

CITY OF PASADENA
City Council Minutes
September 17, 2007 – 5:30 P.M.
City Hall Council Chamber

Teleconference Location:
Hilton Washington DC, Business Center
1919 Connecticut Avenue NW
Washington, DC

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 5:50 p.m.
(Absent: Councilmembers Holden, Robinson)

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

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL
REGARDING CONSIDERATION OF INITIATION OF
LITIGATION pursuant to Government Code Section
54956.9 (c): One potential case**

It was moved by Vice Mayor Haderlein, seconded by Councilmember Madison, to concur in intervening in Coleman, et al. v. Schwarzenegger, et al. and Plata v. Schwarzenegger, et al., Case Nos. CIVS-90-0520, LKK JFMP, and C01-1351TEH. (Motion unanimously carried) (Absent: Councilmembers Holden, Robinson)

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

Property: Rose Bowl Stadium and surrounding parking areas

Agency Negotiator: Cynthia Kurtz and Darryl Dunn

Negotiating Parties: University of California, Los Angeles

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 6:43 p.m. The Pledge of Allegiance was led by Councilmember Madison.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Steve Haderlein
Councilmember Victor Gordo
Councilmember Chris Holden
Councilmember Steve Madison
Councilmember Margaret McAustin
Councilmember Jacque Robinson (Participated via
teleconference beginning at 6:50 p.m.)
Councilmember Sidney F. Tyler

Staff:

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

CEREMONIAL MATTERS

Fred Alcantar, Pasadena Sister Cities Committee member, introduced Franziska Geissler, a visiting student from Ludwigshafen, Germany. Ms. Geissler thanked the City and Committee for their hospitality, and commented on her experience as an intern with the City's Public Health Department. Mr Alcantar announced that the two cities would be celebrating the 60th anniversary of their sister city relationship in 2008, and invited the Mayor to join the delegation that will be going to Ludwigshafen in June 2008.

The Mayor wished Mr. Alcantar a happy birthday.

The City Clerk administered the oath of office to Kenneth Ayala as Historic Preservation Commissioner.

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

Oscar Manzanares, Madison Neighborhood Partners representative, invited Council and the community to the 7th Annual Madison Health Fair to be held on September 22, 2007, and submitted a flier for the event.

Councilmember Gordo (co-host of the Health Fair event) thanked Mr. Manzanares, the Madison Neighborhood Partners, and Public Health Department staff for their assistance in presenting the Fair.

Genevieve Clavreul, Pasadena resident, expressed concerns regarding the possible closure and sale of the Ritz-Carlton, and labor/union issues involving the hotel; suggested the City convert the St. Luke Hospital property into a nursing school; and submitted a letter stating these concerns.

Joe Dumbacher, Pasadena resident, expressed concerns regarding sewer line failure and hillside issues on Linda Ridge Road, asked for Council's assistance in reaching a solution to the problems, and submitted a letter stating these concerns.

Councilmember Robinson was excused at 7:05 p.m.

The City Manager indicated that staff will respond to the issues/questions raised by Mr. Dumbacher regarding the above matter, and notify Council on the status of the problems.

Frank Minero, Pasadena Global Warming Group co-founder, expressed appreciation for Council's approval of the United Nations Urban Environmental Accords, the U.S. Mayors Climate Protection Agreement, the Green City Action Plan, and the formation of the Environmental Advisory Commission a year ago, and encouraged Council to continue moving forward on these efforts.

CONSENT CALENDAR

APPROVAL OF FINAL VESTING TRACT MAP NO. 060251, BEING A 34-UNIT CONDOMINIUM PROJECT AT 250 SOUTH DE LACEY AVENUE

Recommendation of City Manager: Adopt a resolution to:

- (1) Approve Final Vesting Tract Map No. 060251;
- (2) Accept the offer of easement dedications for street purposes as shown on said map; and
- (3) Authorize the City Clerk to execute the certificate on the map showing the City's approval of said map. (Resolution No. 8777)

APPROVAL OF FINAL VESTING TRACT MAP NO. 060912, BEING A 37-UNIT CONDOMINIUM PROJECT AT 215 SOUTH MARENGO AVENUE

Recommendation of City Manager: Adopt a resolution to:

- (1) Approve Final Vesting Tract Map No. 060912;
- (2) Accept the offer of easement dedications for street purposes as shown on said map; and
- (3) Authorize the City Clerk to execute the certificate on the map showing the City's approval of said map. (Resolution No. 8778)

