

CITY OF PASADENA
City Council Minutes
February 24, 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:

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL
REGARDING PENDING LITIGATION pursuant to Government
Code Section 54956.9(a)**

**Name of Case: Naum Ware v. City of Pasadena, et al.,
Case No. BC253068**

Councilmember Gordo
was excused at 6:03 p.m.

Councilmember Madison
arrived at 6:04 p.m.

Councilmember Gordo
returned at 6:20 p.m.

**CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS
pursuant to Government Code Section 54957.6**

**City Representatives: Cynthia Kurtz, Steve Lem
Employee Organization: Pasadena Association of Clerical &
Technical Employees (PACTE)**

**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 6:30 p.m. The Pledge of Allegiance was led by Councilmember Tyler.

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
Councilmember Sidney F. Tyler, Jr.

Staff:

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

CEREMONIAL MATTERS

The Mayor recognized and presented plaques of appreciation to the following Black History sponsors: Art Center College of Design, Washington Mutual, Miller Brewing Co., Thorson GMC, and Wells Fargo Bank.

The Mayor also noted that 7-Eleven, Healthnet, and Avon were also generous contributors.

Ms. Christine Harris distributed a handout entitled "The 21st Annual Black History Parade & Festival Celebrating Pride through Tradition".

The Mayor expressed his condolences for the passing of Mr. George C. Bond and recognized his accomplishments in the City of Pasadena, and noted the City Council meeting would adjourn in his memory and honor.

The Mayor stated he had reviewed the policy regarding public comments and the practice of limiting public comments to 20 minutes at the beginning of the City Council meetings. He indicated the purpose of the policy is to protect Council's ability, once it has given some reasonable allocation of time for unscheduled presentations, to proceed with the order of business set forth on the agenda. The Mayor further stated he would like to return to the practice that the 20 minutes apply, regardless of how the time is spent, whether there are questions from Council, which may cause a smaller number of persons an opportunity to speak. He emphasized that at the end of each meeting, there was a second opportunity for additional public comments.

The City Manager introduced Mr. Kerry Morford as the Interim Director of the Public Works Department.

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

Mr. Lloyd Allan Roth, Pasadena resident, expressed his appreciation to the City Manager for addressing the tree issue on Madeline Drive, and urged Council to take a position concerning the war with Iraq.

Ms. Diana Gamble, representing Bienvenidos Children's Center, distributed an informational brochure promoting the Children's Center and invited Council to an awareness picnic event on March 9, 2003. Girl Scout Troop 273 also briefly discussed the upcoming picnic event and program.

Mr. Philip Koebel, Pasadena resident, announced that he was a Mayoral candidate, and submitted his letter dated February 21, 2003, regarding affordable housing.

Ms. Donna Marshall, Pasadena resident, discussed her personal experiences and her need for affordable housing.

Mr. Loren Naimen, Pasadena resident, submitted a letter and

Councilmember Streater was excused at 6:50 p.m.

photographs and expressed concerns regarding the selection of the London Plane trees proposed to be planted on East Colorado Boulevard. He requested the City Council stop the planting of the trees to allow more appropriate trees in the area.

In response, the City Manager noted that the London Plane is the species specified in the Master Plan. However, she stated more discussion needs to take place and staff would be in contact with the residents to determine the appropriate specimen.

Councilmember Streater returned at 7:02 p.m.

In response to an inquiry regarding whether or not there was a certain timeframe for planting the trees, the City Manager stated that she was aware of grant funds and planting plans to coincide with National Arborist Day, but she would have to verify if there was a time limit.

In response to public comment cards submitted regarding bike lanes on Paloma Street, Councilmember Haderlein noted the issue would be reviewed by the Transportation Advisory Commission, and announced the next meeting would be tentatively March 14, 2003.

CONSENT CALENDAR

Vice Mayor Little was excused at 7:10 p.m.

