

CITY OF PASADENA
City Council Minutes
February 3, 2003 – 6:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING: Mayor Bogaard called the regular meeting to order at 6:31 p.m.

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 Kurtz
Assistant City Attorney Nicholas Rodriguez
City Clerk Jane L. Rodriguez

The Pledge of Allegiance was led by Vice Mayor Little. A moment of silence was observed in memory of the seven astronauts who died in the tragic loss of the Columbia shuttle on February 1, 2003.

CEREMONIAL MATTERS

The City Clerk administered the oath of office to Carolyn Naber as Transportation Advisory Commissioner.

The City Clerk reported on the voter registration procedure and deadline, provided information on the City and Pasadena Unified School District Primary Nominating Election to be held on March 4, 2003, and encouraged citizens to participate in the election process.

Councilmember Haderlein reported a resident's complaint about the location of an Altrio box had been resolved with the box's relocation.

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

Ms. Candace Kromer, Pasadena resident, expressed concerns regarding the permit process followed in approving the move of a house belonging to Councilmember Gordo down Madeline Drive, and the destructive trimming of street trees as the house was being moved for relocation; suggested an arborist be consulted to determine what should be done to address the condition of the affected trees; and submitted a letter and photos regarding this issue.

The Mayor noted the City Manager was reviewing this situation and would be reporting on the findings.

Councilmember Gordo explained that all necessary permits had been obtained and a reputable contractor had been used

for this process, and expressed regret at the problems caused during the move of the house.

Mr. Lloyd Roth, Pasadena resident, expressed concerns regarding the purchase and moving processes for Councilmember Gordo's house, and thanked the Mayor for his courteous manner.

Mr. Philip Koebel, Pasadena resident and candidate for Mayor, thanked the City Clerk for her assistance during the campaign process, and submitted a letter dated January 13, 2003, expressing opposition to the impending war on Iraq and requesting this issue be agendized for the Council meeting of February 10, 2003 and a resolution in opposition to the war be adopted at that time.

The Mayor outlined the agenda process to be followed under the Brown Act, and indicated that Mr. Koebel's request would be considered in conjunction with the Brown Act requirements.

Mr. Robert Wittry, Pasadena resident, expressed concerns regarding taxation without representation, and the need to ensure that residents are being heard and recorded regarding City issues.

Ms. Marilyn Buchanan, Pasadena resident in the Linda Vista area, complimented John Moag's work on the Rose Bowl renovation project, and expressed support for the process of bringing a National Football League team to the Rose Bowl.

Ms. Jan Muntz, Pasadena Beautiful Foundation President, expressed concerns regarding the permit process for the move of Councilmember Gordo's house, and offered to assist the City in analyzing the situation with the damaged trees.

OLD BUSINESS

Vice Mayor Little was excused at 6:59 p.m.

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)

The Mayor announced that Councilmember Madison could not attend the Council meeting and had requested the agenda item be held to the Council meeting of February 10, 2003, to allow the opportunity for discussion of his concerns regarding this matter.

It was moved by Councilmember Haderlein, seconded by Councilmember Gordo, to continue this agenda item to the Council meeting of February 10, 2003. (Motion unanimously carried) (Absent: Councilmember Madison, Vice Mayor Little)

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.

The Mayor introduced the agenda item.

It was moved by Councilmember Gordo, seconded by Councilmember Haderlein, to approve the Pasadena Center Operating Company's recommendation. (Motion unanimously carried) (Absent: Councilmember Madison, Vice Mayor Little)

Vice Mayor Little returned at 7:02 p.m.

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 (*Pending motion to approve the City Manager's recommendation*)

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.

The City Manager noted there had been no change in the staff recommendation to reject all bids.

Ms. Phyllis Currie, General Manager of the Water and Power Department, clarified the various issues which had been raised by Council regarding the bid process in its meeting of January 27, 2003; explained the rationale for rejecting all bids; and responded to questions.

The following persons spoke in support of the recommendation to reject all bids:

Mr. John Spaulding, International Union of Operating Engineers (IUOE)

Mr. Richard Slawson, Los Angeles and Orange County Building Trades Council Executive Secretary

Mr. Joe Scavo, Pipefitters Union for Journeymen and Apprentices

Mr. Douglas Williams, Ironworkers Labor Union #433

Mr. Philip Koebel, Pasadena resident

The following persons spoke in opposition to the recommendation to reject all bids:

Mr. Chip Ossman, Pasadena resident

Mr. Donald Nores, Pasadena resident

Mr. Tom McGuire, The Industrial Company (TIC), and

distributed a handout of the company's affirmative action policy and statistics.
Mr. Dean Reynolds, The Industrial Company (TIC), and distributed handouts of the company's newsletter.
Mr. Dan Reddick, The Industrial Company (TIC)
Mr. Charles B. Hess, Associated Builders and Contractors
Mr. Stephen Friar, Coalition for Fair Employment in Construction

Assistant City Attorney Nicholas Rodriguez noted that the City's legal counsel had reviewed and supported the City Manager's recommendation.

