

CITY OF PASADENA
City Council Minutes
January 26, 2004 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 5:35 p.m.
(Absent: None)

On order of the Mayor, the regular meeting recessed at 5:35 p.m., to discuss the following closed sessions:

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; Pasadena Sergeants Association; and Non-Represented Police and Fire Management Employees

CITY COUNCIL CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8

Property: Public rights-of-way, utility easements and facilities within the Cities of Pasadena, Arcadia, Monrovia and Los Angeles

Negotiators: Cynthia Kurtz (City); Altrio Communications, Inc.

Under Negotiation: Price and terms of payment

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL REGARDING PENDING LITIGATION pursuant to Government Code Section 54956.9(a)

Name of Case: Kneisel v. City of Pasadena, et al.

Case No. BS 079863

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

On order of the Mayor, the regular meeting reconvened at 6:48 p.m. The Pledge of Allegiance was led by Councilmember Streator.

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

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

Ms. Serena-Marie Sanfilipo, Pasadena resident, spoke regarding her housing situation and the need to provide homeless shelters through the end of March 2004.

OLD BUSINESS

Councilmember Madison recused himself at 6:56 p.m. due to a conflict of interest.

REAL PROPERTY LEASE EXTENSION FROM CITY OF PASADENA TO JET PROPULSION LABORATORY, HAHAMONGNA WATERSHED PARK, JPL CONTRACT NO. 960266

Recommendation of City Manager: Approve the terms and conditions as generally described in the agenda report, and authorize the City Manager to execute a new lease extending Jet Propulsion Laboratory's use of 11.21 acres of City-owned land in the Hahamongna Watershed Park area adjacent to their property. (Agreement No. 18,418)

The City Manager introduced the agenda item.

Mr. Manuel Negrete, Real Property Manager, responded to questions.

Vice Mayor Tyler questioned the use of revenues from the lease payments as stated in the agenda report, and expressed concern regarding the funding of existing maintenance needs for the water system in this property area.

The City Manager clarified the lease revenues were being used for park maintenance activities by Public Works, and noted the water facilities maintenance issues raised by Vice Mayor Tyler could be examined by staff.

Councilmember Little congratulated the Jet Propulsion Laboratory on the success of the ongoing Mars mission.

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

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

LICENSE AGREEMENT WITH GREATER LOS ANGELES BILLY GRAHAM CRUSADE

Recommendation of Rose Bowl Operating Company (RBOC):

(1) Approve a License Agreement with Greater Los Angeles Billy Graham Crusade for the following dates:

July 29, 2004	7:30 p.m. - 10:00 p.m.
July 30, 2004	7:30 p.m. - 10:00 p.m.
July 31, 2004	10:00 a.m. - 12:30 p.m.
July 31, 2004	7:00 p.m. - 10:00 p.m.
August 1, 2004	7:00 p.m. - 10:00 p.m.

(2) Direct the City Attorney to prepare an ordinance suspending the Noise Ordinance on the following dates and times:

July 28, 2004 (Wed.)	7:00 p.m. - 9:30 p.m. (Rehearsal for choir, in conjunction with the above event)
July 29, 2004	7:30 p.m. - 10:00 p.m.
July 30, 2004	7:30 p.m. - 10:00 p.m.
July 31, 2004	10:00 a.m. - 12:30 p.m.
July 31, 2004	7:00 p.m. - 10:00 p.m.
August 1, 2004	7:00 p.m. - 10:00 p.m.

(3) Acknowledge that the CEQA Guidelines (Section 15323) exempt operations of facilities for public gatherings from further CEQA review;

(4) Direct the City Clerk to file a Notice of Exemption with the Los Angeles County Recorder. (Agreement No. 18,419)

Councilmember Madison returned at 7:06 p.m.

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

Councilmember Haderlein suggested a more efficient plan be sought for the shuttle system that would move buses in and out of the Rose Bowl area more quickly.

It was moved by Councilmember Little, seconded by Councilmember Gordo, to approve the Rose Bowl Operating Company's recommendation. (Motion unanimously carried) (Absent: None)

CONSENT CALENDAR

REJECTION OF BIDS - LAGUNA ROAD TRUNK SEWER - PHASE 3, HILLSIDE TERRACE TO 360 FEET NORTHWEST OF SAN RAFAEL AVENUE

Recommendation of City Manager: Reject all bids received on January 7, 2004, in response to Specifications for Laguna Road Trunk Sewer - Phase 3, Hillside Terrace to 360 feet Northwest of San Rafael Avenue and authorize the City Manager to call for new bids.

