

CITY OF PASADENA
City Council Minutes
November 7, 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 6:32 p.m.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Steve Madison (Arrived at 6:45 p.m.)
Councilmember Victor Gordo
Councilmember Steve Haderlein
Councilmember Chris Holden
Councilmember Paul Little
Councilmember Joyce Streater
Councilmember Sidney F. Tyler

Staff:

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

The Pledge of Allegiance was led by Councilmember Tyler.

CEREMONIAL MATTERS

The Mayor presented a proclamation designating November 2005 as Environmental Awareness Month and November 15, 2005 as America Recycles Day. The proclamation was received by Arlington Rodgers, Jr., Administrator for Street Maintenance and Integrated Waste Management.

Ms. Carolyn Meredith, Recycling Coordinator, announced the recipients and described the programs for the City's 2005 Outstanding Recycler awards. The Mayor and Martin Pastucha, Director of Public Works Department, congratulated the recipients and presented certificates for the following categories:

Sustainable Development:

Art Center College of Design South Campus, represented by George Falardeau, Senior Vice President

Preservation of Natural Resources:

The California Institute of Technology, represented by Rose Tashjian, Assistant to the Director of Buildings and Grounds

Voluntary Development of a Recycling Program:

California School of Culinary Arts, represented by George Helm, Director of Facilities

Educational Outreach to Youth and the Public:

Kidspace Children's Museum, represented by Stephen Baumann, Executive Director

Creative ReUse of Common Materials:

Michael Kline

Vice Mayor Madison arrived at 6:45 p.m.

The Mayor thanked the Public Works Department for its ongoing commitment to recycling efforts and education.

Councilmember Haderlein invited the public to attend the annual Veterans' Day Celebration to be held on November 11, 2005 at Memorial Park.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Ms. Regina Hadnot, Pasadena resident, described a violent incident involving her son and the possible status of this act as a hate crime; expressed concerns regarding the questioning of her minor son by the police without a parent being present and the number of violent occurrences and possible hate crimes caused by youth within the City; and asked the Police Chief to redefine the rules when questioning victims, to mandate the follow-up questioning of victims, and to prosecute this type of incident as a hate crime.

The City Manager briefly discussed a number of recent random violent street confrontations and arrests, discussed the City's general procedure when a violent crime has been committed, and indicated staff will contact Ms. Hadnot about the incident involving her son and her concerns. She indicated the Police Chief would provide additional information to Council regarding the handling of these incidences that had occurred within a geographical area.

Councilmember Streator asked staff to clarify the policy for questioning a minor victim without a parent present.

Mr. Les Hammer, Pasadena resident, commented on a recent flier distributed by Pasadena Area Community College District Board Member candidate Jennifer Bekkedal and the MEChA (Movimiento Estudia Chicano de Aztlan) organization.

CONSENT CALENDAR

Item discussed separately at the request of Councilmember Tyler.

ADOPTION OF A RESOLUTION AUTHORIZING APPLICATION TO THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD FOR THE CITY OF PASADENA TO BECOME AN AUTHORIZED COLLECTOR OF COVERED ELECTRONIC WASTE

AUTHORIZATION TO INCREASE THE NOT TO EXCEED AMOUNT OF CONTRACT NO. 18,270-2 WITH R. T. LARSEN, INC., FROM \$750,000 TO \$990,000 FOR UTILITY STREET REPAIRS

Recommendation of City Manager: Approve a \$240,000 increase to the amount of Contract No. 18,270-2 with R. T.

Larsen, Inc., thereby increasing the not to exceed amount from \$750,000 to \$900,000 for providing labor and materials for utility street repairs for Pasadena Water and Power. (Contract Amendment No. 18,270-3)

AUTHORIZATION TO ENTER INTO PURCHASE ORDER CONTRACTS WITH ADVANCED CONTROL SYSTEMS TO UPGRADE EXISTING SUPERVISORY CONTROL AND DATA ACQUISITION (SCADA) SYSTEM FOR AN AMOUNT OF \$98,597 AND TO PROVIDE SUPPORT SERVICES FOR FIVE YEARS FOR AN AMOUNT NOT TO EXCEED \$250,000

Recommendation of City Manager:

- (1) Authorize the issuance of a purchase order contract to Advanced Control Systems (ACS) not to exceed \$98,597 for upgrade of the existing SCADA system.
- (2) Authorize the issuance of a second purchase order to ACS not to exceed \$250,000 for engineering and operating support services for the period January 1, 2006 to December 31, 2010.
- (3) Grant an exemption from competitive bidding pursuant to City Charter Section 1002(F), contract for professional or unique services.

