

CITY OF PASADENA
City Council Minutes
May 24, 2004 - 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting of the City Council to order at 5:46 p.m. (Absent: Councilmembers Gordo, Madison)

On order of the Mayor, the regular meeting of the City Council recessed at 5:46 p.m., to discuss the following closed sessions:

Councilmember Holden
arrived at 5:55 p.m.

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

**Agency Representatives: Karyn Ezell and Richard Kunz
Employee Organization: International Brotherhood of Electrical
Workers**

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

**City Negotiators: Karyn Ezell and Richard Kunz
Employees: All unrepresented management employees**

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

**CITY COUNCIL CONFERENCE REGARDING PUBLIC
EMPLOYEE PERFORMANCE EVALUATION pursuant to
Government Code 54957**

Title: City Manager

The above closed session was not discussed.

On order of the Mayor, the regular meeting of the City Council reconvened at 6:33 p.m. The Pledge of Allegiance was led by Boy Scout Troop No. 27.

ROLL CALL:

Councilmembers:

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

Staff:

City Manager Cynthia J. Kurtz
City Attorney Michele Beal Bagneris
Assistant City Clerk Sharon McCain Johnson

CEREMONIAL MATTERS

The Mayor presented a proclamation to Mr. Ray Leier declaring May 29 - 31, 2004 as "Old Pasadena Summerfest Weekend". Mr. Ray Leier accepted the proclamation and expressed his appreciation to staff and the City Council and invited everyone to Brookside Park for the Summerfest Weekend.

The Assistant City Clerk administered an oath of office to Concepcion Arechabala as Senior Commissioner.

The Mayor presented a certificate of recognition to the National Guard and Army Reserve, and recognized the presence of Ms. Rita Hadjimanoukian from Los Angeles County Supervisor Michael Antonovich's Office.

Mr. Hoston accepted the certificate, expressed his appreciation, and presented a Freedom Award to the City Council. He also requested Council consider allowing continuous pay for the differences in salary and benefits for all persons serving in the war with Iraq that work for the City of Pasadena and highlighted other companies that participate in the program for the continuous pay of salaries during service in the war.

In response to whether Council would consider the continuous pay program, the Mayor indicated Council would take it under advisement and consider the policy.

Councilmember Little indicated he believed a policy had already been established. The City Manager indicated she would review the matter and verify whether a policy was in place and return to Council for an official action, if necessary.

Councilmember Little invited City Council and the Community to a fundraiser for the Arts Program and silent auction on Sunday, June 6, 2004 from 4:00 p.m. to 7:00 p.m. at the Metro Gallery located at 64 North Raymond.

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

Ms. Serena-Marie Sanfilippo, Pasadena resident, spoke concerning peer counseling.

Ms. Nancy Sullivan, Chair of Human Relations Commission, invited Council to the Annual Award Ceremony and Reception on June 2, 2004.

Mr. Ray Dashner, Pasadena resident, invited Council to a ribbon cutting ceremony for the newly restored Arroyo Ridge Pathway on June 19, 2004 at 10:00 a.m. between California Boulevard and the Arroyo Bird Fountain.

Mr. Paul Lines, representing Pasadena Jazz Institute, invited Council to the Pasadena Museum of California Art beginning June 12, 2004 to September 4, 2004.

CONSENT CALENDAR

AUTHORIZATION TO INCREASE THE NOT TO EXCEED AMOUNT OF CONTRACT NO. 18,404 WITH HIGH LINE CORPORATION FROM \$125,000 TO \$200,000

Recommendation of City Manager: Approve a \$75,000 increase to the amount of Contract No. 18,404 with High Line Corporation, thereby increasing the not to exceed amount from \$125,000 to \$200,000, for services related to the Personality 2000 (P2K) Payroll/HR System. (Contract No. 18,404-1)

Mr. Jay Goldstone, Director of Finance, responded to questions.

