressed concern regarding the notice to the residents concerning the installation of the box, safety, noise emissions, height, and the legality of the installation of the box.

In response to the above comments, Councilmember Haderlein requested staff respond to the legality of the installation of the boxes on a corner and questioned whether the proposed height of the boxes were in violation of the Municipal Code.

Mr. Scott Rasmussen, Assistant City Attorney, indicated a response to the legal questions would be provided the next business day.

Councilmember Haderlein commended Mr. Dan Rix, City Engineer, for his work on the Atrio project. He informed Council that an alternative site had been identified within the last day or two and Atrio agreed to not install the box the next morning so that the site can be evaluated for feasibility.

Mr. R.C. "Chappy" Czapiewski, North Hollywood resident, distributed a letter dated January 20, 2003, addressed to Victor Gill (Director of Public Affairs, Airport Authority) and expressed concern regarding the Airport Authority not observing the Martin Luther King, Jr. day as a holiday.

In response, Councilmember Holden stated that the Airport was a 24-hour, seven-day-a-week operation, and noted that the workers of the Airport are allowed floating holidays due to the nature of the operations.

Mr. Armando Lopez, representing Monks Hill Neighborhood Association, expressed concerns regarding alleged gang, drug and illegal activities at La Pintoresca Park.

In response, Councilmember Streator stated that it was the first time she had heard La Pintoresca Park being characterized in this way in approximately five to six years. She further commented that she was regularly at the Park along with other staff and she was sure the City Manager would ensure staff pays attention to the issue.

Mr. Robert Wittry, Pasadena resident, spoke concerning Atrio generators and stated he did not believe the boxes conformed with the Noise Ordinance. He also raised the issue of emergency hospital access routes if there is a train collision on Del Mar Boulevard.

Mr. Greg Turner, Pasadena resident, did not speak but submitted written comments expressing concern regarding the Atrio contract and its impacts.

Vice Mayor Little expressed his condolences for the recent passing of Mr. Charles Cherniss, who worked for the Star News, and noted he was a valued member of the community and suggested the meeting adjourn in his honor and memory.

**PUBLIC HEARING AND
FIRST READING OF
ORDINANCE**

**7:00 P.M. - PUBLIC HEARING: ESTABLISHMENT OF THE
PASADENA TOURISM BUSINESS IMPROVEMENT DISTRICT**
Recommendation of Pasadena Center Operating Company: It is recommended that the City Council:

- (1) Conduct a public hearing on the establishment of the Pasadena Business Improvement District (the "District") and levy of an assessment against hotels and motels located in the District; and
- (2) Conduct first reading of "**AN ORDINANCE OF THE CITY OF PASADENA ADDING CHAPTER 4.100 TO TITLE 4 OF THE PASADENA MUNICIPAL CODE ESTABLISHING THE PASADENA TOURISM BUSINESS IMPROVEMENT DISTRICT**"

The Mayor opened the public hearing.

The City Clerk reported on December 13, 2002, 22 copies of the notice of public hearing were mailed to property owners, on January 13, 2002, 23 copies of Resolution 8186 were mailed to property owners declaring the intention to establish the District, the intention to levy an assessment and giving additional notice of the public hearing. No letters were received in support; one letter was received in opposition from Mr. Rolin Bruno, representing Quality Inn Pasadena, which was received and distributed at the public meeting on January 6, 2003; one new letter in opposition had been received and distributed from Ms. Susan Lai, representing Best Western Colorado Inn.

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

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

Mr. Robert Wittry, Pasadena resident, expressed concerns regarding overbuilding, building too close to property lines, building heights and landscaping; and requested Council reconsider how the funds are spent.

Mr. Hall Daily, representing California Institute of Technology, expressed concern that Caltech has a faculty club (The Athenaeum) which is a private, nonprofit establishment. He inquired as to why it is included under the definition of what the resolution calls a business and requested an exemption for private and nonprofit establishments such as The Athenaeum.

Mr. Mark Mandell, special outside counsel for the Pasadena Center Operating Company, responded that if Council determined special benefits are derived from the program for nonprofit educational

institutions or housing operated adjunct to educational facilities, he believed it would be an appropriate amendment to the ordinance.