AUTHORIZATION TO INCREASE THE NOT TO EXCEED AMOUNT OF CONTRACT NO. 18,632 WITH SPINIELLO COMPANIES FROM \$1,990,066 TO \$2,060,901 TO PAY FOR ADDITIONAL COSTS RELATED TO WATER MAIN INSTALLATION

Recommendation of City Manager: Approve a \$70,835 increase to the amount of Contract No. 18,632 with Spiniello Companies, thereby increasing the not to exceed amount from \$1,990,066 to \$2,060,901, for providing labor and materials for Water Main Line Installations in Lincoln Avenue, Linda Vista Boulevard and Orange Grove Boulevard for Pasadena Water and Power. (Contract No. 18,632-1)

Item discussed separately at the request of Vice Mayor Madison, due to a conflict of interest.

CONTRACT AWARD TO INTER-CON SECURITY SYSTEMS FOR SECURITY SERVICES FOR BUILDINGS, PARKS, AND HOLLY STREET PARKING STRUCTURE

APPROVAL AND ACCEPTANCE OF EASEMENT DEDICATIONS FOR PUBLIC STREET PURPOSES LOCATED AT THE NORTHEAST CORNER OF FOOTHILL BOULEVARD AND CRAIG AVENUE AND AT THE SOUTHEAST CORNER OF WHITE STREET AND CRAIG AVENUE

Recommendation of City Manager: It is recommended that the City Council adopt a resolution approving and accepting the proposed easement dedications for public street purposes, one located at the northeast corner of Foothill Boulevard and Craig Avenue, and the other located at the southeast corner of White Street and Craig Avenue. (Resolution No. 8528)

ADOPT A RESOLUTION APPROVING PROGRAM SUPPLEMENT AGREEMENT TO RECEIVE FEDERAL REIMBURSEMENT FOR ROSE BOWL ACCESS MANAGEMENT FEDERAL AID PROJECT (CIP NO. 75502)

Recommendation of City Manager:

(1) Adopt a resolution approving a Program Supplement Agreement to Administering Agency - State Agreement No. 07-5064 between the City of Pasadena and the State of California, for Federal Reimbursement covering construction and construction engineering for the Rose Bowl Access Management Project, Federal-Aid Project No. TCSP02L-5064(040), Program Supplement Agreement No. M070.

(2) Authorize the City Manager to execute the same on behalf of the City. (Resolution No. 8529; Agreement Amendment No. 16,298-27)

MINUTES APPROVED

October 17, 2005
October 31, 2005 (Canceled)

CLAIMS RECEIVED AND FILED

Claim No. 9952	Rigoberto Uribe	\$ Not Stated
Claim No. 9953	Dave Bent	30.00
Claim No. 9954	Frances L. Pulone	2,878.50
Claim No. 9955	Gary E. Anderson	100.00
Claim No. 9956	Cynthia Teichmann	1000.00
Claim No. 9957	Gary Deramerian	Not Stated
Claim No. 9958	N. Enrique Martinez	13,680.00
Claim No. 9959	State Farm Insurance Company for Ann Fox	686.92
Claim No. 9960	James M. Elliott	65.00
Claim No. 9961	Shandrena Harris	2,650.85
Claim No. 9962	Warner Plaza or Adesorn Hemaratanatorn	12,935.27

PUBLIC HEARINGS SET

December 5, 2005, 8:00 p.m. - Appeal of Historic Preservation Commission decision to deny a Certificate of Appropriateness for the existing installation of new doors on the front and west side elevations of the house at 468 Rio Grande Street

December 12, 2005, 8:00 p.m. - The Urban Water Management Plan

January 23, 2006, 7:30 p.m. - Designation of 1361 Ridge Way as a Historic Landmark

January 23, 2006, 7:30 p.m. - Designation of 341 Adena Street as a Historic Landmark

January 23, 2006, 7:30 p.m. - Designation of 1000 San Pasqual Avenue as a Historic Landmark

It was moved by Councilmember Little, seconded by Councilmember Haderlein, to approve the Consent Calendar,

with the exceptions of Item 1 (Resolution Authorizing Application for Collector of Covered Electronic Waste) and Item 5 (Contract for Inter-Con Security Systems), which were discussed separately. (Motion unanimously carried) (Absent: None)

**CONSENT ITEMS
DISCUSSED SEPARATELY**

ADOPTION OF A RESOLUTION AUTHORIZING APPLICATION TO THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD FOR THE CITY OF PASADENA TO BECOME AN AUTHORIZED COLLECTOR OF COVERED ELECTRONIC WASTE

Recommendation of City Manager: Adopt a resolution approving an application to the California Integrated Waste Management Board to become an authorized collector of Covered Electronic Waste (CEW) in the City of Pasadena thereby allowing the City to charge for e-waste collection and disposal. (Resolution No. 8530)

Mr. Martin Pastucha, Director of Public Works Department, responded to Councilmember Tyler's questions.

