

CITY OF PASADENA  
City Council Minutes  
July 30, 2007 – 5:30 P.M.  
City Hall Council Chamber

REGULAR MEETING

**OPENING:**

Mayor Bogaard called the regular meeting to order at 5:50 p.m. (Absent: Councilmembers Gordo, Madison, Vice Mayor Haderlein)

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

Councilmember Gordo  
arrived at 6:09 p.m.

**CITY COUNCIL CLOSED SESSION WITH LEGAL COUNSEL  
REGARDING PENDING LITIGATION pursuant to  
Government Code Section 54956.9(a)  
Case Name: Annandale Canyon Estates, LLC. v. City of  
Pasadena, et al.  
Case No.: LASC No. BS 093592**

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

On order of the Mayor, the regular meeting reconvened at 6:46 p.m. The Pledge of Allegiance was led by Councilmember Gordo.

**ROLL CALL:**

Councilmembers:

Mayor Bill Bogaard  
Vice Mayor Steve Haderlein (Absent)  
Councilmember Victor Gordo  
Councilmember Chris Holden  
Councilmember Steve Madison  
Councilmember Margaret McAustin  
Councilmember Jacque Robinson  
Councilmember Sidney F. Tyler

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 Khatchik Chahinian as member of the Pasadena Community Access Corporation Board.

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

John Li, Caltech Falun Gong Club representative, commented on the status of the China float issue involving the 2008 Rose Parade.

Michelle Selvans, Pasadena resident, expressed support for finding bike-friendly solutions to problems involving bicyclists and traffic in the City.

## **CONSENT CALENDAR**

### **APPROVAL OF FINAL TRACT MAP NO. 061130, BEING A SEVEN-UNIT CONDOMINIUM PROJECT AT 149-155 HARKNESS AVENUE**

**Recommendation of City Manager:** Adopt a resolution to:

- (1) Approve Final Tract Map No. 061130; and
- (2) Authorize the City Clerk to execute the certificate on the map showing the City's approval of said map. (Resolution No. 8764)

### **CONTRACT AMENDMENT WITH MARTIN & CHAPMAN TO INCREASE THE AUTHORIZED CONTRACT AMOUNT AN ADDITIONAL \$47,742 FOR PROFESSIONAL ELECTION SERVICES AND SUPPLIES RENDERED FOR THE PASADENA PRIMARY AND GENERAL ELECTIONS**

**Recommendation of City Clerk:** It is recommended that the City Council authorize the City Clerk to enter into a contract amendment with Martin & Chapman Company to increase the total contract amount an additional \$47,742 (from \$351,663 to \$399,405) for professional election services and supplies rendered for the consolidated City of Pasadena and Pasadena Unified School District March 6, 2007 primary nominating election and April 17, 2007 general municipal election. (Contract Amendment No. 19,219-1)

## **MINUTES APPROVED**

June 18, 2007

## **CLAIMS RECEIVED AND FILED**

Claim No. 10,410	Jenny Kuo Jean Chiu	\$	Not Stated
Claim No. 10,411	Philip Markowitz		Not Stated
Claim No. 10,412	April L. Martinez		2,072.56

It was moved by Councilmember Tyler, seconded by Councilmember Gordo, to approve all items on the Consent Calendar. (Motion unanimously carried) (Absent: Vice Mayor Haderlein)

## **REPORTS AND COMMENTS FROM COUNCIL COMMITTEES**

### **PUBLIC SAFETY COMMITTEE**

### **PELTON BICYCLISTS – ROSE BOWL**

**Recommendation of Rose Bowl Operating Company:** It is recommended that the City Council approve and direct the City Attorney's Office to prepare a City ordinance to prohibit bicyclists from riding more than two abreast on any public street in the City other than pursuant to a City permit issued for an event or activity, including the area around the Rose Bowl.

Darryl Dunn, General Manager of the Rose Bowl, introduced the agenda item.

Police Chief Bernard Melekian provided a PowerPoint presentation on the peloton activity at the Rose Bowl; reviewed

the agenda report; and responded to questions regarding enforcement of the ordinance, the peloton experience, and options to address the peloton safety issues.

