

CITY OF PASADENA
City Council Minutes
August 11, 2003 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 5:32 p.m. (Absent: Councilmembers Haderlein, Madison)

On order of the Mayor, the regular meeting recessed at 5:32 p.m., to discuss the following closed sessions:

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

Agency Representatives: Karyn Ezell, Steve Lem
Employee Organization: Unrepresented Employees:
Unrepresented Police Lieutenants and Commanders

Councilmember Madison arrived at 6:00 p.m. and recused himself, due to a conflict of interest.

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL REGARDING POTENTIAL LITIGATION - CONSIDERATION OF INITIATION OF LITIGATION pursuant to Government Code Section 54956.9(c): One potential case

The above two closed session items were discussed, with no reportable action at this time.

On order of the Mayor, the regular meeting reconvened at 6:38 p.m. The Pledge of Allegiance was led by Councilmember Holden.

ROLL CALL:

Councilmembers:

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

Staff:

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

CEREMONIAL MATTERS

The Mayor presented members who had served on the Light Rail Station Design Review Committee with individual plaques in recognition of their contributions to the Gold Line (formerly Blue Line) project.

The City Manager recognized individual staff members of the City Attorney, City Manager, Fire, Planning and Development, Police, Public Works, Transportation, and Water and Power Departments for their work on the project; and displayed Pasadena Museum train posters that would be presented to these staff members at a later time. She also presented a CD of train songs to the Mayor and Councilmembers to commemorate their participation in this project.

Councilmember Little commended the City Manager for her extensive work and dedication since the inception of the light rail project.

Mr. James Lomako, Light Rail Station Design Review Committee member, acknowledged Councilmember Little for representing the City on the Los Angeles to Pasadena Metro Blue Line Construction Authority.

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

Ms. Serena-Marie Sanfilipo, Pasadena resident, discussed her ongoing housing situation, and requested the City provide an overdue payment for her rent.

Councilmember Holden commented briefly on the efforts that had been taken to assist Ms. Sanfilipo.

The City Manager indicated the City would continue to work with Ms. Sanfilipo to assist her in obtaining suitable housing, and briefly explained the City's position regarding Ms. Sanfilipo's dispute with her landlord.

Mr. Chris Sutton, Pasadena resident, requested staff report attachments be displayed on the Internet, expressed regret that George Chapjian, Neighborhood Revitalization Administrator, was leaving the City's employment, and commented on the need to improve traffic flow for The Raymond Restaurant related to the opening of the Gold Line.

Councilmember Madison and the City Manager noted the City was exploring various options with The Raymond Restaurant to address the ingress and egress traffic problems.

CONSENT CALENDAR

CONTRACT AWARD TO DOUG MARTIN CONTRACTING COMPANY, INC. FOR THE SLURRY SEAL OF STREETS - 2003 FOR AN AMOUNT NOT TO EXCEED \$316,000.00

Recommendation of City Manager:

(1) Accept the bid dated July 23, 2003, submitted by Doug Martin Contracting Company, Inc. in response to the Specifications for the Slurry Seal of Streets - 2003, reject all other bids received, and authorize the City Manager to enter into such contract as is required.

(2) Acknowledge the project to be categorically exempt under Section 21084 of the California Environmental Quality Act

(CEQA) in accordance with Article 19, Section 15301 (Class 1), subsection (c) of the Resources Agency of California Guidelines (repair of existing public streets) pursuant to the findings of the Secretary of the Resources Agency and authorize the City Manager to execute and the City Clerk to file a Notice of Exemption for the project with the Los Angeles County Clerk.

(3) Approve a journal voucher recognizing private capital in the amount of \$26,680 and appropriating it to Budget Account No. 73710, Prevention Maintenance - Asphalt Streets. (Contract No. 18,325; Journal Voucher No. 2004-3)

AMENDMENT TO CONTRACT NO. 18,236 WITH KALBAN, INC. FOR THE SIERRA MADRE VILLA AVENUE SIDEWALK CONSTRUCTION AND STREET LIGHT INSTALLATION - FOOTHILL BOULEVARD TO 210 FREEWAY OFF-RAMP

Recommendation of City Manager:

(1) Authorize the City Manager to execute an amendment to Contract No. 18,236 with Kalban, Inc. for the Sierra Madre Villa Avenue Sidewalk Construction and Street Light Installation - Foothill Boulevard to 210 Freeway Off-Ramp to increase the total contract not to exceed amount from \$74,900 to \$163,000.

(2) Acknowledge the project to be categorically exempt under Section 21084 of the California Environmental Quality Act (CEQA) in accordance with Article 19, Section 15301 (Class 1), subsection (c) of the Resources Agency of California Guidelines (minor alterations involving negligible expansion of use beyond that previously existing) pursuant to the findings of the Secretary of the Resources Agency and authorize the City Manager to execute and the City Clerk to file a Notice of Exemption for the project with the Los Angeles County Clerk. (Contract No. 18,236-1)

MINUTES APPROVED

May 5, 2003
May 12, 2003

CLAIMS RECEIVED AND FILED

Claim No. 9346 Ivan L. Norwood	\$ 1,000.00
Claim No. 9347 Paul M. Murphy	Unknown
Claim No. 9348 LaRonda Little	Unknown
Claim No. 9349 Carlos Muñoz	4,021.64
Claim No. 9350 Jose L. Salazar	Unknown
Claim No. 9351 Ken Graff	3,002.85
Claim No. 9352 Robert G. Holcomb	Unknown

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

REPORTS AND COMMENTS FROM COUNCIL COMMITTEES

APPROVAL OF THE 2002-2003 ANNUAL FINANCIAL REPORT OF THE OLD PASADENA MANAGEMENT DISTRICT

ECONOMIC DEVELOPMENT
AND TECHNOLOGY
COMMITTEE

Recommendation of City Manager: Approve the Annual Financial Report (Attachment A of the agenda report) of the Old Pasadena Management District ("OPMD") for the Old Pasadena Property and Business Improvement District.

Councilmember Madison, Chair of the Economic Development and Technology Committee, introduced the agenda item.

Mr. Richard Bruckner, Director of Planning and Development Department, summarized the agenda report and responded to questions.

Ms. Maggie Campbell, Old Pasadena Business Management District (OPMD) Executive Director, responded to Vice Mayor Tyler's questions regarding the City's financial arrangements with the District and the financial report.

Mr. Chris Sutton, Pasadena resident, questioned the benefits accorded to office workers in the District vs. the benefits accorded to retail businesses.

Councilmember Madison noted that OPMD funds spent for providing a clean and safe environment benefited all property owners and occupants in the District.

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

MODIFICATIONS TO PASADENA ENTERPRISE ZONE BOUNDARIES

Recommendation of City Manager: Authorize staff to incorporate the State's approved boundary description into the Pasadena Enterprise Zone.

Councilmember Madison summarized the agenda report.

Mr. Chris Sutton, Pasadena resident, expressed opposition to the modifications and concerns regarding the possibility of decreasing benefits to the targeted area as a result of increasing the size of the Zone area.

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

RECESS TO JOINT MEETING

On order of the Mayor, the regular meeting of the City Council recessed at 7:17 p.m. to a joint meeting with the Community Development Commission. (Absent: Councilmember Haderlein)

JOINT ACTION: PROPOSED MERGER OF NORTHWEST REDEVELOPMENT PROJECT AREAS

Recommendation of Chief Executive Officer/City Manager:

It is recommended that the Pasadena Community Development Commission and the City Council direct staff to commence with the amendment/merger process to combine the five existing redevelopment project areas in Northwest Pasadena in accordance with the provisions and requirements of California Redevelopment Law - Health and Safety Code Section 33000 et seq. It is further recommended that formation of a new 17-member Merged Area Advisory Body be commenced with as described in Exhibit 1 of the agenda report.

Recommendation of Community Development Committee:

On June 12, 2003, the Community Development Committee recommended approval of a 17-member Merged Area Advisory Body which would be subject to evaluation in the future to determine if the number of representatives from each redevelopment area benefits the merged redevelopment area. It also recommended approval of staff's recommendation for the allocation concept for the use of pooled funds with some minor changes (Exhibit 1 of agenda report).

Recommendation of Northwest Commission:

On April 2, 2003, the Northwest Commission confirmed its previous recommendation to approve the merger of the five redevelopment areas, staff's recommendation for the allocation of the funds and the formation of a Merged Area Advisory Body which would consist of 17 members from the five redevelopment areas (Exhibit 1 of the agenda report).

Recommendation of Fair Oaks Project Area Committee:

On April 2, 2003, the Fair Oaks PAC confirmed its previous recommendation to oppose the merger, but if approved by the City Council, recommended a Merged Area Advisory Body of 53 members which would keep the existing Project Area Committees together and allow for the inclusion of representation from the other redevelopment areas. It was also recommended to approve staff's recommendation for the allocation of funds (Exhibit 1 of the agenda report).

Recommendation of Lincoln Avenue Project Area Committee:

On April 2, 2003, the Lincoln Avenue PAC recommended against the proposed merger, but if approved by the City Council, there was a unanimous vote to recommend a proposed resolution regarding the merger, the formation of a Merged Area Advisory Body and the allocation of funds in Exhibit 2 of the agenda report.

Councilmember Madison reviewed the agenda report.

Discussion followed on the distribution of monies received and generated by the proposed Merged Project Area Committee (PAC) and existing PACs, member representation and

community involvement issues involving the proposed PAC, the rationale for setting the number of representatives, inclusion of at-large members on the proposed PAC, and the historical intents and perspectives involved in the formation of the existing PACs.

Mr. Richard Bruckner, Director of Planning and Development Department, and Mr. Mario Leonard, Manager of Northwest Programs, discussed the distribution of monies and representation in the proposed PAC and responded to questions.

Ms. Maribel Medina, Assistant City Attorney, clarified legal issues regarding the formation of a PAC.

MOTION

It was moved by Councilmember Gordo to approve the City Manager's recommendation, with an amendment to eliminate the at-large positions, which would create a 14-member PAC.

Mr. Chris Sutton, Pasadena resident, expressed opposition to the merger of the PACs; and outlined possible legal issues in the proposal to merge the Lincoln Avenue PAC into the proposed PAC, and possible conflicts with the City's existing agreement with the Lincoln Avenue PAC. Mr. Sutton suggested that all of the City's PACs should be included in any merger action or there should be no merger.

Ms. Medina briefly discussed the life span of a PAC and agreed that a review of the agreement with the Lincoln Avenue PAC should be performed.

The following persons spoke in opposition to the merger, as proposed:

Mr. Ernest Sanchez, Lincoln Avenue PAC Chair
Mr. Nathaniel Lewis, Jr., Pasadena resident

Councilmember Streater suggested the agenda item be continued for one week to allow the City Attorney time to address the legal issues involved with redevelopment law and the Lincoln Avenue PAC and legal considerations stemming from the agreement between the City and the Lincoln Avenue PAC, as outlined by Chris Sutton. She also requested staff provide an explanation of the reasons for not including all of the City's PACs in this merger, rather than including only those PACs involved within Northwest Pasadena.

The City Manager indicated a delay by Council would allow staff the opportunity to conduct a legislative search of the reports that originally formed the existing PACs.

Mr. Bruckner and Ms. Medina discussed the information that staff had gathered regarding the existing PACs, and requested that legal documents/reports/settlement agreements that might be held by the PACs and/or City advisory bodies should be made available to City staff for review.

MOTION TABLED

Councilmember Gordo requested his motion be tabled to allow time to address Council's questions. He also indicated support for a single PAC that would ensure representation for all redevelopment areas.

Following discussion, staff was directed to develop information that would address the issues posed by Councilmember Streator above and additional questions posed by Council regarding the lack of representation in the Villa Parke and Lake/Washington areas, the use of ad hoc advisory committees for projects involving the Villa Parke area, legal issues involving representation in redevelopment areas, the determination of an adequate number of representatives in the merged PAC, the proposed duties and responsibilities of the merged PAC, the trigger points for monies going into the proposed PAC, concerns regarding the disenfranchisement of segments of the community, and the need to derive input from residents in all the redevelopment areas.

On order of the Mayor, the above item was held one week for staff to respond to Council's questions.

RECONVENED

On order of the Mayor, the joint meeting with the Community Development Commission adjourned at 8:05 p.m., and the regular meeting of the City Council reconvened at this time. (Absent: Councilmember Haderlein)

ECONOMIC DEVELOPMENT
AND TECHNOLOGY
COMMITTEE

Councilmember Madison reported on a proposal that had been submitted to the Economic Development and Technology Committee by the Rose Bowl Operating Company (RBOC), which would produce an annual carnival-type fair (Summerfest) in the parking lots adjacent to the Rose Bowl. He briefly outlined the concerns discussed in Committee regarding the viability of the event, indicated that the Committee was working with staff regarding possible noticing issues in the process followed in the development of the proposal, and reported that the Committee did not take action to recommend the event for Council consideration.

Councilmember Little voiced support for the event as a means of generating revenue.

In response to Councilmember Streator's question regarding the process for bringing this to Council for consideration, the City Manager indicated that the Rose Bowl Operating

Company could follow up with staff and bring this to Council for consideration.

Following brief discussion regarding the process, the Mayor noted that the RBOC will determine when to bring its report to Council.

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 8:18 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 9:00 p.m. (Absent: Councilmember Haderlein)

PUBLIC HEARING

Mayor Bogaard was excused at 9:00 p.m., and Vice Mayor Tyler assumed the Chair.

PUBLIC HEARING: ESTABLISHMENT OF A HEIGHT LIMIT OVERLAY DISTRICT AND ADOPTION OF THE HEIGHT LIMIT OVERLAY DISTRICT IN ZONING STUDY AREAS 1-C, 2, AND 12

Recommendation of City Manager: It is recommended that the City Council, following a public hearing:

- (1) Approve the Initial Environmental Study and Negative Declaration (Attachment 1 of the agenda report);
- (2) Approve the De Minimis Impact Finding on the State Fish and Wildlife Habitat (Attachment 2 of the agenda report);
- (3) Approve a Zoning Code amendment to establish a Height Limit Overlay District in the Pasadena Municipal Code;
- (4) Approve application of the Height Limit Overlay District in three RM-32 and PD-8 districts in Zoning Study Areas 1-C, 2, and 12;
- (5) Find that establishment of the Height Overlay District and its specific provisions and adoption of the Height Limit Overlay District in Zoning Study Areas 1-C, 2, and 12 are consistent with the goals, objectives and policies of the General Plan and the purposes of the Pasadena Municipal Code Title 17 (Zoning), as outlined in the agenda report;
- (6) Direct the City Attorney to prepare an ordinance amending the Pasadena Municipal Code to establish the Height Limit Overlay District and amending the official zoning map of the City of Pasadena established by Section 17.08.040 of the Pasadena Municipal Code for the Height Limit Overlay District in Zoning Study Areas 1-C, 2, and 12.

Recommendation of Planning Commission: On June 23, 2003, the Planning Commission unanimously approved the establishment of a Height Limit Overlay District and its adoption in Zoning Study Areas 1-C, 2, and 12 as shown on the maps (Attachment 3 of the agenda report). The Commission also recommended that staff coordinate the proposed change with other anticipated revisions of the City of Gardens Ordinance, which should be presented to the Commission in the future.

Vice Mayor Tyler opened the public hearing.

Mayor Bogaard returned at 9:03 p.m.

The City Clerk reported the notice of public hearing was published on July 24 and 31, 2003 in the Pasadena Journal and on August 4, 2003 in the Pasadena Star-News; 152 copies of the notice were posted; 586 copies of the notice were mailed; and one letter in support and one letter in opposition were received.

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

Mr. Richard Bruckner, Director of Planning and Development Department, noted that recommendations regarding the remaining study areas would be brought to Council after staff analysis is completed, and briefly discussed the process that would be followed.

Ms. Colette Ostrye, Pasadena resident, spoke in support of the height limit.

Vice Mayor Tyler thanked Mr. Trimble and staff for the thoroughness of the research in the report.

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

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

**REPORTS AND COMMENTS
FROM COUNCIL
COMMITTEES**

FINANCE COMMITTEE

MODIFICATIONS TO SCOPE, AMENDMENT OF CONTRACTS, AND APPROPRIATION OF FUNDS FOR THE CITY HALL SEISMIC RETROFIT PROJECT

Recommendation of City Manager: It is recommended that the City Council:

- (1) Receive and file the City Hall Seismic Retrofit Project status report.
- (2) Approve revisions to project scope and corresponding reductions in costs by \$5,268,000 in order to substantially reduce the imbalance between the City Hall Seismic Retrofit project cost estimate and the budget approved by City Council on April 22, 2002.
- (3) Approve an increase to the City Hall Seismic Retrofit project budget by \$4,478,000. Of this amount, \$2,678,000 is from unanticipated revenue that will be paid to the General Fund and Parking Meter Fund from this project which has not been included in any City financial projections; \$1,000,000 is from the Building Maintenance Fund due to the reduced cost of insurance, housekeeping and maintenance at City Hall during the three-year duration that City employees will have vacated the building; and \$800,000 from Information Technology

Services Division (ITSD) Fund balance to cover ITSD-related relocation expenditures.

(4) Authorize an amendment in the amount of \$206,895 to Contract No. 16,899-1 with Architectural Resources Group ("ARG") for interior space planning services related to the seismic retrofit of City Hall, thereby increasing the amount of Contract No. 16,899-1 from \$6,100,000 to \$6,306,895 (Attachment 1 of the agenda report).

(5) Authorize an amendment in the amount of \$416,254 to Contract No. 16,976-1 with Daniel, Mann, Johnson, Mendenhall, Holmes and Narver ("DMJMHN") for staff relocation services and reimbursable expenses related to the seismic retrofit of City Hall, thereby increasing the amount of Contract No. 16,976-1 from \$2,950,000 to \$3,366,254 (Attachment 2 of the agenda report).

(6) Authorize an amendment in the amount of \$63,918 to Contract No. 18,084 with EIP Associates for additional work related to the preparation of an Environmental Impact Report relative to the seismic retrofit of City Hall, thereby increasing the amount of Contract No. 18,084 from \$181,805 to \$245,723 (Attachment 3 of the agenda report).

(7) Authorize an increase to Purchase Order Contract No. 18366 with Sindik Olson Associates ("SOA") in the amount of \$34,872 for space programming services rendered related to the seismic retrofit of City Hall, thereby increasing the amount of Purchase Order Contract No. 18366 from \$74,900 to \$109,822 (Attachment 4 of the agenda report).

