

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

REORGANIZATION AND REGULAR MEETING

**OPENING:** On order of the Mayor, the annual reorganization meeting of the City Council was called to order at 6:38 p.m.

**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 J. Kurtz  
City Attorney Michele Beal Bagneris  
City Clerk Jane Rodriguez

The Pledge of Allegiance was led by Councilmember Gordo.

**ANNUAL  
REORGANIZATION**

Mayor Bogaard announced it was the time for the annual reorganization of the City Council.

**INTRODUCTIONS**

The Mayor, Vice Mayor, and each Councilmember introduced members of their respective families, their field representatives, and other guests.

**PRESENTATION TO OUT-  
GOING VICE MAYOR  
LITTLE**

On behalf of the City Council, Mayor Bogaard presented Vice Mayor Little with gifts in recognition and in gratitude for his service as Vice Mayor and for his leadership on the Pasadena Blue Line Construction Authority Board.

Vice Mayor Little thanked the Council for the gifts and expressed appreciation to his colleagues for the opportunity to have served as Vice Mayor.

**ADJOURN OUTGOING  
COUNCIL - SINE DIE**

It was moved by Councilmember Haderlein, seconded by Councilmember Gordo, to adjourn this City Council sine die.

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

NOES: None

ABSENT: None

**CITY CLERK REPORTS ON  
MARCH 4, 2003 ELECTION  
RESULTS**

The City Clerk reported that on March 4, 2003, Bill Bogaard was elected Mayor by 84.6% of those voting; Joyce Streater, representing District 1, was elected by 71.1% of those voting; Paul Little, representing District 2, was elected by 84.6% of those voting; Steve Haderlein, representing District 4 and running unopposed, was elected by 100% of those voting; and Steve Madison, representing District 6 and running unopposed, was elected by 100% of those voting.

**ADMINISTRATION OF  
OATHS OF OFFICE**

The City Clerk administered the oaths of office to re-elected Mayor Bogaard and re-elected Councilmembers Streater, Little, Haderlein and Madison.

**STATEMENTS**

Brief statements were made by the Mayor and re-elected members of the Council.

**ELECTION OF VICE  
MAYOR**

Mayor Bogaard called for nominations for the office of Vice Mayor for the ensuing year.

It was moved by Councilmember Little, seconded by Councilmember Haderlein, to nominate Councilmember Tyler as Vice Mayor. There being no further nominations, nominations were closed, and the following vote was taken:

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

NOES: None

ABSENT: None

**REMARKS BY VICE  
MAYOR**

Vice Mayor Tyler thanked his colleagues for their support and for the opportunity to serve as Vice Mayor. He noted it will be a pleasure to work for the Mayor, who has demonstrated leadership on the Council.

The Mayor and Councilmembers congratulated Vice Mayor Tyler on his election.

**ADJOURNMENT OF  
REORGANIZATION  
MEETING/REGULAR  
MEETING CONVENED**

Following concluding remarks, the reorganization meeting adjourned at 7:39 p.m., and the regular meeting of the City Council convened at this time. (Absent: None)

**RECOMMENDATIONS  
FROM OFFICERS AND  
DEPARTMENTS**

**APPROVAL OF LOWER AND CENTRAL ARROYO SECO MASTER PLANS** *(It is recommended that this item be held until the May 19, 2003 Council meeting.)*

On order of the Mayor, the above item was held to the May 19, 2003 Council meeting.

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

Mr. Jim Lomako, member of the Light Rail Station Design Review Committee, expressed concerns regarding the chipping and cracking of light rail station concrete platforms, distributed photographic copies depicting the problem, and stressed the need for proper remediation of the problem.

Councilmember Little, a member of the Pasadena Blue Line Construction Authority Board, noted the Board is aware of the issue, Construction Authority staff is looking at the problem, and if the material is found to be substandard, the contractor will be required to replace it. He noted the Authority expects to know by next week how the problem will be resolved.

It was suggested Committee members interact with Councilmember Little on how the issue is resolved.

Mr. Hugh Bowles, representing the Hahamongna Watchdog Group, distributed and reviewed his May 3, 2003 letter to Council expressing concerns that the City has not adequately responded to public comments on the draft Arroyo Seco Master Environmental Impact Report (MEIR). He also noted there is ambiguity regarding the Notice of Determination (NOD) as the title of the NOD lists two items – the MEIR Design Guidelines and the streambed restoration project, while the project description refers to the three Arroyo Seco Master Plans.

The City Attorney offered to review the document and contact Mr. Bowles with clarification regarding the Notice of Determination. The City Attorney was asked to also provide copies of the document to the City Council.