Item discussed separately due to a request for public comment.

APPROVAL OF BETTERMENT AGREEMENT WITH THE LOS ANGELES TO PASADENA METRO BLUE LINE CONSTRUCTION AUTHORITY FOR A PRIVATE RAIL

CROSSING AT THE PASADENA WATER AND POWER PLANT FOR AN AMOUNT NOT TO EXCEED \$142,000

MINUTES APPROVED

December 15, 2003 (Revised)

CLAIMS RECEIVED AND FILED

Claim No. 9461	Andrea Abdine	\$2,959.47
Claim No. 9462	Elaine Constantz	680.00
Claim No. 9463	Carrie Chung	Unknown
Claim No. 9464	Rodney E. Dixon	Unknown
Claim No. 9465	Rochelle Wright Moore	Unknown
Claim No. 9466	Nadine Russek	390.00
Claim No. 9467	Jean E. James	500.00+
Claim No. 9468	Gerardo Perez	Unknown
Claim No. 9469	Marianna W. McConaghy	Unknown
Claim No. 9470	(Voided number)	
Claim No. 9471	Wawanesa Insurance for John Rockefeller	7,012.28
Claim No. 9472	SFC Johnathan L. Babson	287.00

PUBLIC HEARINGS SET

February 23, 2004, 8:00 p.m. - Pasadena Avenue Zone Change

March 1, 2004, 8:00 p.m. - Second Unit Ordinance

It was moved by Councilmember Streator, seconded by Councilmember Haderlein, to approve the Consent Calendar with the exception of Item 2 (Los Angeles to Pasadena Metro Blue Line Construction Authority Betterment Agreement), which was discussed separately. (Motion unanimously carried)
(Absent: None)

CONSENT ITEM DISCUSSED SEPARATELY

APPROVAL OF BETTERMENT AGREEMENT WITH THE LOS ANGELES TO PASADENA METRO BLUE LINE CONSTRUCTION AUTHORITY FOR A PRIVATE RAIL CROSSING AT THE PASADENA WATER AND POWER PLANT FOR AN AMOUNT NOT TO EXCEED \$142,000

Recommendation of City Manager: Authorize the City Manager to execute a Betterment Agreement with the Los Angeles to Pasadena Metro Blue Line Construction Authority to design and construct a private rail crossing at the Pasadena Water and Power Plant for an amount not to exceed \$142,000. Competitive bidding is not required pursuant to City Charter Section 1002(H), contracts with other governmental entities. (Agreement No. 18,420)

Mr. Christopher Sutton, attorney representing Raymond Restaurant, spoke in support of an alternative to the project that would reopen State Street and Mocking Bird Lane, and distributed a map illustrating these suggestions.

Mr. Conrad Steinhauer, Raymond Restaurant representative, expressed concerns regarding ongoing traffic issues at the Restaurant location.

Councilmember Little pointed out the Public Utilities Commission (PUC) had required State Street to be closed and would require a hearing process if a decision was made to reopen the street.

The City Manager explained the action on this item was a formality of transferring funds for a project that had been previously approved by Council and had been completed. She also indicated discussions to explore solutions for the ongoing traffic problems and concerns connected with the Raymond Restaurant could be continued with the Restaurant's representatives.

Mr. Dan Rix, City Engineer, briefly outlined several options that had been discussed with the Raymond Restaurant regarding traffic issues.

Councilmember Streator urged staff to continue discussions with the Raymond Restaurant regarding traffic issues.

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

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

APPOINTMENT OF RICHARD E. KELLY TO THE LIBRARY COMMISSION (District 1 Nomination)

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

ORDINANCE – SECOND READING

Adopt "AN ORDINANCE OF THE CITY OF PASADENA GRANTING NON-EXCLUSIVE FRANCHISES FOR SOLID WASTE COLLECTION TO FOUR (4) APPLICANTS" (Introduced by Vice Mayor Tyler) (Ordinance No. 6961)

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

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 7:28 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 7:29 p.m. (Absent: None)

**REPORTS AND COMMENTS
FROM COUNCIL
COMMITTEES**

FINANCE COMMITTEE

**CITY HALL SEISMIC RETROFIT PROJECT UPDATE
Recommendation of City Hall Restoration Oversight
Committee:** Receive and file.