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

CONTRACT AWARD TO INTER-CON SECURITY SYSTEMS FOR SECURITY SERVICES FOR BUILDINGS, PARKS, AND HOLLY STREET PARKING STRUCTURE

Recommendation of City Manager:

- (1) Accept the proposal dated September 8, 2005 submitted by Inter-Con Security Systems, in response to the Request for Proposal for Building, Parks and Parking Structure Security, Crime Prevention and Safety Services for a three-year period, with an option for two one-year additional terms;
- (2) Reject all other proposals received; and
- (3) Authorize the City Manager to enter into a contract for security services in an amount not to exceed \$414,275 per year. (Contract No. 18,970)

Vice Mayor Madison recused himself at 7:02 p.m., due to a conflict of interest.

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

INFORMATION ITEM

CITY OF PASADENA'S OFFICIAL POSITIONS ON PROPOSITIONS 76, 78, AND 79 IN THE NOVEMBER 8, 2005 SPECIAL ELECTION

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

Vice Mayor Madison returned at 7:03 p.m.

Ms. Julie Gutierrez, Assistant City Manager, summarized the agenda report.

On order of the Mayor, the information was received and filed.

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

APPROVAL OF NAME CHANGE FOR EATON WASH PARK
Recommendation of City Manager: It is recommended that the City Council approve a change in name from Eaton Wash Park to Viña Vieja Park.

Recommendation of Recreation and Parks Commission: At the Recreation and Park Commission meeting of October 4, 2005, the Commission voted 4-1 to support the recommendation to change the name of Eaton Wash Park to Viña Vieja Park.

Councilmember Haderlein introduced the agenda item.

Mr. Todd Holmes, Landscape Architect, reviewed the agenda report and responded to questions.

The following persons spoke in support of the name change:

- Ms. Kathy Vacio, East Eaton Wash Neighborhood Association member
- Ms. Laura Ellersieck, East Eaton Wash Neighborhood Association member
- Mr. Manuel Vargas, Pasadena resident

The following persons spoke in opposition to the name change:

- Ms. Caryl Ritterath, Pasadena resident
- Mr. Tim Brick, Pasadena resident

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

RESIGNATION OF TODD IACONO FROM THE PASADENA CENTER OPERATING COMPANY (Hotel Appointee Nomination)

APPOINTMENT OF NAJEEBA SYEED-MILLER TO THE COMMISSION ON THE STATUS OF WOMEN (District 6 Nomination)

APPOINTMENT OF MARGARET McAUSTIN TO THE PLANNING COMMISSION (At Large/District 2 Nomination)

It was moved by Councilmember Little, seconded by Councilmember Gordo, to accept the above resignation with

regrets and to approve the above appointments. (Motion unanimously carried) (Absent: None)

CONSIDERATION OF CALL FOR REVIEW OF BOARD OF ZONING APPEALS DECISION TO THE CITY COUNCIL FOR HILLSIDE DEVELOPMENT PERMIT NO. 4458 - TO ALLOW THE DEMOLITION OF A 2,300 SQUARE FOOT SINGLE-FAMILY HOUSE AND THE CONSTRUCTION OF A TWO-STORY, 5,667 SQUARE FOOT SINGLE-FAMILY HOUSE; PRIVATE TREE REMOVAL APPLICATIONS FOR THE REMOVAL OF THREE COAST LIVE OAK (*QUERCUS AGRIFOLIA*) TREES (1147 LA LOMA ROAD) (Vice Mayor Madison)

Vice Mayor Madison outlined his rationale for requesting a review of the Board of Zoning Appeals decision on this project in terms of the compatibility with the neighborhood.

Mr. David Sinclair, Associate Planner, provided a briefing on the project, the Hearing Officer's decision, and the Board of Zoning Appeals decision; and responded to questions.

Discussion followed on issues involving the use of guidelines vs. standards in reviewing a project and the compatibility requirement.

The following persons spoke in support of the call for review and/or expressed concerns regarding the project:

Ms. Erika Oller, Pasadena resident
Ms. Barbara Fraser, Pasadena resident
Ms. Susan Bauman, Pasadena resident
Ms. Pam Waterman, Pasadena resident, displayed a photograph of the property.

The following persons spoke in opposition to the call for review:

Mr. Leon Kirakosian, applicant
Mr. Mark Persico, applicant's representative, submitted a copy of an email in response to questions regarding the project.
Mr. Hovig Dimejian, Pasadena resident

The Mayor noted that the merits of the project were not under consideration at this time.

Councilmember Tyler asked that information on the diameters of the protected trees that will be removed be included in the staff report, if the matter is called up for review.

Councilmember Gordo asked staff to provide a map with information on the size of existing homes on those properties in

close proximity to the proposed project in order to assist in determining compatibility.

Councilmember Haderlein asked staff to provide information on the dates of construction of the larger homes in close proximity to the project.

The City Manager confirmed the Hearing Officer had adopted the staff's recommendation regarding the project.

It was moved by Vice Mayor Madison, seconded by Councilmember Haderlein, to call this matter for review to the City Council. (Motion unanimously carried) (Absent: None)

PUBLIC HEARINGS

CONTINUED PUBLIC HEARING: CALL FOR REVIEW OF TENTATIVE PARCEL MAP NO. 061676 AND HILLSIDE DEVELOPMENT PERMIT NO. 4395, 720 SOUTH SAN RAFAEL AVENUE (725 HILLSIDE TERRACE)

Revised Recommendation of City Manager:

(1) Adopt the draft Initial Environmental Study and Negative Declaration that the proposed project will not create any significant adverse effects on the environment;

(2) Direct the City Clerk to file a Notice of Determination with the County Clerk;

(3) Affirm the decision of the Zoning Hearing Officer to approve Tentative Parcel Map No. 061676 to allow:

(a) Tentative Parcel Map - Subdivide one land lot into two land lots; and

(b) Hillside Development Permit - Subdivision of land within the Hillside Overlay District;

(4) Approve Hillside Development Permit No. 4395 with amended conditions (as summarized in the memorandum and shown in Attachment A of said memorandum) to allow:

(a) Hillside Development Permit - Construction of single-family house; and

(b) Private Tree Removal - Removal of one Toyon (*heteromeles arbutifolia*) tree.

The Mayor announced now was the time for the continued public hearing.

The City Manager introduced the agenda item.

Mr. David Sinclair, Associate Planner, reviewed information regarding the project and the revised City Manager's recommendation and conditions of approval, and responded to questions.

The City Manager responded to questions regarding the circulation of the revised recommendations and conditions of approval to the stakeholders.

Vice Mayor Madison suggested the hearing be continued for a week to allow additional time to study the compromise being proposed by staff and worked out in conjunction with a recent meeting of the stakeholders.

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

Ms. Shari Thorell, Pasadena resident
Mr. Dale Pelch, representing Charles and Carolyn Miller
Dr. James Parks, Pasadena resident

The following person spoke in support of the project:

Mr. Alfred Moses, applicant's representative

It was moved by Vice Mayor Madison, seconded by Councilmember Gordo, to continue the public hearing to November 14, 2005 at 8:00 p.m. (Motion unanimously carried)
(Absent: None)

PUBLIC HEARING: ADOPT A RESOLUTION FOR THE VACATION OF A PORTION OF MADIA STREET FROM APPROXIMATELY 380 FEET EAST OF LINDA VISTA AVENUE TO THE EAST END OF MADIA STREET

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) Affirms that the City Council has determined that the proposed vacation of the subject portion of Madia Street will have no significant effect on the environment; therefore, it is declared to be categorically exempt (Class 4) pursuant to the guidelines of the California Environmental Quality Act, CEQA Section 15304; Minor Alterations to Land,

(b) Finds that the proposed vacation of the subject portion of Madia Street 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 Madia Street based on certain conditions set forth in Exhibit "C" of the agenda report, if and only if those certain conditions are met,

(3) Declare that the City's interest in the proposed vacated street is an easement only with a reasonable market value of less than \$1,000, and therefore, the City's interest in the property is not subject to the provision 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 applicant.

Recommendation of Planning Commission: On Wednesday,

September 21, 2005, the Planning Commission reviewed and recommended that the City Council approve the proposed street vacation as presented by staff.

Vice Mayor Madison recused himself at 8:15 p.m., due to the appearance of a conflict of interest.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on October 24, 2005 in the Pasadena Star-News; 42 copies of the notice were posted on October 21, 2005; 72 copies of the notices were mailed on October 21, 2005; and 1 letter in opposition was received.

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

Mr. Lanny Woo, Associate Planner, responded to questions regarding construction regulations for the subject parcels.

Mr. Martin Pastucha, Director of Public Works Department, outlined the valuation process for vacated property.

Discussion followed on the impacts of the vacation on street parking and loss of parking spaces, possible safety issues involving access to the area being vacated, loss of public access to the vacated street, and easement rights (street and pedestrian) related to the vacated property.

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

Mr. Tony Trujillo, Pasadena resident

Mr. Tim Terrio, Pasadena resident representing the Fisher family, submitted a petition with 48 signatures in opposition to the vacation.