Ms. Cheryl Auger, Pasadena resident, echoed concerns of Mr. Bowles regarding the above-referenced Notice of Determination and she also requested clarification of the document.

Mr. Syed Mehdi, Mezbaan Indian Cuisine, expressed concerns regarding loud music and fighting from a neighboring restaurant which is currently not in operation. He requested the City require adequate sound wall insulation before a new business is allowed to operate, and expressed concerns regarding parking at Union Street and Fair Oaks Avenue.

Mr. Medhi was asked to document and submit his concerns in writing to City staff.

**OLD BUSINESS**

**CONSIDERATION OF THE DESIGNATION OF CESAR CHAVEZ DAY AS A CITY HOLIDAY OR DAY OF CELEBRATION (Councilmember Holden)**

Councilmember Holden reviewed his memorandum and recommendation that the City Council declare March 31 as a Day of Celebration in Pasadena in honor of Cesar Chavez, and that Council direct staff to begin meeting with the City's unions, asking them to join the City Council in this celebration by negotiating the exchange of an existing floating holiday for a fixed holiday on March 31 in honor of Cesar Chavez. Councilmember Holden read the text of a proposed resolution.

The City Manager responded to questions from Council, noted the fiscal impact would be neutral if a floating holiday was converted to this proposed holiday, and reviewed the process to negotiate with various union leadership and report back to Council if the bargaining units agree.

It was moved by Councilmember Holden, seconded by Councilmember Gordo, to adopt the proposed resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA DECLARING MARCH 31 AS A CITY HOLIDAY (SUBJECT TO NEGOTIATION WITH CITY UNIONS) AND A DAY OF CELEBRATION IN HONOR OF THE BIRTH OF CESAR CHAVEZ."

Ms. Inez Yslas, Pasadena resident and speaking as an individual, suggested an amendment to the resolution to call upon everyone in the community to participate in the celebration, and that City employees give back to the community with their skills and talents in this celebration.

Ms. Roberta Martinez, Pasadena resident, distributed material regarding the Cesar E. Chavez Foundation, and echoed Ms. Yslas' suggestion to further strengthen the resolution.

With consent of the seconder, Councilmember Holden amended his motion, that the resolution include language that the City will work with community organizations and committees to establish meaningful activities for City involvement. (Motion, as amended, unanimously carried) (Absent: None) (Resolution No. 8240)

Staff was asked to report back in a reasonable period of time regarding results of the union negotiations. Staff was also asked to communicate Council's enthusiasm for the holiday, and members of the community were encouraged to help plan celebration activities.

**CONSENT CALENDAR**

**LICENSE AGREEMENT BETWEEN THE CITY OF PASADENA AND 10944 ROSE AVENUE LLC, DBA 149 WEST GREEN STREET ASSOCIATES, FOR THE INSTALLATION OF TIE-BACKS AND**

**SOLDIER BEAMS UNDER THE PUBLIC RIGHT-OF-WAY FOR SUBTERRANEAN PARKING ALONG GREEN STREET AND PASADENA AVENUE**

**Recommendation of City Manager:** Adopt a resolution approving a license agreement with 10944 Rose Avenue LLC, for property located at 149 West Green Street, with the terms and conditions as set forth in the background section of the agenda report, and authorize the City Manager to execute and the City Clerk to attest said license Agreement on behalf of the City of Pasadena. (Resolution No. 8237; License Agreement No. 18,229)

City staff briefly responded to questions on this item.

**LICENSE AGREEMENT BETWEEN THE CITY OF PASADENA AND ON NORTH LAKE PARTNERS, LLC, FOR INSTALLATION OF TIE-BACKS AND SOLDIER BEAMS UNDER THE PUBLIC RIGHT-OF-WAY FOR SUBTERRANEAN PARKING FOR CROWN CITY CENTER ALONG HUDSON AVENUE, WALNUT STREET AND LAKE AVENUE**

**Recommendation of City Manager:** Adopt a resolution approving a license agreement with On North Lake Partners, LLC, for real property located at 203 North Lake Avenue, with the terms and conditions as set forth in the background section of the agenda report, and authorize the City Manager to execute and the City Clerk to attest said license agreement on behalf of the City of Pasadena. (Resolution No. 8238; License Agreement No. 18,230)

City staff briefly responded to questions on this item. Councilmember Madison requested the Planning and Development Department provide him with an update of the status of this project.

