

CITY OF PASADENA
City Council Minutes
July 25, 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 5:35 p.m. (Absent: Councilmembers Haderlein, Streator, Vice Mayor Madison)

On order of the Mayor, the regular meeting recessed at 5:35 p.m., to discuss the following closed sessions:

Vice Mayor Madison arrived at 6:18 p.m.

CONFERENCE WITH LEGAL COUNSEL REGARDING PENDING LITIGATION pursuant to Government Code Section 54956.9(a)
Name of Case: Pasadena Civic Center West v. City of Pasadena, et al.
Case Number: GC0033942

CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code Section 54957.6
Agency Negotiators: Karyn Ezell, Richard Kunz
Employee Organizations: Pasadena Fire Fighters Association

CONFERENCE WITH LEGAL COUNSEL pursuant to Government Code Section 54956.9(a) regarding pending litigation.
Name of Case: The City of Pasadena v. Smooch and Jack Reynolds, et al. Case Number: Los Angeles Superior Court, GS008499

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

On order of the Mayor, the regular meeting reconvened at 7:05 p.m. The Pledge of Allegiance was led by Vice Mayor Madison.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Steve Madison
Councilmember Victor Gordo
Councilmember Steve Haderlein (Absent)
Councilmember Chris Holden
Councilmember Paul Little
Councilmember Joyce Streater (Absent)
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 oath of office to Kelly White as Senior Commissioner.

PRESENTATION BY ASSEMBLYMEMBER CAROL LIU REGARDING A SACRAMENTO UPDATE

Assemblymember Carol Liu provided an update of State legislative activities, including passage of the State budget and the status of various bills; distributed a packet of information on proposed bills and upcoming local events sponsored by her office; and recognized Lena Kennedy, the District Coordinator for her office. She responded to questions and discussed issues involving SB 148 Alcoholic Beverages, AB 1617 Disposal of Surplus Residential Properties by Caltrans, and the proposed State special election in November 2005.

PUBLIC COMMENT

No one appeared for public comment.

CONSENT CALENDAR

Vice Mayor Madison was excused at 7:28 p.m.

AUTHORIZE THE CITY MANAGER TO AMEND THE TERM OF CONTRACT NUMBER 14,061 WITH CALIFORNIA INSTITUTE OF TECHNOLOGY FOR THE TREATMENT OF CONTAMINATED GROUNDWATER IN THE ARROYO SECO
Recommendation of City Manager: It is recommended that the City Council authorize the City Manager to amend the term of Contract Number 14,061 from June 30, 2005 to August 30, 2005. (Contract Amendment No. 14,061-9)

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER CONTRACT WITH AIRGAS SPECIALTY PRODUCTS TO FURNISH AND DELIVER AMMONIUM HYDROXIDE FOR THE PASADENA WATER AND POWER DEPARTMENT

Recommendation of City Manager:
(1) Accept the bid dated May 25, 2005 submitted by Airgas Specialty Products in response to Specifications LD-05-01 for furnishing and delivery of ammonium hydroxide for the Pasadena Water and Power Department;
(2) Reject all other bids; and

(3) Authorize the issuance of Purchase Order Contract for an amount not-to-exceed \$85,842 for a period of one year.

Item discussed separately at the request of Councilmember Tyler.

SUSPENSION OF THE NOISE ORDINANCE RELATING TO THE AGA KHAN PARTNERSHIP WALK, TO BE HELD ON AREA H ON SUNDAY, SEPTEMBER 25, 2005

CITY OF AZUSA PIPELINE EASEMENT WITHIN A PORTION OF CITY OF PASADENA PROPERTY AT 1850 AZUSA AND SAN GABRIEL CANYON ROAD, AZUSA, CALIFORNIA

Recommendation of City Manager: It is recommended that the City Council approve the terms and conditions as generally described in the agenda report, and authorize the City Manager to execute a permanent easement deed granting the City of Azusa (Azusa) the right to construct, operate and maintain a water pipeline within City of Pasadena owned, Water and Power controlled property at 1850 Azusa and San Gabriel Canyon Road in Azusa. (Easement Deed No. 7842)

CLAIMS RECEIVED AND FILED

Claim No. 9869 Kathleen M. McGregor	\$ 481.59
Claim No. 9870 Adair Office Furniture	2,000.00
Claim No. 9871 Bruce J. Arnold	225.00
Claim No. 9872 Loy Dene Martinez	Not Stated

It was moved by Councilmember Little, seconded by Councilmember Holden, to approve the Consent Calendar with the exception of Item 3 (Noise Ordinance Relating to the Aga Khan Partnership Walk), which was discussed separately. (Motion unanimously carried) (Absent Councilmembers Haderlein, Streater, Vice Mayor Madison)

CONSENT ITEM DISCUSSED SEPARATELY

SUSPENSION OF THE NOISE ORDINANCE RELATING TO THE AGA KHAN PARTNERSHIP WALK, TO BE HELD ON AREA H ON SUNDAY, SEPTEMBER 25, 2005

Recommendation of City Manager:

- (1) Acknowledge that the proposed Aga Khan Partnership Walk and the lifting of the Noise Ordinance are categorically exempt under California Environmental Quality Act (CEQA) Guidelines, Section 15023, Normal Operations of Facilities for Public Gatherings; and
- (2) Direct the City Attorney to prepare an ordinance to suspend the Noise Ordinance by permitting amplified sound on a Sunday beginning at 9:00 a.m. and a Notice of Exemption and hold the first reading of same on Monday, July 25, 2005, with respect to the proposed Aga Khan Partnership Walk to be held at Area H on Sunday, September 25, 2005, from 9:00 a.m. to 3:00 p.m.

The City Manager noted the following sentence in the Background section of the agenda report should be corrected to read: "... 2004 marked the first 9:00 a.m. start time."

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

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

APPROVAL OF CULTURAL NEXUS: AN ACTION PLAN FOR THE CULTURAL SECTOR IN PASADENA
Recommendation of City Manager:

- (1) Approve the draft Cultural Nexus Plan (Attachment A of the agenda report);
- (2) Approve the first year of the Implementation Plan (Attachment B of the agenda report);
- (3) Appropriate \$80,000 from the unappropriated General Fund balance to Account No. 8114-101-442000 to fund a contract for services to implement the first year Implementation Plan (Attachment B of the agenda report); and
- (4) Direct the City Attorney to prepare an ordinance within 60 days amending the Pasadena Municipal Code, changing the name of the Arts Commission to the Arts and Cultural Commission. (Journal Voucher No. 2006-3)

Recommendation from Commissions: On June 8, the Arts Commission unanimously approved the draft Cultural Nexus plan for recommendation to City Council, and a recommendation to change the name of that body to Arts and Cultural Commission. On July 11, the Commission approved the first year Implementation Plan and funding recommendation.

The draft plan was presented to the following commissions and committees for review and comment: Design Commission, Community Development Committee, Library Commission, Northwest Commission, Recreation and Parks Commission, and Planning Commission. Although none of the commissions and committees took formal action, each commission and committee commented favorably.

The Mayor introduced the agenda item.

Vice Mayor Madison returned at 7:35 p.m.

Mr. Jonathon Glus, Executive Director of the Arts, reviewed the agenda report; discussed the funding of cultural activities, the establishment of the Cultural Nexus Trust, and the development and maintenance of the public arts collection; and responded to questions.

Ms. Roberta Martinez, Outgoing Chair of the Arts Commission, introduced current officers: Jerri Price, Chair; Bettye Holliday, Vice Chair; and Stephen Horn, Parliamentarian; and thanked all participants in the development of the Cultural Nexus Plan.

Ms. Joan Palmer, Cultural Plan Chair, introduced Arts Commissioners Thelma Johnson, Lonnette Rappoport, Susana Bautista, Kellye Wallett (not present), and Sam Estrada (not present); thanked the various consultants, Pasadena Unified

School District, and City staff for their assistance with the Plan; discussed the importance of private and public partnerships in implementing the Plan; and distributed a handout titled "Nexus In a Nutshell 2005."

Discussion followed on funding cultural activities and the establishment of the Cultural Nexus Trust, development and maintenance of the public arts collection, development of an annual workplan and budget process for the Plan, and outreach to the private and public sectors of the community in implementation of the Plan.

Councilmember Little expressed support for the inclusion of contemporary arts and artists in the implementation of the Plan, the expansion of arts into neighborhoods, the expansion of the arts to include a broad range of styles and categories, the training of local artists on how to access the cultural arts system, the development of a process to evaluate the progress of the Plan and the success of its tasks, and the development of collaborative partnerships to assist in funding the Plan in the future.

Mr. Richard Bruckner, Director of Planning and Development Department, indicated the Arts Commission (to be renamed the Arts and Culture Commission) would have the role of reviewing the Cultural Nexus Plan as part of its annual workplan and report to Council.

Councilmember Holden suggested the Plan be integrated into the City's existing plans and policy documents (e.g. General Plan and various Specific Plans), and the funding of the Plan's tasks beginning in Year 2 be included as a recommendation, with analysis from the City Manager during the annual budget process.

The City Manager indicated City funds would be allocated for Year 1, with outside sources/resources to be sought for funding in Year 2 and thereafter, and responded to questions.

Councilmember Gordo suggested recommendations be referred to the Economic Development and Technology Committee some time in the future regarding: 1) the development of artist-friendly regulatory reform (e.g. work/live opportunities, identification of culture zones for artists), and 2) the development of a consistent marketing message to promote the arts that could be devised with the City's local partners (e.g. Chamber of Commerce, Playhouse District, Old Pasadena).

Councilmember Tyler emphasized the need to measure and report on the progress of the Nexus Plan.

Councilmember Madison suggested the City's mission statement be examined in terms of including the goals of the Plan related to fostering and promoting artistic and cultural development within the City.

The following persons spoke in support of the Cultural Nexus Plan and/or expressed concerns and suggestions regarding implementation of the Plan:

Mr. Alex Kritselis, Pasadena City College representative
Ms. Ruth Anne Tarletz, Pasadena resident
Ms. Dianne Magee, Pasadena Arts Council President
Mr. Luis Ituarte, Border Council of Arts and Culture (COFAC) representative
Dr. Stephen A. Kanter, Pacific Asia Museum Board of Trustees Chair
Mr. Paul Lines, Pasadena Jazz Institute

It was moved by Councilmember Holden, seconded by Councilmember Little, to approve the City Manager's recommendation, with Year 2 of the implementation plan and the cultural affairs budget to be reviewed by the Arts Commission during the annual budget process. (Motion unanimously carried) (Absent Councilmembers Haderlein, Streater)

Council commended the Arts Commission, staff, and all those interested parties in the community who had worked on and produced the Nexus Plan.

PROPOSED DRUM CORPS INTERNATIONAL WORLD CHAMPIONSHIP AT THE ROSE BOWL IN AUGUST 2007

Recommendation of the Rose Bowl Operating Company:

- (1) Approve a license agreement with Drum Corps International for the hosting of its 3-day International World Championship at the Rose Bowl Stadium from August 9th to August 11th, 2007;
 - (2) Direct the City Attorney to prepare an ordinance suspending the Noise Ordinance on the following dates and times:
 - (a) August 10th, 2007 (Friday) 3:30 P.M. to 10:30 P.M.
 - (b) August 11th, 2007 (Saturday) 4:00 P.M. to 11:00 P.M.
- (Agreement No. 18,900)**

Mr. Darryl Dunn, General Manager of the Rose Bowl, credited the Pasadena Center Operating Company for their role in the development of the event proposal.

It was moved by Councilmember Little, seconded by Councilmember Tyler, to approve the Rose Bowl Operating Company's recommendation. (Motion unanimously carried) (Absent: Councilmembers Haderlein, Streater)

PUBLIC HEARINGS

PUBLIC HEARING: DESIGNATION OF 580 NORTH LAKE AVENUE AS A LOCAL LANDMARK

Recommendation of City Manager:

(1) Acknowledge that the designation of a historic resource is categorically exempt from the California Environmental Quality Act (Section 15308);

(2) As recommended by the Historic Preservation Commission, find that the house at 580 North Lake Avenue is significant under Criterion b for designation as a landmark (Pasadena Municipal Code Section 17.62.040(B)) because the property has an important association with Charles F. Saunders who was an influential author and naturalist and lived in the house during his productive life.

(3) Approve a resolution designating 580 North Lake Avenue as a landmark (Attachment A of the agenda report);

(4) Authorize the Mayor to execute the declaration of designation (Attachment B of the agenda report);

(5) Direct the City Clerk to record the declaration with the Los Angeles County Recorder.

Recommendation of the Historic Preservation

Commission: On May 16, 2005, at a noticed public hearing, the Historic Preservation Commission voted unanimously to recommend approval of the designation of 580 North Lake Avenue as a landmark.

The Mayor opened the public hearing.

The City Clerk reported 33 copies of the notice of public hearing were posted on July 7, 2005; 33 copies of the notice were mailed on July 7, 2005; and five letters were received in support of the landmark designation.

Ms. Mary Jo Winder, Senior Planner, reviewed the agenda report and responded to questions.

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

The following persons spoke in support of the landmark designation:

Mr. Bob Kneisel, co-applicant, submitted photos of the house and displayed books written by Charles Saunders.

Ms. Laura Kaufman, Pasadena resident, submitted a letter and information in support of the designation.

Mr. Dale Trader, co-applicant and Pasadena resident

The following person spoke in opposition to the landmark designation:

Mr. David Darwish, 580 N. Lake Trust representative for property owner

Discussion followed on fire damage involving the structure, and the impact of the approval of the historic designation on plans to rehabilitate the building.

Councilmember Gordo suggested the public hearing be continued for 60 days to allow time for staff to work with the property owner on a compromise regarding development of the property within the constraints of a possible landmark designation, and requested an opportunity be provided for the applicants to participate in the discussion between staff and the property owner.

The City Attorney responded to questions regarding continuation of the public hearing.

It was moved by Councilmember Gordo, seconded by Councilmember Tyler, to continue the public hearing to September 26, 2005 at 8:00 p.m. (Motion unanimously carried) (Absent: Councilmembers Haderlein, Streator)

PUBLIC HEARING: DESIGNATION OF 1445-1449 NORTH LAKE AVENUE AS A LANDMARK

Recommendation of City Manager:

- (1) Acknowledge that the designation of a historic resource is categorically exempt from the California Environmental Quality Act (Section 15308);
- (2) As recommended by the Historic Preservation Commission, find that the building at 1445-1449 North Lake Avenue is significant under Criterion c for designation as a landmark (Pasadena Municipal Code Section 17.62.040(B)) because the property embodies distinctive characteristics of a locally significant property type (a one-story commercial-block representative of neighborhood commercial development in Pasadena in the 1920's) and of an architectural style (Mission Revival), and because it retains most of its original features and is architecturally intact.
- (3) Approve a resolution designating 1445-1449 North Lake Avenue as a landmark (Attachment A of the agenda report);
- (4) Authorize the Mayor to execute the declaration of designation (Attachment B of the agenda report); and
- (5) Direct the City Clerk to record the declaration with the Los Angeles County Recorder. (Resolution No. 8499)

Recommendation of the Historic Preservation Commission: On May 16, 2005, at a noticed public hearing, the Historic Preservation Commission voted unanimously to recommend approval of the designation of 1445-1449 North Lake Avenue as a landmark.

The Mayor opened the public hearing.

The City Clerk reported 33 copies of the notice of public hearing were posted on July 7, 2005; 120 copies of the notice were mailed on July 7, 2005; and no correspondence was received.

Ms. Mary Jo Winder, Senior Planner, reviewed the agenda report and responded to questions.

Mr. Richard Bruckner, Director of Planning and Development Department, noted staff had discussed options for rehabilitating the building with the property owner and would continue to address issues of concern with the owner, and responded to questions.

The following persons spoke in support of the landmark designation:

- Mr. Dale Trader, applicant
- Mr. Alen Gharehbagloo, representing the property owner
- Mr. Bob Kneisel, Pasadena resident

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

The City Attorney noted the second recital of the resolution should be corrected to read: "WHEREAS, the single-family resident commercial building 1445-1449 North Lake Avenue is significant"

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

Councilmember Little commented on the importance of staff working with property owners in rehabilitating buildings where there are opportunities to preserve the historical character of the structures.

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 9:41 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 11:20 p.m. (Absent: Councilmembers Haderlein, Streator)

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

REAPPOINTMENT OF TIM ALDERSON TO THE RECREATION AND PARKS COMMISSION (District 4 Nomination)

REAPPOINTMENT OF JUNE TAKENOUCI TO THE CODE ENFORCEMENT COMMISSION (District 4 Nomination)

APPOINTMENT OF RAUL G. BORBON TO THE NORTHWEST COMMISSION (District 5 Nomination)

APPOINTMENT OF TAHRA GORAYA TO THE NORTHWEST COMMISSION (Mayor Nomination)

REAPPOINTMENT OF SCOTT WARD TO THE OLD PASADENA PARKING METER ZONE ADVISORY COMMISSION (At-large/ Lessee/District 3 Nomination)

APPOINTMENT OF ANGIE O'BRIEN TO THE SENIOR COMMISSION (District 6 Nomination)

It was moved by Councilmember Gordo, seconded by Councilmember Tyler, to approve the above appointments and reappointments. (Motion unanimously carried) (Absent Councilmembers Haderlein, Streater)

DESIGNATION OF PASADENA CITY COUNCIL MEMBER FOR EX-OFFICIO BOARD POSITION ON METRO GOLD LINE FOOTHILL EXTENSION CONSTRUCTION AUTHORITY (Mayor Bogaard)

The Mayor provided brief background on the position.

It was moved by Councilmember Tyler, seconded by Councilmember Little, to designate Mayor Bogaard to fill the Ex-Officio Board position on the Metro Gold Line Foothill Extension Construction Authority. (Motion unanimously carried) (Absent Councilmembers Haderlein, Streater)

ORDINANCES – FIRST READING

Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING THE OFFICIAL MAP OF THE CITY OF PASADENA ESTABLISHED BY SECTION 17.20.020 OF THE PASADENA MUNICIPAL CODE TO ESTABLISH THE HEIGHT LIMIT OVERLAY DISTRICT (HL-1) IN THE SOUTH LAKE STUDY AREA”

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

AYES: Councilmembers Gordo, Holden, Little, Tyler, Vice Mayor Madison, Mayor Bogaard

NOES: Councilmembers Haderlein, Streater

ABSENT: None

Councilmember Little reported a three-story project on North Allen Avenue also poses the problem of allowing a height limit for a building that is not compatible with the single-family

residential neighborhood it adjoins and which is not subject to design review as this street is not a major traffic corridor. He suggested this area be designated as a study area to be rezoned for establishment of a height limit overlay district that would not allow construction of a building taller than two stories when it adjoins a residential area, that projects be limited to a two-story height during the transition period, and that Allen Avenue be considered for inclusion as a major corridor. He also suggested that mixed-use projects adjacent to single-family neighborhoods be included under the City of Gardens ordinance.

The City Manager reported the Planning Commission would be presenting recommendations to Council in late September 2005 regarding the City of Gardens ordinance that should address the above issues, and a request for a 45-day moratorium on applications in the interim time may be presented to Council. She noted staff will research information on the corridor issue and how this may be addressed.

Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA SUSPENDING SECTIONS 9.36.220 AND 9.36.230 OF THE PASADENA MUNICIPAL CODE RELATING TO LIMITATION ON HOURS OF OPERATION OF AMPLIFIED SOUND ON A SUNDAY FROM 9:00 A.M. - 10:00 A.M. AND NOISE SOURCES FOR A PERMITTED EVENT AT AREA H ON SUNDAY, SEPTEMBER 25, 2005 (THE AGA KHAN FOUNDATION'S PARTNERSHIP WALK)"

The above ordinance was offered for first reading by Vice Mayor Madison:

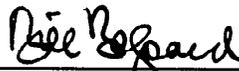
AYES: Councilmembers Gordo, Holden, Little, Tyler,
Vice Mayor Madison, Mayor Bogaard

NOES: Councilmembers Haderlein, Streator

ABSENT: None

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 11:33 p.m., in memory of Victor Ell, who had served the City in various volunteer capacities.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



Jane L. Rodriguez
City Clerk