

CITY OF PASADENA
City Council Minutes
November 15, 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 5:35 p.m.
(Absent: Councilmembers Gordo, Holden, Madison)

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

Councilmember Holden arrived at 5:40 p.m.

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION pursuant to Government Code Section 54956.9(a)
Name of Case: In re: Enron Corp., et al.; United States Bankruptcy Court for the Southern District of New York Case Nos. 01-16034 (AJG)

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL REGARDING PENDING LITIGATION pursuant to Government Code Section 54956.9(a)
Case Names: Vanessa Ramirez, et al. v. City of Pasadena; Vanessa Ramirez, et al. v. Superior Court (City of Pasadena, real party in interest)
Case Numbers: BC 265409; B173096

The above two closed session items were 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 item was discussed, with no reportable action at this time, and continued to a future Council meeting.

On order of the Mayor, the regular meeting reconvened at 6:43 p.m. The Pledge of Allegiance was led by Councilmember Streator.

ROLL CALL:

Councilmembers:

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

Staff:

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

CEREMONIAL MATTERS

Mr. Gordon Stebenné, Chair of the Sister Cities Committee, introduced Seda Marootian, Chair of the Vanadzor Subcommittee.

Ms. Marootian introduced Mayor Samvel Darbinyan, Vanadzor, Armenia, who was accompanied by Anahit Mayilyan (wife), and Narine Manukyan (sister in law); and described Vanadzor and its Sister City relationship with Pasadena.

Mayor Darbinyan thanked the City, Mayor, and Committee for their hospitality and generous treatment of Armenian citizens in the United States and Armenia; and presented an original painting of the Armenian countryside to the Mayor.

Mayor Bogaard presented Mayor Dabrinian with a commemorative City of Pasadena plate and sketchbook of Pasadena.

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

Ms. Joan Palmer, Arts Commissioner, announced a final Town Hall meeting to gather public comment on the draft recommendations for the cultural arts policy/plan currently being developed by the Commission, which will be held on November 18, 2004 at the Pasadena City College Community Education Center; described several of the Commission's activities in conjunction with the plan's development to this time; and distributed materials titled "Bridges, Translations and Change: The Arts as Infrastructure in 21st Century America" and "Cultural Nexus: An Action Plan for Pasadena's Cultural Economy: Draft Policy Recommendations--November 2004."

Ms. Roberta Martinez, Chair of the Arts Commission, acknowledged the Commission members for their contribution to the above effort.

CONSENT CALENDAR

APPROVAL OF FINAL TRACT MAP NO. 53926, BEING A FIVE-UNIT CONDOMINIUM PROJECT AT 38 SOUTH CRAIG AVENUE

Recommendation of City Manager: It is recommended that the City Council adopt a resolution to:

- (1) Approve final Tract Map 53926; and
- (2) Authorize the City Clerk to execute the Certificate on the map showing the City's approval of said map. (Resolution No. 8417)

AMENDMENT TO CONTRACT NO. 18,251 BETWEEN THE CITY OF PASADENA AND THE CITY OF SOUTH PASADENA FOR GOLD LINK TRANSIT SERVICES

Recommendation of City Manager:

- (1) Authorize the City Manager to amend Contract No. 18,251 with the City of South Pasadena for continuance of Gold Link transit services for an additional one year term from January 1, 2005 through December 31, 2005, and to reflect the addition of an administrative cost for the service during this term, which will be reimbursed by South Pasadena along with the direct costs for the service; and
- (2) Approve a journal voucher amending the FY 2005 Operating Budget by recognizing and appropriating \$2,500 to revenue Account No. 6558-209-775412 for the reimbursement of administrative costs by South Pasadena for the Gold Link transit service. (Contract Amendment No. 18,251-1; Journal Voucher No. 2005-23)

Ms. Joyce Amerson, Director of Transportation Department, and Ms. Cathi Cole, Transit Manager, clarified the amount of the grant monies for the program and the services to be provided.

CITY OF PASADENA LEASE OF MEDICAL OFFICE SPACE TO D'VEAL FAMILY AND YOUTH SERVICES AT THE PASADENA COMMUNITY HEALTH CENTER, 1855 NORTH FAIR OAKS AVENUE

Recommendation of City Manager: It is recommended that the City Council take the following action:

- (1) Approve a three-year lease with a three-year option to extend to D'Veal Family and Youth Services (D'Veal) for medical office space at the Pasadena Health Center.
- (2) 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. (Agreement No. 18,685)

Recommendation of the Northwest Commission: Staff presented this item to the Northwest Commission at its November 9, 2004 meeting. The Northwest Commission recommended that the City Council approve the proposed lease to D'Veal.