Mr. Robert Bishop, Pasadena resident

Ms. Sharon Miller, Pasadena resident

Mr. Charles Parcell, Pasadena resident

The following person spoke in support of the vacation:

Ms. Shannon Quinn, applicant

In response to the Mayor's questions, Ms. Quinn indicated neighbors would be welcome at the vacated area for viewing of July 4th activities in the Rose Bowl and an option for daily access could be considered; and agreed that the easement could be re-established if the property parcel(s) should come under separate ownership in the future, without further consideration on the part of the City.

At the request of Councilmember Streater, Mr. Bishop reiterated the additional conditions that he would suggest for

adoption as a part of the vacation: (1) a permanent restriction be imposed on building any type of structure in the area that is currently street; (2) a permanent restriction be imposed on constructing any type of structure that would hinder access for the public to the end of the street and its views; and (3) an easement be created for public access through to the end of the street.

The City Attorney confirmed that, as a general rule, conditions can be imposed in an agreement with the property owner that would run with the property and would be recorded, and indicated staff would need to research the authority for a condition to be imposed that would re-establish the easement if the property parcel(s) should be sold.

The City Manager provided background on the request to vacate the street, and noted the City could justify the re-establishment of the easement if the subject property parcels should come under separate ownership.

Councilmember Gordo suggested the public hearing be continued to allow time for the City Attorney to research a condition involving the re-establishment of the easement and for the proposed four additional conditions to be presented to the property owner (applicant) for consideration and agreement (the three conditions suggested by Mr. Bishop plus the condition to be researched by the City Attorney that would re-establish the easement, if the parcels are sold). Councilmember Gordo asked the City Attorney to explore possible public uses under the easement vs. the property owner's rights.

In response to an additional request from Mr. Bishop to comment on the vacation, the Mayor informed Mr. Bishop that any information on the valuation of the property could be submitted to Council prior to the continued hearing on this matter.

The Mayor asked staff to explore the impacts of a possible recalculation of lot size based on the vacation of the street as this might impact future construction on the parcels and whether the vacation of the street would cause a merger of the two subject property parcels.

The City Attorney indicated a draft of the four conditions would be presented to the applicant within the next few days, with the research to be performed and distributed prior to the continued public hearing.

By Council consensus and on order of the Mayor, the public hearing was continued to December 5, 2005 at 8:00 p.m.

CONTINUED PUBLIC HEARING: APPEAL OF ZONING HEARING OFFICER DECISION REGARDING CONDITIONAL USE PERMIT NO. 4501 AND TENTATIVE PARCEL MAP NO. 061201, 500 MADELINE DRIVE

Recommendation of City Manager: At the request of the applicant, it is recommended that the City Council continue the public hearing to December 19, 2005, at 8:00 p.m.

Vice Mayor Madison returned at 9:00 p.m.

The Mayor opened the continued public hearing.

It was moved by Councilmember Little, seconded by Vice Mayor Madison, to continue the public hearing to the Council meeting of December 19, 2005 at 8:00 p.m. (Motion unanimously carried) (Absent: None)

PUBLIC HEARING: ZONING MAP AND GENERAL PLAN AMENDMENT FOR THE RM-12 SECTION OF GARFIELD HEIGHTS

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

- (1) Adopt the Environmental Negative Declaration for the zone changes and General Plan amendments listed in Attachment 4 of the agenda report; approve the De Minimis Impact Finding on the State Fish and Wildlife Habitat (Attachment 5 of the agenda report); and direct the City Clerk to file a Notice of Determination and Certificate of Fee Exemption for the California Department of Fish and Game, with the Los Angeles County Recorder (Attachment 6 of the agenda report).
- (2) Find that the proposed zone changes and General Plan amendments are consistent with the goals, objectives, and policies of the General Plan and the findings required in Section 17.74.070 of the Pasadena Municipal Code.
- (3) Determine that remaining sites identified in the adopted 2000-2005 Housing Element are adequate to accommodate the City's share of the regional housing need for the planning period pursuant to Government Code Section 65584.
- (4) Change the zoning in the Northern section of the study area (see Figure 1 of the agenda report) from Multi-Family Residential RM-16 to Multi-Family Residential RM-12 and amend the corresponding General Plan designation from Medium Density Residential (0-16 dwelling units/net acre) to Low-Medium Density Residential (2 dwelling units per lot).
- (5) Change the zoning along the Mountain section of the study area (see Figure 1 of the agenda report) from Multi-Family Residential RM-32 to Multi-Family Residential RM-12 and amend the corresponding General Plan land use designation from Medium-High Density Residential (0-32 dwelling units/net acre) to Low-Medium Density Residential (2 dwelling units per lot).
- (6) Direct the City Attorney to prepare an ordinance amending the official zoning map of the City of Pasadena established by Section 17.20.040 of the Pasadena Municipal Code in the

manner described in the agenda report and return within 90 days.

Recommendation of Planning Commission: The Planning Commission considered the zone changes and General Plan amendments on September 21, 2005, and recommended that the City Council approve the amendments, as recommended in the agenda report.

Recommendation of Northwest Commission: On September 13, 2005, the Northwest Commission voted to disapprove the recommendation to rezone the study area. The Commission's concerns centered on whether the zone changes would be the most effective way of providing affordable housing. The Commission expressed that the most certain way of providing affordable housing was to rely on the affordable units required by the Inclusionary Housing Ordinance in new developments. Furthermore, the Commission expressed that keeping the existing zoning would provide more affordable units than the proposed zoning.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on October 24, 2005 in the Pasadena Star-News; 62 copies of the notice were posted on October 21, 2005; 480 copies of the notices were mailed on October 21, 2005; 4 letters in support were received; and 1 letter in opposition was received.

Mr. Scott Reimers, Associate Planner, reviewed the agenda report and responded to questions.

Mr. Brian Biery, Neighborhood Connections Program Coordinator, responded to questions regarding the neighborhood associations linked to the study area.

Mr. John Poindexter, Planning Manager, discussed demolition of units and building standards for the area, the balancing of General Plan goals and this down-zoning proposal, and public input during the process; and responded to questions.

The City Manager discussed various factors involving land use issues/decisions that were taken into consideration during the process in which the zoning proposal was crafted, and responded to questions.

Discussion followed on the level of participation by various neighborhood associations in the study area process, the impacts of the proposed changes on existing affordable housing, a comparison of existing density vs. proposed density and existing housing vs. maximum capacity if built out, the intent of down-zoning this area, the impacts of the proposed standards and compatibility of new housing with a residential

neighborhood, the effects of the upcoming changes in the City of Gardens Ordinance on this area, the relationship of the General Plan to the proposed zoning changes, the impacts of SB 1818 on these changes, possible incentives to encourage the development of affordable housing, and the effects of supply and demand and increased prices when supply is diminished on the housing market and affordable housing.

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

Mr. Joe Brown, Pasadena National Association for the Advancement of Colored People (NAACP) representative
Mr. Tim Lewis, William Carey International University President
Ms. Clara Johnson, Pasadena resident
Ms. Lorraine Chapman, Pasadena resident
Ms. Linda Dorr, William Carey International University representative
Mr. Philip Koebel, America's Renters Club representative
Ms. Maria Isenberg, Northwest Commissioner
Ms. Wendy Nash, Northwest Commissioner
Ms. Ann Higginbotham, Ritz Townhomes LLC representative
Ms. April Anderson, Pasadena resident
Mr. Brandon Bowlin, Pasadena resident
Ms. Jude Matas, Pasadena resident
Mr. Raúl Borbón, APPLE-IDEPSCA representative
Ms. Diana Peterson-More, Planning Commission Chair
Mr. Joel Bryant, Pasadena resident
Ms. Julie Grant, Pasadena resident
Mr. Eric Winter, South Pasadena
Ms. Aida Morales, Pasadena resident

Vice Mayor Madison was excused at 11:13 p.m.

The following persons spoke in support of the zoning changes and/or expressed concerns:

Mr. Robert Barber, Northwest Commissioner
Ms. Janet Whaley, Pasadena resident
Mr. Mark Mortenson, Garfield Heights Neighborhood Association member
Mr. Raymond Renzullo, Pasadena resident
Mr. Bob Kneisel, Pasadena resident
Mr. Dale Trader, Pasadena Neighborhood Coalition Chair
Ms. Renee Rubalcava, Pasadena resident
Ms. Ebony Madyun, Pasadena resident
Ms. Laura Stewart, Garfield Heights Neighborhood Association member

Ms. Peterson-More reported on the Planning Commission minority compromise proposal that recommended down-zoning Adena Street and Claremont Street, placing a historic overlay

over the three historic properties on Los Robles Avenue, and not down-zoning the balance of Los Robles Avenue. She clarified that the Planning Commission had not recommended the east side of Los Robles Avenue to be included in the consideration for down-zoning; and noted that the Planning Commission had looked at this matter more comprehensively as an expansion of the Garfield Heights Landmark District, although the staff recommendations were being presented to Council at this meeting as two public hearings (RM-12 Section and RM-16 Section); and responded to questions.

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

The City Manager clarified that the Planning Commission had voted on the expansion of the Garfield Heights Landmark District based on staff's report and recommendation.

Councilmember Streater raised a question regarding the process followed in this matter in which one neighborhood association is making a recommendation that affects another neighborhood association without involving the second neighborhood association in the process. She emphasized the need to consider zoning changes in the context of protecting neighborhoods and providing livable neighborhoods and adhering to the General Plan provision for allowing increased density along transportation corridors in order to protect the single-family neighborhoods abutting these corridors.

Councilmember Gordo stressed the need to protect existing affordable housing and building standards that preserve the single-family residential neighborhoods.

Councilmember Little suggested the Planning Commission be asked to look at the following issues: preservation of affordable housing that maintains a streetscape that is compatible with the neighborhoods and allows additional affordable housing units, development of design standards that can be imposed and will contribute to the neighborhood, examination of certain streets for down-zoning, possible use of historic overlays to protect certain buildings on Los Robles Avenue, and the development of incentives for affordable housing. He also asked staff to research whether property owners could be allowed to build more units than are allowed by the Zoning Code if the units that are built are affordable housing units.

Councilmember Holden noted that concerns/questions regarding design standards may be addressed when the City of Gardens Ordinance revisions are presented to Council; and commented on the disconnect of neighbors from one another

and a general vision for their neighborhoods, and the need to discuss a citywide policy on rental housing along with the issue regarding the creation and distribution of affordable housing. He suggested the Planning Commission also take another look at the minority report as presented by Ms. Peterson-More.

Vice Mayor Madison returned at 11:47 p.m.

Councilmember Gordo reminded the Planning Commission of its responsibility to protect single-family residential neighborhoods based on the General Plan.

The Mayor commented on the public's possible misunderstanding of the staff report and its recommendations, and suggested the report not be dismissed too lightly.

The City Manager estimated the report would return to Council in late January/early February, and noted the Council would be considering the City of Gardens Ordinance revisions and the report on three-story buildings that abut single-family residences in the interim time period.

It was moved by Councilmember Streater, seconded by Councilmember Holden, to refer this matter back to staff and the Planning Commission for a report that provides a process that protects both existing affordable units and workforce units, addresses what would be an appropriate density bonus if the area of Los Robles Avenue identified in the staff report is down-zoned to bring it to where it is now without exceeding what is currently required by zoning, and also factoring in the impacts of SB 1818 and concerns that developers can request a waiver of standards; that provides an understanding of the relationship between bonuses that could be applied for (preservation and for increasing affordable and workforce housing) under SB 1818; that addresses how to put in place historic overlays so that if buildings have historic value, that can be maintained and still allow some additional housing, depending on the lot size to be created; and that further explores the Planning Commission's minority report regarding the issues of historic overlays and down-zoning of Claremont Street, Adena Street, and Mountain Street. (Motion unanimously carried) (Absent: None)

It was noted that staff will re-notice the public hearing when it returns to Council, and the Orange Heights Neighborhood Association will be included in further discussions and in further noticing of the public hearing.

PUBLIC HEARING: ZONING MAP AND GENERAL PLAN AMENDMENT FOR THE RM-16 SECTION OF GARFIELD HEIGHTS

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

- (1) Adopt the Environmental Negative Declaration for the zone

change and General Plan amendment listed in Attachment 4 of the agenda report; approve the De Minimis Impact Finding on the State Fish and Wildlife Habitat (Attachment 5 of the agenda report); and direct the City Clerk to file a Notice of Determination and Certificate of Fee Exemption for the California Department of Fish and Game, with the Los Angeles County Recorder (Attachment 6 of the agenda report).

(2) Find that the proposed zone change and General Plan amendment are consistent with the goals, objectives, and policies of the General Plan and the findings required in Section 17.74.070 of the Pasadena Municipal Code.

(3) Determine that remaining sites identified in the adopted 2000-2005 Housing Element are adequate to accommodate the City's share of the regional housing need for the planning period pursuant to Government Code Section 65584.

(4) Change the zoning in the Southern section of the study area (see Figure 1 of the agenda report) from Multi-Family Residential RM-32 to Multi-Family Residential RM-16 and amend the corresponding General Plan designation from Medium-High Density Residential (0-32 dwelling units/net acre) to Medium Density Residential (0-16 dwelling units/net acre).

(5) Direct the City Attorney to prepare an ordinance amending the official zoning map of the City of Pasadena established by Section 17.20.040 of the Pasadena Municipal Code in the manner described in the agenda report and return within 90 days.

Recommendation of Planning Commission: The Planning Commission considered the zone changes and General Plan amendments on September 21, 2005, and recommended that the City Council approve the amendments, as recommended in the agenda report.

Recommendation of Northwest Commission: On September 13, 2005, the Northwest Commission voted to disapprove the recommendation to rezone the study area. The Commission's concerns centered on whether the zone changes would be the most effective way of providing affordable housing. The Commission expressed that the most certain way of providing affordable housing was to rely on the affordable units required by the Inclusionary Housing Ordinance in new developments. Furthermore, the Commission expressed that keeping the existing zoning would provide more affordable units than the proposed zoning.

