

CITY OF PASADENA
City Council Minutes
August 23, 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 5:30 p.m. (Absent: Councilmembers Gordo, Madison Streater)

On order of the Mayor, the regular meeting of the City Council recessed at 5:30 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

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

CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code Section 54957.6
Agency Negotiators: Dennis J. Downs, Karyn Ezell
Employee Organizations: Pasadena Fire Fighters Association, Local 809; and Pasadena Firefighters Management Association

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

CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code Section 54957.6
Agency Negotiators: Karyn Ezell, Richard Kunz
Employee Organizations: All represented and unrepresented employees

The above closed session was not discussed.

On order of the Mayor, the regular meeting of the City Council reconvened at 6:35 p.m. The Pledge of Allegiance was led by City Attorney Michele Beal Bagneris

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 (Absent)

Staff:

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

CEREMONIAL MATTERS

The City Clerk administered the oath of office to Charles Thomas, as Human Services Commissioner.

Mr. Gordon and Joanne Stebenne, with the Sister Cities Committee, introduced Futoshi Sato and Erika Tada, visiting students from Japan, Mishima. The students briefly described their visit in Pasadena.

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

Mr. David Romney, representing the West Pasadena Residents Association (WPRA), submitted a letter regarding Consent Calendar Item 5.C., setting a public hearing on September 27, 2004 for the 2004 General Plan Land Use & Mobility Elements, Central District Specific Plan, and Zoning Code Revisions and requesting the re-circulation of the Draft Environmental Impact Report (DEIR) before action is taken.

Mr. Bob Kneisel, Chair, Pasadena Neighborhood Association, echoed comments made by Mr. Romney.

Ms. Mary Dee Romney, Pasadena resident, submitted a handout with comments on the Draft Environmental Impact Report for the 2004 Land Use and Mobility Elements, Zoning Code Revisions and Central District Specific Plan.

Mr. Kurt Thorgerson, Pasadena resident, spoke on the issue of identity theft and requested Council's support for legislation that bars corporations from using the Internet to hire employees.

Ms. JoAnn DeQuattro, Coalition for Justice and Peace, expressed concern regarding the cost and consequences of the war in Iraq to Pasadena residents.

Ms. Serena Marie-Sanfilipo, Pasadena resident, spoke regarding her housing situation and asked that Council remember school teachers that have dedicated their life to Pasadena.

Ms. Trisha Thayer, homeless Pasadena resident, spoke regarding her need for housing.

Ms. Thayer was encouraged to call the City Manager's Office in the morning.

CONSENT CALENDAR

CONTRACT AWARD TO AMERICAN ASPHALT SOUTH, INC. FOR THE SLURRY SEAL OF STREETS - 2004 FOR AN AMOUNT NOT TO EXCEED \$313,000

Recommendation of City Manager:

(1) Accept the bid dated August 4, 2004 submitted by American Asphalt South, Inc., in response to the Specifications for the Slurry Seal of Streets - 2004, reject all other bids received, and authorize the City Manager to enter into a contract not to exceed \$313,000, which includes the base bid of \$284,462 and \$28,538 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 (CEQA) in accordance with Article 19, Section 15301 (Class 1), subsection (c) of the Resources Agency of California Guidelines (repair of existing public streets) pursuant to the findings of the Secretary of the Resources Agency and authorize the City Manager to execute and the City Clerk to file a Notice of Exemption for the project with the Los Angeles County Clerk. (Contract No. 18,610)

APPROVAL OF FINAL VESTING TRACT MAP NO. 60116, BEING A SIX-UNIT CONDOMINIUM PROJECT AT 600 SOUTH ORANGE GROVE BOULEVARD

Recommendation of City Manager: Adopt a resolution to:

(1) Approve final vesting Tract Map No. 60116; and

(2) Authorize the City Clerk to execute the certificate on the map showing the City's approval of said map. (Resolution No. 8388)

Item discussed separately at the request of Vice Mayor Tyler.

APPROVAL OF FINAL VESTING TRACT MAP NO. 53817, BEING AN 11-UNIT CONDOMINIUM PROJECT AT 434 SOUTH OAKLAND AVENUE

Item discussed separately at the request of Councilmember Little.

AMEND CONTRACT NO. 18,162 BETWEEN THE CITY OF PASADENA AND THE PASADENA UNIFIED SCHOOL DISTRICT FOR THE DISBURSEMENT OF \$437,000 FOR SCHOOL FIELD IMPROVEMENT PROJECTS TO INCLUDE LANGUAGE AND TERMS REQUIRED BY THE RESOURCE AGENCY OF THE STATE OF CALIFORNIA TO BE ELIGIBLE FOR \$264,000 FROM PROPOSITION 12 SAFE PARKS ACT OF 2000 PER CAPITA ALLOCATION

APPROVAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PASADENA AND THE PASADENA POLICE OFFICERS ASSOCIATION (PPOA) FOR THE TERM APRIL 25, 2004 THROUGH APRIL 30, 2006

Recommendation of City Manager: It is recommended that the City Council approve a successor Memorandum of Understanding between the City of Pasadena and the Pasadena Police Officers Association (PPOA) for the period April 25, 2004 through April 30, 2006. (Contract No. 18,611)

APPROVE A FIVE-YEAR LEASE, WITH FOUR FIVE-YEAR OPTIONS FOR SAN GABRIEL VALLEY LEARNING CENTERS (FORMERLY THE GIRLS CLUB) AT 3160 EAST DEL MAR BOULEVARD

Recommendation of City Manager:

- (1) Affirm that the real property at 3160 East Del Mar Boulevard is serving a public purpose through its lease to the San Gabriel Valley Learning Centers (SGVLC), which provides human, social, and educational services to the community;
- (2) Find and determine that the lease is Categorically Exempt (Class 1) from environmental review pursuant to the guidelines of the California Environmental Quality Act, CEQA guidelines (Section 15301 Existing Facilities);
- (3) Find and determine that the lease extending the term up to 25 years without competitive bidding will achieve an extraordinary and overriding public benefit;
- (4) Approve the terms and provisions of the lease, which includes conditions that SGVLC: 1) continue to provide significant public benefits to the Pasadena community, 2) cooperate in annual performance reviews conducted by the Department of Human Services and Recreation, and 3) provide proper maintenance of the property for the term of the lease; and
- (5) Authorize the City Manager to execute the lease and all other documents pertaining thereto and to perform such other and further acts as required under the lease. (Contract No. 18,612)

APPROVAL OF MINUTES

June 21, 2004
 June 28, 2004
 July 5, 2004 (Cancelled)

CLAIMS RECEIVED AND FILED

Claim No. 9630	Vicki James	\$ Not Stated
Claim No. 9631	Armand Pamintuan	Not Stated
Claim No. 9632	Mary R. Smith	270.00
Claim No. 9633	Guy M. Hallman	25,000.00+
Claim No. 9634	Joel Adell	Not Stated

PUBLIC HEARINGS SET
Item discussed separately due to a request for public comment.

September 27, 2004, 8:00 p.m. - 2004 General Plan Land Use & Mobility Elements, Central District Specific Plan, and Zoning Code Revisions

October 4, 2004, 8:00 p.m. - Amendment to PD-11 - Expansion of Self Storage Facility

It was moved by Councilmember Haderlein, seconded by Councilmember Little, to approve the Consent Calendar with the exception of Item 4.A.3 (Final Vesting Tract Map No. 53817), Item 4.A.4 (Contract with PUSD for School Field Improvement Projects), and Item 4.C. (Public Hearings Set) which were discussed separately. (Motion unanimously carried) (Absent: Councilmembers Gordo, Madison, Streator)

CONSENT ITEMS
DISCUSSED SEPARATELY

APPROVAL OF FINAL VESTING TRACT MAP NO. 53817, BEING AN 11-UNIT CONDOMINIUM PROJECT AT 434 SOUTH OAKLAND AVENUE

Recommendation of City Manager: Adopt a resolution to:

- (1) Approve final vesting Tract Map No. 53817; and
- (2) Authorize the City Clerk to execute the certificate on the map showing the City's approval of said map. (Resolution No. 8389)

Mr. Richard Bruckner, Director of Planning and Development, responded to questions.

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

AMEND CONTRACT NO. 18,162 BETWEEN THE CITY OF PASADENA AND THE PASADENA UNIFIED SCHOOL DISTRICT FOR THE DISBURSEMENT OF \$437,000 FOR SCHOOL FIELD IMPROVEMENT PROJECTS TO INCLUDE LANGUAGE AND TERMS REQUIRED BY THE RESOURCE AGENCY OF THE STATE OF CALIFORNIA TO BE ELIGIBLE FOR \$264,000 FROM PROPOSITION 12 SAFE PARKS ACT OF 2000 PER CAPITA ALLOCATION

Recommendation of City Manager: Amend Contract No. 18,162 between the City of Pasadena and the Pasadena Unified School District for the disbursement of \$437,000 for school field improvement projects to include language and terms required by the State of California to be eligible for \$264,000 from Proposition 12 Safe Parks Act of 2000 per capita allocation. (Contract No. 18,162-1)

The City Manager responded to questions.

Councilmember Little suggested the Linda Vista school site could be a good community park site and suggested staff contact the School District staff to find out what kind of improvement would be needed.

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, Streator)

PUBLIC HEARINGS SET

September 27, 2004, 8:00 p.m. - 2004 General Plan Land Use & Mobility Elements, Central District Specific Plan, and Zoning Code Revisions

The following individuals spoke in support of moving forward and setting the above public hearing:

Mr. Omel Nieves, Pasadena Chamber of Commerce
Ms. Katherine Haskett Hany, Playhouse District Association
Ms. Marilyn Buchanan, Pasadena Chamber of Commerce

Councilmember Holden noted it would be helpful for staff to provide options or alternatives to staff recommendations.

The City Manager noted staff will ensure there are separate actions and options in the report.

October 4, 2004, 8:00 p.m. - Amendment to PD-11 - Expansion of Self Storage Facility

It was moved by Councilmember Holden, seconded by Vice Mayor Tyler, to set the above public hearings. (Motion unanimously carried) (Absent: Councilmembers Gordo, Madison, Streater)

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 7:19 p.m. to the special meeting of the 457 Deferred Compensation Plan Trustees.

RECONVENED

On order of the Mayor, the regular meeting of the City Council reconvened at 7:30 p.m. (Absent: Councilmembers Gordo, Madison, Streater)

R E P O R T S A N D
C O M M E N T S F R O M
C O U N C I L C O M M I T T E E S
F I N A N C E C O M M I T T E E

MANAGEMENT AND MAINTENANCE OF THE LOS ANGELES INTERAGENCY METROPOLITAN POLICE APPREHENSION CRIME TASK FORCE'S (LA IMPACT) AIR SUPPORT UNIT BY THE PASADENA POLICE DEPARTMENT

Recommendation of City Manager:

(1) Authorize the City Manager to approve an amendment to the current Memorandum of Understanding (MOU) between the City of Pasadena and the other member cities of the Los Angeles Interagency Metropolitan Police Apprehension Crime Task Force (LA IMPACT) to provide management and maintenance of their Air Support Unit for coordinated drug, gang and homeland security efforts throughout Los Angeles County.

(2) Approve a journal voucher recognizing revenues of \$50,000 from this agreement into the LA IMPACT FY 2005 Operating Budget (Account No. 104-402410) to fund the maintenance of LA IMPACT helicopters. (Contract No. 18,613-1; Journal Voucher No. 2005-4)

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

It was moved by Councilmember Little, seconded by Vice Mayor Tyler, to approve the City Manager's recommendation with the amendment to direct the Police Chief to prepare a financial pro forma for L.A. Impact showing revenue and expense elements. (Motion unanimously carried) (Absent: Councilmembers Gordo, Madison Streater)

SETTING PRIORITIES FOR GOLD LINE PHASE I ENHANCEMENT PROJECTS AND APPROVE JOURNAL VOUCHER RECOGNIZING \$5,415,000 IN GOLD LINE SURPLUS

FUNDS

Recommendation of City Manager:

(1) Approve the priority order for completing the FY 2005 Capital Improvement Program project, Gold Line Phase I - Project Enhancements, with use of Gold Line Phase I surplus funds as follows:

(a) Sierra Madre Villa Station - South Pedestrian Overcrossing \$2,400,000

(b) Fillmore Station Pedestrian Plaza - Raymond Avenue to Station and Fillmore Street Lighting and Traffic Signal Improvements - \$100,000.

(c) Information Kiosks - \$90,000.

(d) Noise Mitigation for Freeway Stations - \$2,825,000

(2) Approve a journal voucher recognizing \$5,415,000 from the Los Angeles to Pasadena Metro Blue Line Construction Authority and appropriating \$2,400,000 to Budget Account No. 75068 (South Access Pedestrian Bridge to the Sierra Madre Villa Light Rail Station) and \$3,015,000 to Budget Account No. 75506 (Gold Line Phase I - Project Enhancements); and

(3) Approve a journal voucher recognizing and appropriating \$151,000 of Light Rail Reserves (Proposition C) to Budget Account No. 75506 (Gold Line Phase I - Project Enhancements). (Journal Voucher No. 2005-5)

Councilmember Little summarized the report and responded to questions.

Ms. Donna Pomarantz, Chair of the Accessibility and Disability Commission, requested that Items D and C on the priority list be made Items A and B, expressing concerns that if they are not first on the list they may not get done properly or may not get done at all.

Ms. Terrie Allen, Accessibility and Disability Commissioner, reiterated Ms. Pomarantz' comments.

Councilmember Little clarified all projects are first priority and they will all be funded.

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

AMENDMENT TO CONTRACT NO. 17,732 WITH COTTON/BRIDGES/ASSOCIATES IN THE AMOUNT OF \$60,000

Recommendation of City Manager:

(1) Approve an amendment to Contract No. 17,732 with Cotton/Bridges/Associates in the amount up to \$60,000 to expand the range of alternatives analyzed in the Pasadena General Plan Environmental Impact Report (EIR), to allow the EIR and traffic consultants to attend additional public meetings and to increase the allowance for responses to comments; and

(2) Approve a journal voucher appropriating \$60,000 from the unappropriated Building Services Fund to Account No. 8115-101-444100-95601. (Contract No. 17,732-2; Journal Voucher No. 2005-6)

Councilmember Little summarized the 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, Streator)

**RECOMMENDATIONS
FROM OFFICERS AND
DEPARTMENTS**

APPROVAL OF AN AMENDMENT TO THE EMPLOYMENT AGREEMENT WITH CITY CLERK JANE L. RODRIGUEZ

Recommendation of Mayor: It is recommended that the City Council approve the Amendment to Contract No. 17,605, the Employment Agreement between the City of Pasadena and City Clerk Jane L. Rodriguez, effective March 22, 2004; and approve a journal voucher appropriating the necessary funds from the FY 2005 Personnel Reserve to the FY 2005 Operating Budget. (Contract No.17,605-1; Journal Voucher 2005-8)

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

APPOINTMENT OF TODD IACONO TO THE PASADENA CENTER OPERATING COMPANY (Hotel-Hilton Nomination)

APPOINTMENT OF GREGORY J. HUGHES TO THE CODE ENFORCEMENT COMMISSION (District 7 Nomination)

APPOINTMENT OF MICHAEL WARNER, II TO THE ACCESSIBILITY & DISABILITY COMMISSION (District 5 Nomination)

RATIFICATION OF APPOINTMENT OF SAM JOHNSON TO THE HUMAN SERVICES COMMISSION (PUSD Nomination)

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

ORDINANCES - ADOPTED

Adopt "AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17 (THE ZONING CODE) TO ALLOW SECOND DWELLING UNITS IN THE RS (SINGLE-FAMILY RESIDENTIAL) ZONING DISTRICTS" (Introduced by Councilmember Little) (Ordinance No. 6986)

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

Adopt "AN UNCODIFIED ORDINANCE OF THE CITY OF PASADENA FIXING THE TAX RATE FOR THE POLICE BUILDING AND JAIL GENERAL OBLIGATION BONDS AND ESTABLISHING PROCEDURES FOR THE COLLECTION AND ENFORCEMENT OF SAID TAX" (Introduced by Councilmember Streator) (Ordinance No. 6987)

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

Adopt "AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTER 4.17 OF THE PASADENA MUNICIPAL CODE RELATING TO RESIDENTIAL IMPACT FEES AND THE DEDICATION OF LAND IN LIEU OF SUCH FEES" (Introduced by Councilmember Madison) (Ordinance No. 6988)

Ms. Mary Dee Romney, Pasadena resident, spoke in opposition to the adoption of the ordinance.

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

Adopt "AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 16 OF THE PASADENA MUNICIPAL CODE (SUBDIVISIONS) RELATED TO CALLS FOR REVIEW" (Introduced by Councilmember Little) (Ordinance No. 6989)

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

Adopt "AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17 (ZONING CODE) TO ADD PLANNED DEVELOPMENT-31 MONTANA I AND II" (Introduced by Councilmember Holden) (Ordinance No. 6990)

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

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 8:03 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 8:05 p.m. (Absent: Councilmembers Gordo, Madison, Streator)

PUBLIC HEARINGS

APPLICANT APPEAL OF A REVOKED MESSAGE TECHNICIAN PERMIT

Recommendation of City Manager: At the applicant's request, it is recommended that the City Council continue the appeal hearing to November 15, 2004 at 8:00 p.m.

The above public hearing was continued to November 15, 2004 at 8:00 p.m.

PUBLIC HEARING: REPORT ON WATER QUALITY PUBLIC HEALTH GOALS

Recommendation of City Manager:

- (1) Hold a public hearing on August 23, 2004 for the purpose of accepting and responding to public comments on the City of Pasadena's Report on Water Quality Public Health Goals (PHGs);
- (2) Accept the City of Pasadena's Report on Water Quality Public Health Goals; and
- (3) Declare the 2004 Report on Water Quality Public Health Goals to be categorically exempt from the California Environmental Quality Act and the "Environmental Guidelines and Procedures for the City of Pasadena" pursuant to Section 15308 of the State California Environmental Quality Act (CEQA) Guidelines (actions by regulatory agencies for protection of the environment).

The Mayor opened the public hearing.

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

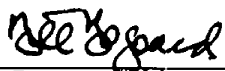
There was no public comment.

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

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

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 8:10 p.m.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk
s:\data\min2004