The Mayor noted page 1 of the staff report should reflect the Northwest Commission's recommendation for Council to approve the lease to D'Veal, as shown above.

Mr. Richard Bruckner, Director of Planning and Development Department, responded to questions regarding the lease terms.

APPROVAL OF THE APPLICATION AND RESOLUTION FOR THE ENVIRONMENTAL ENHANCEMENT MITIGATION GRANT FOR TREE PLANTING IN THE ARROYO SECO

Recommendation of City Manager: Adopt a resolution authorizing an application for the competitive Environmental Enhancement and Mitigation Grant in the amount of \$75,000 for planting trees and shrubs at the southern entrance to the Lower Arroyo Seco Park. (Resolution No. 8418)

Recommendation of Recreation and Parks Commission: At its special meeting of November 9, 2004, the Recreation and Parks Commission unanimously endorsed the subject grant application.

TRANSFER OF FUNDS FOR EXPENDITURES RELATED TO THE POLICE DEPARTMENT'S COMPUTER AIDED DISPATCH/RECORDS MANAGEMENT SYSTEM AND MOBILE DATA COMPUTER REPLACEMENT PROJECT

Recommendation of City Manager: Approve a journal voucher transferring \$40,584 from the unappropriated fund balance of the Supplemental Law Enforcement Services Fund to the Police Department's FY 2004-2005 Supplemental Law Enforcement Services Fund operating budget (Account No. 8114-201-401400) for necessary expenditures associated with the Police Department's Computer Aided Dispatch/Records Management System and Mobile Data Computer Replacement Project. (Journal Voucher No. 2005-24)

Police Lieutenant Michael Korpel responded to questions regarding the costs of the project.

MINUTES APPROVED

October 11, 2004

CLAIMS RECEIVED AND FILED

Claim No. 9693	Dr. Gene Wester	\$ 159.07
Claim No. 9694	Sunday R. Tejada	3,656.99
Claim No. 9695	Hagop Ajemian	243.00
Claim No. 9696	Mercury Insurance as subrogee for Paul Coco	2,605.90
Claim No. 9697	Old Pasadena Plaza I LP	7,519.37
Claim No. 9698	Jeffrey Hammel	248.83

It was moved by Councilmember Haderlein, seconded by Vice Mayor Tyler, to approve all items of the Consent Calendar with the above revised recommendation to Item 3 (Lease of Medical Office Space to D'Veal Family). (Motion unanimously carried) (Absent: Councilmember Madison)

**MISCELLANEOUS
COMMENTS**

Councilmember Haderlein announced the City had been honored with the "Most Bike Friendly City" award by the Los Angeles County Bicycle Coalition, and acknowledged the Transportation Department's efforts that had resulted in this achievement.

Ms. Joyce Amerson, Director of Transportation Department, recognized various City residents, businesses, neighborhood associations, and staff who had worked on the project.

APPEAL

**APPLICANT APPEAL OF A REVOKED MASSAGE
TECHNICIAN PERMIT**

Recommendation of City Manager: It is recommended that the City Council cancel the appeal hearing as the applicant has withdrawn the appeal.

The Mayor announced the public hearing was cancelled as the applicant had withdrawn the appeal.

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 7:15 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 7:20 p.m.

ORDINANCE - ADOPTED

Adopt "AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTER 4.02 OF THE PASADENA MUNICIPAL CODE (SALES OF SURPLUS REAL PROPERTY) TO INCREASE THE DOLLAR THRESHOLD BELOW WHICH SURPLUS REAL PROPERTY IS NOT SUBJECT TO THE REQUIREMENT OF COMPETITIVE SALE FROM \$1,000 TO \$10,000" (Introduced by Councilmember Little) (Ordinance No. 6996)

The above ordinance was adopted by the following vote:

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

NOES: None

ABSENT: Councilmember Madison

INFORMATION ITEM

**PREDEVELOPMENT PLAN REVIEW FOR PROPOSED
MIXED-USE DEVELOPMENT AT 770 E. WALNUT STREET
(PPR2004-00027)**

Recommendation of City Manager: This report is for information only. (District 3)

Mr. John Poindexter, Planning Manager, summarized the agenda report, noted the project was currently undergoing redesign as a result of public and staff comments derived during the predevelopment plan process, and responded to questions.

