

CITY OF PASADENA  
City Council Minutes  
September 13, 2004 – 5:30 P.M.  
Pasadena Senior Center, Multi-Purpose Room  
85 East Holly Street

REGULAR MEETING

**OPENING:** Mayor Bogaard called the regular meeting to order at 5:36 p.m.  
(Absent: Councilmembers Gordo, Holden, Madison)

On order of the Mayor, the regular meeting recessed at 5:36 p.m., to discuss the following closed sessions:

Councilmember Madison  
arrived at 6:00 p.m.

**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**

Councilmembers Gordo and  
Holden arrived at 6:06 p.m.

**CITY COUNCIL CONFERENCE REGARDING PUBLIC  
EMPLOYEE PERFORMANCE EVALUATION pursuant to  
Government Code Section 54957  
Title: City Clerk**

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

On order of the Mayor, the regular meeting reconvened at 6:38 p.m. The Pledge of Allegiance was led by Vice Mayor Tyler.

**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

**CEREMONIAL MATTERS**

The City Clerk administered the oath of office to Samuel T. Johnson as Human Services Commissioner.

The Mayor congratulated the Villa Parke (under 9) All Stars Soccer Team on winning their classification in the Los Angeles Galaxy Tournament of Champions, and introduced Coach Ivan Pacheco and Marco Bermudez, Soccer Coordinator.

Mr. Pacheco thanked the City, the assistant coach, and the "team mom" for their support of the team; introduced the team members; and presented the winner's trophy to Patsy Lane, Director of Human Services and Recreation Department.

Ms. Lane announced the trophy would be displayed at the Villa Parke Community Center.

Councilmember Gordo praised the team for its victory and the coaches for their role in helping to build the soccer program at Villa Parke.

Vice Mayor Tyler reported on the Release of Souls program held at the Pasadena Civic Auditorium on September 3, 2004, which was hosted by the Pasadena and South Pasadena firefighters in memory of the fallen firefighters involved in the New York City World Trade Center tragedy of September 11, 2001 and honoring all firefighters and emergency responders throughout the United States.

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

Dr. James Kholos, Crown Valley Senior Olympics representative, proposed that the City honor Pete Clentzos, the longest living Olympian, in some way (e.g. naming a street or declaring a day in Mr. Clentzos' honor), and submitted a booklet titled "Olympic Reader for Beginners."

The Mayor indicated information would be gathered regarding this suggestion.

Vice Mayor Tyler voiced support for Mr. Kholos' proposal.

Rev. Inman Moore, Coalition on Justice and Peace representative, commended the Human Relations Commission and Commissioner Nat Nehdar for the Peace Through Music program honoring Daniel Pearl which was held at the First Church of the Nazarene, expressed concerns regarding the preemptive war in Iraq, and urged Council to work for a peaceful world.

Ms. Reyna Rivero, Pasadena resident, thanked Council on its action to install a traffic light at the corner of Orange Grove Boulevard and Garfield Avenue, and expressed concerns regarding prostitution and drug issues also occurring in this area.

Councilmember Gordo reported on the following steps that had been taken or would be completed in the near future to improve

traffic/pedestrian conditions at the intersection: installation of rumble strips, refurbishing of curb/pedestrian crosswalk markings, installation of a lighted message board, installation of a temporary traffic light with a permanent traffic light to be installed in February when the proper equipment is available, and increased police enforcement in the area.

The City Manager briefly described the traffic light installation process, and noted Council would be receiving a report with a recommendation to approve funding for the traffic light at the Council meeting of September 20, 2004.

Ms. Marina Escoto, Apple-Institute of Popular Education of Southern California (IDEPSCA) representative, expressed support for installation of the traffic light on Orange Grove Boulevard and Garfield Avenue, and asked the City to close down liquor stores where there are problems connected with prostitution and the selling of drugs.

Ms. Herminia Ortiz, Pasadena resident, presented information regarding pedestrians using the Villa Parke Community Center and crossing in the Orange Grove Boulevard and Garfield Avenue area, and spoke in support of the traffic signal.

Ms. Juana Diaz, Pasadena resident, spoke in support of a traffic light in the Orange Grove Boulevard and Garfield Avenue area and on Michigan Avenue.

Councilmember Gordo reported on a fundraiser held to assist the Vargas family, thanked the Pasadena firefighters and numerous volunteers who helped in this effort, and noted the District 5 office could be contacted regarding additional donations to be made out to the Ecumenical Council of Pasadena Area Churches % Vargas Family Fund.

**RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS**

**APPOINTMENT OF YUNY PARADA TO HUMAN SERVICES COMMISSION (District 4 Nomination)**

The above appointment was held at the request of Councilmember Haderlein.

**CONSENT CALENDAR**

**AMENDMENT TO CONTRACT NO. 14,454 FOR DIAL-A-RIDE TRANSIT SERVICES BETWEEN THE CITY OF PASADENA AND THE CITY OF SAN MARINO**

**Recommendation of City Manager:** Authorize the City Manager to amend Contract No. 14,454 with the City of San Marino for continuance of coordinated Dial-A-Ride services by extending the contract period for an additional two years from July 1, 2004 through June 30, 2006. (Contract Amendment No. 14, 454-9)

**CONTRACT AWARD TO RANCO CORPORATION FOR THE STATE ROUTE 710 MITIGATION - CALIFORNIA BOULEVARD RIGHT TURN LANE AT FAIR OAKS AVENUE PROJECT, FOR AN AMOUNT NOT TO EXCEED \$179,531**

**Recommendation of City Manager:** Accept the bid dated August 27, 2004, submitted by Ranco Corporation in response to the Plans and Specifications for the California Boulevard Right Turn Lane at Fair Oaks Avenue Project; reject all other bids received; and authorize the City Manager to enter into a contract not to exceed \$179,531, which includes the base bid of \$163,210 and \$16,321 for any additional work the City may order pursuant to the project plans and specifications. (Contract No. 18,619)

**CONTRACT AWARD TO DOMINGUEZ GENERAL ENGINEERING CONTRACTOR FOR THE LAGUNA ROAD SEWER-PHASE 5, LA LOMA ROAD TO BURLEIGH DRIVE, FOR AN AMOUNT NOT TO EXCEED \$114,000**

**Recommendation of City Manager:**

(1) Accept the bid dated September 1, 2004, submitted by Dominguez General Engineering Contractor in response to the Specifications for the Laguna Road Sewer-Phase 5, La Loma Road to Burleigh Drive; reject all other bids received; and authorize the City Manager to enter into a contract not to exceed \$114,000, which includes the base bid of \$103,500 and \$10,500 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 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. 18,620)

**CONTRACT AWARD TO PALP, INC DBA EXCEL PAVING COMPANY FOR THE PREVENTIVE MAINTENANCE OF STREETS - 2004 FOR AN AMOUNT NOT TO EXCEED \$1,150,000; AND RESOLUTION APPROVING A PROGRAM SUPPLEMENT TO PROVIDE FEDERAL FUNDS**

**Recommendation of City Manager:**

(1) Accept the bid dated August 25, 2004 submitted by Palp, Inc. dba Excel Paving Company in response to the Specifications for the Preventive Maintenance of Streets - 2004, Federal-Aid Project STPL-5064 [035], reject all other bids received, and authorize the City Manager to enter into a contract not to exceed \$1,150,000, which includes the base bid of \$1,047,971 and \$102,029 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 findings of the Secretary of the Resources Agency. A Notice of Exemption has been filed with the Los Angeles County Clerk.

(3) Adopt a resolution approving Program Supplement No. M065 to Administering Agency - State Agreement No. 07-5064 between the City of Pasadena and the State of California for State Reimbursement covering construction of the Preventive Maintenance of Streets - 2004 (STPL-5064 [035]) project; and authorize the City Manager to execute the same on behalf of the City. (Contract No. 18,621; Resolution No. 8390; Agreement Amendment No. 16,298-20)

**AUTHORIZATION TO ENTER INTO CONTRACT WITH RJM DESIGN GROUP, INC. TO PROVIDE PROFESSIONAL CONSULTING SERVICES FOR THE GREEN SPACE/RECREATION ELEMENT AND RECREATION AND PARKS MASTER PLAN PROJECT**

**Recommendation of City Manager:** It is recommended that City Council authorize the City Manager to execute a contract with RJM Design Group, Inc. for an amount not to exceed \$150,000 to assist with the preparation of the Green Space/Recreation Element and Recreation and Parks Master Plan. Competitive bidding is not required pursuant to City Charter Section 1002(F), contracts for professional or unique services. (Contract No. 18,622)

**MINUTES APPROVED**

May 17, 2004 (Special Joint Meeting)  
 May 24, 2004 (Special Joint Meeting)  
 June 7, 2004 (Special Joint Meeting)  
 June 14, 2004 (Special Joint Meeting)  
 June 21, 2004 (Special Joint Meeting)  
 June 28, 2004 (Special Joint Meeting)  
 July 12, 2004 (Cancelled)  
 July 19, 2004  
 July 26, 2004, as corrected  
 August 2, 2004

**CLAIMS RECEIVED AND FILED**

Claim No. 9635	Maria Escatel	\$ 70.00
Claim No. 9636	Elmira Burton	3,160.25
Claim No. 9637	21 <sup>st</sup> Century Insurance Co. for Michelle Harley	Not stated
Claim No. 9638	Hartford Casualty Insurance Company for Leonor Concha	6,079.11
Claim No. 9639	Jeffrey & Inger Bellamy, Theresa Marie Binder, James Kennedy, Robert J. Magilligan, Tim & Scott Stimpfel, Mike & Kathy Au, Julianna Mutton, Charleen Marie Seijas,	Not stated

Claim No. 9640	Diane Margrave, et al. Carolina Delgado, a minor, & Yolanda Delgado	Not stated
Claim No. 9641	Dorothy L. Carter	Not stated
Claim No. 9642	Safeway Direct Insurance Company for Jeff Albrecht	1,889.09
Claim No. 9643	Frank Morris, Jr.	4,797.73
Claim No. 9644	David Hosie, Toni Hammond & David Farnworth	10,000.00+
Claim No. 9645	Mario G. Carrasco	658.08
Claim No. 9646	Aaron Abdus-Shakoor	230.00
Claim No. 9647	David A. Miller	2,354.30
Claim No. 9648	Jeff Silverman	3,768.06
Claim No. 9649	Dale Harvey II & Stephanie F. Harvey	\$4,733.20

It was moved by Councilmember Little, seconded by Councilmember Streator, to approve all items of the Consent Calendar, with page 3 of the Council minutes of July 26, 2004 corrected to read: "Mr. Bob Kneisel, Pasadena Neighborhood Coalition representative, ~~discussed the inadequacy of~~ expressed his opinion that the air pollution component in the Environmental Impact Report for the proposed General Plan amendments might be inadequate ..." (Motion unanimously carried) (Absent: None)

**RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS**

**WORKING LIQUOR STORE COMMITTEE**

**WORKING LIQUOR STORE COMMITTEE RECOMMENDATIONS**

**Recommendation of City Manager:** This report is to transmit the Working Liquor Store Committee recommendations for City Council's consideration. Staff concurs with the Committee's recommendations.

**Recommendations of Working Liquor Store Committee:**

- (1) Improve coordination among City departments on all matters related to nuisance alcohol outlets and between the City and the Department of Alcoholic Beverage Control in addressing alcohol license transfers.
- (2) It is recommended that the City utilize maximum allowable time allotments to assess license transfer applications and assign the responsibility for managing response to a designated staff person.
- (3) Identify existing tools and resources available throughout the City that can be used to mitigate problematic off-sale premises.
- (4) Identify and improve areas and methods of data collection and analysis, including use of an advertised 24-hour hotline and a close working relationship with the community.
- (5) Direct the City Attorney to draft an ordinance improving local control in addressing nuisance off-premises locations.
- (6) Share with adjacent jurisdictions and/or monitor other cities' legislative action and innovative efforts to address problematic off-sales premises.

(7) Direct the City Attorney to draft an ordinance prohibiting open containers adjacent to posted premises.

(8) Actively work with area legislators to pursue modification of legislation, including amortization of nuisance off-premises locations, ensuring bonafide liquor license transfers, and infractions tied to licensed premise locations, as a means to address problems.

(9) Promote voluntary compliance among the off-premise owners to promote responsible business operations, education, and a positive relationship with the neighborhoods.

(10) Work with community-based organizations to empower youth and residents in the community to take an active role in responding to problematic off-premise locations in their neighborhood.

(11) Explore contracting a full-time investigator from ABC (Alcohol Beverage Control) for exclusive use in Pasadena.

Councilmember Gordo, Chair of the Working Liquor Store Committee, reviewed the Committee's recommendations and provided background for the basis of the recommendations, recognized the Committee members for their participation and contributions, and responded to questions. He noted the Committee was asking for approval to move forward with implementation of all the recommendations, with the caveat that the City Manager would report to Council regarding costs, possible changes necessary for implementation, and barriers to full implementation.

The City Attorney indicated the State Court of Appeal had upheld the City of Oakland, California's deemed approved program/ordinance, which deals with problem liquor stores using a nuisance abatement approach.

Ms. Connie Orozco, Chief Prosecutor, explained the City's limits in regulating open alcohol containers.

The City Manager indicated the recommendations related to legislation could be included in the annual proposed legislative platform to be presented to Council for approval in November 2004 and then forwarded to the City's State representatives, and also included in the agenda to be discussed at Council's meeting with Supervisor Michael Antonovich and then addressed at the County level. She also indicated staff could work with the Legislative Analyst's Office in crafting legislation from a Council-approved position paper based on the Committee's recommendations, and all of this information could be provided to the National League of Cities and the San Gabriel Valley Council of Governments (SGVCOG) for their support.

Vice Mayor Tyler stressed the importance of coordinating with other communities and associations in preparing a plan to move forward with draft legislation.

Discussion followed regarding the protest process involving the issuance of licenses/transfers of licenses, the roles of the City and the State Department of Alcoholic Beverage Control (ABC) in the licensing and monitoring of liquor stores, and the process for pursuing ABC changes through State legislation.

Mr. Jonathan Chen, Super Liquor Store representative, described steps being taken by his uncle's liquor store to work with the community in addressing the problems/complaints of neighbors, suggested these problems also be addressed on the east side of the City, and distributed a letter from Kun Jhae outlining recommendations to be followed by all liquor stores.

The following persons spoke in support of the Committee recommendations and/or expressed concerns regarding the implementation phase:

- Ms. Tahra Goraya, Committee member
- Mr. Steve Lipira, Committee member
- Mr. Omel Nieves, Committee member
- Ms. Marcia Salas, Committee member
- Ms. Helene Pullin, Pasadena resident
- Ms. Betty Taylor, Pasadena resident
- Ms. Betty Sword, Friends of Washington Park President
- Ms. Margaret McAustin, Pasadena resident
- Ms. Terri MacQuarrie, Pasadena resident
- Ms. Gretchen Palmer, Pasadena resident
- Ms. Heidi Sprewell, Pasadena resident
- Mr. Bob Kneisel, Pasadena Neighborhood Coalition representative
- Ms. Maggie Campbell, Committee member

It was moved by Councilmember Gordo, seconded by Councilmember Holden, to separate the Working Liquor Store Committee recommendations into three categories, with the recommendations to be referred to the City Attorney, City Manager, and Legislative Policy Committee for further review and a report back to Council within 60 days on the methodology of implementation for the recommendations; with the City Attorney to prepare the ordinances, the City Manager to provide an assessment on budget impacts and staffing, the Legislative Policy Committee to hold public hearings within this timeframe in conjunction with Senator Scott and Assemblymember Liu's offices and the State Legislative Analyst to craft proposed legislative language; and with the hearings to be structured to include participation by a fourth member of the Council. (Motion unanimously carried) (Absent: None)



The Mayor congratulated Councilmember Gordo, Committee members, staff, and community members for their participation and contributions in this citywide approach to the problems related to nuisance liquor stores.

Police Chief Bernard Melekian acknowledged Commander Marilyn Diaz for her work as a liaison in working with both the community and the Committee and in coordinating the police enforcement efforts to address these issues.

## **PUBLIC HEARINGS**

### **PUBLIC HEARING: CALL FOR REVIEW OF DESIGN COMMISSION DECISION TO APPROVE A FINAL DESIGN REVIEW FOR A NEW MIXED-USE BUILDING AT 155 EAST CORDOVA STREET**

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

(1) Acknowledge that on August 26, 2002, the Design Commission adopted a Negative Declaration for new construction of a mixed-use project at 155 East Cordova Street.

(2) Acknowledge that on August 26, 2002, the Commission acknowledged that there are no native, landmark, or specimen trees on the site.

(3) Find that the submittal for final design is consistent with the conditions of concept design approval (August 26, 2002) and with 50 percent advisory review (August 11, 2003).

(4) Find that the final design is consistent with the Citywide Design Principles; Central District Specific Plan Design Guidelines; and Design Guidelines for Windows in Multi-unit Residential Projects.

(5) Based on these findings, approve the application for final design review with the following conditions:

(a) Prior to plan check, submit fully detailed drawings of the revised design as presented at the Design Commission meeting on July 12, 2004, including modified chimney caps, resized elevator towers and vertical landscaping opportunities on the north elevation.

(b) The windows on the stairwell towers (north elevation) shall be eliminated.

**Recommendation of Design Commission:** The Design Commission recommends approval of the project with the conditions listed in the City Manager's recommendations.

The Mayor opened the public hearing.

The City Clerk reported 25 copies of the notice of public hearing were posted on August 31, 2004; 71 copies of the notice were mailed on August 31, 2004; and no correspondence was received.

Ms. Emily Stadnicki, Planner, reviewed the agenda report and responded to questions.

Mr. Richard Bruckner, Director of Planning and Development Department, discussed the project's compliance with the current Central District Specific Plan's design guidelines vs. the proposed Plan's new guidelines, and responded to questions.

Mr. John Poindexter, Planning Manager, responded to questions.

Councilmember Madison expressed concerns regarding the project not complying with the current view of the City and its guidelines for the area that will be adopted in the near future.

The City Attorney clarified the applicant's due process rights regarding the guidelines in place at this time and the City's position in asking for compliance with the proposed guidelines.

Discussion followed on the factors to be considered during final design review and the parameters for consideration during the call for review.

The Mayor suggested future discussion of the Zoning Code include a review of the definition of the "front" of a building and possible modification of the rules related to building fronts that would be more sensitive to the ultimate build out of the City and impacts on the neighborhood.

The following persons spoke in support of the project:

Ms. Lori Salvatti, Marengo Avenue Neighborhood representative, asked that two additional projects being proposed in this neighborhood receive the same scrutiny this project has undergone.

Mr. Hugo Suárez, Suárez Architects, Inc., project architect

Mr. Andrew Molasky, Terra Bella, LLC, project developer

Mr. Michael Hajar, Pasadena resident and project principal, indicated he would not want to delay the project to consider compliance with the proposed Central District Specific Plan guidelines.

Councilmember Streator emphasized the importance of Council moving forward with adoption of the proposed Central District Specific Plan and the related planning documents.

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

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

**PUBLIC HEARING: ZONE CHANGE TO DESIGNATE A LANDMARK DISTRICT OVERLAY FOR THE NORMANDIE HEIGHTS LANDMARK DISTRICT (COUNCIL DISTRICT 3)**

**Recommendation of City Manager:**

(1) Acknowledge that the application for a zone change to create a landmark district is categorically exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act, (Section 15308: Class 8, Actions by Regulatory Agencies for Protection of the Environment).

(2) Acknowledge the decision of the Historic Preservation Commission on April 19, 2003, that the Normandie Heights Landmark District meets the criteria for designation (Pasadena Municipal Code Section 17.52.40).

(3) Acknowledge the finding of the Planning Commission that the proposed zone change is consistent with the General Plan (Objective 6 of the Land Use Element, "to promote preservation of historically and architecturally significant buildings and revitalization of traditional neighborhoods.") and the purposes of the Zoning Ordinance (Pasadena Municipal Code Section 17.04.030, "preserve the character and quality of residential neighborhoods.").

(4) Approve the landmark district, the zoning map overlay and the chapter amendment to the Design Guidelines for Historic Districts for the Normandie Heights Landmark District, LD-7.

(5) Direct the City Attorney to prepare an ordinance amending the official zoning map of the City of Pasadena established by Section 17.08.040 of the Pasadena Municipal Code to designate the landmark district with the LD-7 overlay zone.

**Recommendation of Historic Preservation Commission:** On April 19, 2004, the Historic Preservation Commission determined that the proposed district meets the criteria in Section 17.52.040 of the Pasadena Municipal Code for establishment of a landmark district and voted unanimously to recommend approval of the amendment to the zoning map and the designation to the Planning Commission and the City Council.

**Recommendation of Planning Commission:** Following a public hearing on July 14, 2004, the Planning Commission found that the proposed zone change to create a landmark district is consistent with the General Plan and the purposes of the zoning ordinance and voted unanimously to recommend that the City Council approve the amendment to the zoning map for the Normandie Heights Landmark District.

The Mayor opened the public hearing.

The City Clerk reported 78 copies of the notice of public hearing were posted on August 26, 2004; 204 copies of the notice were mailed on August 26, 2004; and one letter was received in support.

Ms. Mary Jo Winder, Senior Planner, summarized the agenda report.

Councilmember Holden endorsed the designation of this third landmark district in District 3, and noted work would continue to gain support from those residents who opposed the landmark designation.

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

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

**RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS**

**CONSIDERATION OF CALL FOR REVIEW OF BOARD OF ZONING APPEALS' DECISION OF CONDITIONAL USE PERMIT NO. 4335 TO THE CITY COUNCIL - EXPANSION OF AN EMERGENCY SHELTER (UNION STATION), 412 S. RAYMOND AVENUE**

Mr. Richard Bruckner, Director of Planning and Development Department, highlighted the agenda report and responded to questions.

Councilmember Madison outlined his reasons for requesting a call for review in relation to the shelter expansion.

Vice Mayor Tyler noted this matter had received ample public hearing during the permit process, and he would not support the call for review, with Councilmembers Holden and Streater concurring with this position.

The City Attorney clarified the process for future calls for review of the conditions for approval of the permit outlined in the staff report.

The following persons spoke in opposition to the call for review:

Rabbi Marvin Gross, Union Station Foundation Executive Director  
Mr. Bill Kerler, Union Station Foundation Board President  
Ms. Diana Peterson-More, Board of Zoning Appeals Chair  
Mr. Scott Jenkins, Union Station representative

The following person spoke in support of the call for review:

Mr. John Flanders, Southwest Merchants and Owners Association representative

Mr. Bill Bedford, Southwest Pasadena Business Association representative  
Mr. Nick Plati, Raymond Avenue building owner

It was moved by Councilmember Madison, seconded by Councilmember Gordo, to call this matter for review to the City Council.

Following additional discussion, the motion was withdrawn by Councilmember Madison, no action was taken on this matter, and the Board of Zoning Appeals' decision was allowed to stand.

**REPORTS AND COMMENTS  
FROM COUNCIL  
COMMITTEES**

**ECONOMIC DEVELOPMENT  
AND TECHNOLOGY  
COMMITTEE**

**UPDATE ON NO VEHICLE SOLICITATION ORDINANCE**

**Recommendation of City Manager:** This report is for information only.

Councilmember Madison, Chair of the Economic Development and Technology Committee, introduced the agenda item.

Assistant City Manager Enrique Martinez provided background for staff's report.

Mr. Mario Leonard, Northwest Programs Manager, summarized the report and responded to questions.

The City Attorney discussed possible legal ramifications of imposing restrictions involving the distribution of materials with and without logos as this relates to commercial and non-commercial activities, indicated staff would need to further explore the tactic of requiring the use of materials with logos in order to address littering problems in areas of the City, and responded to questions.

Ms. Connie Orozco, Chief Prosecutor, explained loitering and trespassing in legal terms, described some of the actions taken in the neighborhoods to alleviate problems that are occurring, and responded to questions.

The City Manager indicated an examination of the Pasadena Community Job Center's operation showed the Center was complying with the rules of operation that had been set up, and responded to questions.

Councilmember Haderlein was excused at 11:17 p.m.

Discussion followed regarding the use and operation of the Job Center, the role of community organizations in addressing day labor issues, the need to protect neighborhoods where day laborers congregate, and possible ways to use loitering laws to regulate this activity.

Councilmember Gordo indicated the City Attorney was exploring ways to regulate day labor as a commercial activity

with a report back to Council in the near future, and suggested the City work with the Job Center in improving its operation and recruiting services.

Councilmember Holden requested the City Attorney research case authority that could provide a foundation for requesting legislative changes in loitering laws in order to develop another means to deal with these activities.

Ms. Marcia Salas, Pasadena resident, expressed concerns regarding ongoing impacts of day laborers on neighborhoods, and asked for stepped-up enforcement measures to include weekends also.

Ms. Gretchen Palmer, Pasadena resident, expressed concerns regarding the operation of the Job Center.

Councilmember Gordo noted for the record that a number of people who had submitted speaker cards had left the Council meeting because of the lateness of the hour and others who live on Villa Street feel too intimidated to speak out in public.

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

**ORDINANCE – FIRST  
READING**

**Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING VARIOUS SECTIONS OF CHAPTER 10.39 OF THE PASADENA MUNICIPAL CODE AND ADDING A NEW SECTION 10.39.031 PROHIBITING VEHICLE SOLICITATION IN UNAUTHORIZED LOCATIONS WITHIN COMMERCIAL PARKING AREAS”**

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

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

NOES: Councilmember Haderlein

ABSENT: None

**REPORTS AND COMMENTS  
FROM COUNCIL  
COMMITTEES**

**LEGISLATIVE POLICY  
COMMITTEE**

**SUPPORT PROPOSITION 1A - LOCAL GOVERNMENT FUNDS, REVENUES AND OPPOSE PROPOSITION 65 - LOCAL GOVERNMENT FUNDS, REVENUES**

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

(1) Support Proposition 1A - Local Government Funds, Revenues

(2) Oppose Proposition 65 - Local Government Funds, Revenues

The City Manager briefly explained the reasons for formally taking a position on both of the propositions.

**OPPOSE PROPOSITION 68 - NON-TRIBAL COMMERCIAL GAMBLING EXPANSION, TRIBAL GAMING AMENDMENTS**

**Recommendation of City Manager:** It is recommended that the City Council oppose Proposition 68 - Non-Tribal Commercial Gambling Expansion, Tribal Gaming Compact Amendments.

Mr. Josh Pelzer, No on Proposition 68 representative, outlined the group's reasons for opposing the proposition and distributed a packet of informational materials.

**OPPOSE PROPOSITION 70 - TRIBAL GAMING COMPACTS; EXCLUSIVE GAMING RIGHTS; CONTRIBUTIONS TO STATE**

**Recommendation of City Manager:** It is recommended that the City Council oppose Proposition 70 - Tribal Gaming Compacts; Exclusive Gaming Rights; Contributions to State.

The above three items were discussed concurrently.

Following discussion, it was moved by Councilmember Holden, seconded by Vice Mayor Tyler, to approve the City Manager's recommendations for the above three items. (Motion unanimously carried) (Absent: Councilmember Haderlein)

The City Manager indicated Proposition 63 was being examined by staff and would be presented to the Legislative Policy Committee for consideration and recommendation and would then be presented to Council in the near future.

**RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS**

**DESIGNATION OF VOTING DELEGATE AND ALTERNATE FOR THE ANNUAL BUSINESS MEETING OF THE NATIONAL LEAGUE OF CITIES ON DECEMBER 4, 2004 IN INDIANAPOLIS, INDIANA**

Mayor Bogaard introduced the item.

It was moved by Vice Mayor Tyler, seconded by Councilmember Little, to designate Councilmember Streater as the voting delegate and Mayor Bogaard as the alternate for the Annual Business Meeting of the National League of Cities. (Motion unanimously carried) (Absent: Councilmember Haderlein)

**CONSIDERATION OF CALL FOR REVIEW OF ZONING HEARING OFFICER'S DECISION OF CONDITIONAL USE PERMIT NO. 4397 TO THE BOARD OF ZONING APPEALS TO INSTALL A MONUMENT SIGN IN THE PS DISTRICT THAT EXCEEDS THE MAXIMUM SIZE ALLOWED BY THE ZONING CODE, 393 N. LAKE AVENUE (Councilmember Gordo)**

Mr. Richard Bruckner, Director of Planning and Development Department, provided an overview of the application and responded to questions.

Councilmember Gordo outlined his reasons for requesting a call for review of the conditional use permit and concerns regarding the size of the proposed sign replacement.

The following persons spoke in support of the call for review:

Mr. Bob Kneisel, Pasadena resident  
Mr. Dale Trader, Pasadena resident

The following person spoke in opposition to the call for review:

Mr. Jeff Jones, Lake Avenue Church (applicant) representative, provided a drawing of the sign for viewing.

It was moved by Councilmember Gordo, seconded by Councilmember Madison, to call the matter for review to the Board of Zoning Appeals. (Motion unanimously carried) (Absent: Councilmember Haderlein)

**APPOINTMENT OF RICARDO OLIVAREZ TO THE HUMAN SERVICES COMMISSION** (District 1 Nomination)

**APPOINTMENT OF CHARLES McKENNEY TO THE RECREATION AND PARKS COMMISSION** (District 6 Nomination)

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

**CONSIDERATION OF CITY'S RELATIONSHIP WITH THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS** (Councilmember Little)

The Mayor noted a letter from the San Gabriel Valley Council of Governments (SGVCOG) dated September 8, 2004 had been distributed.

Councilmember Holden voiced objection to the SGVCOG request to restrict Councilmember Little's actions as the City of Pasadena's representative on the Los Angeles to Pasadena Blue Line Construction Authority.

Councilmember Little responded to the letter and SGVCOG's position and requested a public apology from SGVCOG to Vice Mayor Tyler. He suggested the Economic Development and



Technology Committee or Finance Committee examine the City's relationship with SGVCOG and return to Council within 60 days with a recommendation regarding this relationship and possible conditions for continuation of the relationship or termination of the membership.

Vice Mayor Tyler provided background regarding the frustration expressed by members of SGVCOG related to the extension of the Gold Line (Phase II) and sanctions to be levied against the City by SGVCOG, and suggested the City reemphasize its position in support of the Gold Line extension effort.

Discussion followed regarding the SGVCOG letter and tactics being used by that body, the need for discussion and/or subcommittee review of the City's relationship with SGVCOG, and the need for a regional approach to issues affecting the San Gabriel Valley.

Councilmember Little expressed appreciation for Council's support in this matter.

By Council consensus, the Mayor was directed to send a strong letter in disagreement with the San Gabriel Valley Council of Governments' (SGVCOG) letter of September 8, 2004; and the matter was referred to the Economic Development and Technology Committee for a review of Pasadena's relationship with the SGVCOG, what kind of expectations the City has, and what kind of expectations the City should have to make the relationship mutually productive, with a report back to the Council by the end of the year.

The Mayor noted he and the Vice Mayor will keep Council informed as to any developments with the SGVCOG.

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 12:43 a.m., September 14, 2004, to the regular meeting of the Community Development Commission.

RECONVENED

On order of the Mayor, the regular meeting of the City Council reconvened at 12.44 a.m., September 14, 2004. (Absent: Councilmember Haderlein)

**INFORMATION ITEM**

**PREDEVELOPMENT PLAN REVIEW FOR NEW CONSTRUCTION OF A RESEARCH/OFFICE BUILDING AT 686-700 SOUTH RAYMOND AVENUE PPR2004-00019**

On order of the Mayor, the above item was held due to time constraints.

**ADJOURNMENT**

On order of the Mayor, the regular meeting of the City Council adjourned at 12:45 a.m., September 14, 2004, in honor of Beverly Sampson, who was a longtime member of the

Chamber of Commerce, served on the Senior Center Board of Directors, and actively participated in various community activities.



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

ATTEST:

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

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