

CITY OF PASADENA  
City Council Minutes  
November 21, 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 5:45 p.m.  
(Absent: Councilmember Holden, Vice Mayor Madison)

On order of the Mayor, the regular meeting recessed at 5:45 p.m. to discuss the following closed session:

Vice Mayor Madison arrived  
at 5:53 p.m.

**CONFERENCE REGARDING PUBLIC EMPLOYEE  
PERFORMANCE EVALUATION pursuant to Government  
Code Section 54957  
Title: City Attorney**

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

**PUBLIC COMMENT ON  
CLOSED SESSION ITEM**

On order of the Mayor, the regular meeting of the City Council reconvened at 6:05 p.m. to hear public comment on the closed session regarding the City's labor negotiations with the Pasadena Management Association.

Mr. Robert Monzon, President of the Pasadena Management Association (PMA), commented on the protracted time length in the labor negotiations and the current status, and asked that consideration be given in arriving at a proposal that will include fair salaries and benefits for the City's management employees.

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

**CITY COUNCIL CONFERENCE WITH LABOR  
NEGOTIATORS pursuant to Government Code Section  
54957.6**

**Agency Negotiators: Karyn Ezell, Richard Kunz  
Employee Organizations: Pasadena Association of Clerical  
and Technical Employees/Laborers International Union of  
North America, Local 777; American Federation of State,  
County and Municipal Employees, Local 858; Pasadena  
Management Association; International Brotherhood of  
Electrical Workers, Local 18; International Union of  
Operating Engineers, Local 501; Service  
Employees International Union, Local 347; and all  
Unrepresented Employees**

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

**CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code Section 54957.6**

**Agency Negotiators: Karyn Ezell, Richard Kunz  
Employee Organization: Pasadena Management Association**

**CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code Section 54957.6**

**Agency Negotiators: Karyn Ezell, Richard Kunz  
Employee Organization: Unrepresented Top, Middle and Professional Employees**

The above two closed session items were not discussed.

On order of the Mayor, the regular meeting reconvened at 6:57 p.m. The Pledge of Allegiance was led by Councilmember Little.

**ROLL CALL:**

Councilmembers:

Mayor Bill Bogaard  
Vice Mayor Steve Madison (Returned at 7:01 p.m.)  
Councilmember Victor Gordo  
Councilmember Steve Haderlein  
Councilmember Chris Holden (Absent)  
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

**CEREMONIAL MATTERS**

Vice Mayor Madison returned at 7:01 p.m.

The City Clerk administered the oath of office to Martin Nicholson as member of the Pasadena Center Operating Company.

**PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA**

Ms. Gail Casburn, Pasadena resident, spoke in opposition to the possible closing of Blair High School by the Pasadena Unified School District (PUSD) because of a budgetary crisis, asked the City to provide support to the District by whatever means the City might have during this time of financial need, and asked the City to work more closely with the District to provide services at reduced costs.

The Mayor noted that the City was carrying on regular and steady dialogue with the District as this relates to a

commitment to work together to attain greater efficiencies and to save funds.

The City Manager indicated the City had made a pledge of \$1 million in savings to be made available to the District over a three-year time period from the City's conservation dollars, and that City services are also provided to the District through the Health Department and various libraries.

Councilmember Streator commented on the District's internal problems that do not necessarily relate to the cost of housing in the City as has been suggested by the District or members of the community as a possible cause of the District's budgetary problems.

Councilmember Little commented on the District's budgetary issues.

Ms. Tricia Thayer, Pasadena resident, commented on alleged equity issues involving the distribution of services by Union Station.

## **CONSENT CALENDAR**

### **AUTHORIZATION TO PURCHASE A CRANE FROM CARDE PACIFIC CORPORATION FOR THE WATER AND POWER DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$120,000**

#### **Recommendation of City Manager:**

(1) Accept the bid dated August 30, 2005, from Carde Pacific Corporation in response to specifications for one 8.5 ton Carydeck Crane, Model 3330FL manufactured by Shuttlelift; and

(2) Authorize the Purchasing Administrator to issue a purchase order contract to Carde Pacific Corporation in an amount not to exceed \$120,000.

