

CITY OF PASADENA  
City Council Minutes  
October 6, 2003 - 5:30 P.M.  
City Hall Council Chamber

REGULAR MEETING

**OPENING:**

Mayor Bogaard called the regular meeting of the City Council to order at 5:30 p.m. (Absent: Councilmember Holden)

On order of the Mayor, the regular meeting of the City Council recessed at 5:30 p.m., to discuss the following closed sessions:

**CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code Section 54957.6**

**Agency Negotiators: Karyn Ezell, Steve Lem  
Employee Organization: Pasadena Management Association**

**CITY COUNCIL CONFERENCE REGARDING PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code Section 54957**

**Title: City Attorney**

The above closed session items were discussed, with no reportable action at this time.

On order of the Mayor, the regular meeting of the City Council reconvened at 6:31 p.m. The Pledge of Allegiance was led by Commander Rick Law.

**ROLL CALL:**

Councilmembers:

Mayor Bill Bogaard  
Vice Mayor Paul Little  
Councilmember Victor Gordo  
Councilmember Steve Haderlein  
Councilmember Chris Holden (Arrived at 6:59 p.m.)  
Councilmember Steve Madison  
Councilmember Joyce Streater  
Councilmember Sidney F. Tyler, Jr.

Staff:

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

**CEREMONIAL MATTERS**

Dr. Stuart Elliott, Chair of the Sister Cities Committee, introduced Mr. and Mrs. Holmila, visitors from Pasadena's sister city Jarvenpaa, Finland.

The City Clerk administered oaths of office to Lance Wyndon as Northwest Commissioner, Cristine M. Soto as Human Services Commissioner, Daniel Estrada as Community Development Committee Board Member, Betty Sword as Recreation and Parks Commissioner, and Rima Johnson as Utility Advisory Commissioner.

The City Manager and City Council welcomed Police Chief Bernard Melekian back from his eight-month leave from his position to serve in active duty in the Coast Guard reserves. Chief Melekian presented a certificate of appreciation to the Mayor for Pasadena's patriotic support of the war on global terrorism.

Chief Melekian presented a plaque to Deputy Chief Wayne Hiltz for his extraordinary duty as Acting Police Chief over the last eight months.

Burbank Police Chief Thomas Hoefel, President of the Los Angeles County Police Chiefs Association, presented an award to Deputy Chief Wayne Hiltz for his extraordinary contributions to Pasadena, the law enforcement profession, and the Police Chiefs Association.

Mr. Paul Matuchi, Strategic Planner and Chief Information Officer for the Office of the Secretary of Defense, Employer Support Division, gave recognition to the City of Pasadena and presented an employer award to the City Manager for allowing Chief Melekian to serve in active duty for the last eight months.

The City Manager displayed two recent awards received by the City for the Paseo Colorado project: (1) the International Downtown Association 2003 Special Achievement Award, and (2) the California Chapter of the American Planning Association 2003 Award of Merit.

**PUBLIC COMMENT**

Councilmember Holden arrived at 6:59 p.m.

Councilmembers Madison and Haderlein were excused at 7:30 p.m.

Mr. Tahra Goraya, representing Day One Youth Advocates, presented a certificate of appreciation and thanked the City Council for its support of Youth Month activities.

Ms. Serena Marie Sanfilipo, Pasadena resident, spoke regarding her housing needs.

**CONSENT CALENDAR**

**RESOLUTION DECLARING INTENTION TO CONSIDER GRANTING NON-EXCLUSIVE SOLID WASTE FRANCHISES AND SETTING A PUBLIC HEARING**

**Recommendation of City Manager:**

(1) Adopt a resolution declaring its intention to consider the granting of non-exclusive franchises for completed applications;

- (2) Set a public hearing for November 17, 2003, at 8:00 p.m. to consider granting these franchises; and
- (3) Direct the City Clerk to publish the resolution at least once in a newspaper of general circulation in the City not less than ten days prior to the date set for the hearing. (Resolution No. 8296)

APPROVAL OF MINUTES

June 2, 2003 (Special Joint Meeting)  
 June 9, 2003 (Special Joint Meeting)  
 June 16, 2003 (Special Joint Meeting)  
 June 23, 2003 (Special Joint Meeting)  
 June 30, 2003 (Special Joint Meeting)