**MODIFICATIONS TO CITY HALL SEISMIC RETROFIT
PROJECT SCOPE AND A CONTRACT AMENDMENT FOR
THE PROJECT ARCHITECT, ARCHITECTURAL
RESOURCES GROUP**

Recommendation of City Manager:

(1) Approve revisions to project scope and corresponding reductions in costs by \$2,168,000 in order to reduce the imbalance between the City Hall Seismic Retrofit project cost estimate and the budget approved by City Council on August 11, 2003.

(2) Authorize an amendment to Contract No. 16,899-1 with Architectural Resources Group ("ARG") in the amount of \$101,359, thereby increasing the contract amount from \$6,306,895 to \$6,408,254 as follows:

A. Audio visual design services	\$ 41,500
B. Exterior lighting design services	24,000
C. Civil engineering courtyard investigation	11,569
D. Structural engineering re-design	24,290
Total	\$101,359

(3) 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 No. 16,899-3)

The above two items were discussed concurrently.

Councilmember Little, Chair of the Finance Committee, introduced the above two agenda items. He reported the Finance Committee had recommended that Recommendation 2 be amended to remove Item A (Audio visual design services) and Item B (Exterior lighting design services); that these Items be referred to staff to work with the contractor [Architectural Resources Group ("ARG")] to determine if local contractors could provide these services, with staff to return to the Finance Committee with a revised recommendation, if appropriate; and that the total amount of the ARG contract amendment be amended to a total of \$35,859.

Dr. Paul Jennings, City Hall Restoration Oversight Committee Chair, provided an overview of the Committee's report and responded to questions.

Mr. Foster Hildreth, Seismic Retrofit Project Manager, outlined the contracting schedule for the project.

Councilmember Little noted the Finance Committee had suggested that future funding might be sought through private sources to implement various aesthetic elements in the project that were being eliminated during current budget considerations.

The Mayor expressed appreciation to the Oversight Committee for its continued work on the City Hall seismic project.

On order of the Mayor, the City Hall Restoration Oversight Committee report was received and filed.

It was moved by Councilmember Little, seconded by Councilmember Streater, to approve the City Manager's recommendation, as amended by the Finance Committee as stated above. (Motion unanimously carried) (Absent: None)

**RECOMMENDATIONS FROM
OFFICERS AND
DEPARTMENTS**

AMENDMENT TO THE CITY OF PASADENA'S BICYCLE MASTER PLAN

Recommendation of City Manager: It is recommended that the City Council amend the Bicycle Master Plan by approving the revised Bikeways Network Implementation Plan map (Attachment A of the agenda report.)

Recommendation of Transportation Advisory Commission: The proposed revision to the Bikeways Network Implementation Plan map was presented to the Transportation Advisory Commission (TAC) on December 5, 2003. TAC unanimously recommended that Council approve the revised Plan map and requested that staff move forward on other aspects of the Plan.

Ms. Joyce Amerson, Director of Transportation Department, introduced the agenda item and responded to questions.

Mr. Richard Dilluvio, Transportation Planner, reviewed the agenda report and responded to questions.

Discussion followed on the differences between Class II and Enhanced Class III bikeways, and the grandfathering in of existing Class II bikeways that currently pose problems.

The City Manager clarified the configuration of the various bikeways and responded to questions.

Ms. Amerson discussed the funding and work schedule for implementing the Plan, and enumerated various bicycle issues that remain to be studied and addressed in the future.

Councilmember Streator requested staff revisit the Class II bikeway designation for Raymond Avenue between Orange Grove Boulevard and Washington Boulevard in the context of existing problems with traffic flow and lane width and the possibility of a change to an Enhanced Class III bikeway designation.

Councilmember Gordo suggested staff continue to examine areas where Class II bikeways are being grandfathered in and criteria can be met for changes to Enhanced Class III bikeways, and staff also consider parking needs on Lake Avenue when a plan is studied for this area.

Councilmember Haderlein suggested staff explore alternatives for an east/west bicycle corridor between Lake Avenue and Marengo Avenue, and complimented staff for its creativity in the development of the Implementation Plan.

The Mayor expressed appreciation to staff and the Transportation Advisory Commission for their ongoing work on the Bicycle Plan.