Mr. Ralph Grippo, representing the Ritz Carlton Huntington Hotel & Spa, spoke in support.

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

Councilmember Gordo expressed his support in finding a way to exclude Caltech and other organizations that had membership fees and had rooms available only to its members.

Following discussion, Mr. Mandell recommended the Council amend the definition of "Hotel and Motel Business" in the agenda report and Section 4.100.010(E) of the proposed ordinance to read: "Hotel and motel business means any operator of a hotel, other than an operator of a hotel that is operated by a non-profit corporation and operated as an adjunct to a charitable or educational activity."

It was moved by Councilmember Gordo, seconded by Councilmember Tyler, to approve the Pasadena Center Operating Company Board's recommendation, as amended above, and offer the ordinance for first reading:

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

NOES: None

ABSENT: Councilmember Madison

CONSENT CALENDAR

CONTRACT AWARD TO E.C. CONSTRUCTION IN THE AMOUNT OF \$164,000 FOR EAST WASHINGTON DECORATIVE CROSSWALKS

Recommendation of City Manager:

(1) Accept the bid dated December 30, 2002 submitted by E.C. Construction Co., in response to the specifications for the East Washington Decorative Crosswalks, reject all other bids received, and authorize the City Manager to enter into such contract as required. The amount of the proposed contract is \$164,000.00.

(2) Acknowledge the project to be categorically exempt under the California Environmental Quality Act (CEQA) pursuant to Section 15301(c) of the State CEQA Guidelines (minor alteration of existing crosswalks) and authorize the City Manager to execute and the City Clerk to file a Notice of Exemption with the Los Angeles County Clerk. (Contract No. 18.160)

APPROVAL OF FINAL TRACT MAP NO. 53903 TO CREATE TWO LAND LOTS WITH 304 AIR PARCELS ON ONE LAND LOT FOR CONDOMINIUM PURPOSES FOR A MIXED-USE PROJECT WITH SUBTERRANEAN PARKING AT 621 EAST COLORADO BOULEVARD

Recommendation of City Manager: Adopt a resolution to:

- (1) Approve the final Tract Map No. 53903;
- (2) Authorize the City Manager to execute a Subdivision Improvement Contract with 621 East Colorado Associates, LLC;
- (3) Accept the following grants of easement for sidewalk and street purposes as shown on Tract Map No. 53903:
 - a. Two-foot strip of land along the south side of Union Street, between Madison Avenue and El Molino Avenue;
 - b. The land necessary to provide a 15-foot radius property line corner rounding at the southwest corner of Union Street and El Molino Avenue;
 - c. The land necessary to provide a 15-foot radius property line corner rounding at the northwest corner of Colorado Boulevard and El Molino Avenue;
 - d. The land necessary to provide a 15-foot radius property line corner rounding at the southeast corner of Union Street and Madison Avenue; and
- (4) Authorize the City Clerk to execute the certificate on the map showing the City's approval of said map and acceptance of said grants of easement. (Resolution No. 8206, Contract No. 18,161)

Mr. Richard Bruckner, Director of Planning and Development, responded to questions concerning mixed use definitions.

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

ASSIGNMENT OF CONTRACT NO. 16,620-1 FOR CURBSIDE COLLECTION OF RECYCLABLES TO ATHENS SERVICES THROUGH MAY 8, 2004

Recommendation of City Manager: Approve the assignment of Contract No. 16,620-1, currently held by Waste Management, for curbside collection of recyclable materials to Athens Services. Athens Services would be obligated to observe all the terms and conditions of the existing Contract.

CLAIMS RECEIVED AND FILED

Claim No. 9191	Kelton Norman	\$ Unknown
Claim No. 9192	Severo Corbita	Unknown
Claim No. 9193	Michele Anderson	2,500.00+
Claim No. 9194	Villa Los Robles Partners, L.P.	Unknown
Claim No. 9195	Alzheimers Association of Los Angeles	5,761.06
Claim No. 9196	Tonya Raashaan Tebo	Unknown
Claim No. 9197	George A. Kirby	15.00
Claim No. 9198	Lacy Walker	3,903.50
Claim No. 9199	Judith Din	761.36
Claim No. 9200	Isabel Ramirez	Unknown
Claim No. 9201	Carlos Vargas Ramirez	Unknown
Claim No. 9202	Robert Milton Harvey	Unknown

Councilmember Haderlein was excused at 7:34 p.m.