CLAIMS RECEIVED AND FILED

Claim No. 9386	Tyrone Baker	\$	Unknown
Claim No. 9387	Patricia Herring Parisi		Unknown
Claim No. 9388	Nicholas Henry		130.00
Claim No. 9389	Ann and Gerard Clarke		Unknown
Claim No. 9890	St. Paul Fire & Marine Insurance Co. for 7040 Entertainment LLC		1,193.25

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

**REPORTS AND COMMENTS FROM COUNCIL COMMITTEES**

FINANCE COMMITTEE

Councilmember Madison returned at 7:06 p.m.

**DIRECT THE CITY ATTORNEY TO PREPARE AN ORDINANCE AMENDING SECTION 13.14.110 OF THE PASADENA MUNICIPAL CODE, UNDERGROUND UTILITY DISTRICTS**

**Recommendation of City Manager:** Direct the City Attorney to prepare an ordinance amending Section 13.14.110 of the Pasadena Municipal Code to increase the City's underground reimbursement fee from \$1,000 to \$2,000 to property owners for the cost of electrical contract work performed on their private property in conjunction with underground utility districts.

Councilmember Little, Chair of the Finance Committee, introduced the item.

Mr. Daniel Rix, City Engineer, summarized the agenda report.

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

Councilmember Haderlein returned at 7:08 p.m.

**AUTHORIZATION TO CONTRACT WITH ALL CITY MANAGEMENT SERVICES, INC. FOR CROSSING GUARD SERVICES, SUBJECT TO REVISION OF THE LIVING WAGE ORDINANCE TO EXEMPT CITY PURCHASES OF SEASONAL, PART-TIME AND TRAINEE CONTRACT SERVICES**

**Recommendation of City Manager:**

- (1) Authorize the City Manager to enter into a contract, without

competitive bidding pursuant to City Charter Section 1002(H), contracts with other governmental entities or their contractors, not to exceed \$155,000 with All City Management Services, Inc., to provide Crossing Guard Services during Fiscal Year 2004 when PUSD is in session, with an option to extend the contract for two additional years; and

(2) Direct the City Attorney to prepare an amendment to the Living Wage Ordinance to exempt contracts where the City is purchasing the services of part-time, seasonal, or trainee workers, to be consistent with current wages for similarly situated City Workers in Salary Resolutions.

Councilmember Haderlein, Chair of Public Safety Committee, reported the Committee recommends that Council take no action at this time, and that the Committee review this item again within 60-90 days. He noted the Committee is requesting the matter be held in order for the Committee to receive information on the school sites where crossing guards are being provided to assure that resources are being allocated in the best manner possible. He also reported that the Committee had asked staff to analyze the sites based on State criteria/guidelines to assure these are the most needed sites for crossing guards.

Discussion and debate ensued regarding the process for moving forward on this item, whether the needs assessment should include both public and private schools; the need for more information and clarity regarding the State guidelines for school crossing guards; concern that the current purchase order does not provide for insurance and indemnification; concern with issues pertaining to compensation and hours worked and the need for the contractor to further explain these provisions; whether there should be a new Request for Proposals (RFP) process; and the suggestion that the Public Safety Committee further review the issues of compensation and hours worked and make a recommendation to Council as to whether the contract should be rebid or restructured.

The City Manager and City Attorney responded to questions.

#### MAIN MOTION

Following discussion, it was moved by Councilmember Madison, seconded by Councilmember Haderlein, that the City Attorney prepare an addendum to the current purchase order to provide for insurance and indemnification, and approve City Manager's Recommendation No. 2 to direct the City Attorney to prepare an amendment to the Living Wage Ordinance.

Regarding the proposed motion, it was clarified that staff would move forward with performing the needs assessment.

Further debate and discussion ensued as to whether the needs assessment would include both public and private schools, and concern by some members that Council needs more information regarding the State guidelines and the workload impacts on the

Transportation Department before making a decision to have the study include private schools.

AMENDMENT TO MAIN MOTION

It was moved by Vice Mayor Tyler, seconded by Councilmember Gordo, to amend the main motion to direct that staff move forward with the survey of the public schools.

