

CITY OF PASADENA
City Council Minutes
February 14, 2005 – 5:30 P.M.
Pasadena Senior Center, Multi-Purpose Room
85 East Holly Street

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 5:40 p.m.
(Absent: Councilmembers Gordo, Holden)

On order of the Mayor, the regular meeting recessed at 5:40 p.m., to discuss the following closed session:

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

Agency Negotiators: Karyn Ezell, Richard Kunz
Employee Organizations: Pasadena Association of Clerical and Technical Employees/Laborers International Union of North America, Local 777; American Federation of State, County and Municipal Employees, Local 858; Pasadena Management Association; International Brotherhood of Electrical Workers, Local 18; International Union of Operating Engineers, Local 501; Service Employees International Union, Local 347; and all Non-Safety Unrepresented Employees

Councilmember Holden arrived at 5:58 p.m.

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 Streater.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Sidney F. Tyler, Jr.
Councilmember Victor Gordo (Absent)
Councilmember Steve Haderlein
Councilmember Chris Holden
Councilmember Paul Little
Councilmember Steve Madison (Returned at 6:50 p.m.)
Councilmember Joyce Streater

Staff:

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

CEREMONIAL MATTERS

The Mayor recognized Police Chief Bernard Melekian as a recipient of the Lewis Hine Award for Service to Children and Youth for his work on behalf of youth.

Chief Melekian described the Lewis Hine Award, noted he was the first person in law enforcement to receive this award, and thanked the Mayor for submitting his name in nomination. He also thanked the Council, City Manager, members of the Police Department, and community members/organizations for their assistance in making the statement/program "No More Dead Children" a reality, and indicated the engraved plate award would be on permanent display at the Police Department with a plaque acknowledging the work of the Police Department in the program.

Councilmember Madison returned at 6:50 p.m.

The Mayor recognized a citywide boxing program conducted at the Villa Parke Community Center; and presented Fausto De La Torre, the boxing program instructor, with a boxing glove autographed by Sylvester Stallone and Sugar Ray Leonard that had been given to the City by the producers of The Contenders, a reality-based TV series on heavyweight boxers to be aired on NBC beginning March 7, 2005.

Mr. De La Torre thanked the Mayor for the glove, and noted it would be displayed in the gym to inspire the program's youths.

Mr. Eddie Lopez, a program participant, described the program's positive impact on his life and goals and displayed a championship belt he had won in 2003.

Council was invited to attend and hand out prizes at a boxing show to be held on March 4, 2005 at the Villa Parke Community Center.

Vice Mayor Tyler announced the Southwest Chamber Music conducted by Jeff von der Schmidt had received the 47th annual Grammy Award in the classical music division for Small Ensemble Performance (with or without conductor) for "Carlos Chavez – Complete Chamber Music, Vol. 2."

PUBLIC HEARING

PUBLIC HEARING: CALL FOR REVIEW OF DESIGN COMMISSION DECISION TO APPROVE A NEGATIVE DECLARATION AND CONCEPT DESIGN REVIEW FOR A NEW MIXED-USE BUILDING AT 260 SOUTH ARROYO PARKWAY

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

Environmental Determination and Land Use Entitlements

(1) Affirm the conclusions of the draft initial environmental study which includes a traffic study approved by the Transportation Department, that the proposed project will not create any significant adverse effects on the environment.

- (2) Approve the Negative Declaration.
- (3) Acknowledge that the Department of Transportation imposed project conditions to fund improvements to traffic-control operations in the area.
- (4) Direct the City Clerk to file a Notice of Determination with the County Clerk.

Art Plan - Acknowledge that the Arts Commission approved the concept art plan on November 11, 2004.

Findings for Removal of Protected Native, Specimen, and Landmark Trees - Acknowledge that none of the trees identified for removal on the project site qualify as landmark, native, or specimen trees.

Findings for Concept Design Approval

(1) Find that the concept-level design is consistent with the Goals and Objectives and Citywide Design Principles of the Pasadena General Plan, the Design Guidelines in the Central District Specific Plan, and the Purposes of Design Review in Section 17.92.010 of the Zoning Code.

(2) Based on these findings, affirm the Design Commission's approval of the application for concept design review with the conditions and recommendations specified in the decision letter dated December 14, 2004, (Attachment B of the Agenda Report).

Comments of Transportation Advisory Commission: The Transportation Advisory Commission (TAC) met on February 10, 2005 and reviewed the project. TAC found that the project complies with the Central District Specific Plan, Land Use Element, Mobility Element, and Zoning Code. They also found that the transportation analysis was methodologically sound (Attachment E of the Agenda Report).

TAC complimented the developer's commitment to provide new owners with transit passes. TAC suggested consideration be given to providing and maintaining an information kiosk on-site to encourage the use of public transit. TAC also encouraged staff to continue to be proactive in the implementation of transit-oriented development zones.

TAC also offered suggestions beyond the scope of the traffic study for this project since this was the first project processed under the new Transit Oriented Development rules. Their suggestions for future projects included considering covered bicycle parking areas, enhanced pedestrian/sidewalk interface, and the inclusion of more information regarding future pedestrian uses and transit access/connections.

The Mayor opened the public hearing.

The City Clerk reported notice of the public hearing was required to be published only in the agenda, two letters were received, and drawings from the developer were distributed.

Mr. Vincent Gonzalez, Senior Planner, reviewed the agenda report and responded to questions.

Mr. Eric Shen, Transportation Planning and Development Manager, reviewed mobility factors related to the project, noted the Transportation Advisory Commission's (TAC) report dated February 14, 2005 had been distributed to Council, addressed concerns expressed in the Commission's report, and responded to questions.

The City Attorney clarified TAC's role in the review process and Council's options for possible action to be taken at this time on the recommendations, findings, and various reviews of the project.

Ms. Joyce Amerson, Director of Transportation Department, briefly reviewed the traffic analysis for the project and issues regarding ingress/egress on Cordova Street, and responded to questions.

Discussion followed on the adequacy of the traffic study that was conducted, and development of a comprehensive approach during the review process to bring developers together for discussion of proposed projects in an area.

Mr. Vince Farhat, Transportation Advisory Commissioner, reported on TAC's review of the proposed project as presented in the Commission report dated February 14, 2005, and responded to questions. He commented on TAC's recommendations for Council's consideration of suggested additions/changes to the review process for future projects to be used by TAC on a forward-going basis regarding: traffic studies and the inclusion of actual data for existing mixed-use projects in the area of a proposed project, a requirement for the developer to submit a pedestrian and non-auto traffic plan, inclusion of transit information kiosks for residential and mixed-use projects, ways to incentivize pedestrian safety, review of the trip reduction ordinance, and the need to address the blending of design and mobility issues in any proposed project.

The City Attorney noted Council was to take action during this public hearing regarding the conceptual approval of design review aspects of the project as presented in the staff report recommendations.

Mr. Robert Champion (applicant) discussed the trip factor figures during peak traffic hours, noted the project was unanimously approved by the Design Commission for its initial review, confirmed traffic entering the ground level parking area will not be stopped by a security gate, noted the project follows the City's current rules and regulations, and responded to questions.

Mr. Champion volunteered to make any modifications requested by staff regarding the driveway on Cordova, to move

a portion of the bicycle racks to a location in front of the building in a manner approved by staff, to dedicate an alcove area in the lobby entrance of the residential area for a public access bulletin board for transit-related information as determined by staff, and to provide the street tree pattern as shown in the drawings approved by staff.

In response to Vice Mayor Tyler's question, Mr. Champion indicated any problem with a shortage of trees to be planted for a prior approved project located at the corner of Cordova Street and Lake Avenue would be corrected.

The following persons spoke in opposition and/or expressed various concerns regarding the project:

Ms. Sonia Davis, Pasadena resident
Ms. Priscilla Flynn, Pasadena resident
Mr. Phillip Salvatti, Pasadena resident
Ms. Lori Salvatti, representing the residents of 221 S. Marengo Avenue, submitted written comments and a map.
Mr. Dan Gumbleton, representing Del Mar Townhomes
Ms. Michelle White, Pasadena resident
Mr. Mark Jackson, Pasadena resident

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

Councilmember Madison expressed concerns regarding statements in the Negative Declaration findings related to negative impacts on parks, transportation and traffic, public services, and cumulatively considerable impacts; and suggested the project receive continuing dialogue with staff in terms of mitigating the comprehensive impacts, with additional input from TAC, if directed to do so by Council.

MOTION

It was moved by Councilmember Madison, to not approve the application for concept design review based on the fact that the proposed project would create significant adverse effects and the Negative Declaration could therefore not be approved as to certain findings in sections 15, 17, and 20 (Attachment E of the agenda report). (Motion died due to lack of a second.)

Discussion continued regarding cumulative traffic impacts, and conflicts resulting from development policies covering established residential areas located in transit-oriented districts.

The City Attorney indicated Council cannot impose more stringent requirements than the regulations provide for and advised Council to avoid including conditions that the applicant has already agreed to address.

MOTION

It was moved by Councilmember Holden, seconded by Councilmember Haderlein, to approve the City Manager's recommendation, with the incorporation of the applicant's voluntary commitments regarding the driveway on Cordova Street, the bicycle racks, the bulletin board, and the street tree pattern, as stated above. (Motion carried, with Councilmember Madison objecting) (Absent: Councilmember Gordo)

The City Manager noted the amount of the applicable residential impact fee for this project would be clarified and provided to Councilmember Madison, and Council would be provided with recommendations regarding the residential impact fee and workforce housing in April 2005.

Brief discussion followed regarding possible changes in the affordable housing in-lieu fees related to the amount of the fee, the building of affordable housing units on site, the inclusion of commercial office space in the provision of affordable housing, and case law (e.g. City of Napa) that eliminates the option of in-lieu fees.

The City Attorney indicated staff was working on the case law issue and would provide Council with a schedule for presentation of this information within the next week.

Councilmember Holden, Chair of the special Council committee looking into these various issues, noted the committee would provide an additional report in the future. He suggested the Marengo area might be considered for a traffic study on various City policies and resulting impacts.

The City Manager discussed the process that can be used to place a 45-day moratorium on development in an area needing study (the Marengo Street area) to allow time to provide Council with findings, and indicated staff would look at what can be done and report to Council.

The Mayor noted the February 28, 2005 Council meeting would incorporate a joint meeting with the Transportation Advisory Commission on the implementation of the recently approved Mobility Element and related transportation/traffic issues.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

No one appeared for public comment.

CONSENT CALENDAR

AUTHORIZATION TO ENTER INTO A CONTRACT WITH INTELLITIME SYSTEMS CORPORATION TO PURCHASE AND IMPLEMENT VIRTUAL TIME CARD INTERFACE (VTI), A WEB-BASED TIME MANAGEMENT SYSTEM
Recommendation of City Manager: Authorize the City

Councilmember Madison was excused at 9:08 p.m.

Manager to enter into a contract with Intellitime Systems corporation in an amount not to exceed \$175,000 for the purchase of software and services related to the implementation of Virtual Timecard Interface (VTI), a web-based time management system. Competitive bidding is not required pursuant to City Charter Section 1002(F), contracts for professional or unique services. (Contract No. 18,778)

APPROVAL AND ACCEPTANCE OF AN EASEMENT DEDICATION FOR PUBLIC STREET PURPOSES ON THE EAST SIDE OF WILSON AVENUE AT CORNELL ROAD

Recommendation of City Manager: Adopt a resolution approving and accepting a proposed easement dedication for public street purposes on the east side of Wilson Avenue at Cornell Road. (Resolution No. 8432)

APPROVAL AND ACCEPTANCE OF AN EASEMENT DEDICATION FOR PUBLIC STREET PURPOSES ALONG THE SOUTH SIDE OF ORANGE GROVE BOULEVARD EAST OF LAKE AVENUE

Recommendation of City Manager: Adopt a resolution approving and accepting a proposed easement dedication for public street purposes along the south side of Orange Grove Boulevard east of Lake Avenue. (Resolution No. 8433)

CLAIMS RECEIVED AND FILED

Claim No. 9759	David S. Wong	\$ 360.00
Claim No. 9760	Melody M. Hendricks	Not stated
Claim No. 9761	Chris Baloga	100.00
Claim No. 9762	Michael Jenkins	100.00
Claim No. 9763	Keelan Chan	4,148.55
Claim No. 9764	Lieber-Porter Apartments	3,940.00
Claim No. 9765	Martha Bustos	25,000.00+
Claim No. 9766	State Farm Insurance as subrogee for Gilbert Pena	122.53
Claim No. 9767	Julia L. Patrino	5,330.00
Claim No. 9768	Rachael Saller Bender	25,000.00+
Claim No. 9769	Felicia Ticey	640.00
Claim No. 9770	Philip Wojdak	397.89

PUBLIC HEARING SET

March 21, 2005 - 8:00 P.M. - Amendment to Zoning Code to address Medical Marijuana Dispensaries

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

OLD BUSINESS

AMENDMENT TO FIRE DEPARTMENT'S FY 2005 OPERATING BUDGET AND ADOPTION OF A RESOLUTION AMENDING THE SALARY RESOLUTION

Recommendation of City Manager:

(1) Approve a journal voucher increasing appropriations in the

Fire Department's Fiscal Year 2005 Operating Budget by \$421,120, to provide for the reorganization of the Department's command staff (\$71,120) as well as additional funding for personnel related costs (\$350,000). Funds will be taken from the General Fund unappropriated fund balance and appropriated to various line items.

(2) Adopt a resolution amending the Salary Resolution to create the title and control rate for the new classification Fire Bureau Chief. (Journal Voucher No. 2005-43; Resolution No. 8434)

Councilmember Little, Chair of the Finance Committee, reviewed the agenda report; and reported the Finance Committee had modified the recommendation to include approval of the Fire Bureau Chief position for the Operations Division, with the Fire Bureau Chief position for the Fire Environmental Services Division-Prevention to be reviewed during the 2006 budget process, which would reduce the amount of the journal voucher to \$396,120.

It was moved by Councilmember Little, seconded by Councilmember Haderlein, to approve the City Manager's recommendation, as amended by the Finance Committee, to approve a journal voucher in the amount of \$396,120 and approve the new classification of Fire Bureau Chief for the Operations Division, with consideration of the new Fire Bureau Chief position for the Fire and Environmental Services Division-Prevention to be reviewed during the 2006 budget cycle. (Motion unanimously carried) (Absent: Councilmembers Gordo, Madison)

Councilmember Little thanked Fire Chief Dennis Downs for his patience in the presentation to the Finance Committee on the complex proposed reorganization.

**REPORTS AND COMMENTS
FROM COUNCIL
COMMITTEES**

FINANCE COMMITTEE

CONTRACT AWARD TO MANERI SIGN COMPANY, INC. FOR PURCHASE AND INSTALLATION OF GUIDE SIGNS (TYPE G7) AT VARIOUS SIGNALIZED INTERSECTIONS AND APPROVAL OF A JOURNAL VOUCHER TRANSFERRING \$30,998 FROM THE SALE OF SALVAGED STREET NAME SIGNS TO CAPITAL IMPROVEMENT PROGRAM PROJECT 75034

Recommendation of City Manager:

(1) Accept the bid dated December 16, 2004, submitted by Maneri Sign Company, Inc. in response to the Specifications for the Purchase and Installation of Guide Signs (Type G7) at Various Signalized Intersections, reject all other bids received, and authorize the City Manager to enter into such contract as required. The amount of the proposed contract is \$92,339.

(2) Acknowledge that the "Purchase and Installation of Guide Signs (Type G7) at Various Signalized Intersections" is categorically exempt from the California Environmental Quality

Act (CEQA) according to Section 15301, Existing Facilities, of the CEQA Guidelines, and authorize the City Manager to execute and the City Clerk to file a Notice of Exemption therefor with the Los Angeles County Clerk.

(3) Approve a journal voucher amending the FY 2005 Adopted Capital Improvement Program Budget by transferring \$30,998 from the sale of salvaged street name signs in Account No. 7018-101 to the Citywide Street and Alley Name Sign Replacement Program Project (75034) for the purpose of purchasing and installing Type G7 Guide Signs at various signalized intersections. (Contract No. 18,779; Journal Voucher No. 2005-46)

Councilmember Little, Chair of the Finance Committee, summarized the agenda report, and noted the City had sold some of the old street signs for approximately \$30,000.

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

AMEND THE FISCAL YEAR 2005 ADOPTED CAPITAL IMPROVEMENT BUDGET TO FUND GOLD LINE PHASE I ENHANCEMENT PROJECTS AND APPROVE A JOURNAL VOUCHER RECOGNIZING \$2,250,000 IN GOLD LINE PHASE I SURPLUS FUNDS

On order of the Mayor and as requested by the Finance Committee, the above item was deferred for additional review by the Finance Committee.

AMENDMENT TO THE FISCAL YEAR 2005 ADOPTED CAPITAL IMPROVEMENT PROGRAM BUDGET TO INCLUDE A NEW PROJECT IN THE "TRAFFIC CONTROL AND FACILITIES" SECTION ENTITLED "METRO RAPID BUS PRIORITY SYSTEM"

Recommendation of City Manager:

(1) Amend the Fiscal Year (FY) 2005 Adopted Capital Improvement Program (CIP) Budget to include a new project in the "Traffic Control and Facilities" section entitled "Metro Rapid Bus Priority System";

(2) Recognize and approve a journal voucher appropriating \$700,000 in Los Angeles County Metropolitan Construction Authority (METRO) funds for the "Metro Rapid Bus Priority System" Project (Project No. 75508); and authorize the City Manager to execute necessary Agreements or a Memorandum of Understanding (MOU) between City of Pasadena and Metro regarding these funds;

(3) Acknowledge that the "Metro Rapid Bus Priority System" Project is categorically exempt from the California Environmental Quality Act (CEQA) according to Section 15301,

Existing Facilities, of the CEQA guidelines, and authorize the City Manager to execute and the City Clerk to file a Notice of Exemption therefor with the Los Angeles County Clerk. (Journal Voucher No. 2005-44)

Recommendation of Planning Commission:

The Planning Commission reviewed and voted unanimously on January 26, 2005, to recommend Council approval of the project.

Councilmember Little highlighted the agenda report.

Ms. Joyce Amerson, Director of Transportation Department, responded to questions regarding the location of the bus stops and staff input regarding the project.

In response to Councilmember Haderlein's question regarding the locating of bus stops near transit stops, Vice Mayor Tyler indicated the City could discuss the coordination of the location of bus stops with Metrolink stops in future meetings with the Metropolitan Transportation Authority (MTA).

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

RECOGNIZING AND APPROPRIATING A STATE OFFICE OF TRAFFIC SAFETY MINI-GRANT TO CONDUCT DRIVING UNDER THE INFLUENCE (DUI) CHECKPOINTS

Recommendation of City Manager:

(1) Approve a journal voucher recognizing revenue from the Office of Traffic Safety Driving Under the Influence grant program for \$42,084.

(2) Approve a journal voucher increasing appropriations to the Police Department Traffic Section Overtime Account No. 8011-101-407800 by \$14,028 for FY 2005. (Journal Voucher No. 2005-45)

Councilmember Little introduced the agenda report.

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

RESOLUTION OF THE CITY COUNCIL APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PURCHASE AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE SALE OF THE SELLER'S VEHICLE LICENSE FEE RECEIVABLE FROM THE STATE AND DIRECTING AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH

Recommendation of City Manager: Adopt a resolution approving the form of and authorizing the execution and delivery of a purchase agreement and related documents with respect to the sale of the seller's Vehicle License Fee receivable from the State; and directing and authorizing certain other actions in connection therewith. (Resolution No. 8435)

Councilmember Little highlighted the agenda report.

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

Councilmember Little reported Standard and Poor's had recently upgraded the City's bond rating to AA+ and commended the City Manager, the Director of the Finance Department, and staff for their work in achieving this rating.

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

Councilmember Holden was excused at 9:10 p.m.

RESIGNATION OF KEVIN MICHAEL BRANDT FROM THE CODE ENFORCEMENT COMMISSION EFFECTIVE MARCH 31, 2005 (Mayor Nomination)

APPOINTMENT OF JESSE E. DILLON TO NORTHWEST COMMISSION (District 4 Nomination)

It was moved by Councilmember Little, seconded by Councilmember Haderlein, to accept the above resignation with regrets and approve the above appointment. (Motion unanimously carried) (Absent: Councilmembers Gordo, Holden, Madison)

ORDINANCE – FIRST READING

Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTER 4.04 OF THE PASADENA MUNICIPAL CODE ('DISPOSITION OF SALVAGE AND SCRAP PROPERTY') AUTHORIZING THE TRANSFER OF CERTAIN PUBLIC SAFETY SERVICE ANIMALS TO THEIR HANDLERS"

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

AYES: Councilmembers Haderlein, Little, Streater, Vice Mayor Tyler, Mayor Bogaard

NOES: None

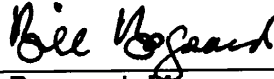
ABSENT: Councilmembers Gordo, Holden, Madison

COUNCIL COMMENTS

On behalf of Councilmember Holden, the Mayor reported on the opening reception for an affordable housing project of two ownership units located on North Summit Avenue in District 3 and developed by Heritage Housing Partners with financial assistance from the City.

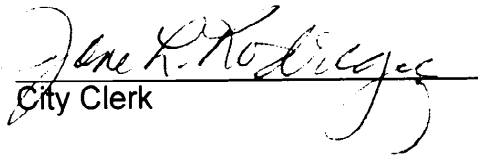
ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 9:21 p.m.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



Jane R. Rodriguez
City Clerk