APPROVAL OF MINUTES

April 12, 2004

CLAIMS RECEIVED AND FILED

Claim No. 9560	Jean B. Vail	\$534.71
Claim No. 9561	Nora Sanabria	260.00

It was moved by Councilmember Streator, seconded by Vice Mayor Tyler, to approve the Consent Calendar items. (Motion unanimously carried) (Absent: Councilmembers Gordo, Madison)

INFORMATION ITEMS

PRESENTATION BY THE BLUE LINE CONSTRUCTION AUTHORITY REGARDING METRO GOLD LINE ENVIRONMENTAL PROCESS

Mr. Habib F. Balian, Interim Chief Executive Officer, conducted a powerpoint presentation, distributed a handout entitled "Foothill Extension News", provided an update on the extension of the metro system for Phase II from Pasadena to Montclair and the Environmental Impact Report and its approval process. In addition, he noted and invited Council to attend a hearing on June 9, 2004 where engineers would be available to respond to questions; and Mr. Balian responded to questions regarding the Phase II project.

The information was received.

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

AMENDMENT OF THE MASTER PLAN FOR CENTRAL PARK TO MODIFY THE TYPE OF WALKWAY/SECURITY LIGHTS, BENCHES, TRASH CONTAINERS, AND BOLLARDS TO BE USED IN THE PARK, AND ADD A TRASH ENCLOSURE; AND AWARD OF CONTRACT TO TORRES CONSTRUCTION CORPORATION FOR INSTALLATION OF CONCRETE WALKWAYS, SITE FURNISHINGS, TRASH ENCLOSURES, CONDUITS, AND FIXTURE FOOTINGS AT CENTRAL PARK IN THE AMOUNT OF \$360,000

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

(1) Amend the Central Master Plan to modify the type of walkway/security lights, benches, trash containers, and bollards to be used in the park, and add a trash enclosure as shown in Attachments A, B, and C of the agenda report;

(2) Accept the bid dated May 5, 2004, submitted by Torres Construction Corp. in response to Specifications for Central Park Lighting and Walkway Replacement, reject all other bids received, and authorize the City Manager to enter into a contract not to exceed \$360,000 which includes the base bid of \$312,440.50, and \$47,559.50 for any additional work the City may order pursuant to the project specifications (a portion of the additional work to be added was omitted from the bid package to keep the scope of the project within the project budget);

(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 15302 (Class 2), Replacement and Reconstruction (replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced) 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.

Recommendation of Design Commission: On January 26, 2004, this recommendation was presented to the Design Commission for consideration. The Commission voted unanimously to recommend that the amendment be approved with the following modifications:

- A four-foot, Old Pasadena style bench be used;
- The waste container specified in the Master Plan be used;
- An existing north-south walkway located west of the north lawn bowling court be removed and replaced with turf per the Central Park Master Plan. The new lights in the center of the park will be placed near tree masses in the same general area as the walk that is to be removed;
- The globe of the security lights include internal or external shielding to reduce upward glare; and
- The width of the elliptical walkway be widened at the south end of the ellipse to more closely conform to the layout shown in the master plan.

Staff concurs with these modifications and the proposed amendment incorporates all of these recommendations. (Contract No. 18,493)

Recommendation of Recreation and Parks Commission: On February 3, 2004, the Recreation and Parks Commission voted unanimously to recommend that the Central Master Plan be amended to modify the type of walkway/security lights, benches, trash containers, and bollards to be used in the park, and also to add a trash enclosure, including the modifications proposed by the Design Commission.

The City Manager noted Councilmember Madison's support for the staff recommendation, in his absence.

Mr. Todd Holmes, Landscape Architect, summarized the agenda report and responded to questions.

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

**REPORTS AND
COMMENTS FROM
COUNCIL COMMITTEES**

FINANCE COMMITTEE

CONTRACT AWARD TO STEINY AND COMPANY, INC. FOR REPLACEMENT OF VEHICLE SIGNAL HEADS ON WASHINGTON BOULEVARD AND OTHER STREETS FOR AN AMOUNT NOT TO EXCEED \$236,400, ADOPTION OF A RESOLUTION APPROVING A PROGRAM SUPPLEMENT TO PROVIDE FEDERAL FUNDS AND APPROPRIATION OF COMMERCIAL DEVELOPMENT FEES

Recommendation of City Manager:

(1) Accept the bid dated April 27, 2004, submitted by Steiny and Company, Inc. in response to the Specifications for the Replacement of Vehicle Signal Heads on Washington Boulevard and Other Streets, Federal-Aid Project STPLG-5064 (028), reject all other bids received and authorize the City Manager to enter into a contract not to exceed \$236,400 which includes the base bid of \$214,908 and \$21,492 for any additional work the City may order pursuant to the project specifications.

(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 alternations involving negligible expansion of use beyond that previously existing) pursuant to the findings of the Secretary of 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) Adopt a resolution approving Program Supplement No. M063 to the Local Agency - State Agreement No. 07-5064 between the City of Pasadena and the State of California regarding Federal-Aid projects for the Replacement of Vehicle Signal Heads on Washington Boulevard and Other Streets (STPLG-5064[028]); and authorize the City Manager to execute the supplemental agreement as required.

(4) Approve a journal voucher appropriating \$20,000 of Commercial Development Fees to Budget Account No. 75030, Traffic Signal Safety Improvements - Various Locations. (Contract No. 18,494, Journal Voucher No. 2004-40, Resolution No. 8354, Contract No. 16,298-19)

Councilmember Little, Chair of the Finance Committee, summarized the agenda report.

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

MUNICIPAL SERVICES
COMMITTEE

AUTHORIZATION TO ENTER INTO CONTRACT WITH CZARNECKI-YESTER CONSULTING GROUP, LLC FOR SERVICES TO ASSIST WITH ISO SETTLEMENT CHARGE CALCULATIONS AND AUDITING

Recommendation of City Manager:

(1) Authorize the City Manager to enter into a contract with Czarnecki-Yester Consulting Group, LLC (CYCG) without competitive bidding for services to perform ISO settlement charge calculations and auditing in an amount not to exceed \$147,650. Competitive bidding is not required pursuant to City Charter Section 1002(F), contracts for professional or unique services; and
(2) Grant this 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. (Contract No. 18,495)

Vice Mayor Tyler, Chair of the Municipal Services Committee, summarized the agenda report.

Ms. Phyllis Currie, General Manager of Water and Power Department, responded to questions regarding the contract.

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

**RECOMMENDATIONS
FROM OFFICERS AND
DEPARTMENTS**

RESIGNATION OF RALPH McKNIGHT FROM THE PASADENA COMMUNITY ACCESS CORPORATION (District 1 Nomination)

APPOINTMENT OF RALPH McKNIGHT TO THE TRANSPORTATION ADVISORY COMMISSION (District 1 Nomination)

It was moved by Councilmember Streater, seconded by Councilmember Tyler, to accept the above resignation with regret and approve the above appointment. (Motion unanimously carried) (Absent: Councilmembers Gordo, Madison)

AUTHORIZATION TO INCREASE THE NOT TO EXCEED AMOUNT OF CONTRACTS 18,389, 18,390 AND 18,391 WITH HENKELS & McCOY, INC. TO PROVIDE FOR THE UNDERGROUNDING OF UTILITY LINES OWNED BY ALTRIO COMMUNICATIONS

Recommendation of City Manager: It is recommended that the City Council increase the not to exceed amount of Contracts 18,389, 18,390 and 18,391 with Henkels & McCoy, Inc. as follows:

(1) Increase Contract No. 18,389 by \$215,399, thereby increasing the not to exceed amount from \$1,149,101 to \$1,364,500 for the construction of an underground conduit system in Avenue 64 from Colorado Boulevard to 350 feet south of Nithsdale Road;