In response to a question, the City Manager clarified that the survey would include all public elementary school sites.

It was stressed that before Council makes a decision regarding whether to do a needs assessment for the private school sites, Council needs to have an opportunity to first review the State guidelines.

MOTION RESTATED AS AMENDED

The pending main motion, as amended, was restated by the Mayor with a fourth component added, as follows: (1) the City Attorney is directed to prepare an addendum to the current purchase order to provide for insurance and indemnification; (2) approve City Manager's Recommendation No. 2 to direct the City Attorney to amend the Living Wage Ordinance; (3) that staff move forward with the survey of all public elementary school sites; and (4) a request that at the next Public Safety Committee meeting, there be a full examination of the circumstances that govern the needs assessment and the obligation of the City regarding school crossing guard operations, and report back to the Council as soon as possible. (Motion unanimously carried) (Absent: None)

**UPDATE ON THE FORMER ST. LUKE MEDICAL CENTER SITE (PRESENTATION BY CALTECH)** (Councilmember Haderlein)

Councilmember Madison recused himself at 8:02 p.m. due to a conflict of interest.

Mr. Hall Daily, Assistant Vice President and Director of Government and Community Relations, Caltech, reported Caltech has been the owner of the property for three months, the facility will be used primarily for research; reported on current uses of a child care facility still in operation and a medical office building on the eastern side which is half occupied. He noted Caltech does not foresee an immediate change in any of these two uses. He noted a third use of the property is an inherited use for filming and a variety of television shows and movies, which is a primary source of revenue for Caltech during the transition period. The last and fourth current use is parking, which use will continue to grow,

Mr. Daily reported on prospective uses for the facility, noted a campus committee is studying prospective uses and it has not completed its study, and the prospective uses are vague at this point. He stated Caltech is looking for opportunities where new initiatives, particularly innovative technologies, can be developed using the former St. Luke site. He noted the facility may also be used for certain campus offices and research labs.

Mr. Daily further reported on various challenges such as rehabilitating the interior building for research and other uses and the need to be aware of the current conditional use permit for the property and the allowed uses. He noted there may be a need to revise the conditional use permit in the future if proposed uses stretch beyond those allowed in the conditional use permit, and this would require City reviews. Mr. Daily also stressed the need to develop fiber connectivity to the site, and noted Caltech staff is working with City staff on this issue.

Mr. Larry Gilbert, Director of Technology Transfer Office, further discussed issues pertaining to bandwidth and fiber connectivity. He stressed that the facility will not be used for classrooms, but will be used for high-tech research and other high-tech commercial activity. He concluded his remarks by noting there is a 10-year timetable, and Caltech is just at the beginning of the process.

Brief discussion ensued regarding whether there will be impacts to the biotech corridor on Raymond Avenue/Fair Oaks Avenue. It was noted that other biotech corridors may evolve, especially along the light rail line and in east Pasadena.

Councilmember Streator noted that there are certain benefits for biotech locating along the Raymond Corridor, and she suggested Council needs to look at extending those benefits elsewhere in order to retain and encourage biotech businesses.

There was no formal action on this oral information item.

**PUBLIC HEARING**

Councilmember Madison  
returned at 8:25 p.m.

**PUBLIC HEARING: NOMINATION OF THE PODOCARPUS GRACILIOR, FERN PINE, 1180 NORTH ARROYO BOULEVARD, FOR LANDMARK TREE DESIGNATION**

**Recommendation of City Manager:**

- (1) Acknowledge that the application for designation of the Podocarpus gracilior (Fern Pine), at 1180 North Arroyo Boulevard, as a landmark is categorically exempt from the California Environmental Quality Act (Class 8);
- (2) Find that the Podocarpus gracilior meets criterion for designation of a landmark tree in Section 8.52.020 of the Pasadena Municipal Code, as a "defining landmark or significant outstanding feature" of the North Arroyo area;
- (3) Adopt a resolution designating the Podocarpus gracilior at 1180 North Arroyo Boulevard as a landmark (Attachment 1 of the agenda report);
- (4) Authorize the Mayor to execute the declaration of designation (Attachment 2 of the agenda report); and
- (5) Direct the City Clerk to record the declaration with the Los Angeles County Recorder. (Resolution No. 8297)

**Recommendation of the Historic Preservation Commission:**

The Commission voted 4 to 1 to recommend that the City Council designate the Podocarpus gracilior as a landmark. In its review of the application on July 21, 2003, the Historic Preservation

Commission found that the Podocarpus gracilior qualifies as a landmark for the following reason: It represents a defining landmark or significant outstanding feature of a neighborhood [Section 8.52.020(G)].

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on September 22 and 26, 2003, in the Pasadena Star News, and October 2, 2003, in the Pasadena Journal; on September 18, 2003, 15 copies of the notice were posted and 32 copies of the notice were mailed; 14 letters in support were received and a petition with 95 signatures; no letters in opposition were received.

The City Manager introduced the item.

Mr. Vincent C. Gonzalez, Senior Planner, summarized the agenda report.

The City Manager and Mr. Richard Bruckner, Director of Planning and Development, responded to questions.

The following people spoke in support of the staff recommendation:

- Mr. Omel Nieves, attorney representing the applicant Eleen Takekoshi
- Ms. Jan Muntz, President, Pasadena Beautiful Foundation
- Ms. Barbara Cole, representing the Historic Preservation Commission
- Mr. Craig Mitchell, neighbor of the applicant
- Ms. Eleen Takekoshi, applicant
- Ms. Christine Cuba, arborist, Land Design Consultants
- Ms. Emina Darakjy, representing East Arroyo Residents Association

The following person spoke in opposition to the staff recommendation:

Mr. Paul Ayers, attorney representing neighbor Ms. Jordan.

It was moved by Vice Mayor Tyler, seconded by Councilmember Madison, to close the public hearing. (Motion unanimously carried) (Absent: None)

Councilmember Streator expressed concern that approving this item would put the City in the middle of a neighborhood dispute and civil litigation, and suggested postponing the matter until the neighbors have resolved their legal issues.

The City Attorney responded to additional questions.

Following discussion, it was moved by Vice Mayor Tyler, seconded by Councilmember Madison, to approve the City Manager's recommendation. (Motion carried, with Councilmember Streator objecting) (Absent: None)

**RECOMMENDATIONS  
FROM OFFICERS AND  
DEPARTMENTS**

Councilmember Streator was excused at 9:15 p.m.

**CONSIDERATION OF CALL FOR REVIEW OF CONDITIONAL USE PERMIT NO. 4223 TO THE BOARD OF ZONING APPEALS (972-974 N. MENTOR AVENUE - TO LEGALIZE A 133 SQUARE FOOT ADDITION TO AN EXISTING LEGAL NON-CONFORMING SECOND UNIT (Councilmember Gordo)**

Councilmember Gordo introduced the item and responded to questions.

Following brief discussion, it was moved b Councilmember Gordo, seconded by Councilmember Madison, to call for review Conditional Use Permit No. 4223 to the Board of Zoning Appeals. (Motion unanimously carried) (Absent: Councilmember Streator)

**INFORMATION ITEM**

Councilmember Streator returned at 9:20 p.m.

**POCKET PARKS INVENTORY**

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

**Recommendation of the Recreation and Parks Commission:** Staff presented the findings of the Pocket Parks Inventory to the Recreation and Parks Commission on September 2, 2003 for their information.

City Manager introduced the item, noted she is requesting input from Council as to whether staff is moving forward in the right direction, and noted staff would like to begin to have discussions with the Land for Public Trusts and other agencies that may be of assistance in generating funding for pocket parks.

Mr. David Sinclair, Assistant Planner, summarized the agenda report.

Mr. Richard Bruckner, Director of Planning and Development, responded to questions.

Staff was asked to look into the following possible properties: Caltrans-owned properties west of Hill Avenue on the old railroad right-of way or a possible lease of this land; properties on Oxford by the William Carey School, or a possible partnership for joint use with the School; Metropolitan Water District property in the Central Arroyo on the western side between Linda Vista and Seco Street.

Discussion ensued regarding the need for pocket parks in densely populated areas to address community needs, and support for elevating the priority order for those parcels that are located in densely populated areas.