**FEDERAL-AID PROJECT STPLH-5064(017) ORANGE GROVE BOULEVARD - RAISED CENTER MEDIANS AT LAKE AVENUE
Recommendation of City Manager:**

(1) Adopt a resolution approving Program Supplement No. M048 to Administering Agency - State Agreement No. 07-5064 between the City of Pasadena and the State of California for authorization to request State Reimbursement for preliminary engineering of the project: Orange Grove Boulevard - Raised Center medians at Lake Avenue, and

(2) Authorize the City Manager to execute the same on behalf of the City. (Resolution No. 8212; Contract No. 16,298-8)

APPROVAL OF FINAL TRACT MAP NO. 53420, BEING A 12-UNIT CONDOMINIUM PROJECT AT 837-851 SOUTH MARENGO AVENUE

Recommendation of City Manager: Adopt a resolution to approve final Tract Map No. 53420 and authorize the City Clerk to execute the Certificate on the map showing the City's approval of said map. (Resolution No. 8213)

Item discussed separately at the request of Councilmember Haderlein.

CONTRACT AWARD TO DMJM + HARRIS FOR THE PREPARATION OF A PROJECT STUDY REPORT, PROJECT REPORT AND ENVIRONMENTAL DOCUMENT FOR THE STATE ROUTE (SR) 710 MITIGATION PROJECT - RAYMOND AVENUE TO SR 110 CONNECTOR

Item discussed separately at the request of Councilmember Haderlein.

CONTRACT AWARD TO PSOMAS FOR THE PREPARATION OF PLANS, SPECIFICATIONS AND ESTIMATE AND RIGHT OF WAY SERVICES FOR THE STATE ROUTE (SR) 710 MITIGATION - LAKE AVENUE/WALNUT STREET AND HILL AVENUE/WALNUT STREET INTERSECTION MOBILITY IMPROVEMENT PROJECT

Item discussed separately at the request of Councilmember Tyler.

AUTHORIZATION TO AMEND THE CONTRACT WITH CH2MHILL FOR OWNER'S ENGINEERING SERVICES TO SUPPORT THE LOCAL REPOWERING PROJECT

APPROVAL OF MINUTES

November 4, 2003
November 11, 2003 (Cancelled)

CLAIMS RECEIVED AND FILED

Claim No. 9213	Patricia Ann Vanley	\$ Unknown
Claim No. 9214	Ruthie M. Hopkins	25,000.00+
Claim No. 9215	Reginald D. Reed	25,000.00+
Claim No. 9216	Barbara Wiseman	Unknown
Claim No. 9217	Canndice Sherry Green	25,000.00+
Claim No. 9218	Daniel Lynn Trout	9,200.00
Claim No. 9219	Jason Blair Slack	4,246.70
Claim No. 9220	Elsa Quezada	15,000.00
Claim No. 9221	M. Pernecky Management	428.00
Claim No. 9222	Asadour Norikian	25,000.00+
Claim No. 9223	Rosemary Estrada	1,536.76
Claim No. 9224	Aida Morales	25,000.00+
Claim No. 9225	Dorothy Clougherty	225.00
Claim No. 9226	Robert M. Greenless	4,582.27

The City Clerk noted corrections to Claim No. 9220 and stated it should read:

Elsa Quezada	\$10,000,000.00
Javier Quezada	\$ 5,000,000.00
Estate of Javier Quezada, Jr.	\$10,000,000.00

PUBLIC HEARING SET

March 17, 2003, 8:00 p.m. - San Pasqual/Mentor Neighborhood Traffic Plan

March 24, 2003, 8:00 p.m. - Approval of the Public Housing Agency (PHA) Annual Plan 2003-04

It was moved by Councilmember Streator, seconded by Councilmember Tyler, to approve the Consent Calendar, with the exception of Item 3 (Contract Award to DMJM + Harris), Item 4 (Contract Award to Psomas), and Item 5 (Contract Amendment with CH2MHILL), which were discussed separately. (Motion unanimously carried) (Absent: Councilmembers Holden, Vice Mayor Little)

CONSENT CALENDAR
ITEMS DISCUSSED
SEPARATELY

CONTRACT AWARD TO DMJM + HARRIS FOR THE PREPARATION OF A PROJECT STUDY REPORT, PROJECT REPORT AND ENVIRONMENTAL DOCUMENT FOR THE STATE ROUTE (SR) 710 MITIGATION PROJECT - RAYMOND AVENUE TO SR 110 CONNECTOR

Vice Mayor Little returned at 7:13 p.m.