In response to questions, Ms. Currie confirmed that a project labor agreement would be required of the contractor in the second bid process.

Councilmember Haderlein expressed concerns regarding possible increased costs in rebidding the project.

Councilmember Tyler noted his preference for staff's original recommendation to award the bid to the lowest responsive bidder and concerns regarding the recommendation to reject all bids.

Following discussion, the vote was taken on the pending motion by Councilmember Streator, seconded by Councilmember Gordo, to approve the City Manager's recommendation:

AYES: Councilmembers Gordo, Holden, Streator,
Vice Mayor Little, Mayor Bogaard
NOES: Councilmembers Haderlein, Tyler
ABSENT: Councilmember Madison

CONSENT CALENDAR

APPROVAL OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PASADENA AND THE PASADENA FIRE FIGHTERS ASSOCIATION AND ADOPTION OF A RESOLUTION PROVIDING FOR REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS AS COMPENSATION TO CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM (CALPERS)

Recommendation of City Manager:

(1) Approve a successor Memorandum of Understanding between the City of Pasadena and the Pasadena Fire Fighters Association (PFFA) for the term August 17, 2002 through August 23, 2004;

(2) Adopt a resolution providing for reporting the value of Employer Paid Member Contributions as compensation to the California Public Employees Retirement System (CALPERS); and

(3) Approve a journal voucher allocating funds from the Personnel Reserves to the Fire Department as appropriate. (Agreement No. 18,163; Resolution No. 8208; Journal Voucher No. 2003-30)

Councilmember Tyler indicated that a retirement provision for 3% at 50 was still under consideration and could add \$1,350,000 to the fiscal impact of the Memorandum of Understanding.

The City Manager confirmed that this option was under negotiation and would be brought to Council as a separate action if agreement on the provision is reached.

AUTHORIZATION TO AMEND THE AGREEMENT WITH THE PASADENA CENTER OPERATING COMPANY TO ALLOW THEM TO ADMINISTER THE ASSESSMENTS LEVIED UNDER THE PASADENA TOURISM BUSINESS IMPROVEMENT DISTRICT

Recommendation of City Manager: Authorize the City Manager to amend Agreement No. 12,380 with the Pasadena Center Operating Company to allow the Pasadena Center Operating Company to administer monies generated from the proposed Tourism Business Improvement District. (Agreement Amendment No. 12,380-2)

MINUTES APPROVED

October 14, 2002

CLAIMS RECEIVED AND FILED

Claim No. 9203	Aaron Hill	\$ 1,145.14
Claim No. 9204	Jose Arellano	Unknown
Claim No. 9205	Sandra K. Warshaw	5,704.11
	State Farm Insurance	
Claim No. 9206	Mercury Insurance Co. for	3,099.73
	Rosemary Carr	
Claim No. 9207	Juan Villarreal & Jose Robles	Unknown
Claim No. 9208	Wilma Clauss for	Unknown
	William Clauss (deceased)	
Claim No. 9209	Cheryl Nicole Stevens	200.00
Claim No. 9210	Tracey Johnson,	25,000.00+
	Reece John Clark, Briana Johnson,	
	Mikayla Johnson, Reece J. Clark, Jr.	
Claim No. 9211	Edward L. Catlett	Unknown

PUBLIC HEARINGS SET

February 24, 2003, 8:00 p.m. - Conditional Use Permit No. 4095 (1030 East California Boulevard) for the Replacement of Bleachers on the West Side of the Playfield Adjacent to Catalina Avenue

February 24, 2003, 8:00 p.m. - Establishment of the Pasadena Tourism Business Improvement District and Levy of an Assessment Against Hotels and Motels Located in the District

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

REPORTS AND COMMENTS FROM COUNCIL COMMITTEES
PUBLIC SAFETY COMMITTEE

AUTHORIZE PARTICIPATION IN THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM FOR THE PURPOSE OF ACCEPTING FUNDS FOR A FIREFIGHTER

WELLNESS/FITNESS PROGRAM

Recommendation of City Manager: Authorize the City Manager to accept grant funds through the Federal Emergency Management Agency's (FEMA) Assistance to Firefighters Grant Program for the purpose of obtaining financing for a Fire Department Wellness/Fitness Program. (Journal Voucher No. 2003-32)

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

The City Manager and Fire Chief Ernest Mitchell responded to questions.

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

Councilmember Haderlein indicated an update of the truancy program between the Pasadena Unified School District and the City Prosecutor's Office would be scheduled for March 17, 2003 and would include statistical data on the program, reported on the Committee's discussion of possible regulation of scooters/Segways on sidewalks and of bus and commercial vehicle idling, and noted that no smoking signs would be placed in parks in conjunction with recently-adopted State law. He also discussed the Committee's review of the Transportation Advisory Commission's (TAC) workplan and the Committee's concurrence that the TAC should take a role in reviewing transportation issues involved with major City projects.