It was moved by Councilmember Gordo, seconded by Vice Mayor Tyler, to approve the City Manager's recommendation, with the understanding that staff revisit the Class II bikeway designation for Raymond Avenue between Orange Grove Boulevard and Washington Boulevard. (Motion unanimously carried) (Absent: None)

PUBLIC HEARING

CONTINUED PUBLIC HEARING: REVISIONS TO THE ZONING CODE REGARDING PARKING FOR TAKE OUT RESTAURANTS, RENTAL OF BEDROOMS, CONDITIONAL USE PERMIT FOR SIGNIFICANT TOBACCO SALES, APPEALS AND CALLS FOR REVIEW AND OTHER MINOR AMENDMENTS

Recommendation of City Manager:

- (1) Adopt a finding that the proposed amendments to the Zoning Code are consistent with the General Plan as outlined in the agenda report;
- (2) Acknowledge that the Environmental Administrator has determined that the proposed amendment regarding tobacco sales is exempt from the California Environmental Quality Act (CEQA) pursuant to the general exemption [CEQA Guidelines 15061(b)(3)];
- (3) Approve the proposed amendments regarding tobacco sales without the provision that allows existing tobacco sellers to be granted a conditional use permit; and
- (4) Approve the remaining amendments to the Zoning Code as

contained in the agenda report, which will be added to the newly revised Code scheduled for later adoption.

Recommendation of Planning Commission: The Planning Commission reviewed these amendments on September 10, 2003. It recommended unanimous approval of staff's recommendation on all amendments except for the amendment regarding the appeal of CEQA decisions. The Commission voted to recommend that the appeal of CEQA decisions be only the CEQA decision and not provide the applicant the right to appeal the discretionary entitlement that is part of the decision. It recommended that if a CEQA decision is appealed, that the Council at its own discretion may call for review of the entire decision. The Planning Commission also recommended that pre-existing tobacco retailers be automatically granted a use permit if they comply with the proposed standards.

Recommendation of Transportation Advisory Commission: The Transportation Advisory Commission reviewed the proposed amendments on October 9, 2003. The Commission voted unanimously to support the staff's recommendation regarding changing the parking requirement for take-out restaurants, establishing parking location and loading requirements for mixed-use and urban residential projects and revisions to the loading requirements for commercial projects.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on November 28 and December 1, 2003 in the Pasadena Star-News and on December 4, 2003 in the Pasadena Journal, and one letter was received in support.

The City Manager introduced the agenda item.

Mr. Denver Miller, Principal Planner, reviewed the agenda report and responded to questions.

Vice Mayor Tyler requested the Code stipulate that long-term parking lease agreements are required for off-site parking in Mixed-Use/Urban Residential projects.

Discussion followed on height restrictions for fences on elevated/sloped lots, and restrictions and conditions for the rental of bedrooms in single-family homes.

The City Attorney agreed to research restrictions that could be applied to situations involving the rental of bedrooms that would prohibit hotplates, mandate access to kitchen facilities, and require a permit with safety inspection prior to rental of bedrooms.

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

Councilmember Gordo requested the issues of restrictions and requirements for "quasi-boarding homes" (single-family units renting bedrooms) be referred to the Public Safety Committee for review and consideration.

It was moved by Vice Mayor Tyler, seconded by Councilmember Streater, to approve the City Manager's recommendation, and to revise Attachment A of the agenda report, Section 11, second paragraph, second sentence, to read: "All other parking spaces serving residential units may be located off-site with a long-term parking lease agreement in compliance with the Code." (Motion unanimously carried) (Absent: None)

By consensus, the issues to be explored by the City Attorney involving the rental of bedrooms were referred to the Public Safety Committee.

Councilmember Streater commended staff for their work in addressing the ongoing issues involving the rental of bedrooms.