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

**RECOMMENDATIONS
FROM OFFICERS AND
DEPARTMENTS**

**RESIGNATION OF SARAH SMITH ORR FROM THE PASADENA
COMMUNITY ACCESS CORPORATION (District 7 Nomination)**

**APPOINTMENT OF CAROLYN NABER TO THE
TRANSPORTATION ADVISORY COMMISSION (Mayor
Nomination)**

**APPOINTMENT OF META McCULLOUGH TO THE HUMAN
RELATIONS COMMISSION (District 3 Nomination)**

It was moved by Councilmember Holden, seconded by Vice Mayor Little, to accept the above resignation with regret and approve the above appointments. (Motion unanimously carried) (Absent: Councilmembers Haderlein, Madison)

**CONSIDERATION OF A CALL FOR REVIEW FOR CONDITIONAL
USE PERMIT NO. 4145 TO THE BOARD OF ZONING APPEALS
(686 SOUTH ARROYO PARKWAY - TO RELOCATE AN
EXISTING DRIVE-THRU COFFEE SHOP (GOTTA JAVA) TO THE
SITE, ASSOCIATED VARIANCE FOR TAKE-OUT RESTAURANT
AND REDUCTION IN FRONT YARD, AND SIGN EXCEPTION TO
ALLOW A ROOF SIGN) (Councilmember Madison)**

It was moved by Councilmember Gordo, seconded by Vice Mayor Little, to hold the above item to February 3, 2003, at the prior request of Councilmember Madison. (Motion unanimously carried) (Absent: Councilmembers Haderlein, Madison)

**APPROVAL OF THE AMENDED BYLAWS OF THE PASADENA
CENTER OPERATING COMPANY**

Recommendation of Pasadena Center Operating Company:
Approve the amended Bylaws of the Pasadena Center Operating Company so that the Bylaws conform with the recent amendment to the Pasadena Municipal Code to add a fourteenth member to the Pasadena Center Operating Company who holds an economic interest in commercial real property located within the proposed Midtown/Civic Auditorium sub-district within the Central District Specific Plan of the City to represent similarly situated person.

On order of the Mayor, the above item was held to February 3, 2003, at the prior request of Councilmember Madison.

**OLD BUSINESS/
ORDINANCE - FIRST
READING**

Councilmember Haderlein
returned at 7:42 p.m.

**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"**

The City Manager noted that staff had amended its recommendation to modify the size of the special event signs that

are not going to be in a single location to be a maximum amount of 4.5 square feet (Revised Table 17-02, Temporary Signs).

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

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

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

NOES: None

ABSENT: Councilmember Madison

**REPORTS AND
COMMENTS FROM
COUNCIL COMMITTEES**

FINANCE COMMITTEE

APPROVE THE REVISED LIST OF SPORTS FIELD IMPROVEMENTS LOCATED WITHIN PASADENA UNIFIED SCHOOL DISTRICT AND AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE DISTRICT TO FUND SPORTS FIELD IMPROVEMENTS IN THE AMOUNT OF \$437,000

Recommendation of City Manager: Approve the revised list of sports fields to be improved and to authorize the City Manager to enter into a contract with the Pasadena Unified School District to fund the Sport Field Improvement Project in the amount of \$437,000. (Contract No. 18,162)

Vice Mayor Little, Chair of Finance Committee, summarized the agenda report.

The City Manager noted that all of the revisions were part of staff's recommendation.

Councilmember Gordo indicated that he was seeing more teams reducing the amount of play time on fields and he would like to review the coordination of the fields, the seeking out of fields not being utilized, and suggested that staff explore the creation of a joint powers authority with the School District or a Commission where the District and the City would appoint members.

It was noted that there had been staff level discussions regarding coordinating the booking of fields so that the problem would be addressed and that there would be one central place and database as to whom is using what field and when, and also field availability.

The City Manager discussed coordination and the phases for grants and other funding that may become available for sports fields, and responded to questions.

