

CARTER & CARLSON

ATTORNEYS AT LAW

301 EAST COLORADO BOULEVARD, SUITE 320
PASADENA, CALIFORNIA 91101

TELEPHONE (626) 796-6161
FAX (626) 796-0593
E-MAIL swcarl@pacbell.net

SCOTT W. CARLSON
ROBERT E. CARTER
RETIRED

October 23, 2006

RECEIVED
06 OCT 23 AM 11:51
CITY CLERK
CITY OF PASADENA

Mayor Bogaard and The City Council
Pasadena City Hall
117 East Colorado Blvd., 6th Floor
Pasadena, California 91105

Re: Council Meeting of October 23, 2006, Agenda Item 4.A
Proposed Vacation of a Portion of Madia Street

Dear Mayor and City Council Members:

This letter supplements my letter of August 14, 2006 concerning this matter. The issues raised in this letter are in addition to and do not supersede any prior objections or opposition to the proposed street vacation.

Subsequent to the August 14, 2006 City Council meeting, an informal mediation by Councilmen Holden and Little was held on August 19, 2006 between the Quinns and several Madia Street neighbors. Although I was not present at the meeting it is my understanding that progress was made on many points. The results of the meeting were summarized by Councilman Little in his memo of August 21, 2006, a copy of which is attached as Exhibit "A". A key point of the discussions was to move the cul-de-sac turnaround approximately 12 feet east so that the Quinn driveways could open up onto the street and not onto the cul-de-sac. This is Item No. 7 in Councilman Little's memo.

Moving the cul-de-sac so that the driveways could be relocated was an extremely important provision because if the driveways open into the cul-de-sac, then (i) there is no parking available in the cul-de-sac and (ii) the utility of the cul-de-sac as a turnaround is effectively eliminated. All parking for any deliveries or visitors to the Quinn property would have to be done on the remaining portions of Madia Street outside of the cul-de-sac. This creates an increased burden on the neighbors and removes available parking from the street.

For unexplained reasons, Councilman Little later changed his memorandum and issued a new memo dated September 5, 2006, which is attached as Exhibit 1 to the Staff Report. The cul-de-sac is addressed in Item No. 8. The provision has been materially changed from Mr. Little's initial memo because the reference to moving the Quinn driveways out of the cul-de-sac has been removed.

The City has prepared a proposed plan which moves the cul-de-sac 12 feet to the east, however, the Quinn driveways still open into the cul-de-sac. My clients object to this plan because it does not meet what was contemplated at the agreement and is accurately reflected in Councilman Little's initial memorandum.

Based on the failure to reach a resolution on this point, there is no agreement between the Madia Street neighbors and the Quinns.

Once again, having not reached a final agreement as required by Resolution No. 8550, which conditionally approved the street vacation, the applicant seeks to force a unilateral covenant on the Madia Street neighbors. While it is regrettable that the neighbors and the Quinns were not able to reach an agreement, a mutual agreement is clearly what is contemplated by Resolution No. 8550.

Since the majority of neighbors have not agreed on the proposed covenant, the City should not force an agreement on the neighbors. This is an abuse of discretion and poor public policy and puts the City in the unusual position of creating private property agreements between the Quinns and the Madia Street neighbors. At the December 2005 meeting at which Resolution No. 8550 was passed, a previous motion to vacate which did not require an agreement between the applicant and the neighbors on the covenant had failed. The City should not backtrack from its position of requiring that there be a private agreement. Since there is no agreement, the vacation has failed and the City should not vote to approve the pending amendment to unilaterally create what should be by necessity mutual private covenants.

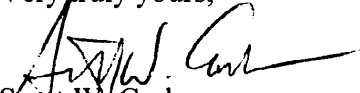
My clients also object to the proposed vacation because there has not been an adequate finding of public benefit. An analysis of the stated benefits and my clients' response prepared by Chuck Parcell (and which was presented verbally by him at the last meeting) is attached as Exhibit "B". As set forth in that analysis, there is very limited, if any, real benefit to the public from this transaction. The real beneficiaries are the applicants.

Finally, there are several other similarly situated dead end streets in Pasadena. The proposed amendment and street vacation establishes a dubious City policy and sets a bad precedent for future privatization of other public streets for private benefit.

Mayor Bogaard and The City Council
October 23, 2006
Page 3

My clients respectfully request that the City vote not to approve the amendment to Resolution No. 8550.

