

CITY OF PASADENA
City Council Minutes
May 9, 2005 – 5:30 P.M.
Pasadena Center Little Theater, Room 107
300 E. Green Street

SPECIAL MEETING

OPENING:

Mayor Bogaard called the special meeting to order at 5:40 p.m. (Absent: Councilmember Gordo)

On order of the Mayor, the special meeting recessed at 5:40 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, 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 Miscellaneous Unrepresented Employees**

Councilmember Gordo arrived at 6:10 p.m.

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL - Existing Litigation pursuant to Government Code Section 54965.9

Name of Case: Rene Amy v. City of Pasadena, et al., Paul Monsour, et al, Intervenors, Case No. B160037 (Petition for Review)

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

Property: Rose Bowl Stadium and surrounding parking areas

Agency Negotiators: Cynthia Kurtz, Darryl Dunn, and Jay Goldstone

Negotiating Party: National Football League

Under Negotiation: Price and terms of payment

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

On order of the Mayor, the special meeting reconvened at 7:15 p.m. The Pledge of Allegiance was led by Councilmember Gordo.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Steve Madison
Councilmember Victor Gordo
Councilmember Steve Haderlein
Councilmember Chris Holden
Councilmember Paul Little
Councilmember Joyce Streater
Councilmember Sidney F. Tyler, Jr.

Staff:

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

CONSENT CALENDAR

AUTHORIZATION TO INCREASE THE AMOUNT OF CONTRACT NO. 17,962 WITH EIP ASSOCIATES TO PROVIDE ADDITIONAL ENVIRONMENTAL SERVICES FOR ANNANDALE CANYON ENVIRONMENTAL IMPACT REPORT

Recommendation of City Manager: Authorize the City Manager to amend Contract No. 17,962 with EIP Associates to provide additional consultant services for the preparation of the Annandale Canyon Estates Environmental Impact Report (EIR) in the amount of \$103,750. The new total contract amount will be \$309,102. (Contract Amendment No. 17,962-3)

ADOPT A RESOLUTION AMENDING THE SALARY RESOLUTION TO ESTABLISH CONTROL RATES FOR THE NEW CLASSIFICATIONS OF DEPUTY POLICE CHIEF AND SENIOR ASSISTANT CITY ATTORNEY

Recommendation of City Manager: Adopt a resolution amending the Salary Resolution to establish a Control Rate for the classification of Senior Assistant City Attorney effective November 22, 2004; and establish a Control Rate for the classification of Deputy Police Chief effective April 5, 2004. (Resolution No. 8469)

CONTRACT AWARD TO AC ENERGY TO FURNISH, DELIVER, AND INSTALL A CARBON MONOXIDE GAS DETECTION SYSTEM AND VENTILATION FAN CONTROLLER AT THE PASEO COLORADO SUBTERRANEAN GARAGE

Recommendation of City Manager:

- (1) Accept the bid dated April 5, 2005, submitted by AC Energy Systems, Inc., in response to Specifications to Furnish, Deliver and Install a Carbon Monoxide Gas Detection System and Ventilation Fan Controller at the Paseo Colorado Subterranean Garage;
- (2) Reject all other bids; and
- (3) Authorize the City Manager to enter into a contract with AC Energy Systems, Inc. in an amount not to exceed \$175,000,

which includes the base bid of \$158,422 and \$16,578 for any work the City may order pursuant to the project specifications. (Contract No. 18,833)

MINUTES APPROVED

April 4, 2005

CLAIMS RECEIVED AND FILED

Claim No. 9830	Karin E. White	\$ 25,000.00+
Claim No. 9831	GSA	1,500.00
Claim No. 9832	Wilbert Smith, PhD	Not stated
Claim No. 9833	John Hamin	Not stated
Claim No. 9834	Carmelo Grande	30,000.00
Claim No. 9835	Marinel Robinson	1,216.59
Claim No. 9836	Patricia Plesh	Not stated
Claim No. 9837	James F. Miller	497.49

PUBLIC HEARING SET

May 23, 2005, 8:00 p.m. - Amendments to the Inclusionary Housing Ordinance and Regulations

It was moved by Councilmember Streater, seconded by Councilmember Little, to approve all items on the Consent Calendar. (Motion unanimously carried) (Absent: None)

REPORTS AND COMMENTS FROM COUNCIL COMMITTEES

FINANCE COMMITTEE

AUTHORIZATION TO ENTER INTO A CONTRACT WITH PACIFIC MUNICIPAL CONSULTANTS TO PERFORM NEW DEVELOPMENT IMPACT FEE AND TRAFFIC IMPACT FEE STUDIES FOR A NOT TO EXCEED AMOUNT OF \$68,310 AND APPROPRIATION OF FUNDS FOR SAID CONTRACT

Councilmember Little, Chair of the Finance Committee, requested the agenda item be held for additional review by the Finance Committee.

On order of the Mayor, the above agenda item was held to the Council meeting of May 16, 2005 for additional review by the Finance Committee.

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

APPOINTMENT OF BRUCE JIMENEZ TO HISTORIC PRESERVATION COMMISSION (District 1 Nomination)

APPOINTMENT OF JULIE A. DERCLE TO TRANSPORTATION ADVISORY COMMISSION (District 5 Nomination)

It was moved by Councilmember Little, seconded by Councilmember Tyler, to approve the above two appointments. (Motion unanimously carried) (Absent: None)

RECESS

On order of the Mayor, the special meeting of the City Council recessed at 7:21 p.m. to the special meeting of the Community Development Commission.

RECONVENED

On order of the Mayor, the special meeting of the City Council reconvened at 7:22 p.m. (Absent: None)

ORDINANCE – FIRST READING

Vice Mayor Madison was excused at 7:23 p.m.

Conduct first reading of “AN UNCODIFIED ORDINANCE OF THE CITY OF PASADENA GRANTING NON-EXCLUSIVE FRANCHISES FOR SOLID WASTE COLLECTION TO FIVE (5) APPLICANTS”

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

AYES: Councilmembers Gordo, Haderlein, Holden, Little, Streator, Tyler, Mayor Bogaard

NOES: None

ABSENT: Vice Mayor Madison

PUBLIC HEARINGS

Vice Mayor Madison returned at 7:25 p.m.

CONTINUED PUBLIC HEARING: FY 2006-2010 RECOMMENDED CAPITAL IMPROVEMENT PROGRAM BUDGET

Recommendation of City Manager: Receive public comment and continue the public hearing to May 23, 2005, at 8:00 p.m., at which time the City Council will be asked to close the public hearing and formally adopt the FY 2006-2010 Capital Improvement Program Budget.

Councilmember Little, Chair of the Finance Committee, announced the Special Joint Meeting of the City Council/Finance Committee would be conducting a wrap up of the Capital Improvement Budget on May 16, 2005 at 4:00 p.m.

No one appeared for public comment.

On order of the Mayor, the public hearing was continued to the Council meeting of May 23, 2005 at 8:00 p.m.

PUBLIC HEARING: FISCAL YEAR 2006 RECOMMENDED OPERATING BUDGET

Recommendation of City Manager:

- (1) Open the public hearing on the City Manager's Recommended Fiscal Year 2006 Operating Budget; and
- (2) Receive public comment and continue the public hearing to May 23, 2005, at 8:00 p.m.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on April 22, 2005 in the Pasadena Star-News; and no correspondence was received.

No one appeared for public comment.

On order of the Mayor, the public hearing was continued to the Council meeting of May 23, 2005 at 8:00 p.m.

ROSE BOWL STADIUM RENOVATION PROJECT AND ENVIRONMENTAL IMPACT REPORT

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

- (1) Adopt a resolution certifying the Final Environmental Impact Report making environmental findings and adopting a Statement of Overriding Considerations and adopting a Mitigation Monitoring Program;
- (2) Approve the De Minimis Impact Finding on the State Fish and Wildlife Habitat;
- (3) Direct the City Clerk to file a Notice of Determination with the Los Angeles County Recorder;
- (4) Adopt a resolution approving the project consisting of the recommended design and principal term sheet as shown on attachments to the agenda report; and
- (5) Authorize the City Manager to transmit a proposal, consistent with the approved project to the National Football League owners.

Recommendation of Planning Commission: On May 4, 2005, the Planning Commission held a special meeting to review the Final Environmental Impact Report for the Rose Bowl Renovation Project. The Commission voted unanimously to make no statement of recommendation due to insufficient time to review the responses to comments on the Draft Environmental Impact Report and dissatisfaction with the overall review process as set forth in a separate letter from the Chair of the Planning Commission to the City Council.

The Mayor noted the issues to be discussed and acted upon consisted of: certification of the Final Environmental Impact Report (FEIR), approval of a proposed bid to the National Football League, and adoption of a Statement of Overriding Considerations; and distributed a handout titled "Meeting Project Objectives."

The City Manager introduced the agenda item.

The Rose Bowl Operating Company and City staff conducted PowerPoint presentations of the information contained in the agenda report.

Mr. Bill Thomson, Jr., Rose Bowl Operating Company Board member, provided background on needed improvements, maintenance concerns, and financial issues facing the Rose Bowl.

Mr. Richard Bernard, Fairbank, Maslin, Maullin and Associates (FMM&A) representative, explained the methodology used in a citizen survey conducted for the Rose Bowl Operating Company regarding Rose Bowl issues, summarized the survey results, and responded to questions.

Mr. Ariel Socarras, Planner, provided an overview of the environmental review process and various impacts and findings.

Mr. John Spaulding, Planning Consultant, reviewed the project recommended by staff and various supporting documents, and responded to questions.

The City Manager responded to questions regarding the EIR process, the Project, and staff's recommendation.

Mr. Richard Bruckner, Director of Planning and Development Department, responded to questions regarding the process and Project.

Mr. Richard Starzak, Jones and Stokes representative, responded to questions regarding the Rose Bowl's historic landmark designation.

Discussion followed on the process for approving/certifying the various documents involved with the FEIR and the Project (EIR, Statement of Overriding Considerations, and Project proposal with recommended design and term sheet), and the issue of preserving the historic landmark designation.

Ms. Liz Trussell, Chair of the Planning Commission, reiterated the Commission's position on the EIR process as stated in a letter submitted to Council dated May 6, 2005; and asked Council to return the FEIR to the Planning Commission for its review and recommendation.

The City Manager noted the process had been outlined for Council on September 20, 2004 and that the process had not deviated from this and was consistent with EIRs in which Council is the certifying body; added that Council had not requested any changes to be made in the process as outlined by staff; and responded to questions.

Councilmember Haderlein requested a list of projects that had been certified by Council without being reviewed by the Planning Commission.

Mr. Alan Clelland, Transportation Advisory Commissioner (TAC), commented on a letter submitted to Council from the Commission dated May 9, 2005, and read the letter into the record.

Ms Carolyn Naber, Transportation Advisory Commissioner, commented on TAC's review process, the compressed time schedule, and TAC's position that there were deficiencies in the Draft EIR.

Mayor Bogaard and Councilmember Haderlein asked TAC to provide written comments on the deficiencies identified by TAC and provide this information prior to the next Council meeting either as a group or as individuals, depending on time constraints for accomplishing this request.

The following persons spoke in opposition to the certification of the EIR and/or expressed concerns regarding the FEIR and/or Project:

Mr. Bob Kneisel, Pasadena Neighborhood Coalition representative
Ms. Dorothy Lindsey, West Pasadena Residents Association President, submitted two letters.
Ms. Cheryl Auger, West Pasadena Residents Association Vice President, submitted a letter.
Ms. Audrey O'Kelley, West Pasadena Residents Association member
Mr. Larry Abelson, West Pasadena Residents Association member
Mr. Roger Wolf, Safety and Open Space First-Pasadena representative
Mr. John Mohler, East Arroyo Residents Association member
Mr. Neil Barker, Pasadena attorney
Mr. Don Bremner, attorney representing Pasadena Sierra Club
Ms. Shirley Curren, Pasadena resident and business owner
Mr. Bob Ritter, Pasadena Heritage Chair
Ms. Christine Lazzaretto, Pasadena Heritage member
Mr. Michael Vogler, Save South Orange Grove representative, submitted a letter.
Ms. Shauna Clark, Pasadena resident
Ms. Susan Mossman, Pasadena Heritage Executive Director, submitted a letter and 95 post card petitions.
Ms. Laura Olinski, Pasadena resident
Ms. Michele Zack, member of Altadena Town Council and speaking as an individual
Mr. John Benriter, Tujunga resident
Ms. Joyce Huyett Turner, Pasadena Heritage member, submitted a letter from Susan Brandt-Hawley dated May 9, 2005.
Mr. Dennis Crowley, Pasadena resident
Mr. Mark Goldschmidt, Altadena Heritage member
Mr. Hunt Salembier, Pasadena business owner
Mr. Larry Fleece, East Arroyo Residents Association member
Ms. Catherine Phelps, Pasadena resident
Ms. Elizabeth Bour, Equestrian Trails, Inc. representative
Ms. Elizabeth Phelps, Pasadena resident, submitted 96 online petitions.

Mr. Steve Schweitzer, Pasadena resident
Mr. Bob Snodgrass, Pasadena resident
Mr. Don Faxon, Pasadena resident
Mr. Michael Hurley, Linda Vista Annandale Association
representative

The following persons spoke in support of the certification of
the EIR:

Mr. Mark Shuster, Chair of Pasadena Chamber of
Commerce
Mr. Omel Nieves, Immediate Past Chair of Pasadena
Chamber of Commerce
Ms. Jeanne Brewer, Chair-Elect of Pasadena Chamber of
Commerce
Mr. Ron Penner, Pasadena Chamber of Commerce Board
member
Mr. Rich Roche, Pasadena Chamber of Commerce Past
President
Ms. Lynne Hess, President and Chief Executive Officer of
Pasadena Chamber of Commerce
Ms. Marilyn Buchanan, Friends of the Rose Bowl and
Pasadena Chamber of Commerce Board member
Mr. Gene Buchanan, Friends of the Rose Bowl member
Mr. Tom Dreher, Pasadena Chamber of Commerce Board
member
Ms. Camille Levee, Pasadena Chamber of Commerce
Board member
Mr. Joel Sheldon, Pasadena resident and business owner
Mr. Al Moses, Pasadena resident
Mr. Sylvester Ceasar, Rose Bowl employee
Mr. Bill Hackett, Pasadena resident
Mr. R. Michael King, Ritz-Carlton Huntington Hotel and
Spa manager
Mr. Wayne Lusvardi, Pasadena resident, submitted a
letter.
Ms. Michelle Fonseca, Ritz-Carlton Huntington Hotel and
Spa representative
Mr. Bob Monk, Pasadena resident

Councilmember Gordo requested information on the Pasadena
Unified School District's share of the possessory interest tax be
included with the public record.

Vice Mayor Madison asked staff to respond to the traffic issues
raised by Michael Vogler when the agenda item returns to
Council for deliberations.

Councilmember Haderlein asked staff to determine if the
following streets were studied for traffic impacts in the FEIR,
and to provide an explanation for any streets that were not
studied: Oak Knoll, El Molino, Los Robles, and Marengo.

On order of the Mayor, the above item was continued to May 16, 2005 at 8:15 p.m. It was noted that speakers who did not have the opportunity to speak due to time constraints would be recognized at the Council meeting of May 16, 2005.

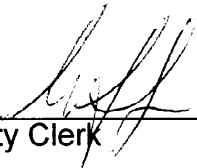
ADJOURNMENT

On order of the Mayor, the special meeting of the City Council adjourned at 11:05 p.m., in memory of Morris C. Fisher, former member of the Board of Directors (City Council), and Gordon Stebenne, Immediate Past President of the Sister Cities Committee.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



City Clerk