Mr. Richard Bruckner, Director of Planning and Development Department, confirmed off-site parking during construction will be required in the construction and staging plan, and responded to questions.

Discussion followed regarding the Commission reviews and studies required for the project, project compliance with the recently adopted/revised Central District Specific Plan and the Zoning Code, compatibility with existing setbacks in the neighborhood area, and the source of responsibility for the studies to be conducted for the project.

The City Manager and City Attorney clarified the City's role in hiring the consultant for the traffic and other environmental studies, and the use of any study materials that might be submitted by the applicant as a resource for the City's consultant.

In response to Vice Mayor Tyler's questions, the City Manager indicated staff will follow up in providing information on the setback rules applied to the recently completed project at the corner of Hudson Avenue and Union Street in relation to the setbacks being required for this project. Staff will also examine language in the agenda report regarding the responsibility for studies to be conducted and analyzed to determine if a change needs to be made to clarify the standard language being used in future reports pertaining to the City's responsibility for any consultant work on traffic studies.

Mr. Robert Tyler, project applicant, stated he was working with staff to align the project with the new design and zoning regulations, and urged Council to adopt the new zoning ordinance as soon as possible, as this would facilitate the development process.

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

**RECOMMENDATIONS FROM
OFFICERS AND
DEPARTMENTS**

**APPROVAL OF THE DESIGN DEVELOPMENT PROPOSAL
FOR THE ARROYO PARKWAY STREETScape
ENHANCEMENT PROJECT**

Recommendation of City Manager: Approve the design development proposal for the Arroyo Parkway Streetscape Enhancement Project as proposed by Field Operations including amending the Master Street Plan to designate the *Phoenix dactylifera*, Date Palm as the alternative street tree for South Arroyo Parkway.

Advisory Reviews

Design Commission Recommendation

On June 28, 2004, the Design Commission recommended that the City Council approve for the Arroyo Parkway Streetscape Enhancement Project including amending the Master Street Plan to designate the *Phoenix dactylifera*, Date Palm as the alternative street tree for South

Arroyo Parkway with the following exceptions:

- Pedestrian light fixtures need to be further studied to be more sensitive to future development and pedestrian activity;
- Crosswalks need to be redesigned to be sympathetic to the color and pattern of Pasadena in general;
- The design comes back to the Design Commission for final design review.

Urban Forestry Advisory Committee

On May 19, 2004, the Urban Forestry Advisory Committee (UFAC) considered amending the Master Street Plan to allow for the planting of the *Phoenix dactyifera*, Date Palm as the alternate street tree for South Arroyo Parkway. The UFAC disagreed with staff's recommendation and voted to recommend approval of the *Phoenix canariensis*, Canary Island Date Palm.

Mr. Richard Bruckner, Director of Planning and Development Department, provided background for the development of the project proposal and responded to questions.

Mr. Leon White, Project Planner, recapped the staff report and advisory reviews and recommendations, and responded to questions.

Mr. James Corner, Field Operations principal, discussed (during a power point presentation) the proposed design, the project's goals and objectives for the new streetscape, and various design elements (trees and arboreal understoreys, lighting, pedestrian crossings, and median landscaping); and responded to questions.

Mr. Tae-wook Cha, Field Operations senior associate, responded to questions regarding various design elements.

Mr. Steve Wright, Principal Engineer, discussed phasing stages for the project, timeframes for implementation of the total project, and a pilot program for safety lighting within pedestrian crosswalks; and responded to questions.

Discussion followed on the emphasis of vehicular vs. pedestrian traffic in this area, the need for adequate pedestrian crosswalks/traffic control at the light rail intersections, and aspects of the "stick" lighting and tree canopy lighting components.

The following persons spoke in support of the proposal:

Mr. Anthony Palazzolla, Design Direction representative
Mr. George Falardeau, Art Center College of Design,
Senior Vice President, Real Estate and Operations

The following persons spoke in opposition to the proposal and/or expressed concerns:

Ms. Elizabeth Moule, Pasadena business owner
Ms. Sue Mossman, Pasadena Heritage Executive Director
Mr. Mike Polka, Pasadena resident

The City Manager noted there was no intent to increase the speed limit in this area, explained the reasons the proposal was not reviewed by the Transportation Advisory Commission, and responded to questions.

