

CITY OF PASADENA
City Council Minutes
April 28, 2003 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 5:30 p.m.

On order of the Mayor, the regular meeting recessed at 5:30 p.m., to discuss the following closed sessions:

CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATOR
pursuant to Government Code Section 54957.6
Agency Negotiators: Karyn Ezell, Steve Lem
Employee Organizations: International Union of Operating Engineers, Local 501

The above closed session item was discussed, with no reportable action at this time.

CITY COUNCIL CONFERENCE WITH LEGAL COUNCIL
REGARDING POTENTIAL LITIGATION pursuant to
Government Code Section 54956.9(b): **One potential case**

The above closed session item was discussed, with no reportable action at this time.

On order of the Mayor, the regular meeting reconvened at 6:49 p.m. The Pledge of Allegiance was led by Councilmember Gordo.

ROLL CALL:

Councilmembers:

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

Staff:

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

CEREMONIAL MATTERS

The City Clerk administered the oath of office to Inman Moore as Human Relations Commissioner.

The Mayor presented a proclamation declaring April 27 - May 4, 2003 as Days of Remembrance for the victims of the Holocaust. The proclamation was received by Mr. David Lorin, President of the Pasadena Jewish Temple and Center.

CONSENT CALENDAR

APPROVAL AND ACCEPTANCE OF PROPOSED EASEMENT DEDICATION FOR PUBLIC STREET PURPOSES AT THE NORTHEAST CORNER OF UNION STREET AND FAIR OAKS AVENUE AND ALONG THE UNION STREET FRONTAGE OF 1 EAST UNION STREET
Recommendation of City Manager: Adopt a resolution approving and accepting the proposed easement dedication for public street purposes at the northeast corner of Union Street and Fair Oaks Avenue and along the Union Street frontage of 1 East Union Street. (Resolution No. 8230)

Item discussed separately at the request of Councilmember Haderlein.

RECOGNITION OF \$1,875,864 IN FEDERAL FUNDS FOR CONSTRUCTION OF AN INDOOR POLICE FIRING RANGE

Item discussed separately at the request of Councilmember Tyler.

AWARD CONTRACT TO NTH GENERATION FOR THE PURCHASE AND IMPLEMENTATION OF A CITYWIDE DATA STORAGE AREA NETWORK

Item discussed separately at the request of Councilmember Tyler.

RESOLUTIONS APPROVING PROGRAM SUPPLEMENT AGREEMENTS FOR STATE ROUTE 710 MITIGATION FEDERAL-AID PROJECTS - CALIFORNIA BOULEVARD RIGHT TURN LANE AT FAIR OAKS AVENUE, CALIFORNIA BOULEVARD RIGHT TURN LANE AT RAYMOND AVENUE, RAYMOND AVENUE WIDENING, LAKE AVENUE AND HILL AVENUE AT WALNUT STREET INTERSECTION MOBILITY IMPROVEMENT, SR 110 TO SR 210 CONNECTOR/MARENGO INTERCHANGE EMPHASIS

AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY (MTA) TO RECEIVE FUNDING FOR OPERATION OF THREE ALTERNATIVE FUEL SHUTTLES
Recommendation of City Manager: Authorize the City Manager to sign a Memorandum of Understanding (MOU) with the Los Angeles County Metropolitan Transportation Authority (MTA) for a grant for operation of three alternative fuel shuttles. (Agreement No. 18,224)

MINUTES APPROVED

December 16, 2002
December 23, 2002 (Cancelled)
December 30, 2002 (Cancelled)

CLAIMS RECEIVED AND FILED

Claim No. 9264	Thomas Hampton	\$ Unknown
Claim No. 9265	Gary Alan Novak	3,026.67
Claim No. 9266	Charles R. Anderson	Unknown
Claim No. 9267	Linda B. Mac	541.50

It was moved by Vice Mayor Little, seconded by Councilmember Tyler, to approve the Consent Calendar, with the exceptions of Item 2 (Indoor Police Firing Range), Item 3

