

CITY OF PASADENA  
City Council Minutes  
April 4, 2005 - 5:30 P.M.  
Pasadena Senior Center, Multi-purpose Room  
85 East Holly Street

REGULAR MEETING

**OPENING:**

Mayor Bogaard called the regular meeting of the City Council to order at 5:45 p.m. (Absent: Councilmembers Gordo, Holden, Madison)

On order of the Mayor, the regular meeting of the City Council recessed at 5:45 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 6:28 p.m.

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

On order of the Mayor, the regular meeting of the City Council reconvened at 6:40 p.m. The Pledge of Allegiance was led by Sergeant at Arms John Dewar.

**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 (Arrived at 8:14 p.m.)  
Councilmember Joyce Streater

Staff:

Acting City Manager Jay Goldstone  
City Attorney Michele Beal Bagneris  
City Clerk Jane L. Rodriguez

**CEREMONIAL MATTERS**

The City Clerk administered the oath of office to Nicholas Lambajian, as Code Enforcement Commissioner, Marlene Otto, as Accessibility & Disability Commissioner, and Richard Quirk, as Planning Commissioner.

The Mayor issued a proclamation recognizing National Public Health Week which was accepted by Dr. Takashi Wada, Pasadena Public Health Officer. Dr. Wada introduced student essay contest winners for Public Health Week.

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

Mr. Hall Daily, representing California Institute of Technology, introduced Mr. Dean Currie, the Institute's new Vice President for Business and Finance.

The Mayor, on behalf of the City Council, welcomed Mr. Currie to Pasadena.

The following individuals spoke on the need to address issues of diversity and the lack of Latino representation on the City's executive committee:

- Ms. Roberta Martinez, Pasadena resident
- Ms. Inez Yslas, Pasadena resident
- Ms. Herminia Ortiz, Pasadena resident

**CONSENT CALENDAR**

**RESOLUTIONS APPROVING PROGRAM SUPPLEMENT AGREEMENTS FOR FEDERAL-AID PROJECTS: BLUE (GOLD) LINE PEDESTRIAN ENHANCEMENTS, RESTORATION OF FLINT WASH BRIDGE CROSSING, AND PAVEMENT REHABILITATION - AREAS OF AVENUE 64, COLORADO BOULEVARD AND LA LOMA ROAD**

**Recommendation of City Manager:**

(1) Adopt resolutions approving Program Supplement Agreements to Administering Agency - State Agreement No. 07-5064 between the City of Pasadena and the State of California, for state reimbursement of costs for the following Federal-Aid Projects:

(a) Gold Line Pedestrian Enhancements (75059), Federal-Aid Project No. STPLER-5064(034), Program Supplement Agreement No. M064. (Resolution No. 8457; Contract No. 16,298-21)

(b) Restoration of Flint Wash Bridge Crossing (77555), Federal-Aid Project No. STPLER-5064(033), Program Supplement Agreement No. M066. (Resolution No. 8458; Contract No. 16,298-22)

(c) Pavement Rehabilitation - Areas of Avenue 64, Colorado Boulevard and La Loma Road (73581), Federal-Aid Project No. STPL-5064(037), Program Supplement Agreement No. M067.

(2) Authorize the City Manager to execute the same on behalf of the City. (Resolution No. 8459; Contract No. 16,298-23)

Councilmember Little asked staff for a status report on Proposition A & C funds and funds remaining for Gold Line pedestrian enhancements, and how that money will be spent.

**CONTRACT AWARD TO LOS ANGELES ENGINEERING, INC. FOR THE STATE ROUTE 710 MITIGATION - RAYMOND AVENUE TO SR 110 CONNECTOR PROJECT FOR AN AMOUNT NOT TO EXCEED \$4,020,653.50, AND ADOPT A RESOLUTION APPROVING THE PROGRAM SUPPLEMENTAL AGREEMENT FOR FEDERAL-AID REIMBURSEMENT**

**Recommendation of City Manager:**

(1) Accept the bid dated March 16, 2005, submitted by Los Angeles Engineering, Inc., in response to the Plans and Specifications for the Raymond Avenue to SR 110 Connector Project; reject all other bids received; and authorize the City Manager to enter into a contract not to exceed \$4,020,653.50, which includes the base bid of \$3,655,653.50 and \$365,000 for any additional work the City may order pursuant to the project plans and specifications.

(2) Adopt a resolution approving Program Supplemental Agreement to Administering Agency - State Agreement No. 07-5064 between the City of Pasadena and the State of California, for state reimbursement of costs for the Raymond Avenue to the SR 110 Connector, Federal-Aid Project No. RABA01-5064(022), Program Supplement Agreement No. M055. (Resolution No. 8460; Contract Nos. 16,298-24 and 18,806)

(3) Authorize the City Manager to execute the Program Supplement Agreement on behalf of the City.

Councilmember Haderlein requested staff provide a brief status report on all projects which are funded by the same source, including the dollar amount for each project, percentage of budget spent, and percentage of project completed.

In response to questions from Vice Mayor Tyler, the Director of Public Works and the City's Engineer, noted this project required coordination and approval from a number of different governmental agencies, in depth environmental and mitigation studies, and property acquisition costs.

**APPROVAL OF MINUTES**

March 7, 2005 (Cancelled)  
March 14, 2005

**CLAIMS RECEIVED AND FILED**

Claim No. 9804	Gloria A. McGurty	\$ Not Stated
Claim No. 9805	Jose Soria	Not Stated
Claim No. 9806	Michio Kawamoto	232.18
Claim No. 9807	Katy Yu	120.00
Claim No. 9808	Armando Aguilar	Not Stated
Claim No. 9809	Jacinth Molina	257.00

**PUBLIC HEARINGS SET**

May 16, 2005, 8:00 p.m. - Schedule of Taxes, Fees & Charges and General Feel Schedule

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

## **PUBLIC HEARINGS**

Councilmember Haderlein recused himself at 7:15 p.m. due to a conflict of interest.

### **PUBLIC HEARING: RESOLUTION APPROVING A TAX EXEMPT BOND FINANCING TO BE ISSUED BY THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY TO BENEFIT PASADENA HOSPITAL ASSOCIATION LTD. dba HUNTINGTON MEMORIAL HOSPITAL AND CERTAIN AFFILIATES**

**Recommendation of City Manager:** Hold a public hearing and adopt a resolution approving a tax exempt bond financing to be issued by the California Statewide Communities Development Authority to benefit Pasadena Hospital Association LTD. dba Huntington Memorial Hospital and certain affiliates. (Resolution No. 8461)

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published in the Pasadena Star News on March 21, 2005, and no letters in support or opposition were received.

Acting City Manager Jay Goldstone summarized the agenda report.

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

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

### **CONTINUED APPEAL HEARING: APPEAL OF A DECISION BY THE DESIGN COMMISSION TO APPROVE WITH CONDITIONS ALTERATIONS TO THE EXISTING STOREFRONT AT 396 SOUTH LAKE AVENUE (DRAPER'S & DAMON'S/RANGONIS)**

#### **Recommendation of City Manager:**

(1) Adopt Recommendation 1 from the March 14, 2005 staff report (Acknowledge that the proposed alterations to the storefront at 396 South Lake Avenue are categorically exempt from the California Environmental Quality Act [Class 31, Section 15331, Historical Resource Restoration/Rehabilitation]).

(2) Do not adopt Recommendation 2 from the March 14, 2005 staff report.

(3) Adopt the following new recommendations:

(a) Acknowledge that the applicant has agreed to modify the design of the storefront to comply with revised recommendations from the Design Commission issued on March 28, 2005.

(b) Approve the application for consolidated design review with the conditions recommended by the Design Commission on March 28, 2005.

#### **Recommendation of Design Commission:**

(1) Maintain the "5S2" status code in the City's historic resources survey for the Central District (eligible for landmark designation) for

the building at 396 South Lake Avenue and apply the Secretary of the Interior's Standards for Rehabilitation & Guidelines for Rehabilitating Historic Buildings to the proposed alterations.

(2) Require the restoration of original storefront material—including the travertine cladding and the original post-mounted display box on Lake Avenue elevation.

(3) Approve the application of two surface-mounted display boxes on the spandrel and a clock feature if they are detailed to be removable in the future.

(4) A final design proposal that reflects these modifications shall be submitted to the Design Commission for final review and approval.

The Mayor opened the continued public hearing.

The City Clerk reported there were no publishing, posting, or mailing requirements; one letter was received in support.

Mr. Richard Bruckner, Planning and Development Director, reviewed the Design Commission's decision, noted that staff had worked diligently with the applicant and a subcommittee of the Design Commission to resolve various design issues and indicated that the staff is recommending approval of the revised plan, with conditions, as outlined in the agenda report. He further stated the letter submitted by the applicant supported staff's recommendations.

Mr. Charles Cordero, CSC Architecture, representing the applicant, acknowledged the staff's recommendations, including final design approval by the Design Commission.

Vice Mayor Tyler commended staff for their work on this item.

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

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

### **RECOMMENDATIONS FROM OFFICER AND DEPARTMENTS**

Councilmember Haderlein  
returned at 7:30 p.m.

### **AUTHORIZATION FOR AMENDMENT TO INCREASE FLOOR AREA RATIO IN THE CENTRAL DISTRICT SPECIFIC PLAN FULLER SEMINARY PRECINCT**

**Recommendation of City Manager:** Initiate an amendment to the Central District Specific Plan to increase the Floor Area Ratio in the central part of the Fuller Seminary precinct from 1.50 to 2.00. This amendment shall be processed in tandem with the Fuller Seminary Master Development Plan.

Ms. Laura Dahl, Senior Planner, summarized the agenda report and responded to questions.

Councilmember Little commended Ms. Dahl for her work on this item.

The following individuals spoke in support of this item:

Ms. Nancy A. Shaw, President-elect of the University Club  
Mr. Donald Nollar, representing the Women's City Club  
Ms. Sue Miele, representing First Congregational Church

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

**APPOINTMENT OF CHARLENE YU VAUGHN TO THE COMMISSION ON THE STATUS OF WOMEN** (District 7 Nomination)

**APPOINTMENT OF KAREN RODRIGUEZ TO THE 457 TRUST ADMINISTRATOR OVERSIGHT COMMITTEE** (Mayoral Nomination)

**REAPPOINTMENT OF TOM SEIFERT TO THE PASADENA CENTER OPERATING COMPANY**

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

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 7:40 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 7:41 p.m. (Absent: Councilmembers Gordo, Madison)

**ORDINANCE - FIRST READING**

**First reading of "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 NOISE SOURCES FOR SPECIFIED HOURS AND AREAS ON JULY 15, 16, 17, 22, 23, AND 24, 2005 (ROSE BOWL SUMMER FAIR)"**

Following questions from Vice Mayor Tyler, and at the request of the Mayor, this matter was held one week to allow the City Attorney to

provide additional information to the Council with respect to specific language in the agreement relating to noise mitigation and fines imposed for failure to comply.

**INFORMATION ITEM**

**PRESENTATION BY POLICE DEPARTMENT REGARDING SAFEGUARDS TO PROTECT AGAINST IDENTITY THEFT (Oral Report)**

Police Commander Ron Uyeda presented this item and responded to questions.

**PUBLIC HEARINGS**

Councilmember was excused at 8:03 p.m.

**PUBLIC HEARING: VACATION OF A PORTION OF PICO STREET BETWEEN RAYMOND AVENUE AND THE METROPOLITAN TRANSPORTATION AUTHORITY RIGHT-OF-WAY**

**Recommendation of City Manager:**

(1) Hold a public hearing on the proposed vacation and hear evidence offered by persons interested.

(2) Adopt a resolution that:

(a) Affirms that the City Council has acknowledged that the Mitigated Negative Declaration has been adopted for the project (57,946 square-foot medical office building) associated with the proposed street vacation and that no further environmental review is required because no significant changes in the environment would result from the street vacation.

(b) Finds that the proposed vacation of the subject portion of Pico Street is consistent with the General Plan Mobility Element, the South Fair Oaks Specific Plan, and is unnecessary for present or prospective public use for traffic purposes.

(c) Orders the vacation of the subject portion of Pico Street based on certain conditions set forth in Exhibit "C" of the agenda report, if and only if those certain conditions are met. (Resolution No. 8462)

(3) Declare that the City's interest in the proposed vacated street is an easement only with a fair market value of less than \$1,000, and therefore, the City's interest in the property is not subject to the provisions of Chapter 4.02 of the Pasadena Municipal Code as indicated in Section 4.02.040(A) of said chapter.

(4) Authorize the City Manager to execute a Condition Satisfaction Contract between the City and the applicants.

**Recommendation of the Planning Commission:** On February 9, 2005, the Planning Commission reviewed and recommended that the City Council approve the proposed street vacation as presented by staff.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published in the Pasadena Star News on March 21, 2005, 17 copies of the notice were posted on March 21, 2005, and 25 copies of the notice were mailed on March 15, 2005; no letters in support or in opposition were received.

Ms. Bonnie Hopkins, Principal Engineer, summarized the agenda report and responded to questions.

Mr. Steve Slater, applicant's representative, spoke in support of this item.

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

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

Councilmember Madison arrived at 8:14 p.m.

**PUBLIC HEARING: PROPOSED BASIS AND METHOD OF LEVYING ASSESSMENTS AND THE LEVY OF THE ANNUAL ASSESSMENT FOR PROGRAM YEAR 2005 FOR THE SOUTH LAKE BUSINESS IMPROVEMENT DISTRICT**

**Recommendation of City Manager:**

- (1) Approve the Annual Report of the South Lake Business Association for the South Lake Business Improvement District for Program Year 2005 (Attachment 2 of the agenda report)
- (2) Hold a public hearing to consider the proposed basis and method of levying assessments and the levy of the annual assessments for Program Year 2005 for the South Lake Business Improvement District.
- (3) At the conclusion of the public hearing, adopt a resolution (Attachment 1 of the agenda report) establishing the basis and method of levying assessments within the South Lake Business Improvement District for Program Year 2005. (Resolution No. 8463)

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published in the Pasadena Star News on March 28, 2005, no posting or mailing was required, and no letters in support or opposition were received.

Mr. Robert Montano, Business District Coordinator, summarized the agenda report.

Mr. Carlton Maese, representing the South Lake Business Association, spoke in support of this item.

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



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

**PUBLIC HEARING: APPROVAL OF ZONING MAP AMENDMENT ADOPTING THE TWO-STORY HL-1 HEIGHT LIMIT OVERLAY DISTRICT WITHIN THE RM-32 MULTI-FAMILY SOUTH LAKE ZONING STUDY AREA**

**Recommendation of City Manager:**

- (1) Adopt an Initial Environmental Study and Negative Declaration;
- (2) Find that establishment of the adoption of the HL-1 Height Limit Overlay District in the South Lake Study Area is consistent with the goals, objectives and policies of the General Plan and the purposes of the Pasadena Municipal Code Title 17 (Zoning), as outlined in the agenda report;
- (3) Approve the Department of Fish and Game De Minimis Impact Finding;
- (4) Approve the recommendation to amend the zoning map, adopting the Height Limit Overlay District (HL-1) in the South Lake Study Area on parcels designated RM-32 (Multi-family Residential), in whole or in part, as shown on Attachment A of the agenda report; and
- (5) Direct the City Attorney to prepare an ordinance in 60 days, or other time frame set by City Council, amending the official zoning map of the City of Pasadena established by Section 17.20.020 of the Pasadena Municipal Code for the HL-1 Height Limit Overlay District in the South Lake Zoning Study Area.

**Recommendation of Planning Commission:** The Planning Commission considered this zoning map amendment on March 9, 2005, and voted to recommend that the City Council approve the amendment as recommended by staff.

The Mayor opened the public hearing.

The City Clerk reported 14 copies of the notice were posted on March 22, 2005, and 129 copies of the notice were mailed on March 21, 2005.

Ms. Millie De La Cuba, Principal Planner, summarized the agenda report and responded to questions.

The following individuals spoke in opposition:

Mr. Michael Hajar, Chateau de Lis, LLC submitted a letter in opposition.

Ms. Ann Higginbotham, representing Chateau de Lis, LLC  
Mr. Matthew Rodman, representing Wild Oats Market

The following individuals spoke in support:

Mr. Terry Tornak, Pasadena resident  
Mr. William Clark, Pasadena resident

Mr. Jeffrey Vlaming, Pasadena resident  
Mr. Jim Nomura, Pasadena resident  
Ms. Sally Howell, Pasadena resident  
Mr. Richard H. McLaughlin, Pasadena resident

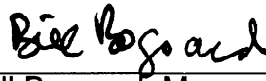
In response to questions from Councilmember Streater, the City Attorney indicated that based on the information presented this evening, the project which Mr. Hajar is developing would be exempt from this height overlay.

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

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

**ADJOURNMENT**

On order of the Mayor, the regular meeting of the City Council adjourned at 8: 57 p.m.



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Bill Bogaard, Mayor  
City of Pasadena

ATTEST:



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Janet Rodriguez  
City Clerk