Councilmember Gordo recused himself at 11:59 p.m., due to a conflict of interest.

Mayor Bogaard was excused at 12:03 a.m., November 8, 2005 and Vice Mayor Madison assumed the Chair.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on October 24, 2005 in the Pasadena Star-News; 62 copies of the notice were posted on October 21, 2005; 498 copies of the notices were mailed on October 21, 2005; 4 letters in support were received; and 1 letter in opposition was received.

The City Manager summarized the agenda report.

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

Mr. Eric Winter, South Pasadena
Mr. Gregory Foster, Pasadena resident
Ms. Julie Grant, Pasadena resident
Mr. Brandon Bowlin, Pasadena resident

The following persons spoke in support of the zoning changes and/or expressed concerns:

Mr. Dale Trader, Pasadena Neighborhood Coalition Chair
Mr. Mark Mortenson, Garfield Heights Neighborhood Association member
Mr. Raymond Renzullo, Pasadena resident
Ms. Laura Stewart, Garfield Heights Neighborhood Association member
Ms. Ebony Madyun, Pasadena resident

Mayor Bogaard returned at 12:15 a.m., November 8, 2005.

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

Vice Mayor Madison suggested the issue of preferences for current residences also be included in these discussions.

The City Attorney indicated the report on local preferences related to housing is scheduled to be presented to Council during the month of November 2005.

It was moved by Councilmember Streater, seconded by Councilmember Little, to refer this matter back to staff and the Planning Commission pursuant to the issues raised in the prior public hearing on the Zoning Map and General Plan Amendment for the RM-12 Section of Garfield Heights. (Motion unanimously carried) (Absent: Councilmember Gordo)

INFORMATION ITEM

PREDEVELOPMENT PLAN REVIEW FOR NEW CONSTRUCTION OF A MIXED USE PROJECT WITH GROUND FLOOR RETAIL AND 16 CONDOMINIUM UNITS AT 592 EAST COLORADO BOULEVARD (PPR 2005-00014)
Recommendation of City Manager: This report is for information only.

On order of the Mayor, the above item was held to a future Council meeting due to time constraints.

**REPORTS AND
COMMENTS FROM
COUNCIL COMMITTEES**

**UPDATE REPORT REGARDING SAN GABRIEL VALLEY
COUNCIL OF GOVERNMENTS (Councilmember Tyler)**

Reports from Representatives

Councilmember Tyler, City representative on the San Gabriel Valley Council of Governments (SGVCOG) updated Council on the status of the District Attorney's inquiry (regarding an alleged conflict of interest). He reported on the status of the audit of COG that was performed by the Southern California Association of Governments (SCAG) that has not been finalized at this time; and explained that the audit had examined the sub-regions in general to ensure that the appropriate procedures and documentation are in place and that the audit will assist the COG in being removed from the high-risk status of Caltrans. He outlined some of the impacts and issues related to the outstanding audit, and provided an update on the related negotiations between COG and SCAG on this matter that will allow for the release of the audit. He reported on the establishment of a review committee that has been convened by the COG President to study the issues and weaknesses within COG that arose from the SCAG audit, with the committee to issue a report of its findings and recommendations in January 2006.

Brief discussion followed on the outstanding audit, the process and costs involved in resolving issues related to the audit and the District Attorney's inquiry, and concerns arising out of the audit.

Councilmember Little suggested COG consider using an independent firm to examine the current legal firm being used by COG and related costs connected to the issues that arose from the audit.

Vice Mayor Madison suggested COG use independent counsel in regards to the District Attorney's inquiry and COG procedures.

The Mayor asked Councilmember Tyler to provide an update to Council after COG's next meeting.

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 12:39 a.m., November 8, 2005 to the regular meeting of the Community Development Commission.

RECONVENED

On order of the Mayor, the regular meeting of the City Council reconvened at 12:40 a.m., November 8, 2005. (Absent: Councilmember Gordo)

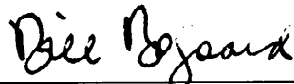
COUNCIL COMMENTS

Vice Mayor Madison thanked staff for their work on the successful recognition luncheon for Commissioners held on November 6, 2005; mentioned that in late August 2005, Time

magazine had featured the 25 most influential Hispanics in the United States and had included Pablo Alvarado on the list as the "new Cesar Chavez" for his work with laborers; and suggested the Mayor recognize Mr. Alvarado for this distinction.

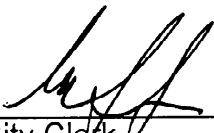
ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 12:50 a.m., November 8, 2005, in memory of the Honorable Edward Roybal, Pasadena resident and former U.S. Congressman.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



For: _____
City Clerk