(Nth Generation Contract), and Item 4 (State Route 710 Mitigation Projects). (Motion unanimously carried) (Absent: None)

**CONSENT ITEMS
DISCUSSED SEPARATELY**

RECOGNITION OF \$1,875,864 IN FEDERAL FUNDS FOR CONSTRUCTION OF AN INDOOR POLICE FIRING RANGE

Recommendation of City Manager: Recognize and appropriate \$1,875,864 in revenue from the Department of Justice, Community Oriented Policing Services (COPS) 2001 Technology grant to Capital Improvement Project Account No. 8114-301-71139, Indoor Firing Range at Eaton Canyon. (Journal Voucher No. 2003-44)

Acting Police Chief Wayne Hiltz responded to questions.

It was moved by Councilmember Haderlein, seconded by Councilmember Streater, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: None)

AWARD CONTRACT TO NTH GENERATION FOR THE PURCHASE AND IMPLEMENTATION OF A CITYWIDE DATA STORAGE AREA NETWORK

Recommendation of City Manager: Authorize the City Manager to enter into a contract with Nth Generation for an amount not to exceed \$322,300 for the purchase and implementation of a citywide storage area network (SAN). Competitive bidding was not required pursuant to Section 1002(F), of the City Charter, professional or unique services. (Contract No. 18,223)

Mr. John Pratt, Chief Information Technology Officer, responded to questions.

It was moved by Councilmember Tyler, seconded by Councilmember Haderlein, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: None)

RESOLUTIONS APPROVING PROGRAM SUPPLEMENT AGREEMENTS FOR STATE ROUTE 710 MITIGATION FEDERAL-AID PROJECTS - CALIFORNIA BOULEVARD RIGHT TURN LANE AT FAIR OAKS AVENUE, CALIFORNIA BOULEVARD RIGHT TURN LANE AT RAYMOND AVENUE, RAYMOND AVENUE WIDENING, LAKE AVENUE AND HILL AVENUE AT WALNUT STREET INTERSECTION MOBILITY IMPROVEMENT, SR 110 TO SR 210 CONNECTOR/MARENGO INTERCHANGE EMPHASIS

Recommendation of City Manager:

(1) Adopt resolutions approving Program Supplement Agreements to Administering Agency - State Agreement No. 07-5064 between the City of Pasadena and the State of California, for State Reimbursement covering preliminary engineering for the following State Route (SR) 710 Mitigation

Projects:

- (a) California Boulevard Right Turn Lane at Fair Oaks Avenue, Federal-Aid Project No. RABA01-5064(021), Program Supplement Agreement No. M054.
 - (b) California Boulevard Right Turn Lane at Raymond Avenue, Federal-Aid Project No. RABA01-5064(027), Program Supplement Agreement No. M056.
 - (c) Raymond Avenue Widening, Federal-Aid Project No. RABA01-5064(024), Program Supplement Agreement No. M057.
 - (d) Lake Avenue and Hill Avenue at Walnut Street Intersection Mobility Improvement, Federal-Aid Project No. RABA01-5064(023), Program Supplement Agreement No. M058.
 - (e) SR 110 to SR 210 Connector/Marengo Interchange Emphasis, Federal-Aid Project No. RABA01-5064(026), Program Supplement Agreement No. M059.
- (2) Authorize the City Manager to execute the same on behalf of the City. (Resolution Nos. 8231-8235; Agreement Amendment Nos. 16,298-9 -16,298-13)

Mr. Steve Wright, City Engineer, responded to questions.