(2) Increase Contract No. 18,390 by \$238,890, thereby increasing the not to exceed amount from \$1,063,942 to \$1,302,832 for the construction of an underground conduit system in Avenue 64, 350 feet south of Nithsdale Road to the south city limits; and
(3) Increase Contract No. 18,391 by \$131,285, thereby increasing the not to exceed amount from \$889,255 to \$1,020,540 for the construction of an underground conduit system in La Loma Road from Avenue 64 to San Rafael Avenue. (Contract No. 18,389, Contract No. 18,390, Contract No. 18,391)

The City Manager summarized the agenda report and responded to questions.

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

APPROVE A JOURNAL VOUCHER APPROPRIATING \$45,490 FOR A COMMUNITY WORKSHOP RELATED TO THE CITY'S ADOPTION OF THE LAND USE AND MOBILITY ELEMENTS, CENTRAL DISTRICT SPECIFIC PLAN AND REVISED ZONING CODE

Recommendation of City Manager: Approve a journal voucher appropriating \$45,490 from unappropriated general funds to the Planning & Development Department, Budget Account No. 8114-101-441000 for expenses to host a community workshop related to the adoption of the Land Use and Mobility Elements, Central District Specific Plan and Revised Zoning Code. (Journal Voucher No. 2004-42)

The City Manager summarized the agenda report and responded to questions.

In response to questions regarding the dissemination of information regarding the workshop, the City Manager stated she would indicate how the information would be provided in her weekly informational letter, and information regarding the workshop would also be announced to the public through In Focus.

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

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 7:54 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 7:55 p.m. (Absent: Councilmembers Gordo, Madison)

ORDINANCES - FIRST READING

Conduct first reading of "AN UNCODIFIED ORDINANCE OF THE CITY OF PASADENA GRANTING NON-EXCLUSIVE FRANCHISES FOR SOLID WASTE COLLECTION TO TWENTY-SEVEN (27) APPLICANTS"

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

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

NOES: None

ABSENT: Councilmembers Gordo, Madison

Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF PASADENA ESTABLISHED BY SECTION 17.08.040 OF THE PASADENA MUNICIPAL CODE (ROSS GROVE LANDMARK OVERLAY DISTRICT)"

The above ordinance was offered for first reading by Vice Mayor Tyler:

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

NOES: None

ABSENT: Councilmembers Gordo, Madison

Councilmember Little recused himself due to a conflict of interest.

Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF PASADENA ESTABLISHED BY SECTION 17.08.040 OF THE PASADENA MUNICIPAL CODE (EXTENSION OF BUNGALOW HEAVEN LANDMARK OVERLAY DISTRICT)"

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

AYES: Councilmembers Haderlein, Holden, Streator, Vice Mayor Tyler, Mayor Bogaard

NOES: None

ABSTAINED: Councilmember Little

ABSENT: Councilmembers Gordo, Madison

PUBLIC COMMENT FOR MATTERS NOT ON THE AGENDA
(CONTINUED)

Mr. Marc Jones, representing Pasadena Neighborhood Housing, informed Council of the number of homes funded by Community Development Block Grants; and invited Council to its 25th Annual Anniversary on June 9, 2004 at the Pasadena Civic Center Auditorium and to the Annual Pride Day Event on June 12, 2004.

Ms. Nina Meyers, Senior Loan Officer, informed Council of current pending loans.

Vice Mayor Tyler inquired if annual financial or audited reports are received for housing services.

The City Manager indicated she was not aware of any, however, there were reports as to the funding provided.

Mr. Richard Bruckner, Director of Planning and Development, indicated Council received performance reports and that the funds are spent according to the regulations.