Ms. Patsy Lane, Director of Human Services and Recreation Department, responded to questions.

It was requested that staff agendize for a future Council meeting the process and structure for utilizing the permitting technology as well as identifying new sports fields.

The City Manager indicated that she would do so, however, she did not know the compatibility of the computer system with the Pasadena Unified School District.

Councilmember Holden was excused at 8:08 p.m.

Mr. Robert Wittry, Pasadena resident, spoke concerning Washington School improvements funded by the City and expressed concern regarding the temporary toilets, and requested the City review the toilet facilities.

Mr. Ed Celeya, Director of Facilities, Pasadena Unified School District, responded to questions.

It was moved by Vice Mayor Little, seconded by Councilmember Tyler, to approve the City Manager's recommendation, with the amendment to hold out the \$84,000 earmarked for reimbursement to Marshall School (Page 3, Item 6 of the agenda report), and requesting the School District return with suggestions as to how the \$84,000 ~~could be used to enhance the program would be programmed in ways that met the goals of the original expenditure and are not being used to reimburse previously paid contractors or backfill donations.~~ (Motion unanimously carried) (Absent Councilmembers Holden, Madison) ^(Corrected 9-2-2003)

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

Councilmember Holden returned at 8:16 p.m.

CONSIDERATION OF A CALL FOR REVIEW FOR CONDITIONAL USE PERMIT 4095 TO THE CITY COUNCIL (1030 EAST CALIFORNIA BOULEVARD - FOR THE REPLACEMENT OF BLEACHERS ON THE WEST SIDE OF THE PLAYFIELD ADJACENT TO CATALINA AVENUE) (Councilmember Tyler)

Councilmember Tyler briefly discussed the issues concerning the conditional use permit and his request for the call for review by Council at a future meeting.

The following persons spoke in favor of the call for review:
Mr. Alfred Clark, representing Polytechnic School
Ms. Deborah E. Reed, representing Polytechnic School

It was moved by Councilmember Tyler, seconded by Vice Mayor Little, to call for review Conditional Use Permit No. 4095 and schedule within three to four weeks. (Motion unanimously carried) (Absent: Councilmember Madison)

PUBLIC HEARING

PUBLIC HEARING: CONSIDERATION OF A MORATORIUM ON THE DEMOLITION OF OLDER STRUCTURES (20 YEARS OR OLDER) WITHIN DESIGNATED STUDY AREA 12

Recommendation of City Manager: Following a public hearing:
(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 an initial period of 45 days on the demolition of residential structures (20 years or older) within the RM

(multi-family) and PS (public and semi-public) zoning districts bounded by Allendale Road on the north, Marengo Avenue on the west, and Euclid Avenue on the east and south (Designated Study Area 12);

(3) Find that the proposed moratorium is consistent with the goals and policies of the General Plan;

(4) Find that (a) continued approval of the demolition of structures within Designated Study Area 12 would have adverse impacts upon the public health, safety, or welfare pursuant to the standards and policies set forth in the General Plan, and (b) an interim ordinance establishing the proposed moratorium is necessary to avoid these adverse impacts; and

(5) Direct the City Attorney to prepare an interim ordinance implementing this recommendation.

Recommendation of Planning Commission: On January 22, 2003, the Planning Commission held a public hearing to consider the staff recommendation concerning the proposed moratorium in Designated Study Area 12. Without objection, the Commission recommended approval of the staff recommendation.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published in the Pasadena Star News on January 13 and 24, 2003, and in the Pasadena Journal on January 23, 2002; on January 9, 2003, 28 copies of the notice was posted and 88 copies of the notice were mailed; no letters were received.

Mr. William Trimble, Planner, summarized the agenda report.

The following persons spoke in favor:

Mr. Robert Wittry, Pasadena resident

Ms. Ann Thomas, representing the tenants of 1250 South Marengo Avenue, and distributed a letter dated January 16, 2003 from Ideal Properties to the tenants of 1250 South Marengo Avenue

Ms. Colette Osteje, resident of 1250 South Marengo Avenue

Ms. Hazel Michelson, resident of 1250 South Marengo Avenue

Mr. Benny A. Estorga, resident of 1250 South Marengo Avenue

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

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

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

Mr. Nicholas Rodriguez, Assistant City Attorney, noted that it was staff's intention to return to Council on February 3, 2003 with first reading of the ordinance and second reading on February 10, 2003.

