

CITY OF PASADENA
City Council Minutes
November 3, 2003 - 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting of the City Council to order at 5:44 p.m. (Absent: Councilmember Holden)

On order of the Mayor, the regular meeting of the City Council recessed at 5:44 p.m. to discuss the following closed sessions:

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION pursuant to Government Code Section 54956.9(a): Nina Scotti v. City of Pasadena, et al., Los Angeles Superior Court Case No. BC 269081

Councilmember Holden arrived 5:54 p.m.

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

Agency Negotiators: Karyn Ezell, Richard Kunz
Employee Organizations: Pasadena Fire Fighters Association, Local 809; Pasadena Firefighters Management Association; Pasadena Police Officers Association; and Pasadena Police Sergeants Association

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

Agency Negotiators: Karyn Ezell, Richard Kunz
Employee Organizations: American Federation of State, County & Municipal Employees; Pasadena Management Association; and Pasadena Fire Fighters Association

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

On order of the Mayor, the regular meeting of the City Council reconvened at 6:55 p.m. The Pledge of Allegiance was led by Councilmember Little.

ROLL CALL:

Councilmembers:

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

Staff:

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

CEREMONIAL MATTERS

The City Clerk administered oaths of office to Wendy Fujihara Anderson as member of the Commission on the Status of Women, Erin Vargas as Human Services Commissioner, and Marcia Sola as Historic Preservation Commissioner.

Mayor Bogaard presented a proclamation declaring November as Environmental Awareness Month, and November 15 as America Recycles Day. Mr. Jim Berryhill, Administrator, and Carolyn Meredith, Recycling Coordinator, accepted the proclamations.

Mayor Bogaard gave recognition to outstanding recyclers: Odyssey School for preservation of natural resources through development of a community garden, Summit Avenue Neighborhood Association for preservation of natural resources through development of a community garden, Patagonia Pasadena for sustainable development practices in renovating a historical building, and RePurcussion for creative use of common materials as musical instruments.

Councilmember Madison gave recognition and presented a commendation to the Rose City Crystals Ice Skaters for their accomplishments in synchronized ice skating. He noted the team was formed in September 2002 under Sabrina Uribe, Head Coach, and Crystal Uribe, Assistant Coach, and the team won the World Championships in Chicago this year.

PUBLIC COMMENT

Mr. Don Justin Jones, representing Caltrans Tenants Association, referred to a closed session item on last week's agenda regarding Caltrans properties and expressed concern regarding the possible sale of Caltrans properties and concern about the potential loss of tenants' rights under the Roberti bill.

It was noted that the closed session discussion did not occur last week.

Councilmember Madison
was excused at 7:25 p.m.

The City Manager noted a meeting is scheduled for this coming Wednesday with the tenants, there will be further discussion of tenant concerns, and she reassured Mr. Jones that the City does not intend to take any action that would change or interrupt the rights of people that qualify for the homes under the Roberti bill.

Mr. Joe Hopkins, business property owner of 1541-1549 N. Lake Avenue, alleged harassment by Code Enforcement staff due to problems with signage at the N. Lake business center, and expressed concerns regarding the shut-down of various businesses at the center.

The City Manager noted a new Sign Ordinance has been adopted, and offered to have staff contact Mr. Hopkins to further address his issues and concerns.

CONSENT CALENDAR

APPROVAL OF FINAL PARCEL MAP NO. 26680, BEING A SUBDIVISION OF TWO PARCELS INTO THREE LOTS FOR A 5-UNIT RESIDENTIAL PROJECT COMPRISED OF TWO DUPLEXES AND ONE SINGLE-FAMILY RESIDENCE AT 739 CYPRESS AVENUE

Recommendation of City Manager: It is recommended that City Council adopt a resolution to:

- (1) Approve the final map for Parcel Map No. 26680.
- (2) Accept the offer of a dedication for sidewalk purposes as shown on Parcel Map No. 26680.
- (3) Authorize the City Clerk to execute the Certificate on the map showing the City's approval of said map and acceptance of said dedication. (Resolution No. 8310)

CONTRACT AWARD TO KDC, INC. DBA DYNALECTRIC FOR THE ARROYO PARKWAY CORRIDOR TRANSPORTATION IMPROVEMENTS, PHASE 2, FEDERAL-AID PROJECT RPSTPL-5064 (030), FOR AN AMOUNT NOT TO EXCEED \$1,037,000.00

Recommendation of City Manager:

- (1) Accept the bid dated October 15, 2003, submitted by KDC, Inc. dba Dynalectric in response to Specifications for the Arroyo Parkway Corridor Transportation Improvements, Phase 2, Federal-Aid Project RPSTPL-5064 (030), reject all other bids received, and authorize the City Manager to enter into such contract as is required.
- (2) Adopt a resolution approving a Program Supplement Agreement to Administering Agency - State Agreement No. 07-5064 between the City of Pasadena and the State of California, for State Reimbursement for the Arroyo Parkway Corridor Transportation Improvements, Federal-Aid Project No. RPSTPL-5064 (030), Program Supplement Agreement No. M062.
- (3) 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. 18,384; Resolution No. 8311; Contract Amendment No. 16,298-18)

Item removed from the agenda at the request of the City Manager.

AUTHORIZATION TO ENTER INTO A CONTRACT WITH HENKELS & McCOY, INC. FOR THE CONSTRUCTION OF AN UNDERGROUND ELECTRICAL CONDUIT SYSTEM IN LA LOMA ROAD FROM AVENUE 64 TO SAN RAFAEL AVENUE, SPECIFICATION LD-03-05

Item removed from the agenda at the request of the City Manager.

AUTHORIZATION TO ENTER INTO CONTRACTS FOR THE CONSTRUCTION OF AN UNDERGROUND CONDUIT SYSTEM IN AVENUE 64 FROM COLORADO BOULEVARD TO SOUTH CITY LIMITS, SPECIFICATIONS LD-03-04

APPROVAL OF CONTRACT WITH ASSOCIATED HISPANIC PHYSICIANS OF SOUTHERN CALIFORNIA, IPA

Recommendation of City Manager:

(1) Authorize the City Manager to enter into a contract with Associated Hispanic Physicians of Southern California, IPA (AHPSC) for the provision of pediatric services to Medi-Cal Managed Care and Healthy Families clients at Medi-Cal fee-for-service reimbursement rates. Competitive bidding is not required pursuant to City Charter Section 1002 (F), contracts for professional and unique services; and

(2) Authorize the City Manager to extend the proposed contract for an additional three years without further City Council approval; and

(3) Exempt the proposed contract from the competitive selection process of the competitive bidding and purchasing ordinance pursuant to Section 4.08.049 (B), contracts for which the City's best interests are served. (Contract No. 18,385)

AUTHORIZATION TO INCREASE PURCHASE ORDER NUMBER 21672 WITH C.E. THOMAS FOR FUEL ISLAND REPAIRS

Recommendation of City Manager: Authorize an increase in the amount of \$37,075 to purchase order number 21672, with C.E. Thomas for fuel island repairs, thereby increasing the not-to-exceed amount from \$62,895 to \$99,970.

AUTHORIZATION TO ENTER INTO CONTRACTS WITH CENTRAL MOLONEY INC., HOWARD INDUSTRIES INC., AND WESCO DISTRIBUTION INC. FOR FURNISHING AND DELIVERING DISTRIBUTION TRANSFORMERS FOR WATER AND POWER DEPARTMENT

Recommendation of City Manager:

(1) Accept the bid dated September 29, 2003, submitted by Central Moloney, Inc. in response to Item 1: Internally Fused Underground Type Distribution Transformers, Item V: 4KV

Underground Type Distribution Transformers, and Item VI: Overhead Distribution Transformers;

(2) Accept the bid dated September 26, 2003, submitted by Howard Industries, Inc. in response to Item II: Modified Overhead Type Distribution Transformers, and Item III: 17/4 Modified Overhead Type Distribution Transformers;

(3) Accept the bid dated September 26, 2003, submitted by Wesco Distribution Inc. in response to Item IV: Underground Commercial Distribution Transformers;

(4) Reject all other bids; and

(5) Authorize the Purchasing Administrator to issue purchase order contracts not to exceed \$222,288.00 for Item I, \$149,683.77 for Item II, \$72,480.95 for Item III, \$327,607.86 for Item IV, \$39,056.00 for Item V, and \$32,843.00 for Item VI, for each year of a three-year contract period with two optional one-year extensions each not to exceed \$235,000, \$160,000, \$77,000, \$344,000, \$42,000 and \$35,000, respectively, for each item per year.

APPROVAL OF MINUTES

September 22, 2003
October 6, 2003

CLAIMS RECEIVED AND FILED

Claim No. 9404	William Bafford	\$ 231.99
Claim No. 9405	SBC/Pacific Bell	2,898.33
Claim No. 9406	Russell Dale Campbell	2,280.00
Claim No. 9407	Ahmad Shami	Unknown
Claim No. 9408	Jonathan L. Bell	189.65
Claim No. 9409	Stephanie R. Higham	73.61
Claim No. 9410	Marti Mackey	53.00
Claim No. 9411	Miao-Hua, Chen-Wu	210.00
Claim No. 9412	Amador G. Hernandez	Unknown
Claim No. 9413	Catherine Alvarado	301.00

PUBLIC HEARINGS SET

December 8, 2003, 8:00 p.m. - Central District Specific Plan

December 8, 2003, 8:00 p.m. - Zoning Code Amendments

It was moved by Councilmember Little, seconded by Vice Mayor Tyler, to approve the Consent Calendar, with the exception of Item 3 (Construction of an Underground Electrical Conduit System in La Loma Road from Avenue 64 to San Rafael Avenue) and Item 4 (Construction of an Underground Conduit System in Avenue 64 from Colorado Boulevard to South City Limits) which were removed from the agenda, and with the minutes of September 22 held for revised language to Page 6, first paragraph to reflect Councilmember Little's comments regarding the Gold Line Phase II item. (Motion unanimously carried) (Absent: Councilmember Madison)

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

APPROVE A JOURNAL VOUCHER APPROPRIATING \$230,000 FROM THE UNAPPROPRIATED FUND BALANCE OF THE ROSE BOWL OPERATING COMPANY FUND TO FUND LEGAL AND PROFESSIONAL SERVICES

Recommendation of Rose Bowl Operating Company: It is recommended that the ~~Rose Bowl Operating Company~~ City Council approve a journal voucher appropriating \$230,000 from the unappropriated fund balance of the Rose Bowl Operating Company Fund to fund legal and professional services as detailed in the agenda report.

Mr. Darryl Dunn, General Manager of the Rose Bowl, summarized the agenda report and responded to questions.

Councilmember Madison returned at 7:41 p.m.

Mr. Norman Parker, representing the Linda Vista/Annandale Association, expressed support that these funds are not being spent on actual remodeling of the Rose Bowl or subsidizing the National Football League (NFL).

Following discussion, it was moved by Councilmember Streator, seconded by Councilmember Gordo, to approve the Rose Bowl Operating Company's recommendation, revised to reflect that the City Council is approving the journal voucher. (Motion unanimously carried) (Absent: None)

INFORMATION ITEM

PREDEVELOPMENT PLAN REVIEW FOR THE PROPOSED REHABILITATION OF THE ROSE BOWL STADIUM AND ITS SURROUNDING FACILITIES FOR A NATIONAL FOOTBALL LEAGUE TEAM

Recommendation of City Manager: This report is being provided for information purposes only at this time.

Mr. Ariel Socarras, Associate Planner, summarized the agenda report.

The City Manager responded to questions regarding the process and various actions which will be coming before Council in the future.

Councilmember Little noted this project has interest city-wide, stressed the need for extensive community outreach and that as much information as possible be provided to the public so people can be aware of what the issues are. He suggested using In Focus to notify the public of all opportunities for public input and that it be done in a way that will get the public's attention.

Mr. John Spalding, Planning Consultant, responded to questions regarding the process for community input and notification.

The City Manager noted that scoping sessions are targeted for late January, and staff will utilize In Focus for community outreach.

Mr. Spaulding responded to additional questions regarding the relationship of the environmental review process and the predevelopment plan review process.

Mr. Norman Parker, representing the Linda Vista/Annandale Association, stated the predevelopment plan review is essentially an executive summary, stressed the need for detailed plans of the project, questioned the schedule for the EIR scoping sessions, and the need to identify a City point person for purposes of public contact and information.

The City Manager responded that John Spalding (626-744-7331) and Ariel Socarras (626-744-7101) are the point persons for the project. She noted the 48-week period to complete the EIR begins when Council awards the contract with EIP Associates, which is also on tonight's agenda, and the EIR scoping sessions with the Commissions and the public will begin in Week 12, in late January.

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

**RECOMMENDATIONS
FROM OFFICERS AND
DEPARTMENTS**

AUTHORIZATION TO ENTER INTO A CONTRACT WITH EIP ASSOCIATES FOR AN AMOUNT NOT TO EXCEED \$192,500 TO ASSIST THE CITY IN PREPARING ENVIRONMENTAL DOCUMENTS INCLUDING AN ENVIRONMENTAL IMPACT REPORT FOR POTENTIAL CHANGES TO THE ROSE BOWL STADIUM

Recommendation of City Manager: Authorize the City Manager to enter into a contract not to exceed \$192,500 with EIP Associates to prepare an Initial Study, Environmental Impact Report, Noise Study and other related documents for the Rose Bowl Rehabilitation Project. Traffic/Parking and Historic Preservation Consulting services will be provided by others and are not a part of this contract. Competitive bidding is not required pursuant to City Charter Section 1002(F), contracts for professional or unique services. (Contract No. 18.386)

The City Manager responded to questions and reported on additional contracts for traffic engineering, an historic preservation study, a design consultant, and an EIR attorney. She noted those contracts are for amounts under \$75,000 and do not require Council approval.

In response to questions, staff distributed a supplement to Attachment A of the agenda report detailing the EIR consultant evaluation ranking.

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

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 8:30 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 8:45 p.m. (Absent: Councilmember Holden)

**PUBLIC HEARING/
REPORTS AND
COMMENTS FROM
COUNCIL COMMITTEES**

FINANCE COMMITTEE

Vice Mayor Tyler was excused at 8:46 p.m.

PUBLIC HEARING: PROPOSED UTILIZATION FOR THE LOCAL LAW ENFORCEMENT BLOCK GRANT FUNDS AND CITIZENS' OPTION FOR PUBLIC SAFETY GRANT FUNDS

Recommendation of City Manager:

(1) Approve a journal voucher decreasing the amount of recognized revenue from the United States Local Law Enforcement Block Grant Program by \$51,563, Account No. 6225-107-401600. A total of \$190,000 in anticipated revenue was recognized during the Fiscal Year 2004 budget process, and \$138,437 was actually received.

(2) Approve a journal voucher increasing appropriations from the Police Department's Local Law Enforcement Block Grant Fund 107 by \$38,897 to Account No. 8005-107-401600, \$77,811 to Account No. 8008-107-401600 and \$37,109 to Account No. 8011-107-401600 for staffing of a Police Specialist II and a Police Corporal plus overtime.

(3) Approve a journal voucher transferring \$15,380 from the Police Department's Asset Forfeiture Fund 207 unappropriated fund balance to the Local Law Enforcement Block Grant Revenue Account No. 6839-107-401600 to serve as the required 10% matching funds.

(4) Approve a journal voucher decreasing the amount of recognized revenue from the Supplemental Law Enforcement Services Grant (State of California Citizens' Option for Public Safety Grant) by \$63,174, Account No. 6407-201-401400. A total of \$275,000 in anticipated revenue was recognized for the Fiscal Year 2004 budget and \$211,826 was actually received.

(5) Approve a journal voucher increasing appropriations from the Police Department's Supplemental Law Enforcement Fund 201 by \$211,826 to Account No. 8008-201-401400 for staffing of two Police Officers. (Journal Voucher No. 2004-17)

Mayor Bogaard opened the public hearing.

The City Clerk reported the notice of public hearing was published on October 24, 2003, in the Pasadena Star News; no correspondence was received.

Police Chief Bernard Melekian summarized the agenda report.

No one appeared for public comment.

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

Councilmember Little, Chair of the Finance Committee, reported the Committee had reviewed the item and unanimously recommended

approval. He also commended the Police Department for the work being done with the available funds.

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

**REPORTS AND
COMMENTS FROM
COUNCIL COMMITTEES**

**PUBLIC SAFETY
COMMITTEE**

Vice Mayor Tyler returned at
8:50 p.m.

**AMENDMENT OF TOBACCO USE PREVENTION ORDINANCE
(NO. 6757): SMOKING REGULATIONS**

Recommendation of City Manager: Direct the City Attorney to amend the City's Tobacco Use Prevention Ordinance No. 6757 as follows:

- (1) Require all stationary tobacco retailers to be licensed;
- (2) Require Conditional Use Permits for tobacco-only stores;
- (3) Prohibit smoking in all City-owned parks; and
- (4) Prohibit smoking within 20-feet of worksite building entrances or exits, excluding outdoor dining areas.

Recommendation of Advisory Bodies: Staff presented the above recommendations to the Planning Commission and the Recreation and Parks Commission on September 10, 2003 and September 2, 2003 respectively. The Planning Commission recommended approval of the staff recommendations and the Recreation and Parks Commission took no action.

Councilmember Haderlein, Chair of the Public Safety Committee, introduced the item and suggested the Council review the staff recommendations individually, as the Committee had differing opinions on the recommendations.

Ms. Wilma Allen, Director of Public Health Department, and Ms. Statrice Wilmore, Program Coordinator II, Tobacco Control Program, summarized the report and responded to questions.

The following people spoke in support of the item:

- Mr. Steven Gallegos, representing the American Heart Association, Los Angeles County Division
- Student Dominique Duran
- Ms. Deirda Duncan, parent of two asthmatic children
- Student Paul Newson
- Mr. Kenneth Peter, Chairman of the Pasadena Tobacco Prevention Coalition, and submitted a petition with 645 signatures in support and 26 letters in support

Recommendation 1: Require all stationary tobacco retailers to be licensed and prohibit mobile vendor sales.

Ms. Allen clarified for the record that Recommendation 1 includes a prohibition on mobile vendor sales, as referenced in the text of the agenda report.

Councilmember Haderlein reported the Public Safety Committee unanimously recommended approval of Recommendation 1.

It was moved by Councilmember Haderlein, seconded by Councilmember Little, to approve City Manager's Recommendation 1. (Motion unanimously carried) (Absent: Councilmember Holden)

The City Attorney responded to questions pertaining to repeat violators, especially those selling tobacco products to minors, and the ability of the City to revoke a vendor's license if tobacco products are sold to minors. The City Attorney stated that provisions can be made in the ordinance for regulatory licensing to provide for revocation based on certain grounds, which could include distribution to minors. It was noted the staff report recommends that merchants who repeatedly violate tobacco control laws be subject to escalating penalties (citation, tobacco license suspension and revocation) for each subsequent violation.

Council support was expressed for revocation of tobacco licenses for repeat violators selling to minors. The City Attorney was asked to include in the ordinance which specifics would constitute habitual or repeat violations and associated penalties.

Recommendation 2: Require Conditional Use Permits for tobacco-only stores.

Councilmember Haderlein reported the Public Safety Committee had raised questions regarding the grandfathering provisions.

The City Attorney responded to questions regarding grandfathering provisions; legal, non-conforming status; and the Conditional Use Permit (CUP) process

Concerns were expressed with grandfathering in legal, non-conforming tobacco retailers that are within 1,000 feet of a sensitive use (such as a school, day care, library, etc.) by automatically granting a CUP if the four requirements referenced in the staff report are met.

Councilmember Little suggested that existing tobacco-only retailers not be automatically granted a CUP if they comply with the four requirements, but rather that they remain legal, non-conforming uses and such businesses would have to apply for a CUP. He noted that if a business located within 1,000 feet of a sensitive use loses its license (by repeat violations), the business would then be required to obtain a CUP and it would not be able to get one as it would be within 1,000 feet of a sensitive use.

Following discussion, it was moved by Councilmember Haderlein, seconded by Councilmember Little, to approve City Manager's Recommendation 2, as modified to delete "Existing tobacco-only

retailers will automatically be granted a use permit if they comply with the four requirements below.” (Page 2 of staff report, last paragraph, third sentence) (Motion unanimously carried) (Absent: Councilmember Holden)

Recommendation 3: Prohibit smoking in all City-owned parks.

Councilmember Haderlein reported this recommendation comes to the Council from the Public Safety Committee without a unanimous recommendation. He briefly reported on questions raised at the Committee level.

The City Manager responded to questions, and noted the Golf Course is dedicated parkland.

Discussion ensued as to whether smoking should be prohibited at the Golf Course or in the Arroyo Seco, state regulations prohibiting smoking 20 feet from a playground, enforcement of regulations, and the need to insulate youth from the impacts of second-hand smoke.

It was noted that the intent to enforce the regulations would be primarily through signage and education, unless there are chronic complaints.

Councilmember Streater expressed concern with the ability to enforce the regulations, concern that it is unrealistic to expect that there will be no smoking at community events in the Arroyo, and concern that people may try to hide the fact that they are smoking and inadvertently start a fire. She suggested that the Health Department implement their educational procedures without mandating no smoking in the parks.

It was moved by Councilmember Haderlein, to approve City Manager's Recommendation 3, excluding the Golf Course.

Councilmember Gordo also expressed concern with the ability to enforce the regulations, and voiced opposition to making exceptions for any park, including the Golf Course. He suggested that instead of an all-out ban, Council consider regulations that are consistent with State legislation and ban smoking within 20 feet of tot lots, play areas, and youth sports activities.

Councilmember Little stated a preference to include the Golf Course in the smoking ban, but agreed to second Councilmember Haderlein's motion.

Vice Mayor Tyler voiced opposition to excluding the Golf Course.

Vote on Councilmember Haderlein's motion to approve City Manager's Recommendation 3, excluding the Golf Course:

AYES: Councilmembers Haderlein, Little, Madison, Mayor Bogaard

NOES: Councilmembers Gordo, Streater, Vice Mayor Tyler

ABSENT: Councilmember Holden

(Motion failed)

It was moved by Councilmember Madison, seconded by Vice Mayor Tyler, to approve City Manager's Recommendation 3:

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

NOES: Councilmembers Haderlein, Streater

ABSENT: Councilmember Holden

Recommendation 4: Prohibit smoking within 20 feet of worksite building entrances or exits, excluding outdoor dining areas.

Councilmember Haderlein reported on questions raised by the Public Safety Committee.

The City Attorney briefly responded to questions.

Vice Mayor Tyler expressed concern the proposed regulation goes farther than what is needed.

It was moved by Councilmember Haderlein, seconded by Councilmember Little, to approve City Manager's Recommendation 4.

AYES: Councilmembers Haderlein, Little, Madison, Mayor Bogaard

NOES: Councilmembers Gordo, Streater, Vice Mayor Tyler

ABSENT: Councilmember Holden

(Motion failed)

There was no further action on Recommendation 4.

The Mayor thanked City staff for their hard work in bringing forth this item to Council.

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 10:01 p.m. to the regular meeting of the Community Development Commission.

RECESS TO JOINT MEETING

On order of the Mayor, the regular meeting of the City Council recessed at 10:03 p.m. to a joint meeting with the Community Development Commission. (Absent: Councilmembers Haderlein, Holden, Streater)

JOINT ACTION: FISCAL YEAR 2003 ANNUAL FINANCIAL REPORTS

Recommendation of City Manager/Chief Executive Officer: It is recommended that the following audit reports for the year ending June 30, 2003 be received by the City Council and/or Pasadena Community Development Commission (PCDC):

- Comprehensive Annual Financial Report
- Single Audit Report on Federal Awards
- Pasadena Community Development Commission Annual Financial Report
- Pasadena Center Operating Company Financial Statements
- Rose Bowl Operating Company General Purpose Financial Statements
- Pasadena Fire and Police Retirement System Report on Audited Financial Statements and Required Supplemental Information (Final Draft)
- Air Quality Improvement Fund Financial and Compliance Report
- Independent Accountant's Report on Agreed-Upon Procedures Applied to Appropriation Limit Worksheets
- Independent Accountant's Report on Agreed-Upon Procedures Applied to Employee Deduction for the Internal Revenue Code Section 457
- Management Letters - City of Pasadena, Rose Bowl Operating Company and Pasadena Center Operating Company
- Report on Compliance and on Internal Control Over Financial Reporting Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards.

Councilmember Little, Chair of the Finance Committee, introduced the item.

Councilmember Haderlein returned at 10:06 p.m.

Mr. Jay Goldstone, Director of Finance, summarized the report.

Mr. Ken Al-Imam, Conrad and Associates, reported on the results of the audit.

Councilmember Little commended City staff and Mr. Al-Imam for their good work.

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

On order of the Mayor, the joint meeting with the Community Development Commission adjourned at 10:10 p.m., and the regular meeting of the City Council reconvened at this time. (Absent: Councilmembers Holden, Streater)

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

APPOINTMENT OF SHEILA M. LEWIS TO THE NORTHWEST COMMISSION (District 5 Nomination)

APPOINTMENT OF RAFFI DJIGUERIAN TO THE PASADENA COMMUNITY ACCESS CORPORATION (District 5 Nomination)

It was moved by Councilmember Gordo, seconded by Councilmember Little, to approve the above appointments. (Motion unanimously carried) (Absent: Councilmembers Holden, Streator)

RECOMMENDATION TO SUBMIT AN APPLICATION TO STATE OF CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR FUNDING FROM THE LOCAL HOUSING TRUST FUND PROGRAM

Recommendation of City Manager:

(1) Adopt a resolution approving the submission of an application to the California Department of Housing and Community Development to participate in the Local Housing Trust Fund ("LHTF") Program and for an allocation of matching grant funds not to exceed \$2,000,000 for the development of affordable multifamily rental housing;

(2) Earmark an amount to not exceed \$2,000,000 from the City's Inclusionary Housing Trust Fund as a match for the LHTF Program, which amount shall consist of Inclusionary In-Lieu Fee payments on deposit as of November 14, 2003; and

(3) Authorize the City Manager to execute, and the City Clerk to attest, any documents which may be required in connection with the submittal of the LHTF Program application and associated program implementation. (Resolution No. 8312)

Recommendation of Community Development Committee: At its regular meeting of October 23, 2003 the Community Development Committee unanimously recommended that the City Council approve the subject recommendations.