It was moved by Councilmember Tyler, seconded by Councilmember Streater, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: None)

OLD BUSINESS

ESTABLISHMENT OF A RESIDENTIAL PREFERENTIAL PERMIT PARKING PROGRAM IN THE NORTH HOLLISTON AVENUE, NORTH CHESTER AVENUE AND EAST WASHINGTON BOULEVARD NEIGHBORHOOD

Recommendation of City Manager:

- (1) Based upon the facts presented to Council, find that:
 - (a) the unrestricted parking by non-local vehicles creates a situation for the areas listed below in which the streets cannot be used for parking by the residents or their guests and that such unrestricted parking substantially and unreasonably, regularly interferes with the use of a majority of the available public street parking; is a source of other interference with the residential environment and detrimentally affects the public welfare; and
 - (b) the rules and procedures for the designation of a preferential permit parking district have been followed.
- (2) Adopt a resolution establishing a preferential permit parking district in the North Holliston Avenue and North Chester Avenue neighborhood that includes the following streets:
 - (a) Both sides of Chester Avenue between Washington Boulevard and Howard Street
 - (b) Both sides of Chester Avenue between Washington Boulevard and 1218 North Chester Avenue
 - (c) West side of Holliston Avenue between Washington Boulevard and Howard Street

- (d) East side of Holliston Avenue between Washington Boulevard and 1522 North Holliston Avenue
 - (e) Both sides of Holliston Avenue between Washington Boulevard and 1218 North Holliston Avenue
- (3) Acknowledge this project to be categorically exempt under the California Environmental Quality Act (CEQA) Guidelines, pursuant to Section 15301 Existing Facilities, and authorize the City Manager to execute and the City Clerk to file a Notice of Exemption with the Los Angeles County Clerk. (Resolution No. 8236)

Recommendation of Transportation Advisory Commission:

On July 19, 2002, the Transportation Advisory Commission reviewed and approved the staff recommended preferential permit parking district boundaries for affected residents to proceed with the petition process.

Mr. Eric Shen, Transportation Planning and Development Manager, summarized the agenda report, the parking studies conducted, and responded to questions.

The following persons spoke in opposition to the establishment of a residential preferential permit parking program:

Mr. Neil Barker, Attorney for Logos Evangelical Church
Pastor Stephen Choi, Logos Evangelical Church
Pastor David J. Recalde, Pasadena Seventh Day Adventist Church
Mr. Norman Sacro, Pasadena Seventh Day Adventist Church
Ms. Jennifer Yu, Pasadena Seventh Day Adventist Church
Mr. Michael Sacro, Pasadena Seventh Day Adventist Church
Reverend Inman Moore, Grace United Methodist Church, speaking as an individual
Ms. Evan Chow, Alhambra resident
Reverend Joshua Pak, Associate Pastor, Logos Evangelical Church
Mr. Myung Chung, member of Logos Evangelical Church
Mr. Kyung Soo Lee, Treasurer of Logos Evangelical Church
Mr. Daniel Kim, Logos Church Parking Committee member
Mr. C. John Lee, Logos Church Parking Committee member
Mr. Nayoung Robin Lee, resident on N. Holliston Ave. and Logos Evangelical Church member
Ms. Linda Holley, resident on N. Holliston Ave.
Ms. Barbara Lewis, resident on N. Holliston Ave.
Mr. Leonard Malloy, neighborhood resident
Ms. Mary Osborn-Fick, resident of Holliston Church, submitted a letter

The following persons spoke in support of the establishment of a residential preferential permit parking program:

Ms. Andrea Cawlina, resident on N. Chester Ave.
Mr. Sid Valluri, resident on N. Chester Ave.
Ms. Andrea Valluri, resident on N. Chester Ave.

Mr. Bob Kneisel, Bungalow Heaven Neighborhood Association President
Mr. Bryan Reese, Bungalow Heaven Neighborhood Association Vice President
Mr. Robert Hession, resident on N. Holliston Ave.

Ms. Joyce Amerson, Director of Transportation Department, responded to questions.

The City Attorney provided clarification on various definitions in the Preferential Parking Ordinance and responded to questions.

The City Manager referred to her Supplemental Information Memorandum dated 4/28/03, and clarified the days and hours of operation in a preferential zone are set administratively. She noted if Council decides to approve the zone, staff would have the ability to focus on which days and hours would apply.

