

CITY OF PASADENA
City Council Minutes
December 5, 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 5:40 p.m.
(Absent: Councilmembers Haderlein, Holden)

On order of the Mayor, the regular meeting recessed at 5:40 p.m., to discuss the following closed sessions:

Mayor Bogaard was excused at 5:40 p.m.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8
Property: 6 through 46 Peoria Street, 584 through 612 North Fair Oaks Avenue, 171 Carlton Street, and 502 Cypress Avenue, Pasadena, California
Agency Negotiator: Cynthia J. Kurtz
Negotiating Parties: Heritage Housing Partners
Under Negotiation: Price, terms and conditions

Councilmember Holden arrived at 5:54 p.m.

Mayor Bogaard returned and Councilmember Gordo was excused at 6:26 p.m.

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 two closed session items were 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 7:12 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 (Absent)
Councilmember Chris Holden
Councilmember Paul Little
Councilmember Joyce Streator
Councilmember Sidney F. Tyler

Staff:

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

CEREMONIAL MATTERS

Ms. Fran Woodmansee, on behalf of the neighbors and friends of Harold Sadring, presented checks donated in memory of Mr. Sadring to the Pasadena Police Foundation to be used in support of the Pasadena Police K-9 Unit. The checks were accepted by Marilyn Buchanan, Pasadena Police Foundation President, who indicated that the funds would be transferred to the K-9 Unit.

Officer Tom Brown, accompanied by his Police dog Art, noted that the funds would be used in conjunction with the K-9 Unit's work with children.

Police Chief Bernard Melekian noted the presence of Harold Sadring's son and step-daughter in the audience, and acknowledged Mr. Sadring's volunteerism for the Police Department and his special commitment to the K-9 Unit.

Mr. Richard Bruckner, Director of Planning and Development Department, announced that the City's Planning and Development Department had received the 2005 National Award for Smart Growth Achievement – Policies and Regulations, which was bestowed by the U.S. Environmental Protection Agency in recognition of the City's development of the Central District Specific Plan. He acknowledged the participation by the community and the Planning Commission and the work of John Poindexter, Planning Manager, and Laura Dahl, Senior Planner, in the Plan process.

Ms. Dahl distributed a booklet titled "National Award for Smart Growth Achievement" that highlighted the City's accomplishment in receiving the award.

The Mayor and Vice Mayor Madison commended staff for their dedicated work on the Central District Specific Plan.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Mr. Marvin Schachter, Senior Advocacy Council of Pasadena representative, informed Council about the 2005 White House Conference on Aging to be held on December 11, 2005 in Washington D.C., submitted a handout regarding the Conference, and urged Council to continue to address policy issues affecting seniors (e.g. Medicare, Social Security, housing, and health care).

CONSENT CALENDAR

APPROVAL AND ACCEPTANCE OF AN EASEMENT DEDICATION FOR PUBLIC STREET PURPOSES ALONG THE SOUTH SIDE OF WALNUT STREET LOCATED WEST OF LAKE AVENUE AT 888 EAST WALNUT STREET

Recommendation of City Manager: Adopt a resolution approving and accepting a proposed easement dedication for public street purposes along the south side of Walnut Street located west of Lake Avenue at 888 East Walnut Street. