

CITY OF PASADENA  
City Council Minutes  
October 20, 2003 – 5:30 P.M.  
City Hall Council Chamber

REGULAR MEETING

**OPENING:**

Mayor Bogaard called the regular meeting to order at 5:45 p.m.  
(Absent: Councilmember Holden)

On order of the Mayor, the regular meeting recessed at 5:45 p.m., to discuss the following closed sessions:

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

Councilmember Holden arrived at 6:15 p.m.

**Agency Negotiators: Karyn Ezell, Richard Kunz**  
**Employee Organization: Pasadena Management Association**

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

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

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL REGARDING PENDING LITIGATION** pursuant to Government Code Section 54956.9(a) Name of Cases: San Diego Gas & Electric Company v. Sellers of Energy and Ancillary Service into Markets Operated by the California Independent System Operator and the California Power Exchange (FERC Docket No. EL00-95-069) and Investigation of Practices of the California Independent System Operator and the California Power Exchange (FERC Docket No. EL00-98-058)

The above two closed session items were not discussed.

On order of the Mayor, the regular meeting reconvened at 6:39 p.m. The Pledge of Allegiance was led by Councilmember Haderlein.

**ROLL CALL:**

Councilmembers:

Mayor Bill Bogaard  
Vice Mayor Sidney F. Tyler, Jr.  
Councilmember Victor Gordo  
Councilmember Steve Haderlein  
Councilmember Chris Holden (Returned at 6:43 p.m.)  
Councilmember Paul Little  
Councilmember Steve Madison  
Councilmember Joyce Streater

Staff:

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

**CEREMONIAL MATTERS**

Councilmember Holden  
returned at 6:43 p.m.

The Mayor administered the oath of office to Marvin Schachter as Commissioner appointed by Governor Davis to the California Commission on Aging.

Mr. Schachter highlighted the strategic plan that would be addressed by the Commission.

The City Clerk administered the oath of office to Dr. Lisa Sugimoto as Pasadena Community Access Corporation Board member.

The Mayor presented a proclamation declaring the week of October 19-25, 2003 as "Childhood Lead Poisoning Prevention Week." The proclamation was received by Joyce Spencer, Pasadena Health Department Senior Public Health Nurse, and Candy Jara, Pasadena Health Department Communicable Disease Division Manager.

Ms. Spencer, with her grandson Tyler, distributed a packet of information, and discussed the dangers and preventative measures that can be taken to address the problems associated with lead poisoning in children.

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

Mr. Marvin Schachter, Senior Advocacy Council representative, urged the Council to take action on the proposals presented in the report by the Housing Affordability Task Force.

The City Manager indicated staff was working on seven areas of recommendations simultaneously, and would be presenting the information to the Planning Commission for review and consideration in November and December of 2003. The City Manager agreed to provide Mr. Schachter with a work chart schedule for his reference.

Mr. Geoffrey Baum, Pasadena Community Access Corporation (PCAC) Board Chair, welcomed Dr. Sugimoto as the newly-appointed Board member to the PCAC and outlined her strong qualifications for the position.

**CONSENT CALENDAR**

**CONTRACT AWARD TO STEINY & COMPANY, INC. FOR INSTALLATION OF STREET LIGHTING ON PALOMA STREET FROM ALLEN AVENUE TO PALO VERDE AVENUE AND OTHER LOCATIONS FOR AN AMOUNT NOT TO EXCEED \$129,800**

**Recommendation of City Manager:**

(1) Accept the bid dated October 1, 2003, submitted by Steiny & Company, Inc. in response to the Specifications for the Installation of Street Lighting on Paloma Street from Allen Avenue to Palo Verde Avenue and Other Locations, 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 of 1984 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. 18,380)

**AUTHORIZATION TO ISSUE A PURCHASE ORDER IN THE AMOUNT OF \$225,000 TO MISSION CRITICAL TECHNOLOGIES FOR PROGRAMMING AND TECHNICAL SUPPORT OF THE HUMAN RESOURCES AND PAYROLL MANAGEMENT SYSTEM**

**Recommendation of City Manager:** Authorize the issuance of a purchase order in the amount of \$225,000 to Mission Critical Technologies for programming and technical support related to the City's Human Resources and Payroll Management System. Competitive bidding is not required pursuant to City Charter Section 1002(F), contracts for professional or unique services.

It is further recommended that the City Council grant the proposed contract an exemption from the competitive selection process pursuant to Pasadena Municipal Code Section 4.08.049(B), contracts for which the City's best interests are served.

Item discussed separately at the request of Councilmember Madison.

**APPROVAL AND ACCEPTANCE OF A PROPOSED EASEMENT DEDICATION FOR PUBLIC STREET PURPOSES AT THE NORTHWEST CORNER OF CALIFORNIA BOULEVARD AND ARROYO PARKWAY AT 577 SOUTH ARROYO PARKWAY**

MINUTES APPROVED

August 11, 2003  
August 18, 2003  
August 25, 2003 (Cancelled)  
September 1, 2003 (Cancelled)  
September 29, 2003

**CLAIMS RECEIVED AND FILED**

Claim No. 9394	Alicia G. Vanian	\$ Unknown
Claim No. 9395	Carolyn J. Gray	Unknown
Claim No. 9396	Frances Lomas Feldman	16,153.00
Claim No. 9397	Raul Guerrero	Unknown
Claim No. 9398	Michael Stremfel	50.12

**PUBLIC HEARINGS SET**

November 3, 2003, 8:00 p.m. - Local Law Enforcement Block Grant (LLEBG) - Proposed Utilization of Public Safety Grant Funds

November 24, 2003, 8:00 p.m. - Landmark Nomination - 1275 East Green Street

November 24, 2003, 8:00 p.m. - Landmark Nomination - 1201 Avoca Avenue

It was moved by Councilmember Little, seconded by Councilmember Madison, to approve the Consent Calendar with the exception of Item 3 (Proposed Easement Dedication), which was discussed separately. (Motion unanimously carried) (Absent: None)

**CONSENT ITEM DISCUSSED SEPARATELY**

Councilmember Madison recused himself at 7:00 p.m., due to a conflict of interest.

**APPROVAL AND ACCEPTANCE OF A PROPOSED EASEMENT DEDICATION FOR PUBLIC STREET PURPOSES AT THE NORTHWEST CORNER OF CALIFORNIA BOULEVARD AND ARROYO PARKWAY AT 577 SOUTH ARROYO PARKWAY**

**Recommendation of City Manager:** Adopt a resolution approving and accepting a proposed easement dedication for public street purposes at the northwest corner of California Boulevard and Arroyo Parkway at 577 South Arroyo Parkway. (Resolution No. 8306)

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

**REPORTS AND COMMENTS FROM COUNCIL COMMITTEES**

**PUBLIC SAFETY COMMITTEE**

**PREPARATION OF AN ORDINANCE TO IMPLEMENT A HEALTH INSPECTION POSTING PROGRAM FOR RETAIL FOOD ESTABLISHMENTS**

**Recommendation of City Manager:**

- (1) Direct the City Attorney to draft an ordinance amending Chapter 8 of the Pasadena Municipal Code to require all food establishments to post a sign with the date of the last health inspection, description of patrons' rights to review health inspection report as allowed under California Health and Safety Code, and instructions on how to file a complaint with the Public Health Department; and
- (2) Approve an increase of 1.00 FTE Environmental Health Specialist in the Environmental Health Division contingent on approval of proposed amendment to General Fee Schedule.

Councilmember Madison returned at 7:05 p.m.

Councilmember Haderlein, Chair of the Public Safety Committee, introduced the agenda item.

Mr. Mel Lim, Environmental Health Division Manager, reviewed the agenda report and responded to questions.

Discussion followed on Los Angeles County's inspection system using letters, a comparison of the letter system with the City's proposed system, the City's inspection/re-inspection process, and the roles of the City and the food establishments in the development of the proposed posting program.

Vice Mayor Tyler expressed concerns regarding the elimination of the inspection results in the proposed posting program, especially posting the information related to the five critical areas for immediate corrective action, and the exclusion of inspection information from being posted on the Internet. He expressed support for a more stringent set of criteria for the awards program.

The City Manager explained the pass/fail inspection system currently being used by the City, discussed the development of the proposed posting system, and responded to questions.

At the request of the City Attorney, the City Manager requested that the staff recommendation also direct that the language in the ordinance include a provision that the posting statement provide the information that the establishment had passed the inspection, for clarification purposes.

MAIN MOTION

It was moved by Councilmember Haderlein, seconded by Councilmember Gordo, to approve the City Manager's recommendation, as amended to include in the posting statement whether the food establishment passed inspection.

AMENDMENT TO MAIN MOTION

With consent of the maker and seconder, Vice Mayor Tyler amended the main motion to add an additional box to the posting statement that would be checked in the event that immediate corrective action was found to be necessary.

Councilmember Little encouraged staff to post the restaurant inspection information on the Internet.

The City Manager noted staff would explore posting the inspection information on the Internet.

Mr. Robin Salzer, owner of Robin's Restaurant, stressed the importance of the education of restaurant workers/operators regarding the public health aspects of inspections, pointed out the false sense of security that patrons may receive from a posted letter grade in contrast to the actual day-to-day health

conditions in the restaurant, and discussed the proposed posting program.

Vote on the main motion, as amended:

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

NOES: None

ABSENT: None

**RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS**

Councilmember Streater was excused at 7:57 p.m.

**APPOINTMENT OF H.W. ADAMS TO THE SOUTH LAKE PARKING PLACE COMMISSION (At Large/District 7 Nomination)**

It was moved by Councilmember Haderlein, seconded by Councilmember Little, to approve the above appointment. (Motion unanimously carried) (Absent: Councilmember Streater)

**UPDATE ON CESAR CHAVEZ HOLIDAY (Councilmember Holden)**

Councilmember Holden provided a brief background on Council's prior discussion regarding this suggested holiday.

Ms. Karyn Ezell, Director of Human Resources Department, reviewed the written and oral responses from the City's various bargaining units, all of which had declined the suggestion to replace a floating holiday for a holiday in honor of Cesar Chavez.

Councilmember Holden expressed disappointment that the bargaining units did not support declaring an official holiday.

The City Manager noted that staff would explore alternative ways to honor Cesar Chavez without declaring a holiday.

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

**PUBLIC HEARINGS**

**PUBLIC HEARING: PUBLIC COMMENT ON THE CITY OF PASADENA'S CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) JULY 1, 2002, JUNE 30, 2003 FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG); HOME INVESTMENT PARTNERSHIP (HOME), EMERGENCY SHELTER GRANT (ESG), AND THE HUMAN SERVICES ENDOWMENT FUND (HSEF); AND APPROVAL OF THE NEEDS ASSESSMENTS AND PROGRAM PRIORITIES FOR THE CDBG/ESG/HSEF (2004-2005)**

**Recommendation of City Manager:** It is recommended that the City Council take the following actions:

(1) Receive public comment on the City of Pasadena Draft

Consolidated Annual Performance and Evaluation Report (CAPER) 2002-2003 Program Year; and receive the Project Performance Assessment Report for CDBG/ESG/HSEF and HOME funded projects; and

(2) Approve the Needs Assessments and Program Priorities for the Community Development Block Grant (CDBG) Program, Emergency Shelter Grant (ESG) Program and Human Services Endowment Fund.

**Recommendation of Human Services Commission:** The Human Services Commission recommended approval of the public/human services priorities for the 2004-2005 and 2005-2006 program years on Monday, September 8, 2003.

**Recommendation of Northwest Commission:** The Northwest Commission recommended approval of the non-public services priorities for 2004-2005 program year on Tuesday, September 9, 2003.

The Commissions also reviewed the Performance Assessment Reports (Exhibits A-D of the agenda report) and Allocation Schedule (Exhibit E of the agenda report) at their respective meetings.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on October 2, 2003 in the Pasadena Star-News, and no letters were received.

Ms. Eunice Gray, Project Planner, reviewed the agenda report.

Ms. Patsy Lane, Director of Human Services and Recreation Department, discussed the needs assessment survey process, and indicated staff was going to examine the survey process with the Human Services Commission to determine possible changes and/or the viability of the process for future use.

Ms. Judy Altman and Ms. Gina Rodriguez, YWCA Pasadena-Foothill Valley representatives, highlighted the accomplishments of the "Just for Girls" program funded by a Community Development Block Grant.

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

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

Councilmember Streator  
returned at 8:07 p.m.

Councilmember Haderlein was  
excused at 8:14 p.m.

Councilmembers Holden and  
Madison were excused at  
8:15 p.m.

Councilmembers Holden and  
Madison returned at 8:17 p.m.

**PUBLIC HEARING: APPROVE THE CALIFORNIA PUBLIC APPROVAL CERTIFICATE FOR FULLER SEMINARY**

**Recommendation of City Manager:** It is recommended that City Council hold a public hearing and approve the California Public Approval Certificate for Fuller Seminary.