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 8:37 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 8:41 p.m. (Absent: None)

OLD BUSINESS

DIRECT THE CITY ATTORNEY TO DRAFT AN ORDINANCE AMENDING CHAPTER 2.100 OF THE PASADENA MUNICIPAL CODE TO CLARIFY THE ROLE OF THE RECREATION AND PARKS COMMISSION IN RELATION TO THE ROSE BOWL AND BROOKSIDE GOLF COURSE TO BE CONSISTENT WITH CHAPTER 2.175 (ROSE BOWL OPERATING COMPANY) AND THE ROSE BOWL OPERATING COMPANY OPERATING AGREEMENT
(Councilmember Streater)

Councilmember Streater introduced the agenda item, discussed the apparent inconsistency of the same responsibilities being assigned to both the Recreation and Parks Commission and the Rose Bowl Operating Company (RBOC); and outlined her position in recommending the drafting of an ordinance that would clarify the role of the Recreation and Parks Commission in relation to the Rose Bowl and Brookside Golf Course and would remove inconsistencies in the City's current ordinances involving the Commission and

RBOC as this also relates to the RBOC agreement. She clarified that this would amend the Municipal Code to eliminate the phrase "the Rose Bowl and Brookside Golf Course" from Chapter 2.100, that inconsistencies in the Code involving the Commission and the RBOC would be resolved, and that Council could continue to request the Recreation and Parks Commission's comments and advise on specific issues regarding the Rose Bowl and Golf Course.

Ms. Elizabeth Pomeroy, Chair of the Recreation and Parks Commission, speaking as an individual, voiced opposition to the proposal to limit the Commission's ability to discuss and advise Council regarding the Rose Bowl, and responded to questions.

Mr. Michael Hurley, Recreation and Parks Commission member, speaking as an individual, spoke in support of maintaining the Commission's advisory capacity regarding Rose Bowl and Golf Course issues, and responded to questions.

Mr. Pat Green, Rose Bowl Operating Company representative, expressed support for the proposed drafting of an ordinance to clarify the roles of the RBOC and the Commission as they pertain to the Rose Bowl and Golf Course, and responded to questions.

Councilmember Haderlein indicated he did not see a conflict in the current advisory and operational roles of the Commission and RBOC, and expressed support for continuing the Commission's review and comments on issues involving the Rose Bowl and Golf Course.

Councilmember Madison voiced support for maintaining the Recreation and Parks Commission's current role and discretion in advising Council on Rose Bowl and Golf Course issues, and indicated he did not see any inconsistencies in the current ordinances.

Discussion followed regarding the roles of the Commission and the RBOC, the interaction between these two bodies involving Rose Bowl and Golf Course operations and issues, and the legislative intent of the ordinances involving the duties and responsibilities of the Commission as this relates to the role of the RBOC.

The Mayor requested a report be provided by the City Attorney that compares the various documents in question (current and proposed ordinance language and the current RBOC agreement) and sets out the differences, with this report to be presented for consideration with the draft ordinance.

Councilmember Gordo also requested the report include a discussion of the existing language of Chapter 2.100.110 Section B.1. and whether this language gives power to the Commission to review an item prior to the item being brought to Council for a decision.

Councilmember Madison asked that the report incorporate an understanding of the Commission's mission to advise Council on Rose Bowl and Golf Course matters and the RBOC's mission to perform its fiduciary duty to operate a business and maximize revenues when considering and determining any inconsistencies in the ordinances.

Following continued discussion, it was moved by Councilmember Streater, seconded by Councilmember Gordo, to direct the City Attorney to draft an ordinance that would remove inconsistencies in the City's current ordinances involving the Commission and RBOC as this relates to the RBOC agreement; to direct staff to provide a report with the draft ordinance that compares the various documents in question (current and draft ordinance language and the current RBOC agreement) and sets out the differences; and to affirm the understanding that Council could continue to request the Recreation and Parks Commission's comments and advise on specific issues regarding the Rose Bowl and Golf Course. (Motion carried, with Councilmembers Haderlein, Madison objecting) (Absent: None)

**ORDINANCE – FIRST
READING**

Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 8 OF THE PASADENA MUNICIPAL CODE TO ESTABLISH TOBACCO-FREE AND SMOKE-FREE CITY PARKS AND PROHIBIT MOBILE VENDING OF CIGARETTES; AMENDING TITLE 5 TO ADD CHAPTER 5.74 TO REQUIRE LICENSING OF TOBACCO RETAILERS; AND AMENDING TITLE 17 TO REQUIRE A CONDITIONAL USE PERMIT FOR SIGNIFICANT TOBACCO RETAILERS IN THE CG, IG, AND CD ZONING DISTRICTS"

The following persons spoke in support of the ordinance prohibiting smoking at Brookside Park, the Golf Course and/or the Rose Bowl area:

Ms. Patricia Haight, Pasadena Tobacco Prevention Coalition
Mr. Kenneth Peter, Pasadena Tobacco Prevention Coalition
Mr. Steven Gallegos, American Heart Association
Ms. Ester Schiller, Pasadena Tobacco Prevention Coalition

Mr. Frank Delich, Brookside Men's Golf Club President, spoke in support of the exemption of the Brookside Golf Course in the ordinance.