(8) To the extent any of the proposed amendments represent work that may be considered separate and should be bid separately, it is recommended that the City Council grant the proposed amendments an exemption from the competitive selection process of the Competitive Bidding and Purchasing Ordinance, pursuant to Pasadena Municipal Code Section 4.08.049(B), contracts for which the City's best interests are served. Competitive bidding is not required for any of these services pursuant to City Charter Section 1002(F), contracts for professional or unique services. (Contract Amendment Nos. 16,899-3, 16,976-3, and 18,084-1; Journal Voucher No. 2004-4)

Recommendation of the City Hall Restoration Oversight Committee:

(1) Staff Recommendation Items 2 and 3: On July 9, 2003, a motion was approved by the Committee in support of Staff Recommendation Items 2 and 3, above.

(2) Staff Recommendation Items 4 and 5: The Committee has discussed staff's intent to add budgeted scope-of-work to the above contracts and, while no formal action was taken, acknowledges that this is a proper contracting approach for the project.

(3) Staff Recommendation Items 6 and 7: The Committee has been apprised of the status of these contracts and that such contract increases have been accounted for in the current

project cost estimate. The Oversight Committee has not specifically reviewed these contracts.

Councilmember Little, Chair of the Finance Committee, introduced the agenda item, noted the report had been examined and discussed in detail at the Finance Committee level, and expressed appreciation to staff and the City Hall Restoration Oversight Committee for their attentive work on this project.

Mr. Foster Hildreth, City Hall Seismic Retrofit Project Manager, summarized the agenda report and responded to questions.

The City Manager presented an overview of the seismic project scope/design and budget changes, indicated that additional cost cutting would be addressed in the next quarterly report, and responded to questions.

Mr. Tony O'Keefe, Chair Pro Tem of the City Hall Restoration Oversight Committee, summarized the items and recommendations that had been reviewed by the Oversight Committee.

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

Councilmember Madison requested an information report regarding the arrangements for City Council meetings during the retrofit construction time period be provided by staff at some future date.

Councilmember Little indicated that the information regarding proposed venues for the Council meetings would be presented to Council with options for their discussion and consideration.

AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH THE METROPOLITAN TRANSPORTATION AUTHORITY (MTA) TO ACT AS THE PASS-THROUGH AGENCY FOR FEDERAL TRANSPORTATION ADMINISTRATION FUNDS

Recommendation of City Manager:

- (1) Authorize the execution of an agreement with the Metropolitan Transportation Authority (MTA) to act as the pass-through agency for Federal Transportation Administration (FTA) funds on the City's behalf;
- (2) Authorize payment to the MTA for services under the agreement in an amount equal to five percent of the FTA award/earmark, not to exceed \$19,800; and
- (3) Recognize \$19,800 from the unencumbered Proposition C Fund 209 balance to Contract Services line item 8114-209-775412. (Agreement No. 18,326; Journal Voucher No. 2004-6)

Councilmember Little summarized the agenda report.

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

Councilmembers Gordo and Streater were excused at 9:40 p.m.

AUTHORIZATION TO ENTER INTO A CONTRACT WITH CHERRY ROAD TECHNOLOGIES FOR IMPLEMENTATION OF THE PEOPLESOFT BUDGET SYSTEM AND AMENDMENT TO THE FISCAL YEAR 2004 OPERATING BUDGET

Recommendation of City Manager: It is recommended that the City Council: (i) authorize a contract, without competitive bidding pursuant to City Charter Section 1002(F), contracts for professional or unique services, with Cherry Road Technologies in an amount not to exceed \$249,800 for the implementation of the PeopleSoft budget system; (ii) grant the proposed contract an exemption from the competitive selection process of the Competitive Bidding and Purchasing Ordinance pursuant to Pasadena Municipal Code Section 4.08.049(B), contracts for which the City's best interests are served, and (iii) approve the re-appropriation of \$140,802 of unspent fiscal year 2003 Department of Finance funds to Budget Account No. 323300. (Agreement No. 18,327; Journal Voucher No. 2004-5)

Councilmember Little reviewed the agenda report.

