

CITY OF PASADENA  
City Council Minutes  
November 1, 2004 - 5:30 P.M.  
Pasadena Senior Center, Multi-purpose Room  
85 East Holly Street

REGULAR MEETING

**OPENING:**

Mayor Bogaard called the regular meeting of the City Council to order at 5:40 p.m. (Absent: Councilmember Madison)

On order of the Mayor, the regular meeting of the City Council recessed at 5:40 p.m., to discuss the following closed session:

**CITY COUNCIL CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8**  
**Property: Rose Bowl Stadium and surrounding parking areas**  
**Agency Negotiators: Cynthia Kurtz, Darryl Dunn, and Jay Goldstone**  
**Negotiating Party: National Football League**  
**Under Negotiation: Price and terms of payment**

Councilmember Madison  
arrived at 6:52 p.m.

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: Pasadena Association of Clerical and Technical Employees/Laborers International Union of North American, Local 777; American Federation of State, County and Municipal Employees, Local 858; Pasadena Management Association; International Brotherhood of Electrical Workers, Local 18; International Union of Operating Engineers, Local 501; Service Employees International Union, Local 347; and all Non-Safety Unrepresented Employees**

The above closed session was not discussed.

On order of the Mayor, the regular meeting of the City Council reconvened at 7:05 p.m. The Pledge of Allegiance was led by Councilmember Little.

**ROLL CALL:**

Councilmembers:

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

Staff:

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

**CEREMONIAL MATTERS**

The City Clerk administered the oath of office to Margaret McAustin, as Library Commissioner and Peter Boyle as Fire & Police Retirement System Board member.

The Mayor issued a proclamation declaring November 15, 2004, as "American Recycles Day", which was accepted by Mr. Jim Berryhill, Public Works Administrator, and Ms. Carolyn Meredith, Recycling Coordinator.

Mr. Berryhill and Ms. Meredith presented plaques to five groups and one individual as outstanding recyclers for 2004.

The Mayor and Stephen Macala, Human Relations Chair, presented the Model of Unity Award to Foothill Vocational Opportunities, Inc.

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

Mr. Marvin Schachter, representing the Pasadena Senior Advocacy Council, spoke regarding voter participation in elections, and expressed concern with the costs of the Iraq war.

Mr. Philip Koebel, Pasadena resident and candidate for U.S. Congress, asked the City to consider sponsoring a candidates debate before the March primary election.

Ms. Susan Mahlmann, representing Yorkshire Development, invited the Council and the public to the dedication of the Tricom Building on East Walnut Street, in the Expanded Enterprise Zone on November 18, 2004, at 1:00 p.m.

Mr. Eric Einem, Pasadena resident, spoke regarding peak oil and oil depletion.

**CONSENT CALENDAR**

**AUTHORIZE THE CITY MANAGER TO AMEND THE TERMS OF CONTRACT NO. 18,269 WITH LINCOLN AVENUE WATER COMPANY TO LEASE 1,000 ACRE-FEET OF PASADENA WATER AND POWER'S GROUNDWATER RIGHTS**

**Recommendation of City Manager:** Authorize the City Manager to amend the terms of Contract No. 18,269 with Lincoln Avenue Water Company (Lincoln) to lease 1,000 acre-feet of City of Pasadena (Pasadena) groundwater rights, with an option of an additional 1,000 acre-feet at the discretion of the General Manager of the Water and Power Department, in FY 2005 and to extend the expiration date of the original contract to December 2005. (Contract No. 18,269-1)

**AUTHORIZE THE CITY MANAGER TO AMEND CONTRACT NO. 18,312 WITH STEWART AND ASSOCIATES FOR AN ADDITIONAL \$310,000 FOR THE INSTALLATION OF SURVEILLANCE, ACCESS CONTROL AND ALARM EQUIPMENT FOR MULTIPLE WATER FACILITIES**

**Recommendation of City Manager:** Authorize an increase of \$310,000 to Contract No. 18,312 with Stewart and Associates for a total contract value of \$579,897 to expand the Water and Power Security and Access Control System to include water facilities. Competitive bidding is not required pursuant to City Charter Section 1002(F), contracts for professional or unique services.