Councilmember Haderlein returned at 8:18 p.m.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on October 6, 2003 in the Pasadena Star-News, and no letters were received.

Mr. Jay Goldstone, Director of Finance Department, summarized the agenda report and responded to questions.

Mr. Lee Merritt, Fuller Theological Seminary representative, thanked the Council for its support of affordable housing related to this project.

It was moved by Councilmember Holden, seconded by Councilmember Little, to close the public hearing. (Motion unanimously carried) (Absent: None)

It was moved by Councilmember Holden, seconded by Councilmember Little, to approve the City Manager's recommendation, subject to legal review and approval. (Motion unanimously carried) (Absent: None)

**COUNCIL COMMENTS**

Vice Mayor Tyler commended Mr. Goldstone and Steve Mermell, Purchasing Administrator, for the high quality and understandability of the "Budget in Brief" document that was recently issued.

Mr. Goldstone acknowledged Steve Mermell's contribution in producing the document, and indicated the document would be available on the Internet and the availability of hard copies would be publicized in the City's In Focus newsletter.

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 8:22 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 8:52 p.m. (Absent: None)

**ORDINANCES – FIRST READING**

**Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA AMENDING SECTIONS 4.11.010 AND 4.11.020 OF THE PASADENA MUNICIPAL CODE TO EXEMPT CONTRACTS INVOLVING PART-TIME, SEASONAL WORKERS OR TRAINEES FROM THE CITY'S LIVING WAGE ORDINANCE"**



The City Manager responded to questions.

The above ordinance was offered by Councilmember Haderlein:

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

NOES: None

ABSENT: None

**Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA AMENDING SECTION 13.14.110 OF THE PASADENA MUNICIPAL CODE RELATING TO UNDERGROUND UTILITY DISTRICTS"**

The above ordinance was offered by Councilmember Streater:

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

NOES: None

ABSENT: None

In response to Councilmember Holden's question, the City Manager indicated that a written report regarding the feasibility of citywide underground utility districts had been previously distributed to Council (through the City Manager's weekly informational memorandum).

Councilmember Holden requested this item be agendaized for discussion at a future Council meeting.

**INFORMATION ITEM**

**ABANDONED SHOPPING CART ORDINANCE UPDATE**

**Recommendation of City Manager:** This is an information item only.

Assistant City Manager Enrique Martinez introduced the agenda item, noted that an update would be provided to Council in six months, and responded to questions.

Mr. Rod Olguin, Building and Neighborhood Revitalization Manager, summarized the agenda report and responded to questions.

Councilmember Little suggested staff also use enforcement measures on those persons who were abandoning shopping carts, and explore a step approach for repeat violators.

Mr. Martinez noted staff would explore these measures in developing a progressive approach to solve these problems.

Brief discussion followed on the development of code enforcement and education strategies.

In response to Councilmember Holden's question, the City Manager indicated staff would look at placing a question regarding the shopping cart issue on the citizen's bi-annual survey.

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

**REPORTS AND COMMENTS  
FROM COUNCIL  
COMMITTEES**

**REPORTS FROM  
REPRESENTATIVES**

Councilmember Haderlein, Gold Line Phase II Joint Powers Authority (JPA) representative, provided an update on the JPA agreement, and noted the document would be circulated amongst the JPA members when the amendments were finalized. He also indicated a negotiating team was working with the Blue Line Construction Authority regarding the Memorandum of Understanding between the two authorities.

Councilmember Holden, Burbank-Glendale-Pasadena Airport Authority representative, reported the airport was close to 100% compliance on the voluntary curfew for scheduled commercial flights, and that the joint powers amendment regarding a possible name change to Bob Hope Airport was still being negotiated.

**PUBLIC COMMENT**  
(Continued)

Ms. Tricia Stadnyk, Pasadena resident, described problems with processing of her Section 8 housing and posting of a protest sign, and suggested a traffic light be installed near an ARTS bus stop in the area of Fair Oaks Avenue/Raymond Avenue/Bellevue Drive.

The Mayor informed Ms. Stadnyk that staff would contact her regarding the housing situation, and the suggestion on the traffic light would be referred to staff for consideration.

**ADJOURNMENT**

On order of the Mayor, the regular meeting of the City Council adjourned at 9:32 p.m.



\_\_\_\_\_  
Bill Bogaard, Mayor  
City of Pasadena

ATTEST:



\_\_\_\_\_  
City Clerk

kv:\Data\Minutes\Min-October202003