Councilmembers Gordo and Streator expressed concern regarding setting a precedent for these type of regulations.

Councilmember Streator suggested staff explore alternative solutions before any action is taken.

Following discussion, it was moved by Vice Mayor Little, seconded by Councilmember Tyler, to approve the City Manager's recommendation, with staff to administratively determine the hours and days, with input from the neighborhoods and the churches.

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

NOES: Councilmember Streator

ABSENT: None

Vice Mayor Little expressed appreciation to staff for all their work.

**REPORTS AND COMMENTS
FROM COUNCIL
COMMITTEES**

ECONOMIC DEVELOPMENT
AND TECHNOLOGY
COMMITTEE

**APPROVAL OF ANNUAL REPORT OF THE SOUTH LAKE
BUSINESS ASSOCIATION FOR THE SOUTH LAKE
BUSINESS IMPROVEMENT DISTRICT AND ADOPTION OF A
RESOLUTION OF INTENTION TO HOLD A PUBLIC HEARING
TO LEVY ASSESSMENTS WITHIN SAID DISTRICT FOR
PROGRAM YEAR 2003**

Recommendation of City Manager:

(1) Approve the Annual Report of the South Lake Business Association ("Association") for the South Lake Business Improvement District (the "District") for Program Year 2003 in the form submitted by the Association (Attachment No. 1 of the agenda report).

(2) Adopt a resolution (Attachment No. 2 of the agenda report) evidencing the intention of the City Council to hold a public hearing on May 12, 2003 at 8:00 p.m. on the continuation of the City Council to levy and collect assessments within the District for Program Year 2003 commencing January 1, 2003.

(3) Direct the City Clerk to give notice of the public hearing by causing the resolution to be published not less than seven days before the public hearing. (Resolution No. 8229)

Mr. Robert Montano, Business District Coordinator, and Mr. Richard Bruckner, Director of Planning and Development, reviewed the agenda report and responded to questions.

The City Manager and Mr. Bruckner agreed to provide Council with a status of leases for the shops on South Lake.

Mr. John B. Howe, President, South Lake Business Association, spoke in support.

The Mayor commended Mr. Montano for his work on the report.

It was moved by Councilmember Madison, seconded by Councilmember Gordo, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: None)

FINANCE COMMITTEE

Councilmember Madison was excused at 10:01 p.m.

POLICE COMPUTER AIDED DISPATCH/RECORDS MANAGEMENT SYSTEM AND MOBILE DATA COMPUTER REPLACEMENT PROJECT

Recommendation of City Manager:

(1) Recognize and appropriate \$1,187,382 from the Community Oriented Policing Services (COPS) 2001 Technology Initiative Grant No. 2001CKW0020 into the Miscellaneous Public Safety Grant Fund (Account No. 228-405300).

(2) Recognize and appropriate \$474,000 from the COPS MORE 2002 Grant No. 2002CMWX0142 into the Miscellaneous Public Safety Grant Fund (Account No. 228-405300).

(3) Approve a journal voucher transferring \$158,000 from the Public Safety Augmentation Fund (Account No. 202-407300) to the Miscellaneous Public Safety Grant Fund (Account No. 228-405300) to be utilized for the Police Department's required match of 25% as prescribed by COPS Grant No. 2002CMWXO142.

(4) Approve a journal voucher transferring \$75,000 from the Miscellaneous Public Safety Grant Fund (Account No. 228-405300) to the Police Department's Technical Services Section FY 2003 Operating Budget (Account No. 101-405300) for necessary expenditures for costs associated with the development of the Request for Proposals (RFP) for this technology project. (Journal Voucher No. 2003-45)

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

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

REPORTS FROM REPRESENTATIVES

Councilmember Madison returned at 10:04 p.m.

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

Vice Mayor Little, Pasadena Blue Line Construction Authority Board member, reported on the upcoming opening of the Gold Line. He noted as of April 18, operation of the service was turned over to the Metropolitan Transportation Authority for testing.