MINUTES APPROVED

August 6, 2007
August 13, 2007
August 20, 2007
August 27, 2007
September 3, 2007

CLAIMS RECEIVED AND FILED

Claim No. 10,442	Christine Cox	\$	Not stated
Claim No. 10,443	Jose Castaneda		19,000.00
Claim No. 10,444	Vickie Brittany Mayes		3,377.37
Claim No. 10,445	Interinsurance Exchange of the Automobile Club for Katie and Kok Lin		12,852.23
Claim No. 10,446	Jason Fletcher		Not stated

It was moved by Councilmember Tyler, seconded by Councilmember McAustin, to approve all items on the Consent Calendar:

AYES: Councilmembers Gordo, Madison, McAustin, Tyler,
Vice Mayor Haderlein, Mayor Bogaard

NOES: None

ABSENT: Councilmembers Holden, Robinson

**RECOMMENDATIONS FROM
OFFICERS AND
DEPARTMENTS**

**APPOINTMENT OF ALMA DILLARD TO THE
ACCESSIBILITY AND DISABILITY COMMISSION** (District 4
Nomination)

**APPOINTMENT OF VICTOR M. GORDO TO THE ROSE
BOWL OPERATING COMPANY** (Mayor Nomination)

It was moved by Councilmember Madison, seconded by Vice
Chair Haderlein, to approve the above appointments:

AYES: Councilmembers Gordo, Madison, McAustin, Tyler,
Vice Mayor Haderlein, Mayor Bogaard

NOES: None

ABSENT: Councilmembers Holden, Robinson

RECESS

On order of the Mayor, the regular meeting of the City Council
recessed at 7:08 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 7:09 p.m. (Absent Councilmembers Holden,
Robinson)

**SPECIAL MUNICIPAL ELECTION REGARDING A
MEASURE RELATED TO THE CITY'S UTILITY USERS TAX
AMENDING CHAPTER 4.56 OF THE CITY OF PASADENA
MUNICIPAL CODE TO MODERNIZE THE APPLICATION OF
THE UTILITY USERS TAX**

Recommendation of City Manager: Direct the City Attorney to
prepare and return by October 22, 2007 with the necessary
resolutions of the City Council to submit to the qualified
electors of the city at a February 5, 2008, Special Municipal
Election a Measure related to the City's Utility Users Tax
amending Chapter 4.56 of the City of Pasadena Municipal
Code to modernize the application of the Utility Users Tax.

Councilmember Robinson
returned at 7:10 p.m.

The City Manager introduced the agenda item and responded
to questions.

Julie Gutierrez, Assistant City Manager, reviewed the agenda
report and responded to questions.

Michael Colantuono, Colantuono and Lavin, PC (legal counsel
for the City) responded to questions and confirmed that Council
will approve the final language of the ordinance that will be
presented to the voters in the ballot information pamphlet.

Steve Stark, Director of Finance Department, responded to
questions regarding the auditing process involving the Utility
Users Tax (UUT).

Councilmember Tyler expressed concerns regarding the ballot language: possibly misleading the public with the illustrations of the tax funds being allocated for public safety, and anti-gang and youth programs as stated in the Background section of the agenda report; and the inference that might be drawn from the language about the use of these General Fund tax funds.

The City Manager discussed the amount of City funding for youth and recreation programs and public safety.

The City Clerk noted that Council may want to provide direction as to whether rebuttal arguments will be allowed, and clarified the costs for a supplemental bilingual voter information pamphlet. It was noted that Council could make a decision regarding allowing rebuttal arguments when formal election resolutions are presented.

Discussion followed regarding the auditing process for communications providers in the City, the ballot language, allowing rebuttal arguments, and providing a supplemental bilingual pamphlet.

Following discussion, it was moved by Councilmember Tyler, seconded by Councilmember Gordo, to approve the City Manager's recommendation, as amended to include the printing and mailing of a supplemental bilingual voter information pamphlet:

AYES: Councilmembers Gordo, Madison, McAustin, Robinson, Tyler, Vice Mayor Haderlein, Mayor Bogaard

NOES: None

ABSENT: Councilmember Holden

NAMING BROOKSIDE PARK'S UNIVERSALLY ACCESSIBLE PLAYGROUND IN BROOKSIDE PARK "REESE'S RETREAT"

Recommendation of City Manager: It is recommended that the City Council name the universally accessible playground in Brookside Park "Reese's Retreat".

Recommendation of the Recreation and Parks Commission: On August 7, 2007, the Recreation and Parks Commission voted unanimously to recommend to the Council that the universally accessible playground in Brookside Park be named "Reese's Retreat".

Recommendation of the Accessibility and Disability Commission: On November 7, 2006, the Accessibility and Disability Commission voted unanimously to recommend to the Council that the universally accessible playground in Brookside Park be named "Reese's Retreat".