**REPORTS AND
COMMENTS FROM
COUNCIL COMMITTEES**

FINANCE COMMITTEE

Councilmember Tyler was excused at 8:36 p.m.

APPROPRIATION OF FUNDS FOR COMPLETION OF THE MODULAR TRAILER MOVE FROM FIRE STATION 34 TO THE POLICE HELIPORT

Recommendation of City Manager:

(1) Approve a journal voucher amending the FY 2003 Operating Budget by appropriating \$47,000 from the LA IMPACT unappropriated fund balance and appropriating it into Budget Account No. 8114-104-402410, LA IMPACT.

(2) Approve a journal voucher amending the FY 2003 Operating Budget by appropriating \$8,000 from the FAST unappropriated fund balance to Budget Account No. 8114-104-402410, LA IMPACT. (Journal Voucher No. 2003-29)

Vice Mayor Little, Chair of Finance Committee, summarized the agenda report.

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

RESOLUTION SUPPORTING A PROPOSAL BY THE STATE LEGISLATURE TO RESTORE THE VEHICLE LICENSE FEE TO ITS PRE-1998 RATES AND TO INSIST THAT THE METHODOLOGY USED BY THE LEGISLATURE TO ALLOCATE THE VEHICLE LICENSE FEE BETWEEN AND AMONG COUNTIES AND CITIES REMAINS INTACT

Recommendation of City Manager: Adopt a resolution supporting a proposal by the State legislature that would restore the Vehicle License Fee (VLF) to its pre-1998 rates and to insist that the methodology used by the legislature to allocate the VLF between and among counties and cities remain intact. (Resolution No. 8207)

Vice Mayor Little summarized the agenda report.

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

MUNICIPAL SERVICES COMMITTEE

Councilmember Tyler returned at 8:39 p.m.

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 1-1/2 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.

Ms. Phyllis Currie, General Manager of Water and Power Department, summarized the agenda report, responded to questions, and noted that the increases in rates would become effective approximately April 1, 2003, with a second increase in July 2004.

Discussion ensued concerning the number of wells undergoing cleanup due to contamination.

In response, Ms. Currie stated staff was in discussions regarding rehabilitating two of the wells that were closest to the source of the contamination and she anticipates concluding the discussions and returning to Council with an agreement and timetable of full entitlement.

It was requested that the City very aggressively find the persons responsible for the contamination.

Mr. Kenneth R. Olesen, Altadena resident, spoke in opposition.

Mr. Robert Wittry, Pasadena resident, noted the need for deferred maintenance, but expressed concerns regarding cost impacts to some families.

Councilmember Streator recognized everyone would be impacted one way or another and noted that the Municipal Services Committee had reviewed the rate increase at great length, but really did not see any other alternative.

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

FINANCE COMMITTEE

DISCUSSION OF FACTORS IMPACTING THE CITY'S OPERATING BUDGET

Recommendation of City Manager: The agenda report is for information only, no Council action is required.

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

Vice Mayor Little was excused at 9:02 p.m.

Mr. Jay Goldstone, Director of Finance, distributed and reviewed a handout entitled "Status Quo Budget" and responded to questions.

In response to questions, the City Manager stated that the League of California Cities would be requesting the President to pass an economic stimulus package for assistance; staff would review the State's budget and continue to review alternatives and would certainly review the utilities and all special funds to see if there were costs that could be picked up. She also noted that she had requested Departments provide a status quo budget along with 5 and 10 percent reductions, with a proposal to remove \$8 million out of the budget. The City Manager stated she would provide Council with as many choices as possible for the upcoming budget.

Vice Mayor Little returned at 9:15 p.m.

In regard to the Vehicle License Fee, the City Manager stated that the City was working with the League of California Cities and there was great support for keeping the fees with cities, and both the State and the Senate Budget Committees had voted to keep the fees intact. She noted it will be going to the Assembly shortly and she would ensure Council's letter would be before the Assembly, prior to its vote.