RESIGNATION OF JAY S. WILLIS FROM THE ARTS COMMISSION (Mayor Nomination)

It was moved by Councilmember Holden, seconded by Councilmember Tyler, to accept the above resignation with regrets. (Motion unanimously carried) (Absent: None)

CONSIDERATION OF THE DESIGNATION OF CESAR CHAVEZ DAY AS A CITY HOLIDAY OR DAY OF CELEBRATION

On order of the Mayor, and at the request of Councilmember Holden, the above item was held to the Council meeting of May 5, 2003.

LEASE AMENDMENT FOR JACOBS PARKING LOT AT SOUTHWEST CORNER OF GLENARM STREET AND ARROYO PARKWAY

Recommendation of City Manager: Approve the terms and conditions as generally described in the agenda report and authorize the City Manager to execute an amendment to Lease Agreement No. 16,397 reducing the size of the leased premises by 2,548 square feet and reducing the rent as well as providing compensation to the tenant for the un-amortized value of the parking lot improvements taken in accordance with the terms of the lease. (Agreement Amendment No. 16,397-1)

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

It was moved by Councilmember Haderlein, seconded by Councilmember Streator, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: None)

RECOMMENDATIONS FOR DEMOLITION MORATORIUM STUDY AREAS 1, 2, AND 12; INITIATION OF ZONING OVERLAY DISTRICT CODE AMENDMENT AND ZONING MAP AMENDMENTS

Recommendation of City Manager: It is recommended that the City Council direct staff to initiate the following zoning code and zoning map amendments:

- To establish a Special Overlay District that would limit RM-32 multifamily development projects within the Overlay District to heights of 23 feet to the top plate and 32 feet to the highest ridgeline; and
- To adopt the Special Overlay District for parcels designated RM-32, in whole or in part, within Sub-Area C

of Zoning Study Area 1, which is bounded generally by Altadena Drive, Colorado Boulevard, San Gabriel Boulevard, and Morningside Street and also within Zoning Study Area 12, which is bounded by Allendale Road, Euclid Avenue, and Marengo Avenue.

Recommendation of Planning Commission: The Planning Commission, on April 9, 2003, recommended that the City Council adopt the staff recommendation above, with amendments to initiate the zoning code and map amendment. The Planning Commission recommendation amended the staff recommendation as follows: to initiate the overlay zoning district in Zoning Study Area 2, as well as in the two areas recommended by staff.

In addition, the Planning Commission recommended (1) that the standards for the overlay district respond to any future changes in the City of Gardens multifamily development ordinance, to maintain the purposes of the overlay district, and also (2) that the wording of the recommendation be revised in order to clarify the boundaries of the proposed zoning district for Sub-Area C of Study Area 1.

Mr. Bill Trimble, Planner, summarized the agenda report and responded to questions.

MOTION

It was moved by Councilmember Holden, seconded by Vice Mayor Little, to approve the City Manager's recommendation.

Councilmember Tyler referred to Study Area 2, expressed concern regarding the few single-family homes left in that area, specifically older bungalows, and stated they deserve some kind of protection from what otherwise might be built to a higher level in that area.

AMENDMENT

Following discussion, Councilmember Tyler amended the motion, with consent of the maker and seconder, to include Study Area 2 in the Height Overlay District. (Motion, as amended, unanimously carried) (Absent: None)

RECESS TO JOINT MEETING

On order of the Mayor, the regular meeting of the City Council recessed at 10:36 p.m. to a joint meeting with the Community Development Commission. (Absent: None)

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

JOINT ACTION: SECOND AMENDMENT TO THE EMERGENCY HOMELESS RESPONSE PROJECT SUBRECIPIENT AGREEMENT WITH THE ECUMENICAL COUNCIL OF PASADENA AREA CHURCHES FOR THE PROVISION OF EMERGENCY HOMELESS ASSISTANCE SERVICES IN RESPONSE TO THE EVACUATION OF WASHINGTON THEATER COMPLEX