**AUTHORIZATION OF THE SUBMITTAL OF A GRANT APPLICATION FOR THE 2003-2004 USED OIL RECYCLING BLOCK GRANT IN THE AMOUNT OF \$42,785 FROM THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD**

**Recommendation of City Manager:**

- (1) Adopt a resolution approving the application for a grant from the California Integrated Waste Management Board for Used Oil Recycling Block Grant funds for the period July 1, 2003 through June 30, 2006.
- (2) Authorize the City Manager or designee to enter into an agreement with the California Integrated Waste Management Board to promote used oil recycling projects in the City of Pasadena. (Resolution No. 8239; Agreement No. 18,231)

**AUTHORIZATION TO AMEND PURCHASE ORDER CONTRACT NO. 18,200 WITH BANERJEE & ASSOCIATES TO PROVIDE PROFESSIONAL SERVICES FOR THE DEVELOPMENT OF THE DRAFT MOBILITY ELEMENT OF THE GENERAL PLAN UPDATE**

**Recommendation of City Manager:** Authorize the City Manager to amend Purchase Order Contract No. 18,200 by \$7,380 for a new not to exceed amount of \$82,375 with Banerjee & Associates to provide professional services for the development of the Draft Mobility Element of the General Plan Update. Competitive bidding is not required pursuant to City Charter Section 1002(F), contracts for professional or unique services.

**APPROVAL OF MINUTES**

January 6, 2003

**CLAIMS RECEIVED AND FILED**

Claim No. 9268	Vera Vukmanovich	\$100,000.00
Claim No. 9269	Cindy Welch	Unknown
Claim No. 9270	LaDonna Woodley	Unknown
Claim No. 9271	Michie Nancy Yazawa	Unknown
Claim No. 9272	Ted Gaines	129.00
Claim No. 9273	Tia Rias	Unknown

**PUBLIC HEARING SET**

June 16, 2003, 8:00 p.m. - Washington Square Historic District

Regarding Claim No. 9268 (member of the public struck by a golf ball), Councilmember Madison requested staff provide further information regarding where the incident occurred, how it happened, and whether there needs to be a review of the placement of safety nets.

It was moved by Councilmember Streator, seconded by Councilmember Little, to approve the Consent Calendar items. (Motion unanimously carried) (Absent: None)

**RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS**

**APPOINTMENT OF THOMAS D. SIEFERT TO THE PASADENA CENTER OPERATING COMPANY (City/District 6 Nomination)**

It was moved by Councilmember Haderlein, seconded by Councilmember Tyler, to approve the above appointment. (Motion unanimously carried) (Absent: None)

**REPORTS AND COMMENTS FROM COUNCIL COMMITTEES**

**MODIFICATION OF AN ORDINANCE REGULATING THE USE OF PERSONAL MOBILITY DEVICES ON SIDEWALKS WITHIN DESIGNATED HIGH CONGESTION RETAIL SHOPPING DISTRICTS**

**PUBLIC SAFETY COMMITTEE**

**Recommendation of City Manager:** Direct the City Attorney to prepare an ordinance amending Chapter 10.61 of the Pasadena Municipal Code to add Electric Personal Assistive Mobility Devices (EPAMD) (such as Segway Human Transport) and scooters, and expanding the area where use is prohibited making

it unlawful to ride or propel these devices on sidewalks in designated retail shopping districts.

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

Acting Police Chief Wayne Hiltz responded to questions.

It was suggested the ordinance have some flexibility to limit the mobility devices on certain streets for special events.

The City Attorney responded that the proposal before Council does not have that flexibility, but Council could direct staff to explore language that would provide for discretion by the Police Chief or City Manager based on anticipated activities with appropriate signage.

The City Manager noted it would be desirable to have some flexibility in the ordinance.

Concern was expressed with safety issues and motorized scooters in residential areas. Councilmember Little suggested that through the Public Safety Committee, staff provide clarification as to what is and what is not allowed in different situations regarding motorized scooters, and what is enforced.

It was noted that staff will work with the City Attorney's Office on how the mobility devices are defined. It was noted that staff will need to be careful in how the devices are defined, with safety taken into consideration.

The following people spoke on the item:

Mr. Matthew Dailida, Director of Public Affairs, Segway LLC, spoke in support.

Mr. Joseph Chiu, Pasadena resident, spoke in opposition to any bans in shopping districts.

Mr. Steve Botin, Pasadena resident, spoke in support.

Mr. James Lomako, Pasadena resident, stated Segways may be an improvement for some disabled people; bike lanes might be good for the use of these devices; and suggested the Transportation Advisory Commission review the item.

Mr. Raymond Dashner, Pasadena resident, spoke in opposition.