The City Manager explained TAC's review role as described in the Pasadena Municipal Code, and noted that information regarding the thresholds for review by TAC would be provided to the Council.

The Mayor suggested the TAC workplan and Public Safety Committee's review be provided to staff for review and possible comment.

REPORTS FROM REPRESENTATIVES

Councilmember Tyler, representative of the San Gabriel Valley Council of Governments (SGVCOG), reported the Metropolitan Transit Authority (MTA) Board of Directors had approved the establishment of a San Gabriel Valley Sector which would include two representatives appointed by the COG, and indicated that updates would be provided to Council regarding the MTA hearings which were being held to discuss modifications in the regional bus routes and impacts of the Gold Line.

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

RESIGNATION OF EDWARD W. GOMEZ FROM THE PASADENA CENTER OPERATING COMPANY (City Nomination)

APPOINTMENT OF ESTELLA CASAS TO THE CULTURAL HERITAGE COMMISSION (Banbury Oaks Landmark District)

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

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 8:44 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 9:06 p.m. (Absent: Councilmember Madison)

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

DISCUSSION OF THE POST OFFICE PROPERTY AT FAIR OAKS AVENUE AND VILLA STREET AS A POTENTIAL SITE FOR A NORTHWEST PASADENA SCHOOL (Councilmember Holden)

Councilmember Holden provided a brief history of the Pasadena Unified School District's efforts to build a school in Northwest Pasadena, and provided background information for a possible proposal to consider the United States Post Office Maintenance Facility as a potential school site.

The City Manager indicated that the District's consultant would be reporting to the District on the four proposed sites, and that the District had not as yet decided how to incorporate information on additional sites which had been offered by the community into the selection process. She distributed an informational handout on the United States Postal Facility site.

Mr. Rich Boccia, Director of Education Alliances for the Pasadena Unified School District, noted the District would proceed with its selection and reporting process of the four sites currently under consideration at the District's meeting of February 18, 2003; would continue to gather information on additional sites proposed by the community; would bring these additional suggestions into the process using the selection criteria determined by the District and consultant; and responded to questions.

Mr. Robert Wittry, Pasadena resident, expressed concern regarding the Post Office property, and commented on various potential sites.

It was moved by Councilmember Holden, seconded by Vice Mayor Little, to authorize the Mayor to send a letter to the Pasadena Unified School District Board of Education and Superintendent requesting the District to incorporate the United States Postal Service Maintenance Facility site located at Fair Oaks Avenue and Villa Street in its evaluation of potential sites for a school in Northwest Pasadena. (Motion unanimously carried) (Absent: Councilmember Madison)

**ORDINANCES – FIRST
READING**

Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING VARIOUS CHAPTERS OF TITLE 2 OF THE PASADENA MUNICIPAL CODE TO REVISE THE SCHEDULE FOR SUBMITTAL OF ANNUAL REPORTS FROM ADVISORY COMMISSIONS”

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

Conduct first reading of “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 AREA 12”

Mr. Robert Wittry, Pasadena resident, spoke in support of the proposed ordinance and expansion of the designated study area covered by the ordinance.

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

ORDINANCES – ADOPTED

Adopt “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” (Introduced by Vice Mayor Little) (Ordinance No. 6927)

Mr. Robert Wittry, Pasadena resident, spoke in support of the ordinance, and expressed concerns regarding the need to correct technical errors in the ordinance text and enforcement issues.

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 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” (Introduced by Councilmember Gordo) (Ordinance No. 6928)

Councilmember Gordo requested letters regarding the increases be sent to those supporting agencies who were following the living wage rates.

The above ordinance was adopted by the following vote:

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

**Adopt "AN ORDINANCE OF THE CITY OF PASADENA
ADDING CHAPTER 4.100 TO TITLE 4 OF THE PASADENA
MUNICIPAL CODE ESTABLISHING THE PASADENA
TOURISM BUSINESS IMPROVEMENT DISTRICT"**
(Introduced by Councilmember Gordo) (Ordinance No. 6929)

The above ordinance was adopted by the following vote:

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

**CITY MANAGER AND
COUNCIL COMMENTS**

The City Manager provided a brief update of the State budget crisis, and the impact on local governments of the collection of the vehicle license fee.

Councilmember Holden commented on a Pasadena Weekly article which had incorrectly stated that the City had previously taken a position on matters which were not local in nature.

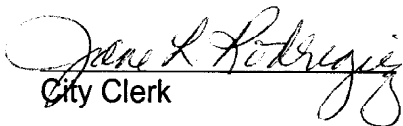
Councilmember Gordo reported on the kick off in District 5 of the Lookin' Good Pasadena clean up program, and expressed appreciation to the volunteers, Old Pasadena businesses, and City staff for their work and contributions.

On order of the Mayor, the regular meeting of the City Council adjourned at 9:39 p.m., in memory of Dr. Charles Hunter Shelden, Pasadenan, renowned neurosurgeon, and founding director of Huntington Medical Research Institutes.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:


City Clerk

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