Recommendation of City Manager: Authorize the City Manager to enter into a contract with DMJM + HARRIS, Inc. to prepare a Project Study Report, Project Report and Environmental Document for the SR 710 Mitigation - Raymond Avenue to SR 110 Connector Project in an amount not to exceed \$395,000. Competitive bidding is not required pursuant to City Charter Section 1002(F), professional or unique services. (Contract No. 18,171)

Councilmember Haderlein requested that status sheets be provided to track the project as progress is made.

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

CONTRACT AWARD TO PSOMAS FOR THE PREPARATION OF PLANS, SPECIFICATIONS AND ESTIMATE AND RIGHT OF WAY SERVICES FOR THE STATE ROUTE (SR) 710 MITIGATION - LAKE AVENUE/WALNUT STREET AND HILL AVENUE/WALNUT STREET INTERSECTION MOBILITY IMPROVEMENT PROJECT

Recommendation of City Manager: Authorize the City Manager to enter into a contract with PSOMAS for the preparation of Plans, Specifications and Estimate (PS&E) and Right of Way Services for the SR 710 Mitigation - Lake Avenue/Walnut Street and Hill Avenue/Walnut Street Intersection Mobility Improvement Project in an amount not to exceed \$93,000. Competitive bidding is not required pursuant to City Charter Section 1002(F), professional or unique services. (Contract No. 18,172)

Councilmember Haderlein requested that status sheets also be provided for this project.

Councilmember Tyler noted that it would be helpful to receive the status sheets plotted against the schedules that were previously provided for the above contracts.

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

AUTHORIZATION TO AMEND THE CONTRACT WITH CH2MHILL FOR OWNER'S ENGINEERING SERVICES TO SUPPORT THE LOCAL REPOWERING PROJECT

Recommendation of City Manager: Authorize the City Manager to amend Contract No. 17,889 with CH2MHill to perform owner's engineering and consulting services associated with the local generation repowering project to increase the maximum expenditures from \$640,000 to an amount not to exceed \$1,040,000. The proposed contract amendment is exempt from the competitive selection process of the Competitive Bidding and

Councilmembers Haderlein and Madison were excused at 7:15 p.m.

Purchasing Ordinance, pursuant to Pasadena Municipal Code Subsection 4.08.049(B), contracts for which the City's best interests are served, and exempt from formal bidding pursuant to City Charter Section 1002(F), contracts for professional or unique services. (Contract No. 17,889-1)

Mr. Eric Klinkner, Director Power Supply, responded to questions.

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

**REPORTS AND
COMMENTS FROM
COUNCIL COMMITTEES**

**ECONOMIC
DEVELOPMENT AND
TECHNOLOGY
COMMITTEE**

**PROPOSED "METALLICA" CONCERT AT THE ROSE BOWL ON
AUGUST 9, 2003**

Recommendation of Rose Bowl Operating Company:

- (1) Authorize a license agreement with New Avalon, Inc. for the hosting of the "Metallica" concert on August 9, 2003.
- (2) Make the required finding, pursuant to Arroyo Seco Ordinance Section 3.32.270, to authorize the presentation of concerts to be held at the Rose Bowl as displacement events.
- (3) Direct the City Attorney to prepare an ordinance to suspend Sections 9.36.220 (Amplified Sound - Regulations), and 9.36.230 (General Noise Sources) of the Pasadena Municipal Code (PMC) from 5:00 p.m. to 9:00 p.m. on Friday, August 8, 2003 and from 9:00 a.m. to 12:00 p.m. on Saturday, August 9, 2003 for sound checks and from 3:00 p.m. to 11:00 p.m. on Saturday, August 9th for presentation of the concert.

On order of the Mayor, the above item was pulled due to the concert being held at a different venue.

FINANCE COMMITTEE

Councilmembers Haderlein and Madison returned at 7:22 p.m.