It is further recommended that the proposed additional scope of work be exempt from the competitive selection process pursuant to P.M.C. Section 4.08.049(B), contracts for which the City's best interests are served. (Contract No. 18,312-2)

**2004 LOCAL AGENCY BIENNIAL NOTICE OF AMENDMENT OF PASADENA CONFLICT OF INTEREST CODE**

**Recommendation of City Manager:** This report is required by law for information purposes only.

**CLAIMS RECEIVED AND FILED**

Claim No. 9683	Commerce West Insurance Company subrogee of Yugi Masumori	\$ 6,397.85
Claim No. 9684	Donald & Gloria Smith	229.45
Claim No. 9685	Eduardo Solorzano	25,000.00+
Claim No. 9686	Larry J. Brooks	Not Stated
Claim No. 9687	Kristin Kruse Madsen	286.66
Claim No. 9688	George Villa	3,400.00

**PUBLIC HEARING SET**

November 22, 2004, 8:00 p.m. - Proposed Zoning Code Amendment to the PD-21 (Planned Development-21, Montgomery Engineering) Zoning District for property located at 250 N. Madison Avenue (Fuller Seminary)

It was moved by Councilmember Little, seconded by Vice Mayor Tyler, to approve the Consent Calendar. (Motion unanimously carried) (Absent: None)

**PUBLIC HEARING**

**CONTINUED PUBLIC HEARING: PROPOSED CENTRAL DISTRICT SPECIFIC PLAN, AMENDMENTS TO THE LAND USE ELEMENT AND THE MOBILITY ELEMENT OF THE COMPREHENSIVE GENERAL PLAN, AND REVISION OF TITLE 17 OF THE PASADENA MUNICIPAL CODE (ZONING)**

**Recommendation of City Manager:** There is no recommendation. This report is for information and discussion.

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

The City Manager provided introductory comments regarding the Central District Specific Plan and responded to questions.

Ms. Laura Dahl, Senior Planner, highlighted changes from the conceptual plan adopted in February, including changes to height limits, floor area ratio (FAR), setback requirements, density, sidewalk width, pedestrian-oriented businesses, and responded to questions. She also reviewed Planning Commission recommendations regarding acreage for park land and FAR calculations for above ground parking garages.

In response to questions from Councilmember Holden regarding the economics of underground parking for office development, Mr. Richard Bruckner, Director of Planning & Permitting, and the City Manager noted they would provide examples of office development pro formas showing what the market is getting for office space and what the costs would be given with different design configurations with respect to above versus below grade parking.

Councilmember Holden noted the need to maintain balanced development and expressed concerns if underground parking did not prove to be economical, developers would move toward more residential development.

Mr. Robert Wintry, Pasadena resident, submitted and reviewed his correspondence which outlined various objections to certifying the present EIR and reasons for recommending the "managed growth" alternative.

Mr. David Romney, representing the West Pasadena Resident's Association, urged Council's careful consideration of the Environmental Impact Report, in particular the areas of traffic mitigation, open space and build-out capacity.

Ms. Catherine Haskett Haney, representing the Pasadena Playhouse District Association, requested clarification regarding floor area ratios (FAR) boundaries along the north side of Union Street.

In response, Ms. Dahl, stated FAR goes across Union Street to Madison Avenue.

Mr. Steve Ross, representing Standard Pacific Homes, spoke regarding above grade parking and counting it as part of the floor area ratio.

Ms. Maggie Campbell, representing Old Pasadena Management District, spoke regarding market analysis/underground parking.

Councilmember Madison was excused at 8:36 p.m.

Mr. Richard Bruckner, Director of Planning & Permitting, and Ms. Dahl responded to questions from Vice Mayor Tyler regarding height requirements, setback standards, and FAR calculations.

Councilmember Streater was excused at 8:45 p.m.

Councilmember Haderlein noted the need to connect the Gold Line stations with pedestrian-oriented areas and stated while he supports additional parks in the Central District, particularly in the eastern half of the District, he cautioned staff should be careful where they put them because resources are hard to come by.

In respond to Councilmember Haderlein's comments concerning recommendations from the Transportation Advisory Commission (TAC), the City Manager indicated she would provide the Council with the Commission's full recommendation at the next meeting and also indicated that TAC's recommendations are included in the Mobility Element.

Councilmember Streator returned at 8:50 p.m.

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

**PUBLIC HEARING: NOMINATION OF "EL ROBLE", 141 NORTH GRAND AVENUE, FOR DESIGNATION AS A LANDMARK**

**Recommendation of City Manager:**

- (1) Acknowledge that the application for designation of El Roble, located at 141 North Grand Avenue, as a landmark is categorically exempt from the California Environmental Quality Act (Class 8);
- (2) Find that El Roble located at 141 North Grand Avenue meets Criterion 3 for landmark designation under Section 17.52.040 of the Pasadena Municipal Code;
- (3) Adopt a resolution designating El Roble located at 141 North Grand Avenue as a landmark (Attachment 1 of the agenda report);
- (4) Authorize the Mayor to execute the declaration of designation (Attachment 2 of the agenda report); and
- (5) Direct the City Clerk to record the declaration with the Los Angeles County Recorder. (Resolution No. 8409)

**Recommendation of Historic Preservation Commission:** On September 20, 2004, the Commission voted unanimously to recommend that the City Council find that El Roble meets the criteria for designation as a landmark and approve the designation.

The Mayor opened the public hearing.

The City Clerk reported 27 copies of the notice of public hearing were posted and 129 copies of the notice were mailed on October 13, 2004. No correspondence was received.

There was no public comment.

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

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

**RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS**

**APPROVAL OF AN AMENDMENT TO THE EMPLOYMENT AGREEMENT WITH CITY ATTORNEY MICHELE BEAL BAGNERIS**

**Recommendation of Mayor:** It is recommended that the City Council approve the Amendment to Contract No. 17,080, the Employment Agreement between the City of Pasadena and City Attorney Michele Beal Bagneris, effective October 4, 2004. (Contract Amendment No. 17,080-3)

Councilmember Streator noted the Council's ad hoc committee spent a lot of time researching other cities' compensation for the position of city attorney and indicated the ad hoc committee was in agreement with the proposed contract amendment.

It was moved by Councilmember Little, seconded by Councilmember Tyler, to approve the Mayor's recommendation, and to commend Ms. Bagneris for her service. (Motion unanimously carried) (Absent: Councilmember Madison)

Councilmember Madison returned at 9:00 p.m.

**CONSIDERATION OF FALL ARTS FESTIVAL CO-SPONSORSHIP**  
(Oral report)

The City Manager distributed and summarized a memorandum reviewing the history and background of this annual festival, including various options for Council consideration.

Barbara Cole, Pasadena resident, spoke in support of co-sponsorship and the waiver of fees.

Following discussion, it was moved by Councilmember Little, seconded by Councilmember Holden, to approve granting a one-time co-sponsorship for the Fall Arts Festival based on the fact that this is a free event to the general public, and to request the promoter provide an accounting of profits and losses and the dollar amounts contributed to non-profit organizations.

Vote on the motion:

AYES: Councilmember Gordo, Holden, Little, Madison

NOES: Councilmember Haderlein, Streater, Vice Mayor Tyler, Mayor Bogaard

ABSENT: None

Motion failed

It was moved by Councilmember Streater, seconded by Councilmember Haderlein, to require Del Mano Productions to pay the commercial promoter fees, without a co-sponsorship, however the promoter may work out an arrangement with the City where the City would pay from the fees to a designated non-profit(s) or rebate the fees if the promoter has already made payment. (Motion unanimously carried) (Absent: None)

Councilmember Holden was excused at 9:25 p.m.