Recommendation of Chief Executive Officer/City Manager:
(1) Approve the terms and conditions of the Second Amendment to the Emergency Homeless Response Project Sub-recipient Agreement No. 18,010/CDC - 491 between the City and Ecumenical Council of Pasadena Area Churches

("Sub-recipient");
(2) Approve a journal voucher appropriating \$225,000 (HOME Program \$175,000; Emergency Shelter Grant - \$50,000) to the EHRP project account for the provision of emergency homeless assistance services; and
(3) Authorize and direct the City Manager/Chief Executive Officer to execute, and the City Clerk/Secretary to attest the Second Amendment, and to take actions necessary to implement the EHRP. (Agreement Amendment Nos. 18,010-2 and CDC-491-2; Journal Voucher No. 2003-46)

Mr. Greg Robinson, Housing and Community Development Administrator, reviewed the agenda report and responded to questions.

Ms. Connie Orozco, City Prosecutor, provided a brief status on code enforcement issues regarding the building.

Following a brief discussion on recovery of costs from the building's owner, it was noted a closed session would be agendized.

Mr. Frank Clark, representing the Ecumenical Council, spoke in support and expressed gratitude to staff, El Centro De Accion Social, and all the non-profit agencies that provided assistance to the tenants.

It was moved by Councilmember Gordo, seconded by Vice Mayor Little, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: None)

The Mayor and Council thanked staff and the Ecumenical Council for their assistance to the evacuees.

JOINT MEETING
ADJOURNED

On order of the Mayor, the joint meeting of the City Council and the Community Development Commission adjourned at 10:49 p.m.

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 10:49 p.m. to the regular meeting of the Community Development Commission.

RECONVENED

On order of the Mayor, the regular meeting of the City Council reconvened at 10:50 p.m. (Absent: None)

Vice Mayor Little was excused
at 10:50 p.m.

**OPPOSITION TO ASSEMBLY BILL 1221: TAXATION
(STEINBERG AND CAMPBELL)**

Recommendation of City Manager:

(1) Oppose AB 1221 unless the legislation is tied to a constitutional amendment that protects local revenue in the future; and

(2) Authorize the Mayor to send letters to the appropriate authorities conveying Pasadena's position on this matter.

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

INFORMATION ITEM

Vice Mayor Little returned at 10:53 p.m.

PREDEVELOPMENT PLAN REVIEW FOR THE PROPOSED 81-UNIT MIXED-USE PROJECT AT 950 SAN PASQUAL STREET/947 EAST CALIFORNIA BOULEVARD

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

Mr. John Steinmeyer, Planner, reviewed the agenda report and responded to questions.

Councilmember Madison indicated when the residential impact fees item comes to Council, he would like to hear more about whether fees that are negotiated as part of a development agreement are subject to the Mitigation Fee Act.

Following a brief discussion, it was noted a review of the affordable housing in-lieu fee will be coming to Council in a couple of months.

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

PUBLIC COMMENT

Councilmember Streator was excused at 11:17 p.m.

Mr. Rhene E. Lee, Pasadena resident, distributed and discussed a handout entitled "American Postal Workers Union, AFL-CIO" regarding the postal service; commented on the completion of the Renaissance Plaza project; and expressed concern regarding the Area Rapid Transit System (ARTS) bus fares.

COUNCIL COMMENTS

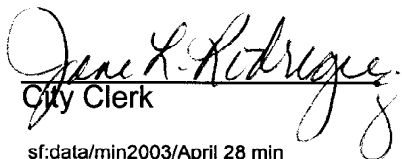
Councilmember Madison referred to a brawl at Hooters this past weekend, and requested more information about the incident.

On order of the Mayor, the regular meeting of the City Council adjourned at 11:20 p.m.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



Jane L. Rodriguez
City Clerk
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