**AMENDMENTS TO THE FISCAL YEAR 2003 CAPITAL
IMPROVEMENT PROGRAM BUDGET AND ADDITION OF ONE
FULL TIME EQUIVALENT POSITION TO THE DEPARTMENT OF
PUBLIC WORKS**

Recommendation of City Manager:

- (1) Approve a journal voucher amending five projects in the Fiscal Year 2003 Capital Improvement Program as detailed in Attachment A of the agenda report;
- (2) Amend the project description of three projects; and
- (3) Amend the Fiscal Year 2003 Operating Budget to add one Full Time Equivalent position of Owner's Representative (Capital Projects Manager) for the City Hall Seismic Retrofit project to the Department of Public Works. (Journal Voucher 2003-34)

Recommendation of Old Pasadena Parking Meter Zone Advisory Commission: The Old Pasadena Parking Meter Zone Advisory Commission supported the appropriation of \$125,000 in Old Pasadena Parking Meter fund monies to the Old Pasadena Streetscapes and Alley Walkways project at its November 21, 2002 meeting.

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

Mr. Dan Rix, City Engineer, responded to questions.

Discussion ensued concerning the improvements along Walnut Street and in response to a question regarding Walnut Street improvements along the north side segment, the City Manager stated she would review the Altadena to Daisy stretch and confirm that it is intended to be completed.

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

Councilmember Haderlein noted that there was a short cul de sac on Walnut, east of Sunnyslope, that was not improved and requested staff also ensure it was not an oversight.

In response to a question concerning an existing condition addressing the cleaning and maintenance of the properties and enforcement, the City Manager stated the property was owned by MTA, however, now it will be owned by the adjacent businesses and since it is a reflection on the business, the area would improve.

Mr. Bruckner also noted there is usually a maintenance requirement on the title, but he would review the issue.

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

HERMOSA ROAD SEWER - LAGUNA ROAD TO 305 FEET WEST CONSTRUCTION CONTRACT AWARD TO MLADEN GRBAVAC CONSTRUCTION FOR \$96,000

Recommendation of City Manager:

(1) Accept the bid, dated January 8, 2003, submitted by Mladen Grbavac Construction in response to the specifications for the Hermosa Road Sewer, reject all other bids received, and authorize the City Manager to enter into such contract as required. The amount of the proposed contract is \$96,000.

(2) Approve a journal voucher appropriating \$25,000 from the Unencumbered Sewer Fund balance to Budget Account No. 76537 (Hermosa Road Sewer). (Contract No. 18,173, Journal Voucher No. 2003-36)

Vice Mayor Little summarized the agenda report.

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

2003 PIPE RELINING - ALTADENA DRIVE, COLORADO BOULEVARD, AND HILLCREST AVENUE SEWERS CONSTRUCTION CONTRACT AWARD TO REPIPE - CALIFORNIA, INC. DBA PPR FOR \$145,000

Recommendation of City Manager:

(1) Accept the bid, dated January 29, 2003, submitted by RePipe - California, Inc. DBA PPR in response to the specifications for the 2003 Pipe Relining, reject all other bids received, and authorize the City Manager to enter into such contract as required. The amount of the proposed contract is \$145,000.

(2) Approve a journal voucher appropriating \$77,000 from the Unencumbered Sewer Fund balance to Budget Account No. 76267 (Sewer Repairs and Improvements - Various Locations). (Contract No. 18,174; Journal Voucher No. 2003-35)

Mr. Steve Wright, Assistant City Engineer, summarized the agenda report.

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

MUNICIPAL SERVICES

RESOLUTION INCREASING PASADENA'S SHARE OF THE MAGNOLIA POWER PROJECT AND AUTHORIZE THE CITY MANAGER TO ENTER INTO AN ENERGY EXCHANGE AGREEMENT WITH THE CITY OF BURBANK

Recommendation of City Manager:

(1) Adopt a resolution authorizing the City Manager to enter into the Magnolia Power Project (Project) Power Sales Agreement (PSA) with the Southern California Public Power Authority (SCPPA) for a 6.1307% share of the Project; and

(2) Authorize the City Manager to enter into an Energy Exchange Agreement (EEA) with the City of Burbank that will provide alternative mechanisms to deliver Pasadena's share of the Project output to Pasadena.