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

LEGISLATIVE POLICY COMMITTEE

SUPPORT OF SENATE BILL 20 (SHER) - HAZARDOUS ELECTRONIC WASTE: RECOVERY, REUSE AND RECYCLING

Recommendation of City Manager: It is recommended that the City Council send a letter supporting Senate Bill 20 to the Assembly Appropriations Committee and Assembly Member Carol Liu by August 14, 2003. This legislation will potentially benefit the City of Pasadena by providing grant funding for hazardous electronic waste (e-waste) collection and will place more responsibility on manufacturers to mitigate the disposal problem when devices become obsolete.

Mayor Bogaard, Chair of the Legislative Policy Committee, summarized the agenda report.

Councilmember Little recognized the Waste Management staff for their ongoing efforts in the disposal of waste.

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

Councilmembers Gordo and Streator returned at 9:42 p.m.

SUPPORT FOR AB 1389 (RIDLEY-THOMAS): PUBLIC UTILITIES COMMISSION: REPORTS; HIRING; CAPITAL INVESTMENT

Recommendation of Legislative Policy Committee: It is recommended that the City Council support AB 1389 with the amendment that municipal utilities be excluded from the bill.

The Mayor summarized the agenda report.

Vice Mayor Tyler expressed opposition to the support of this bill and stated that no data had been presented to support the premise of the bill.

Mr. Rich Roche, SBC Communications representative, spoke in support of the bill, and also affirmed the support of the Communications Workers of America, Local 9505, whose union representative was not available for the Council meeting.

Discussion followed on whether municipalities were covered under the bill.

It was moved by Councilmember Holden, seconded by Councilmember Little, to approve the Committee's recommendation, with the amendment that municipal utilities be excluded from the bill. (Motion carried, with Vice Mayor Tyler objecting) (Absent: Councilmember Haderlein)

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

REAPPOINTMENT OF DIANA PETERSON MORE TO THE PLANNING COMMISSION (District 3 Nomination)

REAPPOINTMENT OF MILDRED HAWKINS TO THE RECREATION AND PARKS COMMISSION (District 3 Nomination)

It was moved by Councilmember Holden, seconded by Councilmember Streator, to approve the above two reappointments. (Motion unanimously carried) (Absent: Councilmember Haderlein)

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA CONFIRMING THE AWARD OF ITS ELECTRIC REVENUE BONDS, 2003 SERIES

Recommendation of City Manager: Adopt a resolution confirming the award of its Electric Revenue Bonds, 2003 Series. (Resolution No. 8279)

Mr. Jay Goldstone, Director of Finance Department, reviewed the agenda report, distributed a revised version of the resolution that inserted information on the bonds award, and responded to questions.

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

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM PROPOSED REPROGRAMMING (2003-2004 PY)

Recommendation of City Manager: Approve the proposed CDBG Reprogramming in the amount of \$200,000 to the following projects: Project Advance, Capital Campaign, MASH, and Pasadena Enterprise Center (Exhibit A of agenda report).

Recommendation of Northwest Commission: The CDBG Proposed Reprogramming recommendation as contained in the agenda report was presented to the Northwest Commission on Tuesday, July 8, and again on Tuesday, July 22, 2003. The Commission stated that it would only make recommendations for projects that had sought CDBG funding for the 29th CDBG Program year (2003-2004) and had gone through the proposal review process. Only two of the four projects met this criterion: El Centro de Accion Social Inc., Project Advance and Neighbors Acting Together Helping All (NATHA) - Capital Campaign. Both of these projects received a recommendation as presented. The other two projects, Maintenance Assistance Services to Homeowners (MASH Program) and Pasadena Enterprise Center-PEC (Small Business Incubator Program) did not go through the proposal review process and thus the Commission chose to remain mute on recommendations for these two projects.

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

ADOPTION OF RESOLUTIONS ELECTING TO CEASE TO BE SUBJECT TO THE PUBLIC EMPLOYEES MEDICAL AND HOSPITAL CARE ACT FOR EMPLOYEES REPRESENTED BY THE PASADENA ASSOCIATION OF CLERICAL AND TECHNICAL EMPLOYEES (PACTE), AND FOR EMPLOYEES IN THE UNREPRESENTED EXECUTIVE, TOP, MIDDLE AND PROFESSIONAL MANAGEMENT GROUPS, AND FOR EMPLOYEES IN THE UNREPRESENTED TECHNICAL-ADMINISTRATIVE, CONFIDENTIAL-CLERICAL, HOURLY AND NON-REPRESENTED GROUPS

Recommendation of City Manager: Adopt three resolutions to cease to be subject to the Public Employees Medical and Hospital Care Act, ending the City's participation in the medical

plans offered by the California Public Employees Retirement System ("PERS medical") effective 12:00 midnight, December 31, 2003, for employees represented by PACTE, and for unrepresented employees in the Executive, Top, Middle and Professional Management, Technical-Administrative, Confidential-Clerical, Hourly and Non-Represented Groups. (Resolution Nos. 8282-8284)

Ms. Karyn Ezell, Director of Human Resources Department, summarized the agenda report and responded to questions.

Councilmember Little asked to be informed about those employee groups who chose not to leave PERS and the reasons for not leaving.

The Mayor requested that staff effectively communicate these changes to employees, including retirees, to assure them of the future reliability of the new options for medical coverage.

It was moved by Vice Mayor Tyler, seconded by Councilmember Streator, to approve the adoption of the two resolutions described in the agenda report regarding unrepresented employees in the Executive, Top, Middle and Professional Management, Technical-Administrative, Confidential-Clerical, Hourly and Non-Represented Groups. (Motion unanimously carried) (Absent: Councilmember Haderlein)

Councilmember Gordo recused himself at 10:05 p.m., due to a conflict of interest.

It was moved by Vice Mayor Tyler, seconded by Councilmember Streator, to approve the adoption of a resolution described in the agenda report regarding the Pasadena Association of Clerical and Technical Employees (PACTE). (Motion unanimously carried) (Absent: Councilmembers Gordo, Haderlein)

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 10:06 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 10:07 p.m. (Absent: Councilmember Haderlein)

ORDINANCE – FIRST READING

Councilmember Madison was excused at 10:08 p.m.

Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA FIXING THE TAX RATE FOR THE POLICE BUILDING AND JAIL GENERAL OBLIGATION BONDS AND ESTABLISHING PROCEDURES FOR THE COLLECTION AND ENFORCEMENT OF SAID TAX"

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

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

NOES: None
ABSENT: Councilmembers Haderlein, Madison

ORDINANCE – ADOPTED

Adopt “AN ORDINANCE OF THE CITY OF PASADENA SUSPENDING SECTIONS 9.36.220 AND 9.36.230 OF THE PASADENA MUNICIPAL CODE RELATING TO AN EXEMPTION FROM THE NOISE ORDINANCE FOR PERMITTED EVENT AT AREA H AND THE ARROYO SECO FOR SPECIFIED HOURS ON SUNDAY, NOVEMBER 2, 2003 (RACE FOR THE CURE)” (Introduced by Vice Mayor Tyler) (Ordinance No. 6951)

The above ordinance was adopted by the following vote:
AYES: Councilmembers Gordo, Holden, Little, Streator,
Vice Mayor Tyler, Mayor Bogaard
NOES: None
ABSENT: Councilmembers Haderlein, Madison

COUNCIL COMMENTS

Councilmember Madison
returned at 10:10 p.m.

Vice Mayor Tyler and Councilmembers Little, Gordo, and Holden expressed appreciation for George Chapjian’s service and dedication to the City.

The Mayor noted he would send a formal letter to Mr. Chapjian to convey Council’s appreciation for his service to the City, regret at his leaving the City’s employment, and best wishes for future success.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 10:15 p.m., in memory of Michael Burlingham, owner of The Raymond Restaurant.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk

kv:Data\Minutes\min-august112003.