Councilmember Haderlein noted that he was interested in revenue sources to maintain parks.

Vice Mayor Little emphasized the need to be aggressive in bringing in new revenue, industry, and jobs to generate more economic development.

Councilmember Streator noted that the Finance Committee requested staff review three areas where costs are out of hand, which all involve the State imposing conditions making costs to escalate: 1) worker's compensation, 2) Public Employees Retirement System (PERS), and 3) medical costs.

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

**RECOMMENDATIONS
FROM OFFICERS AND
DEPARTMENTS**

**AMENDMENTS TO PROPERTY MAINTENANCE CODE
CHAPTER 14.50**

Recommendation of City Manager: Direct the City Attorney to prepare an ordinance to revise subsections of the Pasadena Municipal Code Chapter 14.50, the Property Maintenance Code, that would eliminate the requirement that code violations must be visible from the street, alley or sidewalk; restrict vehicle repair in a residential zone to an enclosed area (garage); and eliminate administrative hearing requirements of notices to be sent to all owners within 300 feet of a property being adjudicated by the Code Enforcement Commission.

Recommendation of Code Enforcement Commission: On December 5, 2002, the Code Enforcement Commission reviewed the proposed changes and recommended that the City Council approve the code amendments.

Mr. George Chapjian, Neighborhood Revitalization Division Manager, summarized the agenda report.

Mr. Michael King, Code Compliance Manager, responded to questions.

In response to a concern expressed regarding removing the 300-foot notification requirement, the City Manager stated staff would review the matter and discuss it with the City Attorney and return to Council with an alternative to doing some type of notification to those most impacted.

Mr. Robert Wittry, Pasadena resident, asked questions concerning minor auto repairs and requested clarification to the proposed language.

Mr. Nicholas Rodriguez, Assistant City Attorney, informed Council of the definition of visual blight per the Municipal Code.

It was moved by Vice Mayor Little, seconded by Councilmember Gordo, to approve the City Manager's recommendation, with staff to re-evaluate two issues when the ordinance comes back to Council: 1) some type of notification to those most impacted; and 2) legal review of the proposed provision eliminating the requirement that code violations be visible from the public right-of-way. (Motion unanimously carried) (Absent: Councilmember Madison)

In response to an inquiry regarding how the public would be notified of the changes to the Code, the City Manager stated that notification could be provided in an In Focus article, through Neighborhood Connections, and the "Looking Good Pasadena" campaign.

REVISIONS TO THE ZONING CODE - CONDITIONAL USE PERMIT THRESHOLD FOR TRANSIT-ORIENTED DEVELOPMENT

Recommendation of City Manager:

(1) Adopt a finding that the proposed amendments to the Zoning Code are consistent with the General Plan as outlined in the agenda report; and

(2) Approve the proposed amendments to the Zoning Code to require a minor conditional use permit for commercial and industrial projects within a quarter mile of a light rail station when such projects are greater than 15,000 square feet.

Recommendation of Planning Commission: The Planning Commission reviewed these amendments on October 23, 2002 and recommended unanimously to approve the proposed amendments.

Recommendation of Transportation Advisory Commission: The Transportation Advisory Commission (TAC) reviewed the proposed amendments on December 6, 2002. It voted unanimously in support of requiring a minor conditional use permit for commercial and industrial projects over 15,000 square feet that are within a quarter mile of a light rail station.

Councilmembers Gordo and Holden were excused at 10:05 p.m.

The City Manager summarized the agenda report.

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

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

REJECT ALL BIDS FOR THE CONSTRUCTION AND INSTALLATION OF GAS TURBINE UNITS 3 AND 4 AT THE GLENARM POWER PLANT SITE, SPECIFICATION LD-02-6

Recommendation of City Manager: Reject all bids for the construction and installation of Gas Turbine Units 3 and 4 at the Glenarm Power Plant site from Construction Specification LD-02-6.

Councilmember Gordo returned at 10:10 p.m.

Ms. Phyllis Currie, General Manager of Water and Power, summarized the agenda report, explained the circumstances surrounding the request for rejecting bids and the impacts of delaying in project, and responded to questions.

Discussion ensued concerning project labor agreements, issues raised concerning the competitors, and staff's concern regarding avoiding labor disruption on the job once the project began.