Very truly yours,



Scott W. Carlson
of CARTER & CARLSON

SWC:md
Enclosures

cc: Michele Beal Bagneris, City Attorney (by facsimile, with enclosures)

MEMO

TO: Chris Holden, John Quinn, Madia Street neighbors (through Mr. Bishop)
FROM: Paul Little
CC: Dan Rix, Martin Pastucha
RE: Resolution of issues surrounding Madia Street Vacation
DATE: August 21, 2006

First, thank you all for coming out on a Saturday and taking time to work for a reasonable resolution of this issue. I appreciate everyone's willingness to talk through the issues and come to a consensus resolution.

Here is my understanding of the "terms and conditions" agreed upon at last Saturday morning's meeting of the Madia Street neighbors. (Understanding full well that every neighboring property wasn't represented, but that many were, and those present seemed to have constituted the leadership in the discussions previously.)

Please let me know by return e mail if I've missed anything or misstated any of the agreed-upon points and I will amend the memo prior to presenting the information to the City Council.

Per agreement with the Quinn Family, Madia Street neighbors will also include the property directly across from the entrance to Madia Street on Linda Vista.

Here are the agreement points:

- 1.) Madia Street neighbors will have access to the "Quinn Gardens" seven days per week from sunrise to sunset. On special Rose Bowl event days, neighbors' use will extend to a reasonable time after the end of said event so that neighbors can enjoy the event. (4th of July fireworks, for example.)
- 2.) In exchange for seven day access, the Quinns will install a low fence or hedge with a locking gate. The gate lock will be "keypad" activated and the Madia Street neighbors will have the keycode.
- 3.) The Quinn Family prefers that there be no alcohol or food consumption on the part of the neighbors using the Quinn Garden, but recognized that neighbors may want to eat or enjoy an alcoholic beverage from time to time. The Quinns are amendable to being "neighborly" and ask that the neighbors call in advance, behave reasonably and leave the garden as they find it after use.
- 4.) In the event of use disputes, there will be mutual arbitration as set forth previously. It is also understood that the Quinns and the affected neighbors will discuss the problem first and try to work out a reasonable solution among themselves.
- 5.) An entire property will not be penalized should there be a violation of the use rules for Quinn Gardens. Simply put, if there is a violation of use rules, the individual or individuals responsible will be banned from use, as set forth previously, not everyone residing at the address with the offending parties.

EXHIBIT A

- 6.) If it is not already so deemed, the property will be treated by the City of Pasadena as if it is a front yard property, for permitting, fencing and land use purposes.
- 7.) The cul-de-sac turn-around will be constructed 12 feet east of the present configuration so that the Quinn Driveways open onto the street and not the cul-de-sac. The turn-around will be centered on the street. The City Council will approve removal of the existing non-native tree to allow for the revised cul-de-sac and turn-around configuration.
- 8.) Quinns will record an easement against their property giving access to Quinn Gardens to the Madia Street neighbors under the conditions previously agreed upon and as amended above.

While not subject to the agreement, I came away Saturday morning with the expectation that everyone party to the agreement was a neighbor, and that each would treat any others in a courteous, neighborly manner.

Finally, given the current schedule of the City Council, I would anticipate this getting back on the agenda in early October.

FACTS

Whereas, the City Council finds that there will be the following public benefits as a result of the vacation and fulfillment of the associated conditions ~~of the associated conditions~~, all at no cost to the city.

- (a) the creation of a cul-de-sac that will provide an adequate and safe turn-around, which does not currently exist, for emergency vehicles, refuse collection vehicles, delivery vehicles and other vehicles.

Answer: Fire trucks and recently purchased fire trucks; emergency vehicles, Carmenita trash trucks; ambulances and paramedic vehicles; automobiles, mid-size and full size, owned and recently purchased by the city, will not turn around in a twenty five foot radius as described in the resolution.

Source: Pierce Fire Trucks, Pasadena Fire Department, City of Pasadena Maintenance Yard, Carmenita Truck Center, UPS, Fed Ex, Ford Inc., GMC Inc. Therefore, the cul-de-sac benefit is a myth and misleading.

- (b) the creation of a continuous sidewalk, which does not currently exist, to replace the dead end sidewalk:

Answer: Presently a full sidewalk runs the entire length of Madia Street on the north and south borders. A paved public street has been used to cross north to south or south to north to existing sidewalks. The street as all dead end streets facing the arroyo is only lacking thirty feet of sidewalk. Therefore, the sidewalk description is a myth and misleading.