The City Manager stated that when staff is reviewing grants, consideration will be given to population and density and the number of residents that would be served, and this would be the highest priority.

Councilmember Gordo suggested that the distance requirement be relaxed in those areas where the density warrants it. He also suggested that for those parcels that are City-owned, consideration be given to putting in tot lots and benches, especially in the high-density areas. As an example, he cited a parcel at Summit Avenue and Villa Street, and questioned the cost to put in a tot lot, picnic table, restroom, and drinking fountain at this site. The City Manager offered to follow up on the question.

Vice Mayor Tyler referred to an existing site called "Lakewood Place" which is south of California Boulevard on South Lake Avenue. He noted this site is covered by shrubs and bushes and it may need to be considered for improvements since it is already City-owned.

The City Manager acknowledged the suggestions by Councilmember Gordo and Vice Mayor Tyler, and also offered to add to the list a City-owned site at Bonnie Avenue and Del Mar Boulevard for possible improvements.

In response to questions, the City Manager summarized the next steps that staff would be taking to reduce the list of potential sites to a smaller number. She advised Council that staff plans to go to potential funding agencies, such as the Trust for Public Lands, to see which parcels on the list are attractive and of interest to the agency for possible funding; staff would look at parcels the City already owns and look at issues such as density and improvement costs, and density and neighborhood needs would be considered and less consideration given to the distance to other parks if the density warrants the need for more open space.

Councilmember Gordo suggested that there be two categories and parallel paths: (1) staff to separate the sites that are City-owned according to density and put in priority order according to the feasibility of moving forward right away; and (2) create a second category of those parcels the City would like to acquire, or have funding provided in partnership with another agency such as the Trust for Public Lands. The City Manager acknowledged the request, and there were no objections voiced to following two parallel paths.

Ms. Eva Courtney, representing Summit Association, spoke in support of pocket parks and community gardens, and offered assistance to the City. Ms. Courtney was advised that City staff Todd Holmes, Landscape Architect, would follow up on her offer of providing assistance to the City.

In response to a question from Councilmember Haderlein, the City Manager offered to have staff follow up on the status of a vacant lot in east Pasadena on Colorado Boulevard near Oak Avenue.

Mayor Bogaard raised an issue regarding the use of our urban parks, particularly Central Park, for large events over multiple days such as the jazz festival, and adverse impacts on surrounding neighbors. He questioned if there is an economic motivation to the City in allowing our parks to be used for such events. Brief discussion ensued and Councilmember Little noted different constituencies need to be served by the parks, and there is an economic benefit in multiple-day festivals as they generate revenue and business for the community. The Mayor and Councilmember Little noted the need to strike the right balance in this regard.

### ADJOURNMENT

Mayor Bogaard announced that tonight's meeting would adjourn in memory of Judge William Hogoboom, Virginia Krueger, and John Sadler.

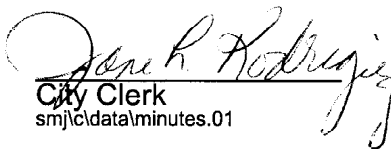
Councilmember Madison acknowledged the many accomplishments of Judge William Hogoboom, who passed away on August 24, 2003. Judge Hogoboom served in World War II, served as the presiding judge for the Los Angeles Superior Court in the area of family and juvenile court and provided assistance to many troubled youth, and was actively involved in numerous community organizations and a leader in the community.


Councilmember Madison also acknowledged the many accomplishments of Virginia "Ginger" Krueger, who passed away on September 27, 2003. She also dedicated her life to community service and was the Executive Director of the Pasadena Foundation, served as the Chair on the Arts Commission, was involved in Rotary, and other community organizations.

Vice Mayor Tyler acknowledged the many accomplishments of John Sadler, who passed away on August 15, 2003. He served in World War II as a bomber pilot, was a stockbroker and businessman, served on the Planning Commission, was involved in the Pasadena Public Library, and was active in many charitable causes.

On order of the Mayor, the regular meeting of the City Council adjourned at 10:02 p.m. in memory of Judge William Hogoboom, Virginia Krueger, and John Sadler.

ATTEST:

  
City Clerk  
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Bill Bogaard, Mayor  
City of Pasadena