Discussion continued on concerns regarding the methods for lighting the trees, the "stick" light design and proposed reduction in the size (height) of the lights as they near Colorado Boulevard, and the possible need for additional review by the Design Commission.

Vice Mayor Tyler expressed concerns regarding the types of trees to be planted and the means for lighting the trees.

Councilmember Haderlein expressed support for the proposed pilot program for safety lighting within a designated crosswalk, and suggested staff study the possibility of using this lighting method in other areas of the City if the proposed pilot program proves to be effective.

Councilmember Gordo expressed concern regarding the "stick" light design, and suggested this element receive further review.

Councilmember Little expressed support for the proposed design as presented and opposition to further review by the Design Commission.

Councilmember Streater suggested staff work with Field Operations regarding the lighting component and return to Council with information of examples where this type of lighting approach is being used and can be examined and possible alternatives that address the concerns expressed by Council.

Following brief additional discussion, it was moved by Councilmember Little, seconded by Councilmember Streater, to approve the City Manager's recommendation, with the exception of the "stick" lighting and floodlight components, which will return to Council in mid-January 2005 with alternatives provided by Field Operations (the design consultant), and with the understanding that an opportunity for comment will be given to residents and businesses in this area. (Motion unanimously carried) (Absent: Councilmember Madison)

CONSIDERATION OF POTENTIAL PARK FUNDING BALLOT MEASURE (Councilmember Holden)

Councilmember Holden distributed a handout for discussion and consideration which stated:

"Motion to Prepare 'City-wide Park Improvement' Advisory Measure For March 8, 2005 - The city council shall place a park improvement advisory measure on the March 8, 2005 municipal election ballot and direct the City Attorney to prepare all necessary language for the advisory measure. The measure would seek voter support for a study to identify a funding source that would determine future improvements and maintenance for all city-wide parks. With final approval of recommended funding source to be placed on the June 2006 ballot."

Councilmember Holden briefly reviewed the proposed ballot measure language and the rationale for pursuing support from the community through an advisory measure; discussed the relationship between the projects to be funded, the capital improvements budget, and possible funding to be derived from a ballot measure; clarified that approval of the ballot measure would lead to a process involving the community during which a major study would be conducted of City park funding needs, currently available funding sources, and suggestions for an additional funding source to fill the gap between available funds and total funding needs; and responded to questions.

Discussion followed on the benefits of moving forward with an advisory measure; the relationship of the development of the park master plan to the proposed measure; the need to determine the amount of funding required to implement park projects/maintenance/purchases; the need to clarify the ballot language so residents understand that approval of the measure involves funding that will be provided in some way (tax, bond, etc.) by City residents; the process and timeframe for developing the ballot measure language; and the need to determine the community's interest level in funding when amounts are separated for maintenance, improvement projects, and purchase needs.

The City Manager noted community meetings and informational materials would be provided to educate residents prior to the March 2005 election, with additional community meetings and focus groups for intense discussion of specific information prior to the June 2006 election, if the advisory measure is approved.

It was moved by Councilmember Holden, seconded by Councilmember Little, that the City Council shall place a park improvement advisory measure on the March 8, 2005 municipal election ballot and direct the City Attorney to draft all necessary ballot language (ballot question, impartial analysis, etc.), with Councilmember Streater's proposed ballot question language ("*Shall the City of Pasadena aggressively pursue a*

study of capital improvements necessary for all City-owned parks and place a funding method/tax on the June 2006 ballot for approval?") to be the basis for the precise ballot language drafted by the City Attorney, and bring the ballot language back to the City Council at its meeting of November 22, 2004 for additional review or revisions. The measure would seek voter support to identify a funding source which would include local taxpayer participation that would determine future acquisitions of new parks, improvements and maintenance of all City-owned parks, with the final approval of a recommended funding source to be placed on the June 2006 ballot. (Motion unanimously carried) (Absent: Councilmember Madison)

It was noted draft ballot measure language would be provided for discussion at the Council meeting of November 22, 2004, and formal documents (resolutions) placing the measure on the ballot may be acted upon at the December 6, 2004 Council meeting.

INFORMATION ITEM

PREDEVELOPMENT PLAN REVIEW FOR NEW RETAIL PROJECT ("BELLEVUE CENTER") AT 451-455 SOUTH ARROYO PARKWAY

Recommendation of City Manager: This report is for information only. (District 6)

The City Manager introduced the agenda item.

Mr. John Poindexter, Planning Manager, summarized the agenda report and responded to questions.

Mr. Richard Bruckner, Director of Planning and Development Department, explained some of the apparent discrepancies between the staff report and staff comments, outlined the various hearings/meetings at which opportunities for public comment on the project will be provided, and responded to questions.

Discussion followed regarding the parking regulations for the project and the nature of the "transit-oriented use" designation for this project.

The City Manager responded to questions regarding the predevelopment plan review process.

The City Attorney confirmed the Council had directed that the draft zoning ordinance be presented at the first Council meeting in January 2005, the rules would become applicable 30 days after publication of the adopted ordinance, and the rules would automatically apply when an applicant applied for a building permit, unless otherwise provided in the ordinance.

Discussion followed on the voluntary adherence by developers to the new plans/standards and complications arising out of

conflicts between the old and new zoning regulations that necessitate obtaining variances and conditional use permits in order to comply with the new plans/standards, and the need to accelerate adoption of the new zoning ordinance, if possible.

The City Manager indicated staff would explore legal steps that could be taken to accelerate the time for applying the new zoning ordinance after its adoption.

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

**REPORTS AND COMMENTS
FROM COUNCIL
COMMITTEES**

**LEGISLATIVE POLICY
COMMITTEE**

STATE LEGISLATIVE PLATFORM

Recommendation of City Manager: It is recommended that the City Council approve the State Legislative Platform for 2005 attached to the agenda report.

FEDERAL LEGISLATIVE PLATFORM

Recommendation of City Manager: It is recommended that the City Council approve the Federal Legislative Platform for 2005 attached to the agenda report.

The above two items were discussed concurrently.

Councilmember Gordo indicated State Senator Jack Scott had expressed support for the City's request for legislation that would provide local government with more control over the abatement of nuisance liquor stores and had requested the City to provide draft language to carry to the Legislature. Councilmember Gordo asked that this matter be referred to the Legislative Policy Committee for action prior to a mid-January deadline for draft legislation and that he be included in the discussion, and suggested invitations to participate in the discussion also be extended to Senator Scott's office and the League of California Cities. He also suggested the City follow an approach of providing a packet of information regarding specific action the City is asking the Legislature to take in future instances where the City is taking a lead on legislation involving local issues.

Councilmember Little reported on the potential of the City of Los Angeles to support the nuisance liquor store legislation being proposed by the City of Pasadena.

The City Manager noted she and the City Attorney were discussing this approach and would be meeting with various agencies regarding this subject.

Mr. Jason Kruckeberg, Assistant to the City Manager, responded to questions regarding the legislative platforms.

Councilmember Holden was excused at 10:45 p.m.

Councilmember Haderlein commented on the need to emphasize that the City was aggressively seeking State and Federal funding for City parks, and suggested the Route 210

area east of Allen Avenue also be considered for soundwalls funding.

Councilmember Streater suggested the City pursue a policy change regarding the funding of soundwalls that would facilitate the use of funds in established neighborhoods in Northwest Pasadena that do not have an HOV lane and consequently do not fall under the current priority one criteria for soundwalls.

The City Manager will check last year's Federal Legislative Platform regarding soundwalls since page 5 of the "Federal Priorities" section of the 2005 Platform references the construction of soundwalls along two sections of Route 210 and only one section is described.

Councilmember Little suggested the City request the Federal legislators' support for necessary approvals from the Federal Transit Administration (FTA) and other agencies regarding the Gold Line Phase II project, and commented on the need for funding of urgent care centers or agencies to assist people in obtaining health care in their neighborhoods.


The City Manager will add the Gold Line request to the "Other Federal Items of Interest" section of the Federal Platform and relay this information to the City's Federal liaison (Carolyn Chaney) for follow up.

Mr. Kruckeberg will add appropriate language regarding health care funding to the Public Health paragraph on page 3 of the "Other Federal Items of Interest" section of the Federal Platform.

It was moved by Councilmember Little, seconded by Councilmember Gordo, to approve the Federal and State Legislative Platforms, with the above changes suggested by Council. (Motion unanimously carried) (Absent: Councilmembers Holden, Madison)

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 11:08 p.m.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



Jane K. Rodriguez
City Clerk