### **CONTRACT AWARD TO GRGO & GORDON GRBAVAC CONSTRUCTION, INC. FOR 2006 SEWER PIPE REPAIRS FOR AN AMOUNT NOT TO EXCEED \$120,000**

**Recommendation of City Manager:** Accept the bid dated November 9, 2005, submitted by Grgo & Gordon Grbavac Construction, Inc. for the 2006 Sewer Pipe Repairs, reject all other bids received, and authorize the City Manager to enter into such contract as is required. (Contract No. 18,980)

### **AUTHORIZATION TO APPLY FOR A ROUND 2 GRANT WITH THE CALIFORNIA CULTURAL AND HISTORICAL ENDOWMENT (CCHE) UNDER THE CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS, AND COASTAL PROTECTION ACT OF 2002, FOR THE CITY HALL SEISMIC RETROFIT AND REHABILITATION PROJECT**

**Recommendation of City Manager:** Adopt a resolution approving the submission of a grant application to the

California Cultural and Historical Endowment (CCHE) for the City Hall Seismic Retrofit and Rehabilitation Project. (Resolution No. 8534; Agreement No. 18,981)

**PROVIDE CONTRACT DISPATCHING SERVICES TO THE CITY OF ALHAMBRA THROUGH ADOPTION OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE VERDUGO FIRE COMMUNICATIONS SERVICES AGREEMENT WITH THE CITY OF ALHAMBRA**  
**Recommendation of City Manager:** Adopt a resolution approving a Verdugo Fire Communications Service Agreement with the City of Alhambra. (Resolution No. 8535; Agreement No. 18,982)

**MINUTES APPROVED**

November 7, 2005

**CLAIMS RECEIVED AND FILED**

Claim No. 9970	David L. Pierce	\$ Not Stated
Claim No. 9971	Bob K. Injo	1,000.00
Claim No. 9972	Edith De La Canal	Not Stated

**PUBLIC HEARINGS SET**

January 9, 2006, 8:00 p.m. - Inclusionary Housing In-Lieu Fee Schedule

February 6, 2006, 8:00 p.m. - Designation of 2011 North Raymond Avenue as a Historic Landmark

February 6, 2006, 8:00 p.m. - Designation of 970 Laguna Road as a Historic Landmark

It was moved by Councilmember Tyler, seconded by Councilmember Streator, to approve all items on the Consent Calendar. (Motion unanimously carried) (Absent: Councilmember Holden)

**REPORTS AND COMMENTS FROM COUNCIL COMMITTEES**

**FINANCE COMMITTEE**

**CITY HALL SEISMIC RETROFIT PROJECT - QUARTERLY UPDATE**

**Recommendation of City Hall Restoration Oversight Committee:** This report is for informational purposes only.

**CITY HALL SEISMIC RETROFIT PROJECT - APPROVAL OF CONTINGENCY ADJUSTMENTS, GENERAL CONTRACTOR CHANGE ORDER NO. 2, AND ARCHITECT CONTRACT AMENDMENT**

**Recommendation of City Manager:**

(1) Approve the allocation of \$367,791 from Project Contingency for unforeseen conditions and activities discovered during the retrofit of City Hall, thereby reducing the amount of Project Contingency from \$8,290,807 to \$7,923,016;

(2) Authorize the City Manager to execute Change Order No. 2 to Contract No. 18,768-1 with Clark Construction Group - California, LP, for increases in scope of work due to unforeseen conditions uncovered during the retrofit of City Hall, thereby

increasing the amount of Contract No. 18,768 by \$205,689 from \$79,406,207 to \$79,611,896; and

(3) Authorize the City Manager to execute an Amendment in the amount of \$186,743 to Contract No. 16,899-4 with Architectural Resources Group ("ARG") for increases in design services related to the seismic retrofit of City Hall, thereby increasing the amount of Contract No. 16,899-4 from \$6,447,254 to \$6,633,997. (Contact Amendment No. 16,899-5)

**Recommendation of City Hall Restoration Oversight**

**Committee:** On November 9, 2005, the City Hall Restoration Oversight Committee reviewed and discussed the above topics of contingency adjustments, General Contractor Change Order No. 2, and Architect contract amendment and made the following motion: The Committee concurred that the topics referenced on Attachment 1 of the agenda report (Contingency Adjustments Detail) represented changes in condition and supported deducting \$367,791 from project contingency funds and issue Change Order No. 2 in the amount of \$205,689 to Clark Construction. The Committee also supported issuing a contract amendment to the Project Architect, in the amount of \$186,743, for additional scope of work. The Committee concurred that these changes are reasonable and consistent with ongoing construction activities of similar projects.

The above two agenda items were discussed concurrently.

Councilmember Little, Chair of the Finance Committee, introduced the agenda items.

Dr. Paul Jennings, Chair of the City Hall Restoration Oversight Committee, summarized the agenda reports.

It was moved by Councilmember Little, seconded by Councilmember Gordo, to receive and file the Quarterly Update report for the City Hall Seismic Retrofit Project; and to approve the City Manager's recommendation on the contingency adjustments, Change Order No. 2, and contract amendment for Architectural Resources Group ("ARG"). (Motion unanimously carried) (Absent: Councilmember Holden)

**APPROVAL OF JOURNAL VOUCHER AMENDING THE FY 2006 CAPITAL IMPROVEMENT PROGRAM AND CONTRACT AWARD TO GONZALEZ/GOODALE ARCHITECTS FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR WATER AND POWER YARDS OFFICE BUILDING/WAREHOUSE RENOVATION AND CONSTRUCTION OF A NEW OPERATIONS FACILITY/EOC PROJECT**

**Recommendation of City Manager:**

(1) Amend the FY 2006 Adopted Capital Improvement Program (CIP) Budget by increasing the project budget for the Water and Power Yards Office Building/Warehouse Renovation

and New Operations Facility/EOC (Account No. 71142) from \$10,000,000 to \$15,627,920 for the following project components:

(a) Seismically strengthen and renovate existing 27,000 square foot office building and 15,000 square foot warehouse at an estimated cost of \$3,828,800;

(b) Construct a new 36,000 square foot operations facility with essential facility design standards for \$7,194,120, and construct a 3,500 square foot Emergency Operations Center as part of this facility for \$200,000;

(c) Renovate a 300,000 square foot area to mitigate traffic congestion and improve security, construct new code compliant loading dock, construct new parking space, demolish existing metal shed building, renovate existing transformer building, and provide temporary facilities at an estimated cost of \$1,615,000;

(d) Estimated soft cost budget for Architect/Engineer fees, Public Art fees, Testing and Inspection fees, Construction Administration fees, Legal and Project Administration fees is \$2,790,000.

(2) Authorize the City Manager to enter into a contract with Gonzalez/Goodale Architects for the preparation of the architectural design and contract documents in an amount not to exceed \$1,023,682 pursuant to Charter Section 1002(F), contracts for professional or unique services.

(3) Amend the FY 2006 Capital Improvement Program to appropriate an additional \$790,600 to the Water and Power Warehouse and Office Building Project No. 71142 as follows: \$483,890 from unappropriated Power Fund balance to Project No. 71142, and \$306,710 from unappropriated Water Fund balance to Project No. 71142. (Journal Voucher No. 2006-25; Contract No. 18,983)

Councilmember Little summarized the agenda report.

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

## **INFORMATION ITEM**

### **FUTURE LIBRARY FUNDING TASK FORCE**

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

The Mayor introduced the agenda item.

Ms. Jan Sanders, Director of Information Services Department, reviewed the agenda report, responded to questions and announced the following proposed members of the Task Force: Neil Barry, Kenneth Burles, Robert Cooke, Jacquelynne Jones-Corby, Christopher Curren, Bob Henderson, Greg Jones,

Christopher Kerecman, Yesceni Ramirez, Ross Selvidge, Ph.D., Kathy Wimmer, and Joseph Zeronian.

The City Manager clarified that Council had previously authorized the Library Commission to appoint the Task Force members, with the names to be presented to Council for comments.

Councilmember Streater expressed appreciation to the proposed members for their willingness to serve on the Task Force.

Councilmember Haderlein encouraged the Task Force to pursue alternative revenue sources to be used to expand library services in the community.

It was moved by Councilmember Streater, seconded by Councilmember Haderlein, to receive and file the report. (Motion unanimously carried) (Absent: Councilmember Holden)

**RECOMMENDATIONS  
FROM OFFICERS AND  
DEPARTMENTS**

**DIRECT THE CITY ATTORNEY TO PREPARE AN ORDINANCE AMENDING TITLE 5 OF THE PASADENA MUNICIPAL CODE REQUIRING COMMERCIAL BUILDING OWNERS AND HOSPITALS OR MEDICAL FACILITIES TO PROVIDE TENANT LISTING OF INDEPENDENT CONTRACTORS AND PHYSICIANS PROVIDING SERVICES AT THOSE LOCATIONS AND IMPOSE FINES TO GARDENERS, CONTRACTORS OR MOBILE BUSINESSES THAT FAIL TO DISPLAY THEIR BUSINESS LICENSE PERMITS**

**Recommendation of City Manager:** It is recommended that the City Council direct the City Attorney to prepare an ordinance and return within 60 days with the proposed ordinance amending Title 5 "Business Licenses and Regulations" of the Pasadena Municipal Code to require:

(1) Commercial building owners and hospital/convalescent homes to provide a quarterly tenant listing of independent contractors or out-of-town physicians providing services at their facilities within the City of Pasadena (Municipal Code Section 5.16.270 and Section 5.16.190).

(2) Permit stickers to be affixed to mobile business vehicles and impose fines to those businesses that fail to display said permit (Municipal Code Section 5.16.120 and Section 5.16.180).

The City Manager introduced the agenda item.

Mr. Vic Erganian, City Treasurer, summarized the agenda report and responded to questions.

Councilmember Tyler stressed the need to step up enforcement of these permit regulations to address the issues

Councilmember Haderlein was excused at 7:39 p.m.

related to those businesses operating without a City business license, and thanked staff for bringing this report to Council.

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

**AUTHORITY OF BUSINESS TAX INSPECTORS TO ISSUE CITATIONS TO BUSINESSES THAT ARE NOT IN COMPLIANCE WITH THE BUSINESS LICENSE CODE SUBJECT TO THE ADMINISTRATIVE PENALTY PROVISIONS OF THE PASADENA MUNICIPAL CODE**

**Recommendation of City Manager:** Direct the City Attorney's Office to prepare an amendment to Pasadena Municipal Code, Section 5.04 providing that, in addition to the other penalty provisions, certain violations of the Business License and Regulations Code would be subject to the administrative penalty provisions and enforcement mechanisms of the Pasadena Municipal Code and return to City Council within 60 days.

Councilmember Haderlein returned at 7:41 p.m.

Mr. Vic Erganian, City Treasurer, reviewed the agenda report and responded to questions.

Mr. Jay Goldstone, Director of Finance Department, added that this action also included a training component for the personnel who would be enforcing the provisions of the Municipal Code, discussed the adequate number of staff members needed to perform the enforcement functions, and responded to questions.

Ms. Valarie Moss, Municipal Services Supervisor, explained the training component and responded to questions.

Councilmember Tyler noted ongoing problems with unlicensed mobile businesses operating in the community and servicing homes and fixed businesses; questioned the adequacy of the level of staffing for enforcement involving mobile businesses; suggested the augmenting of staff for enforcement involving mobile contractors; and stressed the need to publicize these Code changes, especially to the mobile contractors.

Mr. Goldstone agreed to work with the Public Information Officer to develop a publicity program with outreach to all business segments and a focus on the mobile business community.

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



RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 7:50 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 8:18 p.m. (Absent: Councilmember Holden)

**PUBLIC HEARING**

**PUBLIC HEARING: AMENDMENTS TO TITLE 16 AND 17 OF THE PASADENA MUNICIPAL CODE TO TRANSFER THE RESPONSIBILITY OF THE SUBDIVISION COMMITTEE TO THE HEARING OFFICER**

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

- (1) Acknowledge that the proposed Code amendment is an administrative change and could not have a potential for causing a significant effect on the environment and therefore is not subject to the California Environmental Quality Act ("CEQA");
- (2) Adopt a finding of consistency with the General Plan as contained in the agenda report; and
- (3) Approve the recommendation for the proposed amendments to Title 16 and 17 as it relates to transferring the responsibility of the Subdivision Committee to the Hearing Officer.

**Recommendation of Planning Commission:** The Planning Commission reviewed these amendments on September 21, 2005. The Commission recommended approval of the amendments.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on November 7 and 16, 2005 in the Pasadena Star-News and on November 10, 2005 in the Pasadena Journal; and no correspondence was received.

Councilmember Haderlein was excused at 8:24 p.m.