The proposed PSA and EEA are both exempt from competitive bidding pursuant to City Charter Section 1002(H), contracts with other governmental entities or their contractors for labor, materials, supplies or services, and the Competitive Bidding and Purchasing Ordinance pursuant to Pasadena Municipal Code Section 4.08.049(A)(3), contracts with other governmental entities. (Resolution No. 8211; Contract No. 17,923; Contract No. 18,175)

Mr. Eric Klinkner, Director Power Supply, summarized the agenda report and responded to questions.

The City Manager also responded to questions.

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

**RECOMMENDATIONS
FROM OFFICERS AND
DEPARTMENTS**

**APPOINTMENT OF VINCE FARHAT TO THE TRANSPORTATION
ADVISORY COMMISSION (District 6 Nomination)**

**RESIGNATION OF GORDON M. DE LANG FROM THE
COMMUNITY DEVELOPMENT COMMITTEE (District 7
Nomination)**

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

RESOLUTION OF INTENT TO AMEND THE PERS CONTRACT TO IMPLEMENT THE CREDIT FOR UNUSED SICK LEAVE PROVISION FOR LOCAL FIRE EMPLOYEES AND INTRODUCTION OF AN ORDINANCE

Recommendation of City Manager: Adopt a Resolution of Intention and conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY OF PASADENA AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM" to implement the credit for unused sick leave provision (Government Code Section 20965) for local Fire employees, provided for in the adopted Memorandum of Understanding between the City of Pasadena and the Pasadena Fire Fighters Association (PFFA) and Pasadena Firefighters Management Association (PFMA). The effective date of the contract amendment is anticipated to be April 28, 2003. (Resolution No. 8214)

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

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

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 7:48 p.m. to a joint meeting with the Community Development Commission. (Absent: Councilmember Holden)

JOINT ACTION: APPROVAL OF THE ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE AND FAIR HOUSING PLAN (2000-2005)

Recommendation of City Manager/Chief Executive Officer: It is recommended that the City Council and Community Development Commission take the following actions:

(a) Approve the submission of the Analysis of Impediments to Fair Housing Choice (2000-2005) to the U. S. Department of

Housing and Urban Development (Exhibit A of the agenda report); and

(b) Approve the Fair Housing Plan (2000-2005) (Exhibit A, Chapter 5 of the agenda report).

Recommendation of Community Development Committee: This item was reviewed and approved by the Community Development Committee (CDC) on Thursday, February 13, 2003.

Recommendation of Northwest and Accessibility and Disability Commissions: The Northwest and Accessibility and Disability Commissions participated in early discussions that helped frame the final document.

Mr. John Depew, Program Coordinator, summarized the agenda report and responded to questions.

In response to a question concerning creating a brief statement regarding the information to make available to the public, Mr. Depew indicated the document would be reproduced and reviewed by the Affordable Housing Task Force.

Mr. Richard Bruckner, Director of Planning and Development, stated that the background report was compiled by the same persons who worked on the Housing Element and the statistics were reinforced in the Housing Element.

Vice Mayor Little stressed the need to be proactive in fair and affordable housing and suggested a brief or condensed version of the report be available to the public.

Councilmember Tyler commended staff on the report and noted that if the report is going to be distributed to the Task Force, it would be helpful to see more clearly what the major impediments are, and what we plan to do.

Concern was expressed that the City needs a comprehensive inventory of our rental housing stock, both City-sponsored and private.

In response, Mr. Bruckner indicated that providing a report would be a massive undertaking, however, there were a number of sources that could give very good indicators for a fairly comprehensive picture of the rental stock. He further stated that staff was working on the workplan and key recommendations as highlighted in the staff report.

Following discussion regarding re-prioritizing Section 8 and Section 8 voucher preference, the need to think comprehensively and creatively regarding housing, childcare, homeless, and transition facilities, it was suggested to look at Community Development Block Grant (CDBG) funds, Housing Urban Development (HUD) grants or

through private nonprofit sectors, for resources and assistance. It was also suggested to work with the County of Los Angeles and the State due to the Pasadena/Altadena area having the highest population of foster care.

