

CITY OF PASADENA  
City Council Minutes  
March 14, 2005 – 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 5:50 p.m.  
(Absent: Councilmembers Holden, Madison, Streater)

On order of the Mayor, the regular meeting recessed at 5:50 p.m., to discuss the following closed session:

Councilmember Madison  
arrived at 6:05 p.m.

Councilmember Holden arrived  
at 6:14 p.m.

**CITY COUNCIL CONFERENCE WITH REAL PROPERTY  
NEGOTIATORS pursuant to Government Code Section  
54956.8**

**Property: 835 S. Raymond Ave., Pasadena**

**Agency Negotiators: Cynthia Kurtz, Richard Bruckner**

**Negotiating Party: Tournament of Roses Association**

**Under Negotiation: Price and terms of payment**

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

On order of the Mayor, the regular meeting reconvened at 6:36 p.m. The Pledge of Allegiance was led by Councilmember Gordo.

**ROLL CALL:**

Councilmembers:

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

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 S.M. Mic Hanson as Historic Preservation Commissioner.

**CONSENT CALENDAR**

Item discussed separately at  
the request of Councilmember  
Madison.

**ADOPT A RESOLUTION OF INTENT TO VACATE A  
PORTION OF PICO STREET BETWEEN RAYMOND  
AVENUE AND THE METROPOLITAN TRANSPORTATION  
AUTHORITY RIGHT-OF-WAY AND SETTING A PUBLIC  
HEARING THEREON**

Item discussed separately at the request of Councilmember Little.

**PROVIDE CONTRACT DISPATCHING SERVICES TO THE CITY OF MONTEREY PARK THROUGH ADOPTION OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE VERDUGO FIRE COMMUNICATIONS SERVICE AGREEMENT WITH THE CITY OF MONTEREY PARK**

Item discussed separately at the request of Councilmember Little.

**EXTENSION OF CONTRACT DISPATCHING SERVICES FOR THE CITIES OF MONROVIA, ARCADIA AND SIERRA MADRE THROUGH ADOPTION OF THE FOLLOWING RESOLUTIONS: (1) RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE VERDUGO FIRE COMMUNICATIONS SERVICE AGREEMENT WITH THE CITY OF MONROVIA; (2) RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE VERDUGO FIRE COMMUNICATIONS SERVICE AGREEMENT WITH THE CITY OF ARCADIA; AND (3) RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE VERDUGO FIRE COMMUNICATIONS SERVICE AGREEMENT WITH THE CITY OF SIERRA MADRE**

**ADOPT A RESOLUTION DETERMINING ADDITIONAL AMOUNTS TO BE TRANSFERRED AND TRANSFERRING SAID AMOUNTS FROM THE LIGHT AND POWER FUND TO THE GENERAL FUND FOR FISCAL YEAR 2005**

**Recommendation of City Manager:** Adopt a resolution determining additional amounts to be transferred and transferring said amounts from the Light and Power Fund to the General Fund for Fiscal Year 2005. (Resolution No. 8437)

**APPROVAL OF FINAL TRACT MAP NO. 53986, BEING A 15-UNIT CONDOMINIUM PROJECT AT 270 EAST GLENARM STREET**

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

- (1) Approve final Tract Map No. 53986; and
- (2) Authorize the City Clerk to execute the Certificate on the map showing the City's approval of said map. (Resolution No. 8438)

**APPROVAL OF FINAL TRACT MAP NO. 54221, BEING A FIVE-UNIT CONDOMINIUM PROJECT COMPRISED OF FOUR RESIDENTIAL UNITS AND ONE COMMERCIAL SPACE AT 175 EAST DEL MAR BOULEVARD**

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

- (1) Approve final Tract Map No. 54221;
- (2) Accept the offer of a dedication for street purposes as shown on Tract Map No. 54221; and
- (3) Authorize the City Clerk to execute the Certificate on the map showing the City's approval of said map. (Resolution No. 8439)

## **APPROVAL OF AN AMENDMENT TO THE MASTER PLAN FOR EATON WASH PARK**

### **Recommendation of City Manager:**

- (1) Approve an amendment to the Initial Study for Eaton Wash Master Plan;
- (2) Approve an amendment to the Eaton Wash Master Plan to include a picnic shelter and increase the size of the playground equipment.

### **Recommendation of Recreation and Parks Commission:**

On January 4, 2005, this recommendation was presented to the Recreation and Parks Commission for consideration. Staff mailed a notice to all residents within 300 feet of the park to solicit feedback on the proposed changes to the Master Plan. Two residents appeared at the meeting and both supported the proposed modifications to the Master Plan. The Commission voted unanimously to recommend that the amendment be sent to Council for consideration and approval.

## **ADOPTION OF A RESOLUTION RATIFYING THE CITY MANAGER'S DECLARATION OF A LOCAL EMERGENCY**

**Recommendation of City Manager:** Adopt a resolution in support of ratifying the City Manager's Declaration of a Local Emergency initially issued February 28, 2005, and reissued on March 7, 2005. (Resolution No. 8440)

### **MINUTES APPROVED**

February 7, 2005

### **CLAIMS RECEIVED AND FILED**

Claim No. 9775	Kelley L. Fisher	\$ 1,021.21
Claim No. 9779	Julio C. Repreza	2,035.29
Claim No. 9787	Nancy K. Bumb	800.00
Claim No. 9788	Margaret Viera	Not Stated
Claim No. 9789	Linda S. Jalbert	675.36
Claim No. 9790	Nancy M. Lockwood	Not Stated
Claim No. 9791	Cathaline Hopkins-Cooper	Not Stated
Claim No. 9792	Marco Perkins	Not Stated
Claim No. 9793	Marie Harper	Not Stated

### **PUBLIC HEARINGS SET**

April 11, 2005, 8:00 p.m. - Appeal of Zoning Hearing Officer Decision for a Modification of Expressive Use Permit No. 4254, 168 West Colorado Boulevard (Expanded Hours of Alcohol Sales and Live Entertainment - Villa Sorriso) (Rescheduled from March 14, 2005)

April 11, 2005, 8:00 p.m. - City Manager's Recommended FY 2006 - 2011 Capital Improvement Program

It was moved by Councilmember Little, seconded by Councilmember Gordo, to approve the Consent Calendar, with the exception of Item 1 (Resolution of Intent to Vacate a Portion of Pico Street), Item 2 (Agreement with the City of Monterey Park), and Item 3 (Agreements with the Cities of Monrovia, Arcadia, and Sierra Madre), which were discussed

separately. (Motion unanimously carried) (Absent: Councilmembers Holden, Streater)

**CONSENT ITEMS**  
**DISCUSSED SEPARATELY**

**PROVIDE CONTRACT DISPATCHING SERVICES TO THE CITY OF MONTEREY PARK THROUGH ADOPTION OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE VERDUGO FIRE COMMUNICATIONS SERVICE AGREEMENT WITH THE CITY OF MONTEREY PARK**

**Recommendation of City Manager:** Adopt a resolution authorizing a Verdugo Fire Communications Service Agreement with the City of Monterey Park. (Resolution No. 8441; Agreement No. 18,791)

**EXTENSION OF CONTRACT DISPATCHING SERVICES FOR THE CITIES OF MONROVIA, ARCADIA AND SIERRA MADRE THROUGH ADOPTION OF THE FOLLOWING RESOLUTIONS: (1) RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE VERDUGO FIRE COMMUNICATIONS SERVICE AGREEMENT WITH THE CITY OF MONROVIA; (2) RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE VERDUGO FIRE COMMUNICATIONS SERVICE AGREEMENT WITH THE CITY OF ARCADIA; AND (3) RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE VERDUGO FIRE COMMUNICATIONS SERVICE AGREEMENT WITH THE CITY OF SIERRA MADRE**

**Recommendation of City Manager:** Adopt three resolutions which authorize extended Verdugo Fire Communications Service Agreements with the cities of Monrovia, Arcadia, and Sierra Madre. (Resolution Nos. 8442-8444; Agreement Nos. 18,792-18,794)

The above two items were discussed concurrently.

Fire Chief Dennis Downs clarified the charges to the communities participating in the service agreements.

The City Manager noted the City of Pasadena resolutions, which had not been included with the agenda report, had been distributed to Council.

It was moved by Councilmember Little, seconded by Vice Mayor Tyler, to approve the above City Manager recommendations. (Motion unanimously carried) (Absent: Councilmembers Holden, Streater)

**ADOPT A RESOLUTION OF INTENT TO VACATE A PORTION OF PICO STREET BETWEEN RAYMOND AVENUE AND THE METROPOLITAN TRANSPORTATION AUTHORITY RIGHT-OF-WAY AND SETTING A PUBLIC HEARING THEREON**

Councilmember Madison  
recused himself at 6:44 p.m.,  
due to a conflict of interest.

**Recommendation of City Manager:**

- (1) Adopt a Resolution of Intention to vacate a portion of Pico Street from Raymond Avenue to the Metropolitan Transportation Authority (MTA) right-of-way;
- (2) Set a public hearing for Monday, April 4, 2005, at 8:00 p.m., to consider the proposed street vacation prior to adoption of the Resolution Ordering the Vacation in accordance with the requirements and recommendations contained in this report and subject to the conditions herein; and
- (3) Direct the City Clerk to publish, post and mail a Notice of Hearing in accordance with the requirements of Streets and Highways Code Sections 8320, et.seq. (Resolution No. 8445)

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

**REPORTS AND COMMENTS  
FROM COUNCIL  
COMMITTEES**

**FINANCE COMMITTEE**

**AUTHORIZATION TO ENTER INTO A CONTRACT WITH  
CONRAD & ASSOCIATES, LLP FOR AUDIT SERVICES FOR  
FISCAL YEARS 2005-2007**

Councilmember Little, Chair of the Finance Committee, requested the above item be held for two weeks to allow time for additional review of the contract by the Committee.

On order of the Mayor, the above item was held to the Council meeting of March 28, 2005.

**RESOLUTION AUTHORIZING AN EQUIPMENT LEASE  
FINANCING WITH COMMUNITY BANK IN AN AMOUNT NOT  
TO EXCEED \$6.5 MILLION**

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

- (1) Authorizing an equipment lease financing with Community Bank in an amount not to exceed \$6.5 million;
- (2) Authorizing the execution and delivery of the Equipment Lease Rental Agreement, the Equipment Assignment Agreement and the Deposit Agreement between the City of Pasadena as Lessee and Community Bank as Lessor; and
- (3) Authorizing the City Manager to execute the documents on behalf of the City. (Resolution No. 8446)

Councilmember Little summarized the agenda report.

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

**QUARTERLY INVESTMENT REPORT QUARTER ENDING  
DECEMBER 31, 2004**

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

Councilmember Little introduced the agenda item, and thanked City Treasurer Vic Erganian and staff for their stewardship with the City's monies.

Mr. Erganian highlighted the agenda report, and noted copies of corrected pages 8, 14, and 22 of the report had been distributed to Council.

It was moved by Councilmember Little, seconded by Councilmember Gordo, to receive and file the report. (Motion unanimously carried) (Absent: Councilmembers Holden, Madison, Streater)

**RECOMMENDATIONS FROM  
OFFICERS AND  
DEPARTMENTS**

Councilmember Madison  
returned at 6:44 p.m.

**ADOPT A RESOLUTION APPROVING A PLAN CHECK AND  
PERMIT FEE WAIVER FOR STORM-RELATED REPAIRS  
STEMMING FROM THE JANUARY AND FEBRUARY 2005  
RAINSTORMS**

**Recommendation of City Manager:** Adopt a resolution approving a plan check and permit fee waiver for storm-related property damage repairs stemming from the January and February 2005 rainstorms at properties that the Building Official finds to be deficient. (Resolution No. 8447)

The City Manager reviewed the agenda report, pointed out the steps staff would be taking to educate homeowners regarding their responsibilities for private streets, clarified the City's responsibilities for trash pick up and street sweeping on private streets, and indicated the private street status of Hillcrest Avenue would be clarified.

Councilmember Madison asked staff to provide him with information regarding the proposed "Private Street" signs before the signs are installed. Councilmember Madison noted that that many homeowners' policies do not cover mud and water damage in these mudslide situations, and asked staff to explore legal solutions.

Mr. Richard Bruckner, Director of Planning and Development Department, clarified the process for determining the homeowner's qualifications for the waivers, and responded to questions.

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

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 6:57 p.m. to the regular meeting of the Community Development Commission.

RECONVENED/RECESS

On order of the Mayor, the regular meeting of the City Council reconvened at 6:58 p.m. (Absent: Councilmembers Holden, Streator)

On order of the Mayor, the regular meeting of the City Council recessed at 6:58 p.m., to discuss the following closed session:

**CITY COUNCIL CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8**

**Property: 3100 E. Orange Grove Blvd., Pasadena  
Agency Negotiators: Cynthia Kurtz, Richard Bruckner  
Negotiating Party: Southern California Edison  
Under Negotiation: Price and terms of payment**

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

RECONVENED

On order of the Mayor, the regular meeting of the City Council reconvened at 7:36 p.m. (Absent: Councilmembers Holden, Streator)

**INFORMATION ITEM**

**PRESENTATION ON ACTIVITIES OF THE SANTA MONICA MOUNTAINS CONSERVANCY ADVISORY BOARD**

Mr. Tom Seifert, the City's representative for the past four years on the Advisory Committee to the Santa Monica Mountains Conservancy Advisory Board, provided an overview of the Conservancy's mission, structure, and activities affecting the east of the Santa Monica Mountains (e.g. Flint Wash Bridge, Rim of the Valley Trail Corridor, and the City's surveys of sensitive lands and pocket park areas).

Mr. Michael Hurley, who recently succeeded Mr. Seifert as the City's representative on the Board, briefly reported on the Board's current attention to open space prospects in the Annandale Canyon Estates project and the Metropolitan Water District (MWD) Hahamongna property.

In response to Councilmember Haderlein's question, Mr. Seifert discussed the Conservancy's support of in-fill projects to create open space within a city.

Mr. Hurley noted the importance for the City to move forward with the sensitive land component of the Open Space Element as a demonstration of the City's commitment to these priorities and types of projects.

Councilmember Haderlein thanked Mr. Seifert and Mr. Hurley for their service to the community.

Councilmember Madison announced that Mr. Hurley had put together an exhibition on the City's parks that was showing at the Pasadena Museum of History.

The Mayor offered Council's support for Mr. Hurley in his role with the Conservancy.

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

Ms. Tricia Thayer, Pasadena resident, expressed concerns regarding the problems of homeless people in the City.

**RECESS**

On order of the Mayor, the regular meeting of the City Council recessed at 7:51 p.m.

**RECONVENED**

On order of the Mayor, the regular meeting of the City Council reconvened at 8:05 p.m. (Absent: Councilmembers Holden, Streater)

**PUBLIC HEARINGS**

**APPEAL HEARING: APPEAL OF A DECISION BY THE  
DESIGN COMMISSION TO APPROVE WITH CONDITIONS  
ALTERATIONS TO THE EXISTING STOREFRONT AT 396  
SOUTH LAKE AVENUE (DRAPER'S &  
DAMON'S/RANGONIS)**

On order of the Mayor, the appeal hearing was continued to April 4, 2005 at 7:00 p.m. at the written request of the property owner to allow time for ongoing discussions with staff to work out a mutually agreeable solution.