Discussion followed on safety issues involving the mix of the peloton, vehicles, and pedestrians at the Rose Bowl; options to address safety issues; and problems resulting from lack of an organized cyclists' group with which to discuss solutions to the issues or for contact negotiation purposes.

In response to Councilmember Madison's questions regarding safety improvements proposed as part of the Central Arroyo Master Plan, the City Manager indicated staff will review Council's previous approval of some type of barrier between the pedestrian and traffic lanes at the Rose Bowl and funding for the project, and provide the information this week.

Councilmember Gordo suggested a dialogue between staff and the peloton riders take place in order to solicit their input on solutions for the problems at the Rose Bowl and needed safety improvements.

The following persons spoke in support of the Rose Bowl Tuesday/Thursday training rides and/or peloton bicyclists in and around the Rose Bowl:

Raphael Gomez, Rose Bowl Tuesday/Thursday cyclists' representative, offered to organize an ad hoc group of riders to work with staff on preserving the peloton.

Katie Safford, Pasadena resident

Dorothy Wong, Altadena resident

Christopher Keller, San Gabriel resident

Fernando Burgos, peloton cyclists' representative, submitted a handout of the 2007 Bike Race Schedule.

The City Attorney noted that the City was on notice of the potential hazards and claims of liability related to this matter and should consider this in terms of delaying action on the recommendation.

Councilmember McAustin highlighted the Public Safety Committee's discussion of the intimidation factor of the peloton that affects pedestrians and the use of the Rose Bowl area for recreational purposes for all users rather than as a training facility for the peloton.

Councilmember Madison expressed concerns regarding whether the ordinance was the right approach to address the safety issues and possible problems with enforcement, encouraged a dialogue between staff and the peloton riders regarding the issues in the Rose Bowl, and offered the services of his office to assist with the dialogue.

Discussion continued regarding the timeframe for processing an ordinance, options for amending the ordinance based on input from the peloton riders, and the intimidation factor of the peloton on recreational users of the Rose Bowl.

It was moved by Councilmember Gordo, seconded by Councilmember Madison, to approve the Rose Bowl Operating Company's recommendation, as amended to direct the Police Department staff to meet with the peloton cyclists' representatives regarding the ordinance and with the understanding that the ordinance will not be effective until mid-September 2007. (Motion unanimously carried) (Absent: Vice Mayor Haderlein)

#### **RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS**

#### **RECOMMENDATION REGARDING AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PASADENA DESCRIBING THE PASADENA COMMUNITY DEVELOPMENT COMMISSION'S PROGRAM PERTAINING TO THE ACQUISITION OF REAL PROPERTY BY EMINENT DOMAIN**

**Recommendation of City Manager:** Adopt an ordinance describing the Pasadena Community Development Commission's program pertaining to the acquisition of real property by eminent domain.

**Recommendation of Community Development Committee:** This item was scheduled for consideration by the Community Development Committee at their regular meeting of July 12, 2007. However, due to lack of a quorum, the item has been rescheduled for the meeting of July 26, 2007. Staff will report on the Committee recommendation following that meeting.

#### **ORDINANCES – FIRST READING**

#### **Conduct first reading of "AN UNCODIFIED ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PASADENA, CALIFORNIA, DESCRIBING THE PASADENA REDEVELOPMENT AGENCY'S PROGRAM PERTAINING TO THE ACQUISITION OF REAL PROPERTY BY EMINENT DOMAIN"**

The above agenda item and first reading of an uncodified ordinance were discussed concurrently.

The City Manager introduced the agenda item.

John Andrews, Senior Project Manager, summarized the agenda report and responded to questions.

Richard Bruckner, Director of Planning and Development Department, responded to questions regarding future action that would be necessary if Council would want to use the power of eminent domain in redevelopment areas.

It was moved by Councilmember Tyler, seconded by Councilmember McAustin, to approve the City Manager's recommendation and offer the above ordinance for first reading:

AYES: Councilmembers Gordo, Holden, Madison, McAustin, Robinson, Tyler, Mayor Bogaard

NOES: None

ABSENT: Vice Mayor Haderlein

**Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA AMENDING SECTION 2.165.030 AND SECTION 2.175.030 OF THE PASADENA MUNICIPAL CODE PERTAINING TO THE MEMBERSHIP, APPOINTMENT AND TERMS OF THE PASADENA CENTER OPERATING COMPANY BOARD AND THE ROSE BOWL OPERATING COMPANY"**

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

AYES: Councilmembers Gordo, Holden, Madison, McAustin, Robinson, Tyler, Mayor Bogaard

NOES: None

ABSENT: Vice Mayor Haderlein

#### **ORDINANCES – ADOPTED**

**Adopt "AN EXTENSION OF THE INTERIM URGENCY ORDINANCE OF THE CITY OF PASADENA TEMPORARILY PROHIBITING THE ISSUANCE OF PERMITS FOR THE PLACEMENT, CONSTRUCTION, AND MODIFICATION OF GROUND-MOUNTED COMMERCIAL WIRELESS FACILITIES IN RESIDENTIAL ZONING DISTRICTS"** (Introduced by Councilmember Tyler) (Ordinance No. 7106)

The above ordinance was adopted by the following vote:

AYES: Councilmembers Gordo, Holden, Madison, McAustin, Robinson, Tyler, Mayor Bogaard

NOES: None

ABSENT: Vice Mayor Haderlein

**Adopt "AN ORDINANCE OF THE CITY OF PASADENA SUSPENDING SECTIONS 9.36.220 AND 9.36.230 OF THE PASADENA MUNICIPAL CODE RELATING TO LIMITATIONS ON HOURS OF OPERATION OF AMPLIFIED SOUND ON A SUNDAY, FROM 8:30 A.M. - 10:00 A.M., AND NOISE SOURCES FOR A PERMITTED EVENT AT BROOKSIDE PARK ON SUNDAY, SEPTEMBER 30, 2007 (THE PASADENA HUMANE SOCIETY WIGGLE WAGGLE WALK)"** (Introduced by Councilmember Tyler) (Ordinance No. 7107)

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

**RECOMMENDATIONS FROM  
OFFICERS AND  
DEPARTMENTS**

**APPOINTMENT OF VERONICA BOONE TO THE HISTORIC  
PRESERVATION COMMISSION** (District 2 Nomination)

**APPOINTMENT OF CESAR PORTILLO TO THE HUMAN  
SERVICES COMMISSION** (District 7 Nomination)

**APPOINTMENT OF BONNIE KHANG TO THE DESIGN  
COMMISSION EFFECTIVE SEPTEMBER 1, 2007** (Mayor  
Nomination/District 7)

**APPOINTMENT OF JAMES STIVERS TO THE ROSE BOWL  
OPERATING COMPANY** (Mayor Nomination/District 5)

It was moved by Councilmember Gordo, seconded by  
Councilmember Tyler, to approve the above appointments.  
(Motion unanimously carried) (Absent: Vice Mayor Haderlein)

**APPROVAL OF THE SOUTH LAKE AVENUE  
STREETSCAPE PLAN**

**Recommendation of City Manager:** It is recommended that  
City Council adopt the South Lake Avenue Streetscape Plan  
(Attachment 1 of the agenda report).

The City Manager introduced the agenda item.

Robert Montano, Business District Coordinator, provided a  
PowerPoint presentation on the Streetscape Plan, reviewed the  
agenda report, and responded to questions.

The City Manager and Martin Pastucha, Director of Public  
Works Department, responded to questions regarding the  
timeframe and funding for the proposed improvements.

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

**PUBLIC HEARINGS**

**PUBLIC HEARING: ESTABLISHMENT OF THE SOUTH  
LAKE AVENUE PROPERTY-BASED BUSINESS  
IMPROVEMENT DISTRICT**

**Recommendation of City Manager:**

(1) Conduct a public hearing on the proposed establishment  
of the South Lake Avenue Property-Based Business  
Improvement District (PBID).

It is further recommended that upon closing of the public hearing, that the City Council:

(2) Order the tabulation of all ballots received and not withdrawn, and request a report on the tabulation results as soon as possible.

Upon receipt of the report on the tabulation of ballots, if the results of said tabulation show that a majority protest does not exist, it is recommended that the City Council:

(3) Adopt a final resolution "Establishing the South Lake Avenue Property-Based Business Improvement District" (Attachment 1 of the agenda report);

(4) Adopt the Baseline Services (Attachment 2 of the agenda report) and authorize the City Manager to enter into a financial agreement and baseline services contract. (Resolution No. 8765)

The Mayor opened the public hearing.

The City Clerk reported 287 copies of the notice of public hearing and assessment ballots were mailed on June 14, 2007; and no correspondence was received.

Robert Montano, Business District Coordinator, summarized the agenda report and responded to questions. Mr. Montano announced that the ballots would be tabulated in City Hall - Room S116.

No one appeared for public comment.

It was moved by Councilmember Gordo, seconded by Councilmember Madison, to close the public hearing, to order the tabulation of all ballots received and not withdrawn, and to request staff proceed with the tabulation of ballots. (Motion unanimously carried) (Absent: Vice Mayor Haderlein)

Following tabulation of the assessment ballots, Mr. Montano reported the following results:

\$163,771.12 in financial obligation ballots cast in support of the proposed assessment  
\$ 63,905.28 in financial obligation ballots cast in opposition to the proposed assessment  
(72% of ballots cast in support)

In response to Councilmember Tyler's request, the City Manager indicated staff would update the contribution figures for each business improvement district with a breakdown of the data by funding source, and distribute this information to Council.

Councilmember Tyler congratulated staff and the businesses on South Lake for their efforts in moving this matter forward.

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

**PUBLIC HEARING: PROPOSED WATER CAPITAL IMPROVEMENTS CHARGE INCREASE**

**Recommendation of City Manager:** Confirm the increase to the Water Capital Improvements Charge (CIC) as approved on April 30, 2007, except in the event of a majority protest from property owners as prescribed in Proposition 218.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on July 16, 2007 in the Pasadena Star-News; and 3 letters in opposition were received.

The City Manager provided background information for the proposed Water Capital Improvements Charge (CIC) increase.

Shari Thomas, Business Unit Director, reported that notice regarding the rate increase had been mailed to all customers in Pasadena, Altadena, and outside the City service territory; reviewed the agenda report; and responded to questions regarding the water cost of service study that will be performed.

Shan Kwan, Business Unit Director, responded to questions regarding staff's future review of fees that apply to recovery of new connection costs.

Councilmember Tyler asked staff to provide a copy of the new connection cost study when it is available.

The following person spoke in opposition to the Capital Improvements Charge (CIC) increase and expressed concerns regarding equity issues in the methodology for determining water charges for residential property owners:

Greg Haines, Altadena resident

Ms. Thomas indicated that Mr. Haines' concerns would be addressed in the upcoming cost of service study.

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

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



Councilmember Robinson was excused at 8:21 p.m.

**PUBLIC HEARING: PROPOSED AMENDMENTS TO TITLE 16 (SUBDIVISIONS) AND TITLE 17 (ZONING CODE) OF THE PASADENA MUNICIPAL CODE RELATED TO THE CONVERSION OF RESIDENTIAL RENTAL MULTIPLE-DWELLING UNITS INTO RESIDENTIAL CONDOMINIUM UNITS**

**Recommendation of City Manager:** It is recommended that the City Council continue the public hearing to August 13, 2007, at 7:30 p.m.

It was moved by Councilmember Gordo, seconded by Councilmember Tyler, to continue the public hearing to August 13, 2007 at 7:30 p.m. (Motion unanimously carried) (Absent: Councilmember Robinson, Vice Mayor Haderlein)

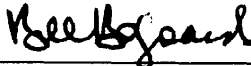
**RECESS**

Councilmember Robinson returned at 8:22 p.m.

On order of the Mayor, the regular meeting of the City Council recessed at 8:22 p.m. to the regular meeting of the Community Development Commission.

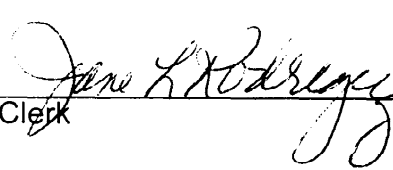
**ADJOURNMENT**

On order of the Mayor, the regular meeting of the City Council reconvened at 10:40 p.m. and adjourned at this time.



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Bill Bogaard, Mayor  
City of Pasadena

ATTEST:



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City Clerk