

CITY OF PASADENA
City Council Minutes
August 8, 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 6:09 p.m.
(Absent: Councilmember Gordo)

On order of the Mayor, the regular meeting recessed at 6:09 p.m., to discuss the following closed session:

Councilmember Gordo arrived at 6:12 p.m.

CONFERENCE WITH LEGAL COUNSEL REGARDING POTENTIAL LITIGATION pursuant to Government Code Section 54956.9(b): One potential case

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

On order of the Mayor, the regular meeting reconvened at 6:39 p.m. The Pledge of Allegiance was led by Councilmember Streator.

ROLL CALL:

Councilmembers:

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

Staff:

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

CEREMONIAL MATTERS

Mr. John Streb, Recreation and Parks Foundation President, presented a check in the amount of \$27,000, representing the last installment to the City for funding a project to automate sports field lighting citywide. The check was accepted by Martin Pastucha, Director of Public Works Department, who expressed appreciation to the Foundation.

PUBLIC COMMENT

Mr. Peter Beam, Pasadena resident, expressed concerns regarding the lack of parking code enforcement efforts to address overnight parking violations in the northeast area of Pasadena.

The City Manager indicated parking code enforcement staff would be contacted regarding enforcement in Mr. Beam's neighborhood to ensure that there is equal distribution of enforcement throughout the City.

CONSENT CALENDAR

PROPOSED AMENDMENT TO SUBSURFACE OIL AND GAS LEASE NO. 17,961 BETWEEN THE CITY OF PASADENA AND TRIO PETROLEUM INC., FOR CITY OWNED MINERAL RIGHTS IN THE WHITTIER NARROWS AREAS

Recommendation of City Manager:

- (1) Approve the terms and conditions of the lease amendment, as generally described in the agenda report; and
- (2) Authorize the City Manager to execute a lease amendment and all other documents pertaining thereto, and perform such other and further acts as required under the Lease. (Agreement Amendment No. 17,961-1)

Item discussed separately at the request of the City Manager.

APPROVAL OF THE HART ADMINISTRATIVE SERVICES AGREEMENT AND RELATED DOCUMENTS

AUTHORIZATION TO ENTER INTO A CONTRACT WITH ENVIRONMENTAL PLANNING ASSOCIATES TO PROVIDE PROFESSIONAL CONSULTING SERVICES IN THE PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE AMBASSADOR WEST PROJECT (AMBASSADOR WEST CAMPUS)

Recommendation of City Manager: Authorize the City Manager to execute a contract with Environmental Science Associates (ESA), for an amount not to exceed \$315,000 in the preparation of an EIR for the Ambassador West Project. Competitive bidding is not required pursuant to City Charter Section 1002(F), contracts for professional or unique services. (Contract No. 18,910)

APPROVAL OF AN EMERGENCY GRANT IN THE AMOUNT OF \$40,000 TO UNION STATION FOUNDATION FOR THE PROVISION OF TEMPORARY OVERNIGHT EMERGENCY SHELTER SERVICES

Recommendation of City Manager:

- (a) Approve an emergency grant in the amount of \$40,000 to Union Station Foundation (USF) from prior year un-obligated Community Development Block Grant (CDBG) program income for the provision of the temporary overnight emergency shelter services; and
- (b) Authorize the City Manager to execute, and the City Clerk to attest, the sub-recipient agreement with USF in accordance with the approved terms and conditions in a form acceptable to the City Attorney. (Agreement No. 18,911)

Recommendation of Northwest Commission: On Tuesday, July 26, 2005, the Northwest Commission unanimously recommended approval.

MINUTES APPROVED

April 25, 2005 (Special Joint Meeting)
May 2, 2005 (Special Joint Meeting)
May 9, 2005 (Special Joint Meeting)
May 16, 2005 (Special Joint Meeting)
May 23, 2005 (Special Joint Meeting)
June 6, 2005 (Special Joint Meeting)
June 13, 2005 (Special Joint Meeting)
June 20, 2005 (Special Joint Meeting)
July 11, 2005

CLAIMS RECEIVED AND FILED

Claim No. 9875	Mark Hassan	\$	315.00
Claim No. 9876	James Ickes		6,093.38
Claim No. 9877	Doris Tucker		50,000.00
Claim No. 9878	Rasika M. Amaratunga		270.00
Claim No. 9879	Nicolas Mejia		Not stated
Claim No. 9880	Martha Mejia		Not stated
Claim No. 9881	Der Shan Li		Not stated
Claim No. 9882	Alfred Peters		525,000 .00
Claim No. 9883	Hector Anaya		Not stated

It was moved by Councilmember Streater, seconded by Councilmember Gordo, to approve the Consent Calendar with the exception of Item 2 (Hart Administrative Services Agreement), which was discussed later in the meeting. (Motion unanimously carried) (Absent: None)

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 6:47 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 7:05 p.m. (Absent: None)

OLD BUSINESS

MANAGEMENT AGREEMENT BETWEEN THE CITY OF PASADENA AND THE PASADENA ICE SKATING CENTER AND AGREEMENT FOR ARCHITECTURAL AND ENGINEERING DESIGN FOR A PROPOSED NEW ICE SKATING FACILITY LOCATED BETWEEN FOOTHILL AND ORANGE GROVE BOULEVARDS

Recommendation of City Manager:

- (1) Approve the Initial Study and adopt the Mitigated Negative Declaration prepared for the proposed ice rink project;
- (2) Adopt the De Minimis Finding of No Impact on Fish and Wildlife;
- (3) Direct the City Clerk to file the Notice of Determination, Mitigated Negative Declaration, and Certificate of Exemption from Fish and Game fees with the Los Angeles County Registrar-Recorder/County Clerk;
- (4) Approve the proposed business terms negotiated between the City and the Pasadena Ice Skating Center for the management of a new ice rink facility;
- (5) Authorize the City Manager to execute a Management Agreement between the City and the Pasadena Ice Skating

Center that incorporates the approved business terms;
(6) Amend the Fiscal Year 2005 Adopted Capital Improvement Program (CIP) Budget to include a new project in the "Municipal Buildings and Facilities" section titled, "Pasadena Ice Rink Facility" Project No. 71144 and recognize \$2,000,000 from the Pasadena Center Operating Company and approve a Journal Voucher appropriating the \$2,000,000 to this project; and authorize transfer of \$70,000 to Project No. 78289 for park expenditures related to the Ice Rink; and

(7) Authorize the City Manager to enter into a contract with the Albert Group for architectural/engineering services in an amount not to exceed \$690,250 without competitive bidding pursuant to City Charter Section 1002(F), contracts for professional or unique services. (Journal Voucher No. 2006-5; Contract No. 18,912)

Recommendation of Planning Commission: On February 9, 2005, the Planning Commission reviewed the proposed project and found it is consistent with the City of Pasadena's General Plan.

The Mayor introduced the agenda item.

The City Manager clarified the following information because of inconsistent numbers in different parts of the report and support materials: the square footage of the two proposed ice rinks is 62,000 square feet, the development cost for the project is \$12 million, and the budget that is being amended is for Fiscal Year 2006. She responded to questions regarding the project and process options for moving the project forward.

Mr. Martin Pastucha, Director of Public Works Department, provided a breakdown of the figures for the total project and responded to questions.

Mr. Richard Bruckner, Director of Planning and Development Department, summarized the agenda report and responded to questions.

Mr. James Canfield, Pasadena Center Operating Company (PCOC) Executive Director, discussed the restoration of the ballroom and grant monies for the restoration, and responded to questions.

Mr. Jay Goldstone, Director of Finance Department, clarified the financial terms being paid by the City for construction of the facility, equipment for the facility, and the management agreement; and responded to questions.

Discussion followed on the terms for termination of the lease with Pasadena Ice Skating Center (PISC), the restoration of the ballroom, the benefits program to be provided by PISC, the inclusion of amenities in the scope of the project, the process

options for awarding the management agreement, and the leasehold rights of PISC.

Councilmember Tyler expressed concerns regarding the need to provide amenities for the facility in order to build a facility that will produce the traffic volume that will provide the cash flow and raise the revenues to service the debt so that the City is not obligated to pay out additional monies, and the need to provide a best estimate pro forma when the design and bids are available.

The following persons spoke in support of the Ice Skating Center:

Ms. Andrea Donnellan, Altadena resident
Ms. Jean Nakanu, Pasadena Figure Skating Club Board member and Southern California Skating Association President
Ms. Erin Nakano, PISC member
Ms. Robin Fiorenza, PISC member
Ms. Sharon Watson, Los Angeles resident and Pasadena Figure Skating Club Board member and U.S. Figure Skating Association Secretary
Ms. Carrie Watson, Pasadena Figure Skating Club member
Mr. Bobby Beauchamp, PISC skating coach
Mr. Iain Kite, PISC skating instructor
Mr. Bert Blanchette, PISC member
Mr. Richard Wise, PISC staff member
Ms. Heather Poole, Pasadena resident
Ms. Nancy Kemp, Pasadena resident
Mr. Scott Carson, PISC skating coach
Ms. Ouida Robins, PISC skating coach
Mr. Rick Burt, Pasadena Hockey Association representative
Ms. Monique Boore, West Covina resident

Vice Mayor Madison commented on the importance of staff's learning about management issues in conjunction with monitoring the operation of the ice rink, the need to ensure representation by the community in how the ice rink will serve the community, and the need to devise a means for the naming of teams operating out of the rink as "Pasadena" teams as a part of the management agreement.

MAIN MOTION

It was moved by Vice Mayor Madison, seconded by Councilmember Haderlein, to approve the City Manager's recommendation.

Councilmember Streater expressed support for the project, and expressed deep concern with awarding a management agreement without first conducting a bid process. She noted

she would not vote for the motion because it would, in her opinion, offer a sweetheart deal to the current rink operator.

Councilmember Little suggested staff develop entrepreneurial partners to provide the financial investment necessary to build a restaurant and/or store as part of the facility in return for operating the amenities/improvements and sharing revenues. He expressed concerns regarding moving forward with the management agreement without the agreement being reviewed by the Finance Committee, without knowing what the terms of the agreement will be, and without the opportunity to see what the market place might offer to manage the facility.

Councilmember Holden expressed support for gathering additional information to measure the proposed management agreement and concern for not using a bid process.

SUBSTITUTE MOTION

It was moved by Councilmember Streater, seconded by Councilmember Little, to approve the City Manager's Recommendation Nos. 1, 2, 3, 6, and 7, as stated in the agenda report, and to hold Recommendation Nos. 4 and 5 regarding the management agreement to allow for additional review of the business aspects and the setting of criteria.

AYES: Councilmembers Holden, Little, Streater

NOES: Councilmembers Gordo, Haderlein, Tyler,
Vice Mayor Madison, Mayor Bogaard

ABSENT: None
(Motion failed)

FIRST AMENDMENT TO MAIN MOTION

The Mayor offered the following amendment to the main motion that was accepted by the maker and seconder: to omit Recommendation No. 5, and to modify Recommendation No. 4 to read: "Approve, in concept, the proposed business terms negotiated between the City and the Pasadena Ice Skating Center for the management of a new ice rink facility."

SECOND AMENDMENT TO MAIN MOTION

Councilmember Tyler offered the following additional amendment to the main motion that was accepted by the maker and seconder: to include in the business terms a clarification of the division of duties as to what the City's responsibilities are related to building maintenance and repairs of the new facility and what the management team's responsibilities are, and to amend the performance criteria related to fiscal management to ensure that the operator (management team) is running the rink so that the traffic volume will provide the cash flow to pay the debt service.

Councilmembers Holden and Gordo suggested the draft management agreement be referred to the Finance Committee prior to being considered by the City Council.

RESTATED MOTION

Following brief discussion, it was moved by Vice Mayor Madison, seconded by Councilmember Haderlein, to approve

the City Manager's Recommendation Nos. 1, 2, 3, 6, and 7, as stated in the agenda report; to omit Recommendation No. 5; to modify Recommendation No. 4 to read: "Approve, *in concept*, the proposed business terms negotiated between the City and the Pasadena Ice Skating Center for the management of a new ice rink facility;" to include in the business terms a clarification of the division of duties as to what the City's responsibilities are related to building maintenance and repairs of the new facility and what the management team's responsibilities are; to amend the performance criteria related to fiscal management to ensure that the operator (management team) is running the rink so that the traffic volume will provide the cash flow to pay the debt service; and to refer the management agreement to the Finance Committee for review prior to being considered by the City Council:

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

NOES: Councilmember Streater

ABSENT: None

Vice Mayor Madison recognized the PCOC for their efforts in developing this project.

The Mayor asked staff to review with Council in the near future the circumstances for awarding contracts/agreements on a sole source basis.

PUBLIC HEARINGS

PUBLIC HEARING: DESIGNATION OF 1330 HILLCREST AVENUE AS A HISTORIC MONUMENT

Recommendation of City Manager:

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

(2) As recommended by the Historic Preservation Commission, find that the house at 1330 Hillcrest Avenue is significant under Criterion c for designation as a historic monument (Pasadena Municipal Code § 17.62.040 (A)) because the property is an exceptional representation of the work of Arthur and Alfred Heineman, whose architectural contributions are significant on a regional level;

(3) Adopt a resolution designating 1330 Hillcrest Avenue as a historic monument (Attachment A of the agenda report);

(4) Authorize the Mayor to execute a 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. 8502)

Recommendation of the Historic Preservation

Commission: On June 20, 2005, at a noticed public hearing, the Historic Preservation Commission voted unanimously to recommend approval of the designation of 1330 Hillcrest Avenue as a historic monument.

Councilmember Haderlein was excused at 9:03 p.m.

The Mayor opened the public hearing.

The City Clerk reported 20 copies of the notice of public hearing were posted on July 21, 2005; 98 copies of the notice were mailed on July 25, 2005; and no correspondence was received.

Ms. Mary Jo Winder, Senior Planner, summarized the agenda report.

No one appeared for public comment.

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

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

PUBLIC HEARING: DESIGNATION OF 1000 SAN PASQUAL STREET (UNIT 1, A-T) 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 (§5308);

(2) As recommended by the Historic Preservation Commission, find that the property at 1000 San Pasqual Street (Unit 1, A-T) is significant under Criterion c for designation as a landmark (Pasadena Municipal Code §17.62.040) because it embodies the distinctive characteristics of the modern garden-apartment property type as presented in its use of modern building design and materials and landscape design and because it is an important representation of the concept of the "own your own" multiple-family complex that was the idea of its developer, Lionel V. Mayell;

(3) Adopt a resolution designating 1000 San Pasqual Street (Unit 1, A-T) as a landmark (Attachment A of the agenda report);

(4) Authorize the Mayor to execute a 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. 8503)

Recommendation of the Historic Preservation

Commission: On June 20, 2005, at a noticed public hearing, the Historic Preservation Commission voted unanimously to recommend approval of the designation of 1000 San Pasqual Street (Unit 1, A-T) as a landmark.

Councilmember Haderlein returned at 9:07 p.m.

The Mayor opened the public hearing.

The City Clerk reported 41 copies of the notice of public hearing were posted on July 26, 2005; 246 copies of the notice

were mailed on July 22, 2005; and no correspondence was received.

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

The following persons spoke in support of the landmark designation:

Ms. Martha Crissman, Villa San Pasqual Homeowners Association representative
Mr. Matthew Dillhoefer, Pasadena resident

In response to questions from Councilmember Gordo, Mr. Richard Bruckner, Director of Planning and Development Department, indicated staff would provide information to Councilmember Gordo regarding the relationship between the Mills Act and the possible lifting of Proposition 13 protections for a property that has received a landmark designation.

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

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

PUBLIC HEARING: DESIGNATION OF 1143 NORTH LOS ROBLES 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 (§15308);

(2) As recommended by the Historic Preservation Commission, find that 1143 North Los Robles Avenue meets designation Criterion C in Pasadena Municipal Code §17.62.040(B) because it has architectural significance as a locally significant example of the two-story Arts and Crafts period single-family house property type;

(3) Approve the designation of the property at 1143 North Los Robles Avenue as a landmark;

(4) Adopt a resolution designating 1143 North Los Robles Avenue as a landmark (Attachment A of the agenda report);

(5) Authorize the Mayor to execute the Declaration of Designation (Attachment B of the agenda report); and

(6) Direct the City Clerk to record the Declaration with the Los Angeles County Recorder. (Resolution No. 8504)

Recommendation of the Historic Preservation Commission: On June 20, 2005, at a noticed public hearing, the Historic Preservation Commission voted unanimously to

recommend approval of the designation of 1143 North Los Robles Avenue as a landmark.

The Mayor opened the public hearing.

The City Clerk reported 29 copies of the notice of public hearing were posted on July 21, 2005; 35 copies of the notice were mailed on July 21, 2005; and one letter in support was received.

Mr. Kevin Johnson, Assistant Planner, summarized the agenda report.

Mr. Steve Preston, Pasadena resident, spoke in support of the landmark designation.

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

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

OLD BUSINESS

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

Recommendation of City Manager incorporating all recommendations of the Finance Committee: It is recommended that the City Council direct the City Attorney to amend Ordinance 6252 - *the New Residential Impact Fee* to include the following:

- (1) Change the methodology used to calculate the Residential Impact Fee from a flat fee per dwelling unit to one based on the number of bedrooms within a residential unit as outlined in Table 1 of the agenda report which ranges from \$14,588 to \$27,003;
- (2) Define bedroom within the amended text of Ordinance No. 6252, Chapter 4.17 of the Pasadena Municipal Code;
- (3) Provide an incentive for developers to construct affordable housing units on-site by continuing to collect \$756 for each affordable unit, and reducing the Residential Impact Fee for all other units in the development by 30 percent;
- (4) Provide an incentive for developers to construct for sale or rent, workforce housing units onsite to eligible households by

offering a rebate of either 50 percent or 35 percent of the applicable residential impact fee for all workforce units if at least 15 percent of the development is designated as workforce housing units. The rebate will be based on the sales/rental price of the unit as follows:

(a) For a sales/rental price within the range of 121 percent to 150 percent of average median income, a 50 percent reduction in the applicable residential impact fee;

(b) For a sales/rental price within the range of 151 percent to 180 percent of average median income, a 35 percent reduction in the applicable residential impact fee;

(5) Define workforce housing within the amended text of Ordinance No. 6252, Chapter 4.17 of the Pasadena Municipal Code to be workforce housing consisting of residents who earn between 121-180 percent of average median income (AMI) for Los Angeles County which is currently \$46,650 to \$107,100. The purchaser is above the moderate income level but still at the low end of the local market availability. Workforce housing under this definition would be currently priced between \$202,000 and \$436,600 depending on household size;

(6) Assess residential units within skilled nursing facilities a fee of \$756 per unit, which is the same fee paid by affordable housing units;

(7) Define skilled nursing facilities within the amended text of Ordinance No. 6252, Chapter 4.17 of the Pasadena Municipal Code as a unit reserved and equipped to provide 24-hour medical care to people who cannot take care of themselves because of physical, emotional, or mental conditions. This care must be supervised by a doctor and regulated by the State of California Health Department. A skilled nursing facility differs from an assisted living facility in that it has a medical staff available onsite 24 hours per day;

(8) Assess student housing on property owned by and developed in conjunction with *accredited* post-secondary educational institutions a fee of \$756 per unit, which is the same fee paid by affordable housing units;

(9) Expand the definition of "New Residential Development" and the housing types subject to the Residential Impact Fee, to include work/live units as defined in the Zoning Code - Article 8;

(10) Provide a covenant for workforce housing units in accordance with the following key terms: Workforce units are covenant for a term of 15 years, and within that period, the units must be sold or rented to eligible households; and

(11) Direct the City Attorney to prepare an ordinance within 60 days amending the Pasadena Municipal Code.

Recommendation of Residential Impact Fee Committee:

(1) Variable Fee based on size of development - Change the methodology used to calculate the Residential Impact Fee (RIF) from the existing flat fee per unit to one based on number of bedrooms within a residential unit as outlined in Table 1 of the agenda report;

(2) Incentives to increase on-site affordable housing units -

Continue collecting a RIF of \$756 for each affordable unit, and reduce the RIF for all other units in the development by 30 percent. In addition, the Committee recommends researching discounting all discretionary permit, tax and impact fees so as to spread the burden of the discount. Staff does not recommend this study take place for at least six months. If the new proposals are adopted by the City Council, staff would like the opportunity to evaluate their effectiveness before recommending additional changes; and

(3) Incentives to increase workforce housing units - Reduce the RIF by 50 percent on units classified as workforce if at least 15 percent of the development is dedicated workforce housing.

The Mayor provided a brief history of the agenda item.

Councilmember Little, Chair of the Finance Committee, reviewed the agenda report, clarified that workforce was defined as people who work or live within the boundaries of the City of Pasadena, and responded to questions.

The City Manager responded to questions regarding student housing and workforce housing.

Vice Mayor Madison expressed concerns regarding the reduced amount of the residential impact fee being charged for student housing units, and the practice of exempting and/or reducing fees for segments of housing that, in his opinion, seems to favor the developer.

Discussion followed on the amount of the fee assessment for student housing, the relationship between student housing and affordable housing, a possible analysis of the costs of student housing and the use of parks by students, the need to provide a diversity of types of housing in the City, the use of the Nexus Study in determining the amount of the impact fee, and the issue of balancing building parks with building houses that meet the needs of people in the community.

Mr. Richard Bruckner, Director of Planning and Development Department, outlined a process for verification of the affordable housing status of a unit, and responded to questions.

Mr. Gregory Robinson, Housing Administrator, responded to questions regarding student housing and affordable housing.

The City Attorney responded to questions regarding senior housing.

Mr. Martin Pastucha, Director of Public Works Department, responded to questions regarding workforce housing.

The following persons spoke in support of the amendments:

Mr. Ed Eyerman, Sares Regis Group representative and Residential Impact Fee (RIF) Committee member
Mr. Joel Bryant, Pasadena resident and RIF Committee member
Mr. Patrick Perry, attorney representing Pasadena educational institutions (Fuller Theological Seminary and Art Center College of Design)
Ms. Michele White, Pasadena resident

The following persons spoke in opposition to the recommendations and/or expressed concerns:

Ms. Margaret McAustin, Pasadena resident
Mr. Tim Alderson, Pasadena resident and RIF Committee member
Ms. Anita Fromholz, Pasadena resident
Mr. Michael Hurley, Pasadena resident
Mr. Donn Dufford, Pasadena resident
Mr. Eric Winter, South Pasadena resident

It was moved by Councilmember Little, seconded by Councilmember Streater, to approve the City Manager's recommendation, which incorporated all recommendations of the Finance Committee:

AYES: Councilmembers Gordo, Holden, Little, Streater, Tyler, Mayor Bogaard
NOES: Councilmember Haderlein, Vice Mayor Madison
ABSENT: None

Councilmembers Little and Streater thanked the Residential Impact Fee Committee for their work.

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

CONSIDERATION OF A MORATORIUM ON THE APPROVAL OF STRUCTURES OF THREE STORIES OR MORE IN ANY ZONE WHERE THE PROJECT WOULD ABUT AN RS – SINGLE-FAMILY RESIDENTIAL ZONE
Recommendation of City Manager:

- (1) Find the proposed project to be Statutorily Exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act, CEQA guidelines, Section 15262, Feasibility and Planning Studies;
- (2) Approve a moratorium for a period of 45 days on the issuance of building permits for structures three stories or taller within any zone where the project immediately abuts an RS – Residential Single Family zone; and the project has not received any entitlement approval pursuant to Title 17 of the Pasadena Municipal Code, including but not limited to a use permit, variance, design review approval (concept or consolidated) or certificate of appropriateness, that is still effective, prior to the effective date of the moratorium;
- (3) Find that the proposed moratorium is consistent with the

goals and policies of the General Plan;

(4) Find that in accordance with the Pasadena Municipal Code (Section 2.75.220b, as amended) (a) continued approval of structures three stories or taller immediately adjacent to RS – Residential Single Family zones would have a specific, adverse impact upon the public health, safety or welfare pursuant to the standards and policies set forth in the General Plan, (b) an interim ordinance establishing the proposed moratorium is necessary to mitigate or avoid the specific, adverse impacts and, (c) there is no feasible alternative to satisfactorily mitigate or avoid the specific, adverse impact identified with a less burdensome or restrictive effect, than the adoption of the proposed interim ordinance; and

(5) Direct the City Attorney to prepare an Interim Ordinance implementing these recommendations.

The City Manager provided an overview of the agenda report, highlighted the question of whether or not to include the Specific Plan areas, and responded to questions.

Mr. Richard Bruckner, Director of Planning and Development Department, summarized the agenda report and responded to questions. He indicated that those persons who had filled out speaker cards could be notified of any future Planning Commission meeting on this matter.

Councilmember Gordo suggested the Specific Plan areas be removed from the moratorium, since these areas have already received scrutiny by the community and may receive additional review by the neighborhoods at the Plan level.

The following persons spoke in support of the moratorium:

Mr. Augustin Zuniga, Pasadena resident
Mr. Armand Montiel, Pasadena resident
Mr. Albert Cohen, Pasadena resident
Mr. Daniel Yen, Pasadena resident
Mr. Dale Trader, Pasadena Neighborhood Coalition Chair
Mr. Terry Tornek, Pasadena resident
Mr. Ron Logan, Pasadena resident
Mr. Brett Foy, Pasadena resident
Mr. Stacy Lewis, Pasadena resident
Mr. Wes Monroe, Pasadena resident
Ms. Silva Armoudikian, Pasadena resident
Mr. James Van de Voorde, Madison Heights Neighborhood Association President

The following persons spoke in opposition to the moratorium and/or expressed concerns:

Mr. Eric Winter, South Pasadena resident
Mr. Kyle Kemp, Pasadena Association of Realtors representative

It was moved by Councilmember Little, seconded by Councilmember Gordo, to approve the City Manager's recommendation, with the exclusion of the Specific Plan areas from the moratorium. (Motion unanimously carried) (Absent: None)

**ORDINANCES – FIRST
READING**

Conduct first reading of “AN INTERIM URGENCY ORDINANCE OF THE CITY OF PASADENA TEMPORARILY PROHIBITING THE CONSTRUCTION OF STRUCTURES THREE STORIES OR MORE IN HEIGHT IN ANY ZONE WHERE THE PROJECT WOULD ABUT AN RS-SINGLE FAMILY RESIDENTIAL ZONE”

The City Attorney presented the following revision to the ordinance language, based on Council's prior action to approve a moratorium, with the exclusion of the Specific Plan areas: (page 3 of the ordinance, Section 1.) “This prohibition shall not apply to any project that is on property located within a specific plan area, nor to any project that has any entitlement approval pursuant to Title 17 of the Pasadena Municipal Code, ...” (page 3 of the ordinance, Section 2.) “... as more specifically shown on the map titled Exhibit A attached hereto and incorporated herein. This ordinance does not apply to projects located in specific plan areas.”

The ordinance, as revised, was offered for first reading by Councilmember Little:

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

NOES: None

ABSENT: None

Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 2, CHAPTER 2.47 OF THE PASADENA MUNICIPAL CODE, TO CHANGE THE NAME OF THE “ARTS COMMISSION” TO THE ‘ARTS AND CULTURE COMMISSION””

The City Manager reported the Commission felt this name change was a better title for what it currently does, and noted this would not change Title 2 in any other way.

The ordinance was offered for first reading by Councilmember Holden:

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

NOES: None

ABSENT: None

**RECOMMENDATIONS FROM
OFFICERS AND
DEPARTMENTS**

**REAPPOINTMENT OF TIM BRICK TO THE METROPOLITAN
WATER DISTRICT BOARD (City Nomination)**

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

**CONSIDERATION OF REVOCATION OR SUSPENSION OF
BUILDING PERMIT FOR 1150 NORTH ALLEN AVENUE
(Councilmember Little)**

Councilmember Little explained the status of the discussions that had been held between the neighbors and the developer, and the rationale for consideration of the revocation of the building permit.

Mr. Richard Bruckner, Director of Planning and Development Department, confirmed that the only discretionary action left on the project was the subdivision map approval, and responded to questions.

The City Attorney confirmed there currently was no process for revocation of a building permit that had been issued and was in compliance with the City's Building Code.

The City Manager clarified the circumstances in which this project did not require any discretionary action during the process and which resulted in no reason to notify the residents about the project.

Discussion followed on the rationale for possible changes to the process that would allow discretionary actions that could be taken on projects that are out of scale and/or not in character with the neighborhood in which they will be located, and problems that arise when a process includes subjective decisions or opinions.

The following persons spoke in support of the revocation of the building permit and/or expressed concerns regarding the building permit or the project:

- Mr. Augustin Zuniga, Pasadena resident
- Mr. Donn Dufford, Pasadena resident
- Mr. Peter Beam, Pasadena resident
- Mr. John Talley-Jones, Pasadena resident
- Ms. Liane Enkelis, Pasadena resident, submitted a letter expressing concerns.
- Dr. Jacqueline Ahlen, Pasadena resident
- Mr. Armand Montiel, Pasadena resident
- Ms. Silva Armoudikian, Pasadena resident
- Mr. Stacy Lewis, Pasadena resident
- Mr. Daniel Yen, Pasadena resident

The following person spoke in opposition to the revocation of the building permit:

Mr. Ara Tchaghlassian, project applicant

The City Manager provided background information on the Institute of Traffic Engineer standards used as a basis for the traffic study for the project, and indicated staff will meet with the neighbors regarding the traffic study.

Councilmember Little advocated for a height limitation of two stories when staff returns to Council with proposed changes to the Zoning Code regarding projects, such as this one, that abut an RS Single-Family Residential Zone. He suggested this item be held for one week to allow additional time for review of the process and for additional discussion between the developer and neighbors; and that the item be scheduled for a closed session discussion, with the item to be also agendized under Old Business on the agenda.

Following discussion and by Council consensus, the above item was held one week and will be scheduled for closed session discussion and under Old Business on the regular agenda.

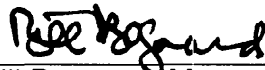
**CONSENT ITEM DISCUSSED
SEPARATELY**

**APPROVAL OF THE HART ADMINISTRATIVE SERVICES
AGREEMENT AND RELATED DOCUMENTS**

On order of the Mayor, the above item was held to the Council meeting of August 15, 2005 at the request of the City Manager and due to time constraints.

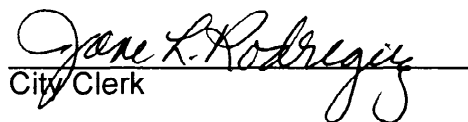
ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 12:17 a.m., August 9, 2005.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



Jane L. Rodriguez
City Clerk