**CONTINUED PUBLIC HEARING: APPROVE THE  
PROPOSED PARTIAL ROAD CLOSURE ON BOYLSTON  
STREET BETWEEN LAKE AVENUE AND MENTOR  
AVENUE**

**Recommendation of City Manager:** After the public hearing, adopt a resolution in accordance with California Vehicle Code Section 21101(f) to partially close Boylston Street between Lake Avenue and Mentor Avenue to eastbound through-movement by installing a raised median island as part of the Neighborhood Traffic Management Program in the Bungalow Heaven Neighborhood. (Resolution No. 8448)

**Recommendation of Advisory Bodies:** The Transportation Advisory Commission (TAC) reviewed the proposed partial road closure in the context of managing traffic in residential neighborhoods on November 4, 2004 and unanimously concurred with the recommended improvements. On February 23, 2005, the Planning Commission reviewed and determined that the proposed installation is consistent with the City's General Plan Mobility Element Policies of neighborhood protection. The Planning Commission also acknowledged the Environmental Determination that the partial street closure is



determined to be Categorically Exempt (Class 1) from environmental review pursuant to the guidelines of the California Environmental Quality Act, CEQA Section 15301; Existing Facilities (Exhibit 1 of the agenda report).

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on January 14, 2005 in the Pasadena Star-News and on January 20, 2005 in the Pasadena Journal; and no correspondence was received.

The City Manager introduced the agenda item.

Mr. Eric Shen, Transportation Planning and Development Manager, reviewed the agenda report and responded to questions.

Councilmember Gordo commented on the neighborhood's support for this solution to problems caused by the traffic and related activities in the area and thanked the residents for their input.

The following persons spoke in support of the partial closure:

Ms. Christina Conwell, Pasadena resident  
Ms. Sarah Hilbert, Pasadena resident  
Ms. Raquel Pizano-Hazarra, Pasadena resident  
Ms. Julie Dercle, Bungalow Heaven Neighborhood Association Vice President  
Ms. Tina Miller, Bungalow Heaven Neighborhood Association President

Ms. Joyce Amerson, Director of Transportation Department, confirmed the project design would be taken to the Bungalow Heaven Neighborhood Association for their input prior to installation of the median.

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

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

## **COUNCIL COMMENTS**

Vice Mayor Tyler expressed concerns regarding the implications of identity theft, and suggested an information report be presented to Council regarding this type of crime.

Councilmember Little suggested staff explore possible federal legislation to provide protection against unsolicited credit card offers.

Councilmember Madison complimented the Carnegie Institute on the work it does, and noted he would be working with staff on issues regarding a liquor licensing situation involving the Sav-On Drugs business on Arroyo Parkway.

Councilmember Gordo expressed support for a discussion of the policy questions involving liquor licensing related to the Sav-On Drugs situation.

Councilmember Little asked staff to investigate whether the 99¢ Stores are selling wine with or without a license.

The City Manager indicated an update would be provided in the weekly Council information letter regarding the 99¢ Store question, a presentation to Council would be scheduled regarding identity theft, and a discussion of the liquor licensing issue would be coordinated with the Public Safety Committee's calendar.

Councilmember Gordo provided a brief update on SB148, authored by Senator Jack Scott, which arose out of the recommendations of the City's Nuisance Liquor Store Working Group.

Brief discussion followed on City representation at the State Senate hearings in regards to the bill.

The Mayor offered to contact the City of Los Angeles regarding their participation and support for the bill, and noted letters were being sent to solicit support and advocacy from the surrounding government officials.

The City Manager will provide Councilmember Gordo with a roster of the committee that will be holding the hearing on the bill.

#### **ADJOURNMENT**

On order of the Mayor, the regular meeting of the City Council adjourned at 8:38 p.m.



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

ATTEST:

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