Todd Holmes, Landscape Architect, summarized the agenda report.

The following persons spoke in support of the naming of the playground as "Reese's Retreat":

Marchelle Sellers, mother of Reese Elliott
Donna Pomerantz, Accessibility and Disability Commission Chair
Doreen Wong, Pasadena Mayor's Committee on the Employment of People with Disabilities Chair, submitted a letter of support.
James Elliott, father of Reese Elliott

It was moved by Councilmember Madison, seconded by Councilmember Robinson, to approve the City Manager's recommendation:

AYES: Councilmembers Gordo, Madison, McAustin, Robinson, Tyler, Vice Mayor Haderlein, Mayor Bogaard

NOES: None

ABSENT: Councilmember Holden

PUBLIC HEARINGS

CONTINUED PUBLIC HEARING: APPEAL OF A DECISION BY THE HISTORIC PRESERVATION COMMISSION TO DENY A CERTIFICATE OF APPROPRIATENESS FOR INSTALLATION OF FRENCH DOORS AND BALCONY AT 975 NORTH HUDSON AVENUE (PLN2007-00236; WASHINGTON SQUARE LANDMARK DISTRICT)

Recommendation of City Manager: It is recommended that the City Council continue the public hearing, at the request of the appellant, to November 19, 2007, at 7:30 p.m.

It was moved by Councilmember Gordo, seconded by Vice Mayor Haderlein, to continue the public hearing to November 19, 2007 at 7:30 p.m.:

AYES: Councilmembers Gordo, Madison, McAustin, Robinson, Tyler, Vice Mayor Haderlein, Mayor Bogaard

NOES: None

ABSENT: Councilmember Holden

CONTINUED PUBLIC HEARING: TO CONSIDER GRANTING NON-EXCLUSIVE SOLID WASTE FRANCHISES

Recommendation of City Manager: It is recommended that the City Council cancel the public hearing.

The City Manager clarified Council's prior action to close the list of franchise applications.

It was moved by Vice Mayor Haderlein, seconded by Councilmember Gordo, to cancel the public hearing:

AYES: Councilmembers Gordo, Madison, McAustin, Robinson, Tyler, Vice Mayor Haderlein, Mayor Bogaard

NOES: None

ABSENT: Councilmember Holden

ORDINANCE – ADOPTED

Councilmember Madison was excused at 7:39 p.m.

Adopt “AN UNCODIFIED 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 AND GENERAL NOISE SOURCES FOR SPECIFIED HOURS AND AREAS ON SEPTEMBER 22, OCTOBER 20, AND NOVEMBER 10, 2007 (UCLA FOOTBALL HOURS OF OPERATION)” (Introduced by Councilmember Gordo) (Ordinance No. 7112)

The above ordinance was adopted by the following vote:

AYES: Councilmembers Gordo, McAustin, Robinson, Tyler, Vice Mayor Haderlein, Mayor Bogaard

NOES: None

ABSENT: Councilmembers Holden, Madison

Councilmember Madison returned at 7:40 p.m.

CREATION OF AN AD HOC COMMITTEE ON YOUTH DEVELOPMENT AND VIOLENCE PREVENTION

Recommendation of City Manager: It is recommended that the City Council:

(1) Establish and appoint membership to a nine-member Ad Hoc Committee on Youth Development and Violence Prevention as follows:

(a) Membership shall include three representatives from the City Council, two members each from the Pasadena Unified School District and Pasadena City College, and one member each from the office of Supervisor Antonovich and the Altadena Town Council;

(b) Representatives from Senator Jack Scott and Assembly Member Anthony Portantino Offices shall be invited to participate as ex-officio members;

(c) The purpose of the Committee should be to reduce violence in the short term and to develop sustainable community-wide policy and infrastructure to maintain a safe community in the long term;

(d) The objectives of the Committee shall be to:

- Identify, define, and address the issues and causes behind the recent violence in Pasadena and Altadena;
- Coordinate an inventory of the full range of services/programs available within the community through public, private and non-profit agencies to address violence through prevention, intervention and enforcement, and identify the gaps in service;
- Recommend ways to improve coordination of services to ensure all service needs are being met and that service efforts are non-duplicative and are efficiently allocated;
- Schedule “town hall” type meetings to inform the community of the current programs available and solicit community input on how to fill the gaps;

- Develop a mechanism for youth to have a direct role in the identification of service/programs and in the solutions to fill these gaps;

(e) The Committee shall report to City Council no less than monthly and to the other participating organizations as those organizations deem appropriate. The Committee will sunset in six months unless extended by City Council action;

(f) The first meeting of the Committee shall be held the first week of October.