- (c) a fire hydrant, that does not currently exist, for use in a hillside area:

Answer: The Pasadena Fire Department has acknowledge that the new fire hydrant that was installed at the north west corner of Linda Vista Avenue and Madia Street is sufficient. The proposed fire hydrant, in the resolution, is a myth and is not necessary, and may hamper the volume flow in the existing hydrant.

- (d) the public shall be relieved from further maintenance responsibility and associated liability for the vacated area.

Answer: The city predicts that seventeen to nineteen parking places will be eliminated. The loss of these parking spaces impacts street parking, creating more liability. Presently Madia Street is sparsely maintained by the city and the loss of one hundred fifty feet is hardly a benefit to the city.

According to the city resolution, there is no public benefit

EXHIBIT B

Rodriguez, Jane

From: NRCHOMSKY@aol.com
Sent: Monday, October 23, 2006 8:33 AM
To: Rodriguez, Jane
Cc: sharon.y@charter.net
Subject: 10/23/06 Council Meeting: Agenda Item 4.A. - Madia Street Proposed Vacation

Please deliver to the Council prior to tonight's meeting -- Thank you.

LINDA VISTA-ANNANDALE ASSOCIATION

October 23, 2006
Re: Council Meeting of October 23, 2006
Agenda Item 4.A. -- Madia Street Proposed Vacation

Dear Mayor Bogaard and Council Members:

This letter supplements the prior letters from the Linda Vista-Annandale Association (LVAA) dated December 5, 2005, and August 14, 2006, on this matter. The issues raised below are in addition to and do not supersede any prior objections or opposition to the proposed street vacation.

Again, the LVAA **OPPOSES** in the strongest terms the proposed Amendment to your original Resolution concerning the proposed Vacation.

Agreement of All Madia Neighbors is Required.

The original Resolution required the affirmative agreement of all the impacted Madia neighbors for the proposed Vacation to take effect. In fact, there is no such unanimous agreement. If the Council reverses the express condition precedent of requiring unanimous agreement of all impacted Madia neighbors prior to the Vacation, and, instead, unilaterally imposes and forces a private Easement on these neighbors, such an exercise of City governmental power will be arbitrary, and, clearly, an abuse of discretion. As discussed below, the LVAA favors complete and unrestricted public access to the Vacated area if the proposed Vacation goes forward. However, at a minimum, the immediately impacted group of Madia neighbors should unanimously agree to accept the burdens of this City action for the Vacation to have any legitimacy at all.

No Public Benefits.

All of the supposed "public benefits" from the Vacation are minimal or nonexistent, and, therefore, nearly all of the impacted Madia neighbors and the LVAA continue to oppose the proposed Vacation.

As to the asserted lack of access by large trash trucks, the Madia neighbors group has told us that they will adjust trash pickup procedures in whatever manner is necessary to solve the City's issues, including privately arranging for all the trash containers on Madia to be lined up on Linda Vista for access by the large trash trucks. As we have stated before, the LVAA will cooperate and assist in any reasonable manner in solving the City's trash access and safety issues on Madia and elsewhere in Linda Vista and Annandale.

As to large fire trucks, the Pasadena Fire Department is prepared now for accommodations throughout the Linda Vista and Annandale hillside areas where large trucks currently have access problems. Current procedures and policies should continue to apply to Madia. In any event, we understand that even the proposed cul-de-sac turn around would be substandard.

As to a new fire hydrant, we understand from the Madia neighbors that the fire hydrants on Linda Vista have been upgraded, and water can be easily brought down Madia for any fire emergency. Further, the Fire Department has stated that it does not need any such new fire hydrant.

10/23/2006
Item 4.B.

10/23/2006

Poor Public Policy: Bad Neighborhood and Citywide Precedent.

The LVAA is concerned with our entire neighborhood. This proposal clearly will establish a bad precedent for the entire neighborhood, as well as the entire City. There are many small cul-de-sacs and short dead-end public streets all over the Linda Vista-Annandale area, and it is not acceptable to us to set in motion others, including developers, buying the "ends" of cul-de-sacs and closing them off as large private estate areas.

In our view, it is also bad public policy to ignore, and not hear, the objecting neighbors. A majority of the impacted neighbors just do not want this to happen to them. Why are you forcing this burden on a clear majority of Madia neighbors who do not want the Vacation and oppose the transformation of the end of their street, which is adjacent to the Arroyo and which has been accessible to the public for over 80 years, into a large, gated private estate?

In our opinion, it is also bad public policy to deny complete public access to the rim of the Arroyo by facilitating the conversion of this long-time public area and street into a private gated estate. After so many years, full public access to the rim of the Arroyo at Madia is a vested right of all the people of our neighborhood and of all the people of the City of Pasadena. It is shocking to us that the Council so easily would convert this right to private ownership and control.

Alternative Proposal: Vacation And Complete Public Access.

In light of the facts that the proposal would convert public property on the rim of the Arroyo into a private, gated estate; and, would unfairly burden the use of the Madia neighbors own private property by placing the proposed cul-de-sac too close to their homes; and, would eliminate approximately 17 parking spaces on Madia thereby creating a parking shortage; and, would set a precedent which is contrary to the public's use of public streets and public vistas and access to the rim of the Arroyo, the impacts of which do not appear to have been adequately considered, LVAA urges the Council not to approve either the amended Resolution or the requested street Vacation itself.

However, in the alternative, if the Council is inclined to amend the Resolution and proceed with the Vacation without the unanimous agreement of the Madia neighbors, then the LVAA requests that the Council consider the following full public access alternative: Our alternative is that any Vacation be made expressly subject to the following conditions guaranteeing full public access to the mountain view sheds and rim of the Arroyo at the end of Madia, and appropriately fixing the location of the proposed cul-de-sac within the Applicant's property:

1. the Applicant shall be required to develop, construct, and maintain a cul-de-sac sufficiently significant in size to permit what is commonly referred to as a "three point turn around" by motor and emergency vehicles to be accomplished in an area completely easterly of the westernmost property line of the two properties and all driveways serving the two subject properties (i.e. the "bulb" of the cul-de-sac is completely within the Quinn properties, and does not include any Quinn driveways in order to keep turn around traffic out of other neighbors' driveways); and
2. the vacation of the street shall be for vehicular traffic only, reserving to the public at large the non vehicular right to pass over and through the area of the Vacation to access the points which were publicly accessible before the vacation; the area designated for public access at all times shall be no less than 45 feet in width at it narrowest point; and, the public access at all times shall be unrestricted, including, without limitation, unrestricted by walls, fences or gates of any kind or size, or, by shrubs or hedges over 4 feet in height; and
3. public access shall be so designated by a fully visible sign or plaque installed by the owner of the two properties at the end of the remaining public vehicular street, and maintained continuously by the owner of the two properties, indicating that the area contains public non vehicular access; and
4. the Applicant shall be required as a condition of the Vacation to combine the ownership of the two properties into one property in perpetuity, and record an easement or covenants running with the land as to both properties granting perpetual access rights to the public at large as more particularly provided above.

Therefore, on the basis of the discussion set forth above and in our prior letters, LVAA urges you not to adopt

the amended Resolution, and to reject the proposed Easement as submitted. We further urge you to agendaize reconsideration of denial of the Vacation itself in its entirety, or, to consider full public access as a possible alternative solution. Thank you for your attention to our concerns.

Sincerely,

Sharon Yonashiro, LVAA President

Nina Chomsky, LVAA Zoning Committee Chair

Rodriguez, Jane

From: Marc Walch [marcjwalch@yahoo.com]
Sent: Monday, October 23, 2006 8:35 AM
To: Rodriguez, Jane
Subject: Privatization of part of Madia street

Mayor Bill Bogaard
City Council Members
117 E. Colorado Blvd
Pasadena, CA 91105

Dear Mayor and City Council Members,

We are residents of Linda Vista and our house falls under the umbrella of concern for the subject issue.

With this email, we are expressing our opposition to the proposed Madia street privatization. In reviewing the facts behind this effort, we cannot find any public benefit whatsoever to this activity.

A few examples:

1. This vacation will not require a new sidewalk connecting both sides of the street (as it is now), 2. This vacation will cause seventeen parking spaces to be lost forever, 3. This vacation will cause the excellent view of the Arroyo Seco to be lost from the end of the street.

These three examples (among many others) are ALL contributing to removing public benefits. Is the city of Pasadena involved into activities that are clearly against public benefits? This begs the question: To whose benefit does this effort contribute?

I have signed a petition against privatizing Madia street and want my vote to count.

Sincerely,

Marc Walch
1621 Linda Vista AVenue
Pasadena, CA 91103

10/23/2006
Item 4.B.

Rodriguez, Jane

From: David Mimms [dmimms@earthlink.net]
Sent: Monday, October 23, 2006 4:32 AM
To: Rodriguez, Jane
Subject: Madia Street
Importance: High

Mayor Bill Bogaard
City Council Members
c/o Pasadena City Clerk

We are opposed to the Madia Street vacation. I would like the street to stay the way it currently is. Making these changes, changes the charm of the neighborhood, It would be like taking out the street lights or, putting in an apartment complex.

Thank you for your consideration,

David and Beverly Mimms
1295 Yocum Street
Pasadena CA 91103

10/23/2006
Item 4.B.

10/23/2006

107 Discovery Lane
Williamsburg Va 23185

October 22, 2006

To: Mayor William Bogaard and Council Members

From: Joan M. Lindgren
1204 Madia Street
Pasadena, CA 91103

Subject: Vacation of a portion of Madia Street

Dear Mayor Bogaard and Council Members,

I am writing to the council as a homeowner on Madia Street and have asked Chad Pratt to represent me and read this letter at the City Council Meeting on October 23, 2006.

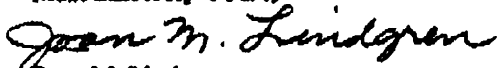
As previously stated, I have lived in Pasadena for thirty years and have enjoyed my home on Madia Street for twenty five of those years.

My new husband and I plan to return to our home on Madia Street. He is now recuperating from an Emergency illness that occurred during our last visit home. Therefore, the reason for our extended absence from our home.

My "VOTE" is simply to maintain Madia Street in its original form.

The loss of approximately seventeen parking spaces for a private compound can in no way be construed as any kind of a public benefit. I strongly object to changing the utilization of Madia Street from its original configuration and usage.

Most Sincerely Yours,



Joan M. Lindgren
1204 Madia Street
Pasadena, CA 91103

10/23/2006
Item 4.B.

Rodriguez, Jane

From: Kurtz, Cynthia
Sent: Saturday, October 21, 2006 9:35 PM
To: Rodriguez, Jane
Subject: FW: Quinn Gardens
Attachments: Document.pdf

From: Marc Rosner [mailto:marcrosner@quinnemanuel.com]
Sent: Saturday, October 21, 2006 6:44 PM
To: Bogaard, Bill; Streator, Joyce; Little, Paul; Holden, Chris; Haderlein, Steve; Gordo, Victor; Tyler, Sid; Bagneris, Michele; Kurtz, Cynthia
Cc: John Quinn
Subject: Fw: Quinn Gardens

Dear Mayor Bogaard, Council Members, City Manager and City Attorney:

Attached is a letter from the Quinns' neighbors Kevin Slattery and Carol Pickle expressing their support for the Quinns' project, which will be before the City Council again on Monday night.

Thank you

----- Original Message -----

From: Luther Wallace
To: Marc Rosner
Cc: John Quinn; Word Processing Coordinator
Sent: Sat Oct 21 17:21:21 2006
Subject: PDF of Letter

M <<Document.pdf>> arc, John Quinn asked us to email you the attached PDF of a letter to the mayor of Pasadena from Kevin Slattery and Carol Pickle.

10/23/2006
Item 4.B.

10/23/2006

Kevin T. Slattery and Carol A. Pickle
1190 Madia Street
Pasadena, CA 91103

October 19, 2006

Mayor Bogaard and the City Council Members
Pasadena City Hall
117 E. Colorado Blvd., 6th Floor
Pasadena, CA 91105

Subject: Madia Street Vacation
City Council Agenda, October 23, 2006

Dear Mayor Bogaard and the City Council Members:

We are pleased to assist the City Council members with this letter of support for the proposed vacation of Madia Street in Pasadena. I urge you to support the Quinn's submission and vote in favor of the vacation when the matter comes before the Council on October 23rd. I have the following information for you to help with your decision regarding this issue.

We have been residents of the City of Pasadena since 1978 and have lived in the West Pasadena (San Rafael and Linda Vista) area for the entire period. In 1991, we purchased our present house at 1190 Madia Street and made improvements to the property after the purchase. Since 1991, we have seen several changes in the Linda Vista area and we have been supporters of reasonable and measured improvements in the area. Our residence at 1190 Madia Street is on the south side of Madia and is immediately adjacent to the Quinn's property at 1164 Madia Street. Our house is the closest to the new proposed cul de sac and will be the property most affected by the Quinn's project and the improvements to the end of the street.