It was moved by Councilmember Streater, seconded by Councilmember Holden, to direct the City Attorney to prepare an ordinance with language that allows the Police Chief to have some flexibility in determining when these devices cannot be used on streets because of certain conditions, as well as language which would limit the use of personal mobility devices on sidewalks as specifically outlined in the staff report, and return to Council. (Motion unanimously carried) (Absent: None)

The Mayor requested that staff consider an exemption for the disabled. There was no objection voiced to this request, and the City Manager responded that staff will examine it further when the item returns to Council.

There was a consensus to refer to the Public Safety Committee for further review the appropriateness of where bicycles are allowed on public sidewalks.

**AUTHORIZATION TO NEGOTIATE AND EXECUTE A CONTRACT WITH KRAMER ONE ARCHITECTURE & PLANNING INC. FOR ARCHITECTURE ENGINEERING SERVICES TO PREPARE ARCHITECTURAL DESIGN AND CONTRACT DOCUMENTS FOR THE INDOOR SHOOTING RANGE**

**Recommendation of City Manager:** Authorize the City Manager to enter into a contract with Kramer One Architecture & Planning Inc. for the preparation of the architectural design and contract documents in an amount not to exceed \$165,000 pursuant to City Charter Section 1002(F), contracts for professional or unique services. (Contract No. 18,232)

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

MOTION

It was moved by Councilmember Haderlein, seconded by Vice Mayor Tyler, to approved the City Manager's recommendation.

Mr. David Blacher, Pasadena resident, spoke in support.

Mr. Peter Tolkin, Principal and Partner, Tolkin & Associates Architecture, submitted and reviewed his May 4, 2003 letter to Council and requested that in future Requests for Proposals, thought be given to the ranking weight of local firms and that design quality and recognition be an added category of criteria.

Councilmember Madison noted he was not present at the Public Safety Committee meeting this afternoon and thus he did not vote on this item. He expressed concern regarding the matrix, and discussed the benefit of using the local firm of Tolkin & Associates, which he noted has done award-winning design work.



The City Manager discussed the ratings on the matrix.

It was noted that the firm being recommended for award was not present this evening to respond to questions, and Councilmember Madison suggested that in the future, companies being recommended for award should be present to respond to questions from Council.

Councilmember Madison stated for the record that his concerns are not just whether or not the firm is local, but also whether they have done successful projects here in Pasadena and have evidenced a sensitivity and expertise in issues that are important to the City. He noted that the staff recommended award is not only not in Pasadena but is also out of State. He suggested an alternative motion to award the contract to the local firm of Tolkin & Associates.

Councilmember Streator noted a motion was already pending on the item, and objected to changing the rules mid-stream at this time.

Councilmember Haderlein stressed the importance of this project and the need to not delay the project. He suggested the Economic Development and Technology Committee could further review the weight given to local firms in the bidding process.

The City Attorney noted that if the ratings were to be changed on this award, all bids would need to be rejected and a new Request for Proposals issued.

Councilmember Haderlein commended the Police Department on its community outreach efforts for this project.

VOTE ON THE MOTION

Vote on the motion to approve the City Manager's recommendation:

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

There was a general consensus that the Economic Development and Technology Committee will further discuss the issue of awarding points for local firms and the value added to projects by a firm being able to attend local meetings, especially on projects sensitive to the community, and to look at the issue of jurisdiction (out-of-state firms).

RECESSED

On order of the Mayor, the regular meeting of the City Council recessed at 9:45 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 9:46 p.m. (Absent: None)

CLOSED SESSION

On order of the Mayor, the regular meeting of the City Council recessed at 9:46 p.m. to a joint closed session conference with the Rose Bowl Operating Company Tenant Recruitment Committee:

**CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8**

**Property: Rose Bowl Stadium and surrounding parking areas**

**Agency Negotiators: Darryl Dunn, Larry Braun, Jack Rubens, Nicholas Rodriguez**

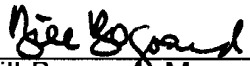
**Negotiating Parties: National Football League (NFL)**

**Under Negotiation: Price and Terms**

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

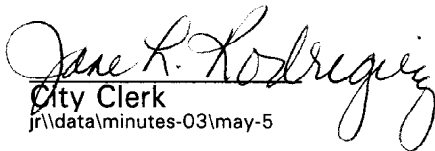
ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 12:28 a.m., on Tuesday, May 6, 2004.



Bill Bogaard Mayor  
City of Pasadena

ATTEST:



Jane K. Rodriguez  
City Clerk  
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