(2) Direct the selected City Members of the Committee to send a letter to Pasadena Unified School District (PUSD) and Pasadena City College (PCC), Supervisor Antonovich's office, the Altadena Town Council, Senator Jack Scott and Assembly Member Anthony Portantino offices requesting their participation. They should also be asked that appointments be made as quickly as possible; that inventories of their current services/programs be compiled; and that they identify dates to meet the first week of October.

The City Manager reviewed the agenda report.

Councilmembers Gordo, Madison, and Robinson offered to serve on the Ad Hoc Committee; and Councilmember Robinson offered to serve as Chair of the Committee.

The following persons expressed support for and/or suggestions regarding the Ad Hoc Committee proposal:

Ed Honowitz, Pasadena Unified School District (PUSD) Board member speaking as an individual, submitted informational materials from the Asset Development Network.

Karen Aydelott, Asset Development Network Co-Chair

Dr. Gerda Govine, Pasadena resident

Pastor Jean Burch, Clergy Community Coalition President

Najeeba Syeed-Miller, Western Justice Center Executive Director speaking as an individual

Councilmember Gordo suggested the Mayor serve on and chair the Ad Hoc Committee, and the faith-based community be represented on the Committee with Pastor Jean Burch appointed as the representative. He discussed the Ad Hoc Committee's role, as he understood it, as a clearinghouse to hear from everyone (key players), receive information, measure what is effective and what is not, and then decide where the focus should be put, without the Council predetermining the work of the Committee. He also suggested that letters/invitations be sent to the coalitions or groups that work around children and youth activities in the different areas of interest (as listed in the Strategic Action Framework) and ask these groups to come together and have their thoughts and ideas ready to present to the Committee at its first meeting.

Councilmember Robinson suggested that Ad Hoc Committee Objective 4 listed on page 3 of the agenda report, Background section, be changed to read:

4. The Ad Hoc Committee, at some time, will convene the eight working groups that will constitute the umbrella community-wide collaborative, to be comprised of community-based and faith-based representatives who will provide their time and input to develop the other resources and programs that will be brought to the table and make their recommendations to the Committee for the overall final plan that will be presented to Council.

Ms. Robinson also suggested that two representatives from the Altadena Town Council be appointed to the Ad Hoc Committee.

Councilmember Tyler suggested the purpose of the Committee be made more precise by including language regarding the development of steps/plans/resources that need to be committed, as recommendations to the Council.

Councilmember McAustin expressed support for providing direction to the Committee to inventory the programs and develop a strategy/plan that engages the entire community in supporting youth and eliminating violence, with specific tasks that can be measured.

Discussion followed on representation on the Ad Hoc Committee, the role of the City during this process, the importance of coordinating all of the available local resources and programs provided by organizations and individuals and eliciting input from these local entities, the purpose of the Ad Hoc Committee, a budget for the Committee, the need to provide for various types of opportunities in which the community can participate in the process, and inclusion of job training as a focus area.

Following discussion, it was moved by Councilmember Gordo, seconded by Councilmember Madison, to approve the City Manager's recommendation, as amended to:

- Add a faith-based representative to the Ad Hoc Committee and appoint Pastor Jean Burch as the representative.
- Add a fourth Council representative to the Ad Hoc Committee and the Mayor to serve as such representative and chair the Committee in order to communicate the importance of this Committee, and Councilmembers Victor Gordo, Steve Madison, and Jacque Robinson to also serve on the Committee.
- Affirm one representative for the Altadena Town Council and an alternate (to serve in the absence of the regular representative).

- Amend City Manager's recommendation 1) (c) to read: "The purpose of the Committee ~~should~~ shall be to prepare a plan or set of recommendations to reduce violence in the short term and to develop sustainable community-wide policy and infrastructure to maintain a safe community in the long term."
- Send out letters/invitations to the coalitions or groups that work around children and youth activities in the different areas of interest (as listed in the Strategic Action Framework) and ask these groups to come together and have their thoughts and ideas ready to present to the Committee at its first meeting:

AYES: Councilmembers Gordo, Madison, McAustin, Robinson, Tyler, Vice Mayor Haderlein, Mayor Bogaard

NOES: None

ABSENT: Councilmembers Holden

COUNCIL COMMENTS

In response to Vice Mayor Haderlein's question, the City Manager confirmed that a report would be presented to Council on the status of the formation of a task force to study open space at the same time that a report on the Green Space Master Plan is presented in October 2007.

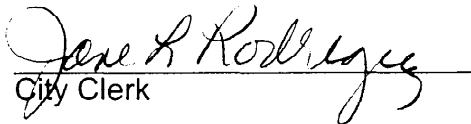
ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 9:15 p.m.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk