

CITY OF PASADENA
City Council Minutes
July 11, 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 5:30 p.m. (Absent: Councilmember Streator, Vice Mayor Madison) The Mayor noted the following correction in the information for the closed session involving real property negotiations for property located at 1350 N. El Molino Avenue: the name listed as the negotiating party should read: ~~Jon Byun~~ Joel Bryant.

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

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

Property: 524 South Raymond Avenue, Pasadena, CA 91107

Councilmember Streator arrived at 6:00 p.m.

Pasadena City Negotiators: Martin Pastucha and Richard Bruckner

Negotiating Parties: Amerco Real Estate Company and U-Haul Co. of California

Under Negotiation: Price and terms of payment

Vice Mayor Madison arrived at 6:04 p.m.

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

Property: 1350 North El Molino Avenue, Pasadena, CA

Agency negotiators: Richard Bruckner and Lola Workman Osborne

Negotiating party: ~~Jon Byun~~ Joel Bryant

Under negotiation: Price and terms of payment

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

Properties: 3026 E. Orange Grove Boulevard, Pasadena, CA; 3005 E. Foothill Boulevard, Pasadena, CA

Agency negotiators: Cynthia Kurtz; Richard Bruckner

Negotiating party: Pasadena Ice Skating Center, Inc.

Under negotiation: Price and terms of payment

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

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

Property: 841 East Washington Boulevard, Pasadena, CA
Agency Negotiators: Richard Bruckner and Lola Workman Osborne

Negotiating party: Jacob's Ladder, LLC (Gagik and Jacqueline Buickians)

Under negotiation: Price and terms of payment

The above closed session item was not discussed.

On order of the Mayor, the regular meeting reconvened at 6:55 p.m. The Pledge of Allegiance was led by Councilmember Haderlein.

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

CEREMONIAL MATTERS

The City Clerk administered the oaths of office to Charlene Yu Vaughn as member of the Commission on the Status of Women and Daniel Acosta as Human Relations Commissioner.

The City Manager and Karyn Ezell, Director of Human Resources Department, called on the following City employees who were recognized for various lengths of service:

35 Years of Service:

Clark Culpepper (Water and Power)
Alvin Smith (Water and Power)
Will Sturdivant (Public Works)
George Wiley (Police)
Harold Gardner (Planning and Development)*
Frank Hinckley (Public Works) *
Frank Turner (Water and Power) *
William Sentinc (Water and Power) *
Sam Webb (Planning and Development) *

40 Years of Service:

Deborah Bailey (Water and Power)

George Wilson (Water and Power)

Jack Becker (Public Works) *

Ron Pascua (Water and Power) *

45 Years of Service:

Bobby Childs (Water and Power)

Eugene Taylor (Public Works)

* unable to attend

The City Council commended the employees for their service and thanked the employees for their years of dedication to the City.

PUBLIC COMMENT

Ms. Florie Taylor, Baked Ice representative, expressed concerns involving fees imposed by the lessor of their business property and possible violation of the lease contract, and thanked City staff for their cooperation in addressing various issues.

Mr. Daniel Yen, Pasadena resident, expressed concerns regarding possible impacts on the neighborhood that might be caused by a development project located at 1150 N. Allen Avenue, and asked for Council's assistance in determining that the developer had completed the required reports (e.g., traffic and soil samples) and in mitigating the impacts on the neighborhood.

Councilmember Little commented on the project's compliance with existing zoning regulations, noted staff would work with the developer to mitigate the concerns identified by residents of the neighborhood, and asked staff to confirm that the developer had followed the City process in moving forward with the project. He also suggested staff review the zoning designation for this area and other similar areas in the City in terms of possible changes for projects on parcels abutting residential neighborhoods.

The City Manager indicated staff would contact Mr. Yen regarding his questions and concerns.

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

MASTER PLAN FOR THE REVITALIZATION OF THE ROSE BOWL

The Mayor announced the Rose Bowl Operating Company (RBOC) had requested the removal of the above agenda item to allow additional time for review by the RBOC. On order of the Mayor, the above item will be agendized at a future meeting when the full Council can be present.

CONSENT CALENDAR

Item discussed separately at the request of Councilmember Madison.

AUTHORIZATION TO ENTER INTO A CONTRACT WITH GE BETZ, INC., TO PROVIDE WATER TREATMENT PROGRAMS AND CHEMICALS FOR THE BROADWAY AND GLENARM POWER PLANTS

ADOPT A RESOLUTION APPROVING A LICENSE AGREEMENT BETWEEN THE CITY OF PASADENA AND GREEN STREET VENTURE, LLC, FOR THE INSTALLATION OF TIE-BACKS UNDER THE PUBLIC RIGHT-OF-WAY FOR SUBTERRANEAN PARKING ALONG GREEN STREET, DELACEY AVENUE, AND DAYTON STREET

Recommendation of City Manager:

(1) Adopt a resolution approving a License Agreement with Green Street Venture, LLC, for property located at 100 West Green Street, with terms and conditions as set forth in the background section of the staff report.

(2) Authorize the City Manager to execute, and the City Clerk to attest, said License Agreement on behalf of the City of Pasadena. (Resolution No. 8495; Agreement No. 18,875)

CONTRACT AWARD TO PRO TECH ENGINEERING CORPORATION FOR THE STATE ROUTE 710 MITIGATION - FIBER OPTIC COMMUNICATIONS FOR THE PHASE I TRAFFIC CONTROL AND MONITORING SYSTEMS - INTELLIGENT TRANSPORTATION SYSTEMS PROJECT, FOR AN AMOUNT NOT TO EXCEED \$3,039,000

Recommendation of City Manager: Accept the bid dated June 22, 2005, submitted by Pro Tech Engineering Corporation in response to the Plans and Specifications for the Fiber Optic Communications for the Traffic Control and Monitoring Systems - Intelligent Transportation System (ITS) Project; reject all other bids received; and authorize the City Manager to enter into a contract not to exceed \$3,039,000, which includes the base bid of \$2,762,922 and \$276,078 for any additional work the City may order pursuant to the project plans and specifications. (Contract No. 18,876)

LEASE EXTENSION - AGREEMENT NO. 17,094, NEIGHBORHOOD CONNECTIONS, 1384 EAST WALNUT STREET, PASADENA, CALIFORNIA

Recommendation of City Manager:

(1) Approve the terms and conditions as described in the staff report, and authorize the City Manager to execute an agreement extending occupancy of Neighborhood Connections' offices at 1384 East Walnut Street, for three years with two, three-year options; and

(2) Approve a journal voucher appropriating \$4,410 from the General Fund unappropriated fund balance to the Neighborhood Connections' Budget Account No. 8105-101-643200 for the increased cost of the lease. (Agreement Amendment No. 17,094-1; Journal Voucher No. 2006-2)

MINUTES APPROVED

May 16, 2005
May 30, 2005 (Cancelled meeting)
June 6, 2005
June 13, 2005

CLAIMS RECEIVED AND FILED

Claim No. 9856	William C. Woods	\$ 5,550.00+
Claim No. 9857	Arroyo Seco Golf Course, LLC	25,000.00+
Claim No. 9858	James A. Plunkett	4,074.53
Claim No. 9859	SBC Pacific Bell	3,000.00+
Claim No. 9860	Mark R. McDonald and Marilyn A. McDonald	Not Stated
Claim No. 9861	Mario L. Gomez	Not Stated

PUBLIC HEARINGS SET

July 18, 2005, 8:00 p.m. - St. Philip the Apostle Church and School Master Development Plan and Zone Change

July 25, 2005, 8:00 p.m. - Designation of 580 North Lake Avenue as a Local Landmark

July 25, 2005, 8:00 p.m. - Designation of 1445 North Lake Avenue as a Local Landmark

August 1, 2005, 8:00 p.m. - Congestion Management Plan

August 1, 2005, 8:00 p.m. - Pasadena Community Development Commission 5-Year Plan

August 8, 2005, 8:00 p.m. - Designation of 1330 Hillcrest Avenue as a Historic Monument

August 8, 2005, 8:00 p.m. - Designation of 1000 San Pasqual Street as a Historic Landmark

August 8, 2005, 8:00 p.m. - Designation of 1143 North Los Robles Avenue as a Historic Landmark

It was moved by Councilmember Little, seconded by Vice Mayor Madison, to approve the Consent Calendar with the exception of Item 1 (Contract with GE Betz, Inc.), which was acted upon separately. (Motion unanimously carried) Absent: None)

CONSENT ITEM ACTED UPON SEPARATELY

Councilmember Tyler recused himself at 7:25 p.m., due to a conflict of interest.

AUTHORIZATION TO ENTER INTO A CONTRACT WITH GE BETZ, INC., TO PROVIDE WATER TREATMENT PROGRAMS AND CHEMICALS FOR THE BROADWAY AND GLENARM POWER PLANTS

Recommendation of City Manager: Authorize the City Manager to enter into a contract with GE Betz, Inc., to provide water treatment programs and chemical products for the Broadway and Glenarm Power Plants for an amount not-to-exceed \$83,000. The proposed contract is exempt from

competitive bidding pursuant to City Charter Section 1002(F), contracts for professional or unique services. (Contract No. 18,874)

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

PUBLIC HEARINGS

CONTINUED PUBLIC HEARING: AMENDMENTS TO THE INCLUSIONARY HOUSING ORDINANCE AND INCLUSIONARY HOUSING REGULATIONS

Recommendation of City Manager: It is recommended that the City Council, after a public hearing, take the following actions:

(1) Find that the proposed amendments to the Inclusionary Housing Ordinance ("Ordinance") have no negative environmental impacts, and recommend adoption of a Negative Declaration by the City Council.

(2) Approve the following amendments to the Ordinance:

(a) Definition of "Residential Project" shall be expanded to include: a) projects consisting of five to nine dwelling units ("Small Projects"); b) approved Subdivision Maps of five or more lots; and c) single room occupancy (SRO) projects of five or more units;

(b) Small Projects shall comply with the Ordinance by providing one on-site affordable unit (at moderate income affordability for ownership projects or at low income affordability for rental projects) or, as an alternative: a) one off-site affordable unit; b) land donation; or c) an In-Lieu Fee payment in accordance with the adoption of an In-Lieu Fee Schedule for Small Projects;

(c) Residential Projects causing displacement of low and moderate-income households shall be required to comply with the Ordinance by providing Inclusionary Units on-site; and

(d) Increase the affordability covenant period on for-sale (ownership) Inclusionary Units from 30 years to 45 years.

(3) Approve the following amendments to the Inclusionary Housing Regulations:

(a) The use of Inclusionary Housing Trust Funds to assist residential developments shall be subject to review and threshold criteria which limits the concentration of such developments in Sub-area "B";

(b) The eligible uses of Inclusionary Housing Trust Funds shall be expanded to include purchase of affordability covenants;

(c) The In-Lieu Fee Schedule shall be updated and adopted by the City Council every five years, based on a real estate market study, with the following provisions: i) the updated In-Lieu Fees shall incorporate a 10% adjustment which would be fully waivable; and ii) during the five-year period the In-Lieu Fee Schedule shall be adjusted annually in

accordance with housing market indices;

(d) City shall have a "right of first refusal" to purchase Inclusionary ownership units in the event of a resale; and

(e) The preparation of a biennial Inclusionary Housing Program Performance Assessment.

(4) Direct the City Attorney to prepare within 60 days:

(a) An ordinance incorporating the amendments to the Pasadena Municipal Code Chapter 17.42, Affordable Housing Incentives and Requirements, and Chapter 17.80, Definitions (Inclusionary Housing Ordinance); and

(b) A resolution amending the Inclusionary Housing Regulations and establishing an In-Lieu Fee Schedule for Small Projects.

Recommendation of Planning Commission: On February 3, 2005 and April 13, 2005, the Planning Commission conducted a public hearing regarding proposed amendments to the Inclusionary Housing Ordinance. At its meeting on April 13, 2005, the Planning Commission recommended the City Council adopt the amendments to the Pasadena Municipal Code Chapter 17.42 Affordable Housing Incentives and Requirements (Inclusionary Housing Ordinance). The Planning Commission also requested that a biennial performance assessment of the Inclusionary Housing Program be prepared for its review and comment.

Recommendation of Community Development Committee: On February 24, 2005 and April 14, 2005, the Community Development Committee (CDC) considered three proposed amendments to the Inclusionary Housing Regulations. Two of the amendments received the CDC's recommendation on February 24, 2005 for their adoption by the City Council. At its meeting of April 14, 2005, CDC conditionally recommended City Council adoption of the third amendment enabling the use of Inclusionary Housing Trust Funds to purchase affordability covenants. The conditions of the recommendation were 1) a detailed financial analysis of each project where funds would be utilized, and 2) a biennial performance assessment of the use of Inclusionary Housing Trust Funds.

Councilmember Tyler returned at 7:28 p.m.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on May 9 and May 16, 2005 in the Pasadena Star-News; and five e-mails with various maps from Robert Wittry and one letter in support of the ordinance changes were received.

Councilmember Holden, Chair of the Special Committee on Inclusionary Housing, provided a brief overview of the Committee's review of the Regulations and Ordinance.

Mr. Gregory Robinson, Housing and Community Development Administrator, reviewed the agenda report; thanked the Special

Committee, advisory bodies, staff, and all interested parties who had participated in the review process; and responded to questions.

Discussion followed on the regulation of senior housing and assisted living housing under the Inclusionary Housing Regulations and/or Ordinance; the definition of housing unit; methods for determining and adjusting the In-lieu Fee; incentives for building affordable units on-site; the relationship between the current In-lieu Fee, the actual affordability gap, the cost of building a housing unit, and market value; the effects of State density bonuses on the creation of affordable housing and subsequent impacts on neighborhoods; possible elimination of the In-lieu Fee, and issues involving displacement provisions.

Mr. Richard Bruckner, Director of Planning and Development Department, clarified the regulation of senior housing and assisted living housing under the Inclusionary Housing Ordinance, noted staff was working with the City Attorney to determine possible preemption of the Inclusionary Housing Regulations for housing that is licensed by the State in some fashion, and responded to questions.

The City Manager responded to questions regarding various components of the Regulations and Ordinance.

Councilmember Gordo expressed concern regarding the impacts created by small projects on neighborhoods that may be triggered by density increases as a result of the proposed City changes and the State density bonuses. He requested the following sentence in the new paragraph of the Regulations, under Section VII. Inclusionary Housing Trust Fund, be amended to read: "However, proposed projects located in Sub-area B seeking Inclusionary Housing Trust Fund assistance ~~may~~ shall be initially reviewed by the City Council/Pasadena Community Development Commission"

The City Attorney indicated staff was continuing to look into issues involved with first opportunity for affordable housing for people who live or work in the City and local preference for work force housing, discussed the legal authority for the City to eliminate the In-lieu Fee and to provide local preferences in the Ordinance, and noted she would provide Council with a memorandum on these issues within one week.

The Mayor asked staff to research the Inclusionary Housing Ordinance for the City of Livermore, California, which designates a preference for teachers, police officers, and fire fighters.

Vice Mayor Madison asked staff to also research local preferences in the Cities of Scotts Valley and South San Francisco and Ventura County, California.

The following persons spoke in opposition to the various proposed amendments and/or expressed concerns regarding the changes:

Ms. Margaret McAustin, Pasadena resident
Ms. Laura Olhasso, Pasadena-Foothills Association of Realtors representative
Mr. John Grech, Pasadena resident

The following persons spoke in support of various components of the proposed amendments and/or expressed concerns regarding housing:

Mr. Marvin Schachter, Senior Advocacy Council Chair
Mr. Luther Renfro, Senior Commissioner
Ms. Jill Shook, Pasadena resident
Ms. Bernadette Kornfeld, Pasadena resident
Mr. Mark Mortenson, Garfield Heights neighbors representative
Mr. Philip Koebel, Pasadena resident, submitted informational materials.

It was moved by Councilmember Holden, seconded by Councilmember Little, to close the public hearing. (Motion unanimously carried) (Absent: None)

Discussion continued regarding policy issues involved with the creation of affordable housing that is distributed throughout the City, the provision of local preferences in the Ordinance, the setting of measurable goals for the creation of affordable housing units, and concerns regarding the impact of State density bonuses and subsequent waiving of City development standards.

Mr. Bruckner indicated staff would provide additional information on the area limits of single room occupancy (SRO) housing.

Councilmember Holden asked staff to explore the possibility and viability of excluding senior housing/assisted living housing from the Inclusionary Housing Regulations and Ordinance under certain circumstances.

In response to Councilmember Holden's request, the City Manager suggested Council adopt the agenda report's recommendation on indexing costs, direct staff to conduct a market study within the next 90 days to bring these costs up to

date, determine an appropriate schedule for future indexing, and then conduct a market study at five-year intervals.

Mr. Jim Wong, Project Manager, responded to questions regarding affordable housing data.

Councilmember Little suggested staff explore the collection of an In-Lieu Fee based on the cost required to create the affordable unit within a project.

Councilmember Tyler suggested measurable goals for inclusionary housing be set with a report to be provided to Council on an annual basis.

Mayor Bogaard suggested a future policy discussion for Council be scheduled based on legal advice and recommendations provided by the City Attorney on local preference issues and what would be reasonable for groups to be covered by the provision.

Councilmember Holden suggested Council address the issues of senior housing and assisted living housing in a future policy discussion, after proposed projects are identified that may require policy changes.

Councilmember Tyler expressed concerns regarding the lowering of the threshold for the definition of Residential Project to those consisting of five to nine units (Small Projects).

Councilmember Gordo also expressed concerns regarding the Small Projects threshold and requested additional information on where zoning would allow Small Projects.

In response to Councilmember Little's request, Mr. Bruckner noted staff would provide Council with additional information on the impacts of recently-enacted State legislation on City land use regulations, with a focus on Small Projects using a five-unit project as a model.

It was moved by Councilmember Holden, seconded by Councilmember Gordo, to approve the City Manager's recommendation, as amended by the Special Committee on Inclusionary Housing to reduce the "over-concentration" definition for Sub-area B by lowering ~~50~~ rental units to 40 rental units and ~~200~~ rental units to 100 rental units, respectively, as stated in the City Manager's memorandum dated June 20, 2005; to direct staff to conduct a real estate market study and report to Council within 90 days; to direct the City Attorney to report back with applicable wording to implement the intent to offer preferences to those who live or work in the City; to capture 100% of the current market value in the In-Lieu Fee adjustment; and to amend the sentence in the new

paragraph of the Regulations under Section VII. Inclusionary Housing Trust Fund to read: "However, proposed projects located in Sub-area B seeking Inclusionary Housing Trust Fund assistance may *shall* be initially reviewed by the City Council/Pasadena Community Development Commission" (Motion carried, with Councilmember Little abstaining) (Absent: None)

Councilmember Little noted he abstained on the motion because the proposed Council action does not take full advantage of an opportunity for the In-Lieu Fee to capture more of the market value.

By Council consensus, a policy discussion on local preference and categories of persons to be included will be scheduled when the full Council will be present to allow Council to assist the City Attorney in the shaping of the Ordinance that will be presented by staff in 60 days.

PUBLIC HEARING: VACATION OF A PORTION OF BELLEVUE DRIVE BETWEEN RAYMOND AVENUE AND THE METROPOLITAN TRANSPORTATION AUTHORITY RIGHT-OF-WAY

Recommendation of City Manager: It is recommended that the City Council take the following actions:

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

(2) Adopt a resolution that:

(a) Acknowledges the adoption of the Environmental Initial Study and Negative Declaration indicating that no significant changes in the environment would result from the street vacation (Attachment A of the staff report);

(b) Finds that the proposed vacation of the subject portion of Bellevue Drive is consistent with the General Plan Mobility Element, and is unnecessary for present or prospective public use for traffic purposes;

(c) Orders the vacation of the subject portion of Bellevue Drive based on certain conditions set forth in Exhibit "C" of the agenda report, including the condition that the applicants provide proof that they have interest in fee to the underlying property of the proposed portion of Bellevue Drive, if and only if these certain conditions are met.

(3) Declare that the City's interest in the proposed vacated street is an easement only with 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; and

(4) Authorize the City Manager to execute a Condition Satisfaction Contract between the City and the applicants. (Resolution No. 8496; Contract No. 18,877)

Recommendation of Planning Commission: On

June 8, 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 18 copies of the notice of public hearing were posted on June 27, 2005; 259 copies of the notice were mailed on June 24, 2005; and no letters were received.

Ms. Bonnie Hopkins, Principal Engineer, reviewed the agenda report, clarified the current status of the titles to the property, and responded to questions.

The following persons spoke in support of the proposed vacation:

Rabbi Marvin Gross, Union Station Foundation
(co-applicant)
Mr. Richard Hall, Hahn and Hahn (legal counsel for Union
Station Foundation)
Mr. Anthony Ruffolo, legal counsel for Nick Plati
(co-applicant)

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

It was moved by Vice Mayor Madison, seconded by Councilmember Streator, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: None)

Vice Mayor Madison and the Mayor complimented Rabbi Gross and the Union Station Foundation on their efforts to improve the day-to-day operations of Union Station.

CONTINUED PUBLIC HEARING: DESIGNATION OF 636 N. HOLLISTON AVENUE AS A LANDMARK

Recommendation of City Manager: It is recommended that the City Council continue the public hearing to July 18, 2005, 8:00 p.m.

It was moved by Councilmember Streator, seconded by Councilmember Little, to continue the public hearing to July 18, 2005 at 8:00 p.m. (Motion unanimously carried) (Absent: None)

**REPORTS AND COMMENTS
FROM COUNCIL
COMMITTEES**

**RECOMMENDED AMENDMENTS TO ORDINANCE 6252 -
NEW RESIDENTIAL IMPACT FEE (FOR PARKS) TO
CHANGE THE FEE CALCULATION METHODOLOGY; ADD**

FINANCE COMMITTEE

INCENTIVES FOR ENCOURAGING AFFORDABLE HOUSING AND WORKFORCE HOUSING TO BE BUILT ON-SITE; ASSESS SENIOR LIFE/CARE FACILITIES AND STUDENT HOUSING THE SAME FEE AS AFFORDABLE UNITS; AND EXPAND THE DEFINITION OF NEW RESIDENTIAL DEVELOPMENT TO INCLUDE WORK/LIVE UNITS

Councilmember Little, Chair of the Finance Committee, reported there were outstanding issues to be resolved by the Committee.

Following discussion and on order of the Mayor, the above item was held for additional review by the Finance Committee.

The City Manager noted the item would be agendaized for the Finance Committee meeting on July 25, 2005.

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

APPOINTMENT OF TIM WENDLER TO THE RECREATION AND PARKS COMMISSION (At Large/District 5 Nomination)

APPOINTMENT OF RITA TURNER TO THE COMMISSION ON THE STATUS OF WOMEN (District 4 Nomination)

APPOINTMENT OF SAMUEL ESTRADA TO THE ARTS COMMISSION (District 7 Nomination)

APPOINTMENT OF RICHARD M. SCHAMMEL TO THE PASADENA CENTER OPERATING COMPANY BOARD (City/District 7 Nomination)

APPOINTMENT OF LAINIE R. MILLER TO THE COMMUNITY DEVELOPMENT COMMITTEE (District 6 Nomination)

REAPPOINTMENT OF JOYCE STREATOR TO THE FIRE AND POLICE RETIREMENT BOARD (City Council Nomination)

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

RECOMMENDING APPROVAL OF SALES TAX INCREMENT REIMBURSEMENT AGREEMENT WITH SYMES TOYOTA LOCATED AT 3600 Foothill Boulevard

Recommendation of City Manager:

(1) Acknowledge that on July 6, 2005, the Zoning Hearing Officer approved an Initial Study and adopted a Mitigated Negative Declaration for this project.

(2) Approve the application of Symes Toyota for a Sales Tax

Increment Reimbursement Agreement ("Agreement") pursuant to the City's Sales Tax Incentives Law and approve the terms and provisions of the Agreement in which the City will reimburse Symes Toyota up to 50% of net new sales tax not to exceed \$300,000 per year until the cumulative rebate reaches \$1.5 million or ten years, whichever comes first (Attachment A of the agenda report).

(3) Authorize the City Manager to execute, and the City Clerk to attest, the Agreement on behalf of the City. (Agreement No. 18,878)

Mr. John Symes, Symes Toyota representative, spoke in support of the agreement and thanked staff for their assistance with the project.

It was moved by Councilmember Haderlein, seconded by Councilmember Little, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: None)

APPOINTMENT OF MAYOR ROB HAMMOND, CITY OF MONROVIA, AS CITY OF PASADENA REPRESENTATIVE TO THE METRO GOLD LINE FOOTHILL EXTENSION CONSTRUCTION AUTHORITY

The Mayor discussed the transition in membership on the Construction Authority for Phase II of the Gold Line project and the proposed legislation regarding the Authority.

Councilmember Little suggested the approval of the appointment include a statement of the term of service (up to 18 months to be revocable at any time by a majority vote of the City Council); a request for quarterly reports to update the City Council on the Authority's activities; and the understanding that the City Council might, from time to time, provide direction to the representative that should be dispatched appropriately.

Vice Mayor Madison commented on the City's participation on the Multimodal Operation and Development Entity (MODE) Board, and asked that the appointment of the alternate position on the MODE Board also be reviewed when the ex-officio position on the Construction Authority is discussed by Council.

Following discussion, it was moved by Councilmember Streater, seconded by Councilmember Tyler, to appoint Mayor Rob Hammond, City of Monrovia, to serve at the pleasure of the Council as the City's representative on the Metro Gold Line Foothill Extension Construction Authority for a term not to exceed December 31, 2006. (Motion unanimously carried) (Absent: None)

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 10:48 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 10:49 p.m. (Absent: None)

REPORTS AND COMMENTS FROM COUNCIL COMMITTEES

LEGISLATIVE POLICY COMMITTEE

SUPPORT OF SENATE BILL 719 (ROMERO): VEHICLE PURSUITS

Recommendation of City Manager:

- (1) Support Senate Bill 719 (Romero), which amends and expands several laws relating to police vehicle pursuits.
- (2) Authorize the Mayor to send correspondence to the appropriate authorities stating Pasadena's position.

Police Chief Bernard Melekian summarized the agenda report and responded to questions.

Vice Mayor Madison expressed concern regarding the possibility of a suspect accessing monies from the Compensation Fund.

Chief Melekian indicated he would confirm whether the bill would preclude a suspect from profiting from the Fund, would contact the author of the bill regarding this issue if it appeared that a suspect might be able to access monies from the Fund, and would provide Council with additional information through the City Manager if this was an issue.

It was moved by Councilmember Holden, seconded by Councilmember Tyler, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: None)

PUBLIC SAFETY COMMITTEE

OVERVIEW OF AGREEMENTS BETWEEN CITY AND PASADENA UNIFIED SCHOOL DISTRICT (PUSD) REGARDING USE OF FACILITIES AND FUNDING FOR SCHOOL/PARK PROJECTS

Recommendation of City Manager: This report is for information purposes only.

Councilmember Haderlein, Chair of the Public Safety Committee, reviewed the agenda report

Ms. Patsy Lane, Director of Human Services and Recreation Department, responded to questions regarding permitting on various school fields.

Councilmember Little asked staff to provide information on the status for availability/access of the various school fields.

On order of the Chair, the report was received and filed.

In response to Councilmember Streator's and Little's questions, the City Manager indicated an update on the ad hoc meeting with the Pasadena Unified School District administration on the cooperative delivery of services as well as financial management issues would be presented to Council at a future meeting.

COUNCIL COMMENTS

Vice Mayor Madison commented on the success of the Rose Bowl Fourth of July celebration and activities.

Councilmember Gordo reported on the status of Senate Bill 148 and the lack of support in the State Assembly, noted the legislation would be reintroduced and pursued in January 2006, and commended State Senator Jack Scott for his support and efforts in carrying the bill through the legislative process.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 11:05 p.m.

Bill Bogaard

Bill Bogaard, Mayor
City of Pasadena

ATTEST:

Janet Rodriguez

City Clerk