PUBLIC HEARINGS

CONTINUED PUBLIC HEARING: ADOPTION OF THE FY 2005 - 2010 CAPITAL IMPROVEMENT PROGRAM BUDGET

Recommendation of City Manager:

- (1) Adopt by resolution the FY 2005 - 2010 Capital Improvement Program Budget as amended by the Finance Committee. This adopted budget shall go into effect immediately; and
- (2) Approve a journal voucher amending the FY 2004 CIP budget resulting in a decrease of \$1,300,052, as detailed in Attachment III of the agenda report.

In addition to the staff recommendations, the Finance Committee made the following additional recommendation:

- (3) Appropriate \$175,000 to the La Pintoresca Water Play Area project from the following sources: \$40,000 Residential Impact Fees and \$135,000 in Residential Impact Fees Interest. The Residential Impact Fees interest will be back filled with future Residential Impact Fees collected in the West District. This project will be designed and construction may begin in FY 2005. (Resolution No. 8355; Journal Voucher 2004-41)

Recommendation of Recreation and Parks Commission: On March 2, 2004, the Recreation and Parks Commission recommended approval of the Parks and Landscaping and the Arroyo Projects sections.

Recommendation of Transportation Advisory Commission: On March 12, 2004, the Transportation Advisory Commission recommended approval of the Streets and Streetscape, and Traffic Control and Facilities section.

Recommendation of Northwest Commission: On March 23, 2004, the Northwest Commission recommended approval of all projects located in Northwest Pasadena.

Recommendation of Planning Commission: On March 24, and April 28, 2004, the Planning Commission found all new projects in the Recommended FY 2005 - 2010 CIP to be in compliance with the General Plan.

The Mayor announced now was the time for the continued public hearing.

The Assistant City Clerk reported the notice of public hearing was published in the Pasadena Star News April 5-9, 2004; no correspondence was received.

Councilmember Little, Chair of the Finance Committee, summarized the agenda report and the recommendation of the Finance Committee.

Mr. Martin Pastucha, Director of the Public Works Department, responded to questions regarding raising funds for a tot lot playground.

Councilmember Holden requested staff try to locate funding for a tot lot playground at Memorial Park.

The City Manager noted she was optimistic the funds would be raised this year.

It was moved by Councilmember Little, seconded by Councilmember Streater, to close the public hearing. (Motion unanimously carried) (Absent Councilmembers Gordo, Madison)

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

Councilmember Little expressed his appreciation to staff for a job well done.

CONTINUED PUBLIC HEARING: FISCAL YEAR 2005 RECOMMENDED OPERATING BUDGET

Recommendation of City Manager: It is recommended that the City Council receive public comment and continue the public hearing to each subsequent regular meeting of the City Council at 8:00 p.m. until June 21, 2004 or such other later date as the City Council may determine, and at which time the City Council will be asked to close the public hearing and formally adopt the Operating Budget.

The Mayor announced now was the time for the continued public hearing.

Councilmember Little, Chair of the Finance Committee, informed Council that the Finance Committee had begun to review the Department budgets and that there were very few changes from FY 2004. and he believed the City Manager had proposed a reasonable budget.

There was no public comment.

On order of the Mayor, the above public hearing was continued to June 7, 2004 at 8:00 p.m.

PUBLIC HEARING: ADOPTION OF A RESOLUTION TO ESTABLISH UNDERGROUND UTILITY DISTRICT NO. 04-1 LOS ROBLES AVENUE (WASHINGTON BOULEVARD TO NORTH CITY LIMITS)

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

Councilmember Haderlein was excused at 8:15 p.m.

(1) Adopt a resolution establishing Underground Utility District No. 04-1, Los Robles Avenue from Washington Boulevard to North City Limits.

(2) Acknowledge this project to be categorically exempt under the California Environmental Quality Act in accordance with Article 19, Section 15302(a) of the CEQA Guidelines (conversion of overhead electric utility systems to underground) 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. (Resolution No. 8356)

The Mayor opened the public hearing.

The Assistant City Clerk reported that on May 12, 2004, 58 copies of the notice of public hearing were posted and 131 copies of the notice were mailed; and no correspondence was received.

The Mayor noted an amended title to the resolution as "Resolution Establishing the Formation of Underground Utility District 04-1 on Los Robles Avenue from Washington Boulevard to North City Limits."

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

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

RECESS/JOINT MEETING
Councilmember Haderlein
returned at 8:21 p.m.

On order of the Mayor the regular meeting of the City Council recessed at 8:21 p.m., to a joint meeting with the Community Development Commission. (Absent: Councilmembers Gordo, Madison)

JOINT PUBLIC HEARING: APPROVAL OF ANNUAL ACTION PLAN (2004 - 2005) FOR THE CITY'S PARTICIPATION IN THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ("HUD") COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG); EMERGENCY SHELTER GRANT (ESG); HOME INVESTMENT PARTNERSHIP ACT (HOME); AMERICAN DREAM DOWN PAYMENT INITIATIVE (ADDI); HOPWA (HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS) PROGRAMS; AND RELATED HUMAN SERVICES ENDOWMENT FUND (HSEF) ALLOCATIONS

Recommendation of City Manager/Chief Executive Officer: It is recommended that upon the close of the public hearing, the City Council and Community Development Commission adopt a resolution:

(1) Approving the Annual Action Plan (2004-2005) including the project funding recommendations identified in Exhibits "A", "B" and "C" of the agenda report with the following funding allocations: CDBG \$2,740,191; HOME \$1,349,744; ADDI \$55,962; ESG \$206,162 (\$103,081-HUD/ESG funds; \$103,081 Fannie Mae American Communities Fund Interest Earnings as the required local match); and the related HSEF \$113,200;

(2) Authorizing the City Manager/Chief Executive Officer to execute, and the City Clerk to attest, the Annual Action Plan (2004-2005) and any and all other documents deemed necessary by HUD to obtain the allocation of the aforementioned Federal CDBG, ESG, HOME, ADDI and HOPWA funds in accordance with the plan; and

(3) Authorizing upon approval by HUD of the City of Pasadena's application, the City Manager/Chief Executive Officer to execute, and the City Clerk to attest, the recipient/sub-recipient agreements and/or amendments thereto, in a form acceptable to the City Attorney, for all recipients and/or sub-recipients recommended for a funding allocation. (Resolution No. CDR-232)

Recommendation of Northwest Commission: The Northwest Commission recommended approval of the recommendations on April 27, 2004.

Recommendation of Human Services Commission: The Human Services Commission recommended approval on April 5, 2004.

The Mayor opened the public hearing.

The Assistant City Clerk reported the notice of public hearing was published in the Pasadena Journal on May 6, 2004, and no correspondence was received.

Ms. Eunice Gray, Project Planner, summarized the agenda report and responded to questions.

Ms. Valerie Babinski-Manlic, Program Coordinator, responded to questions.

The City Manager responded to questions regarding programs and funding.

Discussion ensued concerning a description of the activities and accountability of the PasadenaLearns Program.

Councilmember Streator suggested not appropriating funding to Project Advance until an appropriate agency would take over its responsibilities.

Councilmember Little requested that if an agency is not located, the funds can be set aside for another program.

The following persons spoke regarding funding needs:

Ms. Margie Martinez, representing Community Health Alliance of Pasadena, requested funding for Making Smiles Bright Dental Health Program

Ms. Pixie Boyden, Chair of the Northwest Commission, requested economic development funding

Ms. Angie O'Brien, Chair of Human Services Commission, summarized the Commission's review process and responded to questions

Ms. Stella Murga, representing Pasadena Youth Center, requested consideration for job preparation for youth and young adults and that Council review the recusal process for the Human Services Commission.

Mr. Amauri Membreno, representing IDEPSCA, spoke in support of the Day Labor Job Center and requested additional funding

Councilmember Haderlein was excused at 9:06 p.m.
Councilmember Holden was excused at 9:07 p.m.

Ms. Suzanne Foster, representing Pasadena Community Job Center, requested additional funding for the Center

Ms. Angelica Bautista Hernandez, representing Proyecto Domesticas del Centro Comunitario de Pasadena, requested additional funding for the Pasadena Community Job Center

Mr. Alvaro Gaona Sanchez, representing IDEPSCA, spoke in support

Councilmember Holden returned at 9:10 p.m.

Ms. A. Dominguez, representing Pasadena Community Job Center, requested additional funding for the Center

Mr. Troy Sybrant, Pasadena resident, spoke in opposition to the funds provided for the Emergency Homeless Response Program (EHRP), requested additional funding, and responded to questions

Councilmember Haderlein returned at 9:14 p.m.

Ms. Linda Ramos, representing El Centro de Accion Social, requested additional funding for the program

In response to a question regarding how requests are received and turned into recommendations, the City Manager indicated the priorities are set first from the Commissions and then Council.

Discussion ensued concerning funding that is not all spent and how block grant funding is recaptured. Mr. Richard Bruckner, Director of Housing and Development, explained when programs do not fully spend their funding or cannot fulfill the requirements, the funds go through a re-allocation process with the Northwest Commission, and the Commission reviews its priorities and unfunded programs and makes a recommendation to City Council.

Mr. John Depew, Program Coordinator II, responded to questions regarding the PasadenaLearns Program

Ms. Patsy Lane, Director of Human Services, responded to additional questions.

Councilmember Little requested staff provide a detailed accounting of the PasadenaLearns entire budget and to specify what exactly the funding was paying for and its programs, as well as who and how many clients the program intends to service.

Councilmember Haderlein expressed his support for additional funding for the Emergency Homeless Response Program (EHRP) if additional funds are located or re-allocated.

Councilmember Streater expressed the difficulty of providing the funding needs of the community and indicated if additional funding is to be re-allocated, she would support funding for the Community Health Alliance Making Smiles Bright Dental Health Program.

Vice Mayor Tyler also expressed his support for the additional funding for the Community Health Alliance Making Smiles Bright Dental Program.

Councilmember Holden indicated that when looking at re-allocated funds, he suggested looking at the priorities established by the Northwest Commission regarding economic development, job training and development. He also emphasized the importance of supporting young people and creating economic opportunities.

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

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

JOINT MEETING
ADJOURNED/MEETING
RECONVENED

On order of the Mayor, the joint meeting with the Community Development Commission adjourned at 9:37 p.m., and the regular meeting of the City Council reconvened at this time. (Absent: Councilmembers Gordo, Madison)

**RECOMMENDATIONS
FROM OFFICERS AND
DEPARTMENTS**

**HOUSING AFFORDABILITY TASK FORCE FINAL REPORT
RECOMMENDATIONS ON INCREASED TENANT
PROTECTIONS; CONDOMINIUM CONVERSIONS AND RENTAL
HOUSING PROTECTIONS ORDINANCE**

Recommendation of City Manager: It is recommended that the City Council direct the City Attorney to:

- (1) Prepare an amendment to the City's condominium conversion ordinance so that it is consistent with State guidelines and to provide additional protections to tenants displaced by condominium conversion as outlined in the agenda report; and
- (2) Prepare a Rental Housing Protections Ordinance which would require property owners to provide landlord/tenant rights pamphlets to their tenants and require the payment of relocation allowance for

tenant-in-good-standing evictions/vacations as described in the agenda report.

Recommendation of Community Development Committee: At a special meeting on April 29, 2004, the Community Development Committee ("Committee") recommended approval of the staff recommendations with additional modifications. Staff concurs with the modifications, which have been incorporated in the recommendations described in the body of the agenda report. On April 22, 2004, at the request of the City Council, a workshop was convened by the Committee to provide a public forum to consider this subject. At this workshop, the Committee received comments from property owners, tenants, developers, and other interested parties.

Mr. Jim Wong, Project Manager, summarized the agenda report and responded to questions.

In response to an inquiry regarding condominium conversions, Mr. Richard Bruckner, Director of Planning and Development, indicated there was a discussion about substantial rehabilitation and his recollection was that Council did not want to discourage substantial rehabilitation and have the Inclusionary Housing requirement apply, however, he would review the issue.

The following persons spoke in support of the City Manager's recommendation:

Ms. Laura Kaufman, Pasadena resident, also submitted a letter
Mr. Jesus Esparza, Pasadena resident

The following persons spoke in opposition to the City Manager's recommendation:

Councilmember Little was excused at 9:55 p.m.

Ms. Helen Bunt Smith, Pasadena resident
Mr. Paul De Joseph, representing PUSH Foothill Apartment Association
Mr. John Gordon, Pasadena resident, and offered suggests
Mr. Hugh Smith, Pasadena resident, offered suggestions
Mr. James Lomako, Pasadena resident
Mr. Frank H. Whitehead, III, landlord

Councilmember Little returned at 10:01 p.m.

In response to a suggestion regarding a simpler information sheet, Mr. Bruckner informed Council staff was willing to work with groups for a more simpler sheet for landlords and tenants in multiple languages.

Following discussion concerning placing the information for the landlord and tenants on a web site, whether consideration was given for possible cases of natural disasters, and when a new landlord decides to perform major renovation and the tenant has to be displaced.

The City Manager indicated natural disasters were not discussed.

Mr. Richard Bruckner indicated that relocation costs were not included for the displacement of a tenant when a new landlord makes renovations.

Discussion ensued regarding enforcement, notifying tenants of their rights, the possibility of the public reviewing the ordinance before its adoption, and the relocation of tenants that are evicted.

Mr. Bruckner indicated that there were many discussions regarding the reasons why tenants are evicted and staff determined to consider the physical condition of property.

The City Manager also indicated staff would draft the ordinance so that the circumstances that Council suggested would not mean a relocation because of an eviction when there was not damaged to an actual unit.

The City Attorney responded to questions regarding the definition of Government Order to Vacate.

Discussion ensued concerning the definition of the term "within good standing". The City Manager indicated she did not believe it was necessary to define the term if the Council concurred with the recommendation.

Following a discussion concerning the Government Order to Vacate on Page 5, under subheading (b) of the agenda report, it was suggested that the ordinance include a tenant return to occupancy "upon completion of renovation or repair" rather than the tenant returning upon correction of the violations; and the criteria for the relocation allowance.

It was moved by Councilmember Holden, seconded by Councilmember Streater, to approve the City Manager's recommendation as modified to provide that the landlord does not have to pay relocation costs when property is vacated due to an act of God or physical condition of the property caused by the tenant; require the landlord to pay relocation assistance if vacated for major rehabilitation or renovation unless the tenant is returned to the unit; provide one sheet on the rental housing protection ordinance to present to the tenants; and the City Attorney allow public review of the proposed ordinance in approximately six weeks and return to Council with the proposed ordinance in approximately eight weeks. (Motion unanimously carried) (Absent: Councilmembers Gordo, Madison)

RECESS/CLOSED
SESSION

On order of the Mayor, the regular meeting of the City Council recessed at 11:09 p.m. to discuss the following closed session item:

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL -
PENDING LITIGATION pursuant to Government Code Section
54956.9(b)(1): Claim No. 9502**

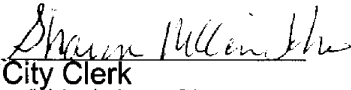
The above closed session item was discussed, with no reportable action at this time.

On order of the Mayor, the regular meeting of the City Council adjourned at 11:20 p.m.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk

smj/cldata/minutes.04