Ms. Currie suggested Council reject all bids, and a new set of specifications be prepared with a clear direction concerning project labor agreements.

The following persons spoke in opposition to rejecting all of the bids:

Mr. Thomas McGuire, attorney representing The Industrial Co.

Mr. Dean Reynolds, representing The Industrial Co.

Mr. Nathen Howard, representing Sermatech

Mr. Charles Hess, representing Associated Builders &

Contractors, and submitted a handout entitled "Union-Only Project Labor Agreements: The Public Record of Poor Performance"

Mr. Eric Christen, representing the Coalition for Fair Employment in Construction, submitted a handout entitled "Coalition for Fair Employment in Construction"

Mr. Steve Friar, representing Southern California Coalition for Fair Employment Construction

Mr. Wayne Stufkosky, representing ARB, Inc., spoke regarding qualitative review of the three lowest proposals and offered suggestions for awarding bids.

Further discussion ensued regarding the process and the Request for Proposals (RFP) and the differences in dollar amounts between the first and second bidder, and the possibility of providing a stronger and clearer RFP.

Following discussion, it was moved by Councilmember Streator, seconded by Councilmember Gordo, to approve the City Manager's recommendation, and table the motion for one week to February 3, 2003, in order for staff to provide information regarding the unfinished sites, validation of projects completed by the two low bidders claiming to have no labor problems, and clarification regarding the licensing requirements.

On order of the Mayor and by general consensus, the pending motion was tabled for one week.

INFORMATION ITEMS

METROPOLITAN TRANSPORTATION AUTHORITY PRESENTATION REGARDING GOLD LINE TRAIN OPERATIONS: HORNS, BELLS, AND SPEED (Oral report)

Mr. Melvin Clark, Director of Technical Support and Integration, Metropolitan Transportation Authority, provided an update regarding the Gold Line operations and responded to questions.

Mr. Robert Wittry, Pasadena resident, offered suggestions for reducing noise.

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

UPDATE ON THE STATUS OF THE SIERRA MADRE VILLA AND OTHER PEDESTRIAN ACCESS OF THE GOLD LINE ENHANCEMENT PROJECTS

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

Mr. Dan Rix, City Engineer, distributed a handout entitled Sierra Madre Villa Light Rail Station Southern Pedestrian Overpass, summarized the agenda report, and responded to questions.

The City Manager responded to questions.

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

ORDINANCES - FIRST READING

Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTER 4.11 OF THE PASADENA MUNICIPAL CODE, THE LIVING WAGE ORDINANCE, INCREASING THE LIVING WAGE RATE TO \$8.20 PER HOUR WITH \$1.41 PER HOUR FOR MEDICAL BENEFITS OR \$9.61 PER

HOUR WITHOUT MEDICAL BENEFITS AND TO ESTABLISH ANNUAL INCREASES IN RATE BASED ON CHANGES IN THE CONSUMER PRICE INDEX"

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

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

NOES: None

ABSENT: Councilmembers Holden, Madison

ORDINANCE - ADOPTED

Adopt "AN INTERIM URGENCY ORDINANCE OF THE CITY OF PASADENA ADOPTED PURSUANT TO GOVERNMENT CODE SECTION 65858 TEMPORARILY PROHIBITING DEMOLITION OF RESIDENTIAL STRUCTURES 20 YEARS OR OLDER IN DESIGNATED STUDY AREAS" (Introduced by Councilmember Tyler) (Ordinance No. 6926)

Mr. Robert Wittry, Pasadena resident, spoke in support of a moratorium while other areas are studied.

The above ordinance was adopted by the following vote:

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

NOES: None

ABSENT: Councilmembers Holden, Madison

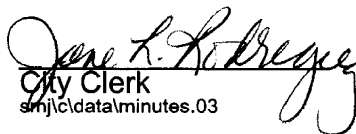
ADJOURNMENT

On order of the Mayor, there was a moment of silence and the regular meeting of the City Council adjourned at 12:12 a.m. on January 28, 2003, in memory of Mr. Charles Cherniss.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



Jane L. Rodriguez
City Clerk
smj\cldata\minutes.03