The City Manager introduced the agenda item.

Mr. Denver Miller, Principal Planner, summarized the agenda report, outlined the criteria for the position of hearing officer, and responded to questions.

The City Attorney responded to questions regarding the possible application of Measure B (the Oaks Initiative) to the hearing officer position.

Vice Mayor Madison was excused at 8:30 p.m.

The City Manager indicated a copy of the Request for Proposals, which would list the criteria for the hearing officer position, would be distributed to Council; and responded to questions.

Mr. Richard Bruckner, Director of Planning and Development Department, discussed the various appeal processes.

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

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

**ORDINANCE – FIRST READING**

**Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 16 AND TITLE 17 OF THE PASADENA MUNICIPAL CODE TO ELIMINATE THE SUBDIVISION COMMITTEE AND REPLACE IT WITH A HEARING OFFICER”**

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

AYES: Councilmembers Gordo, Little, Streater, Tyler, Mayor Bogaard

NOES: None

ABSENT: Councilmembers Haderlein, Holden, Vice Mayor Madison

**PUBLIC HEARINGS**

**CONTINUED PUBLIC HEARING: REVISIONS TO THE ZONING CODE REGARDING THE CITY OF GARDENS DEVELOPMENT STANDARDS, PARKING AND ENCROACHMENT REQUIREMENTS**

**RECOMMENDATION OF CITY MANAGER:** It is recommended that the City Council, following a public hearing:

(1) Adopt a Negative Declaration that finds the proposed amendments to the Zoning Code (City of Gardens ordinance) have no negative environmental impacts under the California Environmental Quality Act (“CEQA”);

(2) Adopt a finding that the proposed amendments to the Zoning Code are consistent with the General Plan as outlined in the agenda report;

(3) Approve the proposed staff amendments to the Zoning Code regarding the City of Gardens development standards, parking and encroachment requirements as contained in Attachment 1 of the agenda report; and

(4) Direct the City Attorney to prepare an ordinance amending the Zoning Code for the City of Gardens amendments in 60 days.

**Recommendation of Planning Commission:** The Planning Commission reviewed the amendments at their September 14, 2005 hearing. Of the 23 recommendations, staff concurs with the Planning Commission on 22 of these. The one outstanding amendment that staff has a different

recommendation for is the location of the third story adjacent to a single-family zoned district. The Planning Commission's recommendations are in Attachment 2 of the agenda report.

**Recommendation of Community Development Committee:** On August 24, 2005, the Community Development Committee reviewed 22 of the 23 amendments and approved 15 of staff's recommendations and modified seven. The Commission's recommendations are included in Attachment 2 of the agenda report.

**Recommendation of Northwest Commission:** On August 30, 2005 the Northwest Commission approved 19 of staff's recommendations and modified four. The amendments are included in Attachment 2 of the agenda report.

Councilmember Haderlein returned at 8:35 p.m.

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

Vice Mayor Madison returned at 8:37 p.m.

The City Clerk reported the notice of public hearing was published on October 31 and November 9, 2005 in the Pasadena Star-News and on November 3, 2005 in the Pasadena Journal; and six letters in support of the Planning Commission's recommendation were received.

The City Manager provided background on the process in reviewing the provisions in the City of Gardens Ordinance, introduced the agenda item, and responded to questions.

Ms. Lola Osborne, Project Manager, reviewed the agenda report, distributed diagrams/drawings illustrating information in the agenda report, and responded to questions.

Mr. Richard Bruckner, Director of Planning and Development Department, responded to questions regarding the revisions and the process for development of the changes, and outlined the waivers/modifications and concessions/incentives that are allowed under State law.

Discussion followed on concerns regarding the creation/destruction of affordable housing, the protection of single-family housing, and creation of an effective transition zone from single-family to multi-family dwellings.

The following persons spoke in opposition to the staff recommendation and/or supported the Planning Commission's recommendation or various modified revisions:

Mr. Ron Logan, Madison Heights Neighborhood Association member

Mr. Berkeley Harrison, Madison Heights Neighborhood Association member

Ms. Kelley Holmes, Pasadena resident

Ms. Jill Shook, Pasadena resident

Ms. Gail Anderson, Pasadena resident  
Mr. Robert Lopuck, Pasadena resident

The following persons spoke in favor of the staff recommendation and/or expressed concerns:

Mr. John Grech, Pasadena resident  
Mr. Michael Hajar, Pasadena resident  
Mr. Eric Winter, South Pasadena  
Mr. James Lomako, Pasadena resident

Discussion continued on the Planning Commission's recommendations and possible impacts on future projects, impacts on the character of existing neighborhoods, design issues, and the impacts of State law.

Mr. John Poindexter, Planning Manager, responded to questions regarding existing developments and projects currently being planned.

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

#### MOTION

Following discussion, it was moved by Councilmember Tyler, seconded by Councilmember Haderlein, to approve City Manager Recommendation Nos. 1, 2, and 4; and to approve City Manager Recommendation No. 3, incorporating the Planning Commission's Recommendations a – d (regarding three-story buildings adjacent to an RS zoned district), as cited on page 4 of the agenda report in the Background section.

Councilmember Little requested the motion be amended to direct staff to prepare an ordinance pursuant to the motion, while at the same time staff will look at whether or not rear setbacks can be adjusted to increase opportunities to build third stories in a way that will not have adverse impacts on surrounding properties and which maintains the character of a neighborhood, and will also allow for economically feasible projects for developers.

Councilmembers Tyler and Haderlein, maker and seconder of the pending motion, were not agreeable to amending the motion.

Councilmember Streator suggested maintaining a variety of building heights on a block regardless of lot width, contrary to the staff recommendation; and indicated she could not support the motion if it was not open to being amended.

Councilmember Little stated he would support the motion without his proposed amendment.

## VOTE ON THE MOTION

Vote on the motion (without amendment) to approve City Manager Recommendation Nos. 1, 2, and 4; and to approve City Manager Recommendation No. 3, incorporating the Planning Commission's Recommendations a - d. (Motion carried, with Councilmember Streater objecting) (Absent: Councilmember Holden)

### **CONTINUED PUBLIC HEARING: PROPOSED ZONING CODE AMENDMENTS TO LIMIT THE HEIGHT OF COMMERCIAL AND INDUSTRIAL DEVELOPMENT ABUTTING PROPERTIES IN THE SINGLE-FAMILY (RS) AND TWO-UNITS PER LOT (RM-12) RESIDENTIAL DISTRICTS**

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

(1) Adopt the Initial Environmental Study (Attachment 5 of the agenda report) and Negative Declaration (Attachment 2 of the agenda report) which determined that the proposed amendment to the Zoning Code (Commercial and Industrial Development Standards) will not create any negative environmental impacts;

(2) Direct the City Clerk to file a Notice of Determination and De Minimis Impact Finding on the State Fish and Wildlife Habitat with the Los Angeles County Recorder (Attachments 3 and 4 of the agenda report);

(3) Adopt the findings that the proposed Zoning Code amendment is consistent with the policies of the General Plan and the purposes of Title 17 (Attachment 1 of the agenda report);

(4) Approve the amendment to the Commercial and Industrial General Development Standards and the General Property Development and Use Standards, Setback and Encroachment Plane Requirements and Exceptions of the Zoning Code as outlined in the agenda report; and

(5) Direct the City Attorney to prepare an ordinance within 60 days amending the pertinent provisions of Pasadena Municipal Code Title 17 (the Zoning Code).

**Recommendation of Planning Commission:** The Planning Commission reviewed the proposal at their meeting on September 28, 2005. The Planning Commission voted unanimously to recommend approval of the Zoning Code amendment with changes as reflected in the staff recommendation.

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

The City Clerk reported the notice of public hearing was published on October 24 and November 9, 2005 in the

Pasadena Star-News and on November 3, 2005 in the Pasadena Journal; 1,425 copies of the notice were mailed on October 21, 2005; 2 letters in support of the staff recommendation were received; and 2 letters in opposition to the staff recommendation regarding height limits were received.

The City Manager introduced the agenda item and responded to questions.

Mr. Antonio Gardea, Associate Planner, reviewed the agenda report and responded to questions.

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

Councilmember Little suggested basing the building heights for future projects on a factor of compatibility with heights of existing buildings.

The following persons expressed concerns/made suggestions for changes to the Zoning Code Amendments:

Mr. Augustin Zuniga, Brigden Ranch Neighborhood Association member

Mr. Stacy Lewis, Brigden Ranch Neighborhood Association member

The following persons spoke in support of the Zoning Code Amendments:

Ms. Susan King, Pasadena resident

Mr. John Grech, Pasadena resident

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

It was moved by Councilmember Haderlein, seconded by Councilmember Little, to approve the City Manager's recommendation, with staff to return with a proposed overlay for building heights for certain parcels on North Allen Avenue when the ordinance is presented to Council, and with staff to research the possibility of drafting a compatibility clause regarding heights of buildings that could be added to the Zoning Code at a later date, with the report to be presented to Council in 90-120 days. (Motion unanimously carried) (Absent: Councilmember Holden)

**RECOMMENDATIONS  
FROM OFFICERS AND  
DEPARTMENTS**

**ADOPTION OF RESOLUTIONS ELECTING TO BE SUBJECT  
TO THE PUBLIC EMPLOYEES MEDICAL AND HOSPITAL  
CARE ACT WITH RESPECT TO MEMBERS OF THE  
PASADENA ASSOCIATION OF CLERICAL AND**

**TECHNICAL EMPLOYEES, THE SERVICE EMPLOYEES INTERNATIONAL UNION, THE PASADENA MANAGEMENT ASSOCIATION, THE INTERNATIONAL UNION OF OPERATING ENGINEERS, AND ALL UNREPRESENTED NON-SAFETY MANAGEMENT AND NON-MANAGEMENT EMPLOYEES; AND FIXING THE CITY'S CONTRIBUTION FOR EMPLOYEES AND ANNUITANTS AT CERTAIN AMOUNTS**

**Recommendation of City Manager:** It is recommended that the City Council adopt resolutions electing to be subject to the Public Employees Medical and Hospital Act (PEMHCA), for members of the Pasadena Association of Clerical and Technical Employees (PACTE), the Service Employees International Union, Local 347 (SEIU), the Pasadena Management Association (PMA), and the International Union of Operating Engineers, Local 501 (IUOE), all unrepresented non-safety Executive, Top, Middle and Professional employees, and all unrepresented Confidential Clerical, Technical Administrative, Hourly and Non-Represented employees, for the purposes of receiving medical benefits through the California Public Employees Retirement System. (Resolution Nos. 8536 through 8541)

The City Manager introduced the agenda item.

Ms. Karyn Ezell, Director of Human Resources Department, summarized the agenda report and responded to questions.

Councilmembers Gordo and Haderlein were excused at 10:48 p.m.

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

**INFORMATION ITEM**

**PREDEVELOPMENT PLAN REVIEW FOR A MIXED USE PROJECT AT 250 EAST UNION STREET**

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

Councilmember Haderlein returned at 10:51 p.m.

Mr. Kevin Johnson, Assistant Planner, reviewed the agenda report and responded to questions.

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

**PUBLIC COMMENT**  
(Continued)

Mr. Richard Kim, Holliston United Methodist Church representative, expressed concerns regarding the need for the installation of a traffic signal at the corner of Colorado Boulevard and Holliston Avenue, and submitted a packet of correspondence in support of a request for the installation of a traffic signal at this intersection.

The Mayor noted staff was reviewing the above request.

**ANNOUNCEMENTS**

The City Manager indicated that members of the Pasadena Fire Department had recently returned from assisting with the brush fires in the City of Ventura area.

The Mayor reported on a City-sponsored event held on November 19, 2005 that resulted in the donation of over 500 turkeys with dinner trimmings to a group of City agencies that work with low-income families.

Ms. Ann Erdman, Public Information Officer, announced the recent passing of KPAS staff member, Tyrone Rucker.

**ADJOURNMENT**

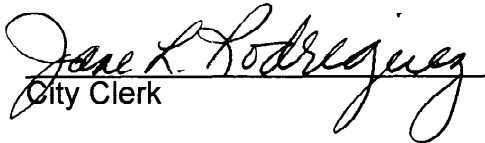
On order of the Mayor, the regular meeting of the City Council adjourned at 11:06 p.m., in memory of Stanley L. Hahn, Pasadena resident and longtime attorney at Hahn & Hahn, LLP, who participated in various civic efforts and donated services to the Tournament of Roses Association for over 55 years.



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Bill Bogaard, Mayor  
City of Pasadena

ATTEST:



Jane L. Rodriguez  
City Clerk