When the matter was first brought to our attention, we attended the early City meetings regarding this proposal and worked with the City representative to understand the issues involved. The Quinns shared with us their landscape plans for the garden and the design options available to them. We presented two pages of recommendations to the Quinns, specifically requesting design changes to address our concerns regarding the use of the property, future development, access to the end of the street, an improved view of the arroyo, general landscaping, ground cover and walks, trees, driveway materials, screening, noise abatement and safety. The Quinns incorporated all of our suggestions into the revised plans and were sensitive to our numerous concerns.

10/23/2006
Item 4.B.

It is clear from a review of the revised plans and discussions with the Quinns that they have not only incorporated our suggestions, but also the requirements of several of the other neighbors, through both direct discussions and a mediation session with the City. They intend to create a beautiful garden area where we presently have an unsightly dead end with no meaningful view of the arroyo. The Quinn's plan also calls for the creation of an area that can be accessed and used by all neighbors in a reasonable manner. We find the final plan and agreement acceptable to us as the most affected neighbor.

Thank you for your service to the City of Pasadena. Once again, I urge you to approve the vacation of a portion of Media Street so that the work can be completed in a timely manner and the project completed.

Sincerely,


Kevin T. Slattery and Carol A. Pickle

Date: 10/20/06

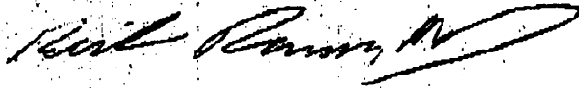
ATTENTION: Chad Pratt, Attorney at law

Re: Madia Street Vacation

I am unable to attend the City Council meeting on 10/23/06 as I have patient care responsibilities that limit my ability to attend. I did sign a petition voting against the vacation of a portion of Madia Street intended for the Quinn family to develop an easement and/or cul-de-sac at the end of the street. However, it has come to my attention that my signature against the above construction will not be honored unless everyone is present per the council. It is perplexing that Councilman Little (or any other council member) would make such an imposition as many of us have other responsibilities. I cannot dismiss my patient care responsibilities for such unreasonable requests. I request that you, as attorney for our small neighborhood group, represent my vote against the proposed changes on Madia Street.

When I moved to the area this year my understanding was that all the neighbors on the street had to be in agreement for this to occur. This seems to no longer be the case as the majority of the neighbors are against this yet the council continues to push the matter for some underlying reasons. Apparently, now we are being offered two versions of this plan when, in reality, this whole issue should be thrown out and the neighborhood left as it has always been. Many of the neighbors have lived here happily for many years and their voices are apparently being ignored. I believe we should honor the wishes of those who have lived on Madia Street for so many years. I believe it is the duty of the council, who should be serving in the best interest of the community, to honor the wishes of the vast majority of the neighbors and dismiss this whole issue once and for all.

Respectfully,



Rick Ramos, MD
1518 Linda Vista Ave.
Pasadena, CA 91103

RECEIVED

'06 SEP 28 P4:25

CITY CLERK
CITY OF PASADENA

To: Honorable Mayor Bogaard and Council Members Date: September 27, 2006
From: Steve & Wendy Crump, 1199 Madia Street, Pasadena
Subject: August 19, 2006 "mediation?" with Councilmen Holden and Little and my
Neighbors on Madia Street.

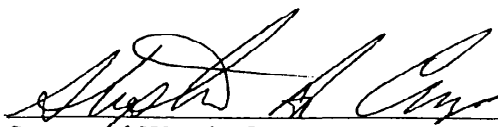
My wife and I were in attendance at the August 19th meeting and listened to most all the discussions. Many disagreements were resolved, including the possibility of removing the ash tree, which disallowed Quinn being able to move his cul-de-sac to the east.

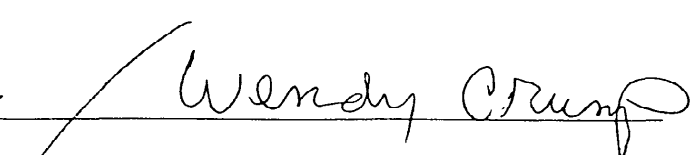
I have reviewed the city engineer's map and the e-mail documents that Councilman Little sent to Dan Rix, Bud Bishop, Councilman Holden, and John Quinn. The map does not conform to the instruction or requests – both driveways remain in the new cul-de-sac plan. Since it has been agreed to remove the ash tree, the cul-de-sac can be moved further to the east, placing both of the Quinns driveways in the street as Councilman Little and John Quinn agreed too.