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

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 10:11 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 10:13 p.m.

COUNCIL COMMENTS

GOLD LINE PHASE II FUNDING

Vice Mayor Tyler provided a brief status as a follow-up to Council comments made at the prior Council meeting regarding Gold Line Phase II funding. He reported it is highly unlikely the FTA (Federal Transit Administration) will accept, and SCAG (Southern California Association of Governments) staff will amend, the RTP (Regional Transportation Plan) to add the Gold Line Phase II to the Plan. He stated the completion of the bulk of environmental work, letters of

support from the corridor cities, and the analysis of alternatives to light rail are all on schedule and properly funded and it is expected to be completed in December.

Vice Mayor Tyler noted the issue is how to get the Gold Line Phase II into the RTP. He reported the current plan is to get a letter from the Executive Director of SCAG addressed to the FTA indicating that the draft 2004 RTP, which is expected to be approved in early May, does in fact contain Phase II as part of the constrained program. He noted the letter must be sent no later than December 15, 2003.

Vice Mayor Tyler also reported TEA-21 (Transportation Equity Act for the 21st Century) was deferred five months by Congress, and this issue will not be coming up until April 2004. He noted Congress and the President are very far apart as to the dollar authorization, and the matter will most likely be deferred further until after the Presidential election.

Vice Mayor Tyler further reported the SAFETEA (Safe, Accountable, Flexible & Efficient Transportation Equity Act of 2003) process will be going forward on an interim basis, and perhaps the list of projects may or may not be produced in January. He noted this could be advantageous to the City in that it would allow more time for the City to prepare its application and refine cost estimates, as well as get the political support for the time when the election is over. Vice Mayor Tyler concluded his comments by noting this is a preliminary report and the current strategy based on discussions.

The City Manager stated she was not aware of the additional deferral, and offered to do more follow-up.

Councilmember Little suggested that Vice Mayor Tyler, as the City's representative on the San Gabriel Valley Council of Governments (COG), inquire of the COG staff as to why they assured the Blue Line Construction Authority, in a meeting held six weeks ago, that they would have that amendment to the RTP. He stated our region has strong advocates in Washington, D.C., noted there are competing projects for federal funding but expressed hope that the Gold Line Phase II project will not fall off the list for funding. He suggested that Pasadena's federal lobbyist verify the process expected to happen in Washington, D.C. He noted that if there is a risk to the project, there will be a need to mobilize to minimize the risk.

RECOGNITION TO
TEACHER ROY SUNADA
OF JOHN MARSHALL
SECONDARY SCHOOL

Councilmember Madison commented on the cover story in the November 2, 2003 issue of Parade Magazine highlighting the accomplishments of teacher Roy Sunada and the Advanced Placement program at John Marshall Secondary School. The Mayor offered to send a letter commending Mr. Sunada on his accomplishments. It was suggested that consideration be given to

presenting a commendation to Mr. Sunada at a future Council meeting.

LETTER FROM RBOC
RE PUBLIC COMPLAINTS
C O N C E R N I N G
RECREATIONAL CYCLISTS

Mayor Bogaard referred to a letter he received on October 22, 2003, from Patrick Green, President, Rose Bowl Operating Company, regarding various public complaints concerning recreational cyclists that ride as a group on the streets surrounding the Rose Bowl. The City Manager acknowledged she had received a copy of the letter.

BREAST CANCER EVENT
AT THE ROSE BOWL AND
NOISE COMPLAINTS

Mayor Bogaard referred to e-mail complaints he had received regarding alleged amplified sound violations for the recent Breast Cancer event at the Rose Bowl. The City Manager offered to follow up on the matter and the on-site sound monitoring for the event.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 10:23 p.m.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk

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