Discussion followed on the areas covered by the ordinance, the option of excluding the Brookside Gold Course and Clubhouse patio area, and concerns regarding selective enforcement.

The City Attorney distributed a handout with alternative language, and noted the draft ordinance could be altered to exempt the Brookside Golf Course and Clubhouse patio areas.

The Vice Mayor requested the building and grounds of La Casita be included in the ordinance as a tobacco-free and smoke-free area.

Councilmember Gordo commended staff and the Pasadena Tobacco Prevention Coalition for their work on this matter.

Following discussion, the above ordinance was revised to include the La Casita building and grounds as tobacco-free and smoke-free areas and to exempt the Brookside Golf Course and Clubhouse patio areas from the ordinance, and the ordinance was offered for first reading by Councilmember Little:

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

NOES: None

ABSENT: None

Councilmember Holden was excused at 10:28 p.m.

HUMAN RELATIONS COMMISSION REPORT ON FALUN GONG

The Mayor introduced the agenda item.

The following persons expressed concerns regarding the persecution of and discrimination against Falun Gong practitioners by China, and spoke in support of the Human Relations Commission's 2002 minority report regarding the Falun Gong:

- Ms. Wen Chen, Falun Gong practitioner
- Mr. Dan Sanchez, Falun Gong practitioner
- Ms. Gina Sanchez, Falun Gong practitioner
- Mr. Albert Roman, Falun Gong practitioner
- Mr. John Li, Falun Gong practitioner, displayed photos
- Ms. Bin Zou, Falun Gong practitioner
- Mr. Leeshai Lemish, Falun Gong practitioner

Ms. Terrie Allen, representing Human Relations Commissioner Nat Nehdar, provided a background of the Commission's prior discussions of this issue, and reiterated the minority report's recommendations at Mr. Nehdar's request.

Council commended the Human Relations Commission for its work in reviewing this matter and preparing the majority and minority reports.

Discussion followed on the procedure for taking action on this issue.

MOTION

It was moved by Councilmember Gordo, seconded by Councilmember Little, that the Council condemn the violation of human rights wherever they occur, past and present; and that the Council accept the Human Relations Commission's minority report and its recommendations that the City accept the United Nations Universal Declaration of Human Rights and amend the selection process for future sister cities to include an adherence to the principles outlined in the United Nations Universal Declaration of Human Rights.

Councilmember Little briefly reviewed the reasons for his opposition to the designation of Xicheng as Pasadena's sister city approximately six years ago, and requested the City Clerk retrieve from the legislative record the lengthy materials regarding human rights violations in China that he had distributed at that time and provide these materials for review.

It was suggested that the majority and minority reports be referred to the Sister Cities Committee for the Committee's comments and advice, and that the Committee be informed on the direction of action the Council is contemplating.

Councilmember Streator noted the overall relationship between the United States and China is a federal issue, and suggested letters be sent to Pasadena's Congressional representative and U.S. Senator regarding Council's concern with human rights violations in China, and that our federal representatives be asked to take this into consideration in determining foreign policy with the government of China.

MOTION TABLED

Following discussion, Councilmember Gordo agreed to table his pending motion until the Sister Cities Committee has reviewed the matter and provided comments and advice to Council.

Mayor Bogaard offered to forward the majority and minority reports to the Sister Cities Committee, inform the Committee of Council's discussion, and request the Committee provide advice to Council.

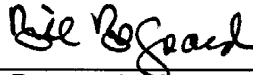
**PUBLIC COMMENT ON
MATTERS NOT ON THE
AGENDA (cont.)**

Ms. Martha Johnson, Pasadena resident, expressed concerns regarding the lack of available affordable rental housing in the City, and suggested that new housing projects be required to designate a higher percentage of units for affordable housing.

Councilmember Streater suggested staff contact Ms. Johnson regarding her experiences in seeking housing.

ADJOURNMENT

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



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



Jane L. Rodriguez
City Clerk

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