**AUTHORIZATION TO ENTER INTO CONTRACT WITH MARTIN & CHAPMAN COMPANY FOR PROFESSIONAL ELECTION SERVICES AND SUPPLIES FOR AN AMOUNT NOT TO EXCEED \$329,362**

**Recommendation of City Clerk:**

(1) Authorize the City Clerk to enter into a contract with Martin & Chapman Company, without competitive bidding pursuant to City Charter Section 1002(F) (professional or unique services) for professional election services and supplies for the March 8, 2005 consolidated City of Pasadena and Pasadena Unified School District primary nominating election, and the April 19, 2005, general municipal election for an amount not to exceed \$329,362.

(2) Grant the proposed 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. 18,673)

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

Mr. Philip Koebel, Pasadena resident and candidate for U.S. Congress, spoke in opposition to this item.

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

**RESOLUTIONS RELATED TO THE CALLING OF THE REGULAR MARCH 8, 2005 PRIMARY NOMINATING ELECTION AND CONSOLIDATION OF THE PASADENA BOARD OF EDUCATION PRIMARY WITH SAID ELECTION**

**Recommendation of City Clerk:** It is recommended that the City Council adopt the following resolutions:

(1) A resolution calling a primary nominating election for the offices of members of the City Council for Districts 3, 5, and 7 of the City of Pasadena, and consolidating with said election the Pasadena Unified School District (PUSD) Board of Education Primary, Seats 1, 3, 5 and 7, and authorizing the City Clerk to enter into a contract with PUSD for the City Clerk to provide election services to the School District. (Resolution No. 8410; Contract No. 18,683)

(2) A resolution requesting the Board of Supervisors of Los Angeles County to permit the Registrar of Voters of said County to render specified services to said City relating to the conduct of a consolidated City of Pasadena and Pasadena Board of Education primary nominating election on March 8, 2005 and, if necessary, a general municipal election to be held on April 19, 2005. (Resolution No. 8411)

(3) A resolution setting forth regulations relating to candidate statements for said primary and general municipal elections. (Resolution No. 8412)

The City Clerk summarized the agenda report.

Mr. Philip Koebel, Pasadena resident and candidate for U.S. Congress, spoke in opposition to this item and also expressed opposition to candidate statement fees.

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

**ORDINANCES - ADOPTED**

**Adopt "AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTER 9.24 OF THE PASADENA MUNICIPAL CODE RELATING TO ALCOHOLIC BEVERAGES IN PUBLIC PLACES"** (Introduced by Councilmember Gordo) (Ordinance No. 6994)

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

**Adopt "AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 14 OF THE PASADENA MUNICIPAL CODE BY ADDING CHAPTER 14.80 TO REQUIRE FIRST SOURCE HIRING ON CONSTRUCTION PROJECTS"** (Introduced by Councilmember Holden) (Ordinance No. 6995)

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

**REPORTS FROM REPRESENTATIVES**

Councilmember Little reported the Blue Line Construction Authority has begun evaluations for an Interim Chief Executive Officer and that a determination would be made in December. In addition, he noted the Authority approved an expenditure of \$400,000 to begin preliminary engineering on the next phase of the Gold Line Project.


**RECESS/ADJOURNMENT**

On order of the Mayor, the regular meeting of the City Council recessed at 9:37 p.m. to discuss the following closed session item:

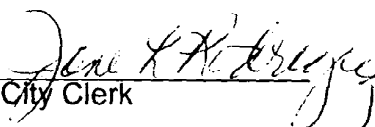
**CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code Section 54957.6**  
**Agency Negotiators: Karyn Ezell, Richard Kunz**  
**Employee Organization: Pasadena Police Sergeants Association**

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

On order of the Mayor, the regular meeting of the City Council adjourned at 9:44 p.m.

  
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Bill Bogaard, Mayor  
City of Pasadena

ATTEST:

  
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City Clerk