Two things remain in order for me to agree to a vacation or easement.

1. Completion of the Quinn – Little agreement setting forth the Quinn driveways in the street.
2. The city should "set conditions" in the resolutions that if Quinn de-defaults in any way, the city will re-acquire the property and return it back to its present condition and back to the public at the city's expense.

My neighbors did hear Councilman Little say "those persons not at the meeting, do not have a vote." I am sure that those who were not present have heard that comment by now. Councilman Little needs to rectify that comment with all the parties, anyway he sees fit.


Steve and Wendy Crump



10/23/2006
Item 4.B.

TO: Honorable Mayor and Members of the City Council DATE: September 27, 2006

FROM: Joan M. Lindgren, 1204 Madia Street, Pasadena 91103

SUBJECT: August meeting with Council Holden and Little

I have all the materials provided me by my neighbors. I was not at the meeting on Saturday August 19, 2006; however I was represented by two of my neighbors.

I am tired of the "vacation/easement" matter that the Quinn family is trying to acquire. I will not accept the old plan giving Mr. Quinn 380 feet of now a public easement for a private Quinn Garden.

I will not consider the new proposal until the drawing confirms the language requested by Councilman Little, for both of the Quinn's driveway, remain within the cal-de-sac.

Let me remind Councilman Little that he took an oath when he was elected, and I believe he has violated that oath by saying, "those persons not at the meeting do not have a vote."*

I am sorry, but I have lost faith in Mr. Quinn as a neighbor. He continues to use "divide and conquer" techniques. I am also losing faith with the city government. They continue to portray themselves as Mr. Quinn's advocate and leaving me with none. I have written two letters, none of which were ever answered.

Thank You,

Joan M. Lindgren

* I have lived in Pasadena for 30 years and enjoyed my home on Madia St. for 25 years. My new husband and I plan to return permanently to our Madia home. When we are not in Pasadena on Madia St., I can be reached at 757-259-9475 or by mail at 107 Discovery Lane
Williamsburg, VA 23185

In regards to the mediation meeting which was held on August 19, 2006. Councilmember Little and Councilmember Holden met with 5 of the 8 neighbors at the Linda Vista Library and then continued the meeting at the east end of Madia Street. The other 3 neighbors were not present because one was out of town, one was working and one is elderly.

To my knowledge several issues were brought up with regards to the cul-de-sac:

1. Loss of 17 parking spaces
2. Inadequate amount of space for a large truck to turn around (fire truck, trash truck etc.)
3. All Quinn related vehicles would be parked in front of neighbors instead of in front of the Quinn's properties.

All these issues are unacceptable.

The neighbors that were present did not come to any agreement, in all fairness it had to be discussed with all the neighbors.

Several meetings with the neighbors have taken place since then and we have all come to the conclusion that we do not wish the street to change in any way. It should remain just as it is and has been for more than 80 years with a total benefit to THE PUBLIC not just the neighbors of the street.

We circulated a petition and personally met with 90 people in the area who felt the vacation of a street for personal interest is appalling and unacceptable. Many of these people walk Madia Street daily and would not be allowed on the property if the vacation takes place.

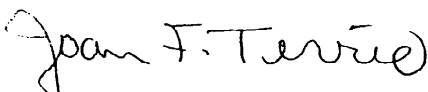
Most of the neighbors have been personally approached by the Quinn's under extremely unfavorable conditions, some being verbally bashed by Quinn. Quinn has tried to purchase portions of some neighbors land and also offered money to hold neighbors property that he would purchase when they move on. Quinn has been manipulative and deceiving and untruthful on many occasions.

We do not feel the Quinn compound would be any PUBLIC BENEFIT only a benefit to the Quinn's.

Furthermore the covenants failed because "The City Attorney confirmed that the street vacation would not occur if the applicant and the neighbors could not reach agreement on the convenience".

The applicants request for a street vacation should be denied.

Respectfully,
Joan Fisher Terrio jahonie@sbcglobal.net



10/23/2006
Item 4.B.

John C Fisher
1191 Madia Street
Pasadena CA 91103
9/26/2006

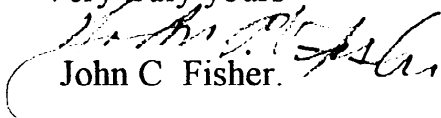
In regard to the meeting held on Madia Street following the Linda Vista Library meeting of August 19 2005, I firmly stated that I did not agree with the vacation of the street

Mr. Little might have misled the City Council at the Council Meeting on September 11th when he said very few people attended the street meeting. Five of the eight residents were present. and to my knowledge no agreements were reached.

Recently Mr. and Mrs. Quinn asked Mrs. Fisher and me to meet with them on the street to choose between two drawings of a cul-de-sac. We will not enter into any agreement between the Quinn's and ourselves only. This is not an issue between The Quinn's and the Madia Street Property owners, it should include all of the Linda Vista Area residents.

This street vacation sets a precedent for all dead end streets in Pasadena. If it is allowed developers will have an opening to do the same all over the city

Very truly yours


John C Fisher.

10/23/2006
Item 4.B.

September 28, 2006

To the Mayor and the City Council
From Burt and Grazia Barkelew; 1534 Linda Vista Ave., Pasadena, CA
North-East corner of Linda Vista & Madia Street

Dear Mayor and Council,

I have lived at my present address since 1932 and my wife since 1967.

I have told Mr. Quinn that I will not accept his plan to take the city easement for his "Quinn Gardens" and his proposed compound at the east end of the street.

I should not have to put up with Mr. Quinn, during my "golden years", coming to my front door unannounced, badgering me to agree with his selfish plan to take our public rights.

I have reviewed the new map and read the materials. It appears to me that again the city is helping Mr. Quinn acquire the easement at little cost to improve his personal gain,

Therefore, I am not in favor of Mr. Quinn acquiring the easement/vacation in any way, shape, or form.

I understand the councilman at the August 19, 2006 meeting said to my friends and neighbors that I did not have a vote. I am sorry he said that.

Sincerely,

Burt Barkelew 9/28/06 Grazia Barkelew 09/28/06
Burt Barkelew Date Grazia Barkelew Date

Subject: Re: Madia Street
Date: September 25, 2006
To: Honorable Mayor and Members of the City Council
From: Charles Parcel

Re: Resolution of issues surrounding Madia Street Vacation, dated August 21, 2006

It appears that all agreement points are covered except # 7

The cul-de-sac turn-around will be constructed 12 feet east of the present configuration so that the Quinn Driveways open onto the street and not the cul-de-sac. The turn-around will be centered on the street. The City Council will approve removal of the existing non-native tree to allow for the revised cul-de-sac and turn-around configuration.

The new design does not put Quinns driveway (north & south) out side the cul-de-sac. Mr. Rix suggested moving the south driveway west so the driveway would be placed on the street and not the cul-de-sac. The north driveway could be moved slightly to the west and cul-de-sac moved slightly to the east. The driveway could begin just east of the 24' diameter ash tree.

Bud and Susie Bishop met with the Quinns at the vacation site on August 27, 2006. The Bishops indicated to me that John Quinn wanted to show him the difference of the original design and the new design. It was Mr. Quinns opinion that the original design would best meet every ones needs. The Bishops indicated to Quinns that they would go along with what the Fishers desires were.

The Fishers met with the Quinns at the vacation site on August 29, 2006. The Fishers have also indicated they felt that John Quinn is trying to resurrect the old design.

To my knowledge, the Quinns have not contacted the rest of the neighbors, as he promised the Bishops he would. It is perceived by the neighbors that the Quinns have not exhibited diligence, for he has not contacted all the neighbors, thus demonstrating his desire to stay with the old plan.

Please note that Mr. Quinn has given the Millers access under the easement, whose home faces Linda Vista Avenue. Many of the Linda Vista Avenue residents close to Madia Street are angered with this arrangement, for they have not been included. It is my opinion that the Linda Vista neighbors that received public notices from the city and those additional neighbors that signed the petition should be included in the decision to accommodate the Quinns application. Excluding them eliminates any public benefit. The public benefits are very weak or non-existent now.

Councilman Little made an error of judgment at the end of the Saturday, August 19, 2006 "?mediation?" meeting by saying, "those persons not at the meeting do not have a vote". That statement was heard by most of the neighbors. All citizens directly and in-directly

10/23/2006
Item 4.B.

should have a voice and not be unilaterally disenfranchised. The neighbors with homes facing Madia Street in attendance were six including Quinn, those not in attendance were three, one of whom was not in California at the time.