In response to a question as to whether the Human Services Commission should receive a copy of the report since it recommends the priorities for Community Development Block Grant (CDBG) funding, the City Manager indicated that the Human Services Commission and Community Development Committee can be provided a copy, and she noted that the Northwest Commission had received copies of the report.

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

The Council commended staff on the quality of the report.

JOINT MEETING
ADJOURNED

On order of the Mayor, the joint meeting of the City Council and Community Development Commission adjourned at 8:18 p.m.

REGULAR MEETING
RECONVENED

On order of the Mayor, the regular meeting of the City Council reconvened at 8:19 p.m. (Absent: Councilmember Holden)

**ORDINANCE - FIRST
READING**

Conduct first reading of "**AN UNCODIFIED ORDINANCE OF THE CITY OF PASADENA SUSPENDING SECTIONS 9.36.220 AND 9.36.230 OF THE PASADENA MUNICIPAL CODE RELATING TO LIMITATIONS ON HOURS OF OPERATION OF AMPLIFIED SOUND AND NOISE SOURCES FOR SPECIFIED HOURS AND AREAS ON MAY 16 AND 17, 2003 (WANGO TANGO CONCERT AT THE ROSE BOWL)**"

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

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

NOES: None

ABSENT: Councilmember Holden

ORDINANCE - ADOPTED

Adopt "**AN ORDINANCE OF THE CITY OF PASADENA AMENDING THE WATER RATE ORDINANCE, CHAPTER 13.20 OF THE PASADENA MUNICIPAL CODE**" (Introduced by Councilmember Tyler) (Ordinance No. 0-6932)

The above ordinance was adopted by the following vote:

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

NOES: None

ABSENT: Councilmember Holden

PUBLIC HEARINGS

PUBLIC HEARING: LEVY OF ASSESSMENT AGAINST HOTEL AND MOTEL BUSINESSES FOR FISCAL YEAR 2002-03 IN CONNECTION WITH THE PASADENA TOURISM BUSINESS IMPROVEMENT DISTRICT

Recommendation of Pasadena Center Operating Company:

- (1) Conduct a public hearing on the levy of an assessment against Hotel and Motel Businesses for Fiscal Year 2002-03 in connection with the Pasadena Tourism Business Improvement District (the "District"); and
- (2) Adopt a resolution confirming the annual report with respect to the District as modified by the City Council on January 27, 2003 and levying the assessment for Fiscal Year 2002-03. (Resolution No. 8215)

The Mayor opened the public hearing.

Vice Mayor Little was excused at 8:23 p.m.

The City Clerk reported the notice of public hearing was published on February 17, 2003, in the Pasadena Star News; 23 copies of the notice of hearing were mailed on February 14, 2003; and no letters were received in support or opposition.

Mr. Roger Smith, Chief Executive Officer of Pasadena Center Operating Company, summarized the agenda report and noted that hotel owners representing approximately 80 percent of the assessment had signed the letter of intent in support of the District and expansion of the Conference Center, and two letters were received in protest of the establishment of the District.

There was no public comment.

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

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

PUBLIC HEARING: CALL FOR REVIEW OF CONDITIONAL USE PERMIT NO. 4095 TO ALLOW FOR REPLACEMENT BLEACHERS AT 1030 EAST CALIFORNIA BOULEVARD - POLYTECHNIC SCHOOL

Recommendation of City Manager:

- (1) Acknowledge that this action is categorically exempt from the California Environmental Quality Act (CEQA); and

Vice Mayor Little returned at 8:25 p.m.

(2) Approve the Conditional Use Permit, Specific Findings and adopt the Conditions of Approval as modified by mutual agreement between Polytechnic School and Mentor, Catalina, Cornell & Dale Neighborhood Association.

Councilmember Gordo was excused at 8:27 p.m.

The Mayor opened the public hearing.

The City Clerk reported on February 10, 2003, 34 copies of the notice of public hearing were posted and 350 copies were mailed; and no letters were received.

Councilmember Tyler indicated that he had requested the call up and hoped that the two parties would work out an agreement and it seemed to have occurred as outlined in the agenda report.

The City Manager confirmed that both parties had agreed and she noted the conditions of approval were listed on Attachment B of the agenda report.

There was no public comment.

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

It was moved by Councilmember Tyler, seconded by Councilmember Madison, to approve the City Manager's recommendation and adopt the Conditions of Approval as modified by mutual agreement between both parties as reflected in the agenda report. (Motion unanimously carried) (Absent: Councilmembers Gordo, Holden)

PUBLIC HEARING - ADJUSTMENT OF THE RESIDENTIAL IMPACT FEE

Recommendation of City Manager: It is recommended that the City Council following the public hearing, adopt a resolution and amend the Fiscal Year 2003 General Fee Schedule to increase the Residential Impact Fee from \$1,604 to \$3,729 per unit.

Recommendation of Recreation and Parks Commission: The Recreation and Parks Commission held a special meeting on February 20, 2003. The recommended action by the Commission will be reported verbally to the City Council at the February 24, 2003 meeting. (Resolution No. 8216)

Councilmember Gordo returned at 8:29 p.m.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on February 10 and 17, 2003 in the Pasadena Star News and on February 20, 2003 in the Pasadena Journal; and no letters were received.

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

Ms. Brenda Harvey-Williams, Finance and Management Services Administrator, responded to questions.

In response to a question regarding using the same zoning designation, Ms. Maribel Medina, Assistant City Attorney, indicated the City did not have to retain the same designation, however a study would have to be conducted to add additional zoning areas and adoption of a new ordinance would be necessary.

Vice Mayor Little noted that the Finance Committee had requested staff to review the ordinance, as the workload permits, and return with additional information indicating what the need in the City of Pasadena is for open space, based on population and other averages and to take the unmet need and indicate how we will meet the needs.

Councilmember Madison emphasized the need for parkland within the community and commended staff and the Recreation and Parks Commission on their work.

Following discussion, the City Manager confirmed that her recommendation was for one year, following the year it would be reviewed again to determine whether a new nexus study was necessary.

Councilmember Haderlein stated within the year's time, he would like to look at each of the variables.

Councilmember Streater expressed concern that if there was an increase in costs for fees and permits to build a single-family home, it could impact the number of infill single-family homes due to the high costs of land in the City. She suggested not moving forward on the item in order to address additional questions.

Mr. Michael Hurley, representing the Recreation and Park Commission, distributed a handout entitled "Pasadena's Residential Impact Fee Questions and Answers", spoke in support, and responded to questions.

The Mayor was excused at 9:08 p.m.

Following discussion, the City Manager clarified that the study she envisioned was beyond the assumption of the formula and would include other items that may be impacted. She also explained some of the complexities surrounding affordable housing.

The following persons spoke in support:

Ms. Betty Sword, representing Friends of Washington Park
Mr. Joe Feinblatt, Pasadena resident

The Mayor returned at 9:12 p.m.

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

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

The City Attorney announced to City Council that Ms. Medina was recently installed as the President of the Mexican American Bar Association for the County of Los Angeles, and she noted that it was a significant honor.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA (Continued)

Mr. Gene Con, Pasadena resident, spoke in support of park space and urged Council to grandfather the residential impact fees in the development agreements that have already been approved.

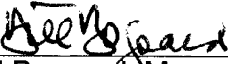
The following persons spoke in opposition to having bike lanes on Paloma Street:

- Mr. Bill Crowell, Pasadena resident
- Mr. Frank Acosta, Pasadena resident
- Ms. Carol Priest, representing East Orange Grove Neighborhood Association
- Ms. June Takenouchi, representing East Orange Grove Neighborhood Association
- Dr. Andrew Sierra, Pasadena resident

In response, Vice Mayor Little stated the project had been currently suspended and emphasized the need for conducting a meeting with staff and the neighbors regarding the bike lanes.

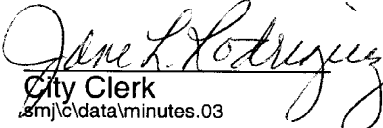
ADJOURNMENT

On order of the Mayor, there was a moment of silence, and the regular meeting of the City Council adjourned at 9:45 p.m. in memory of Mr. George C. Bond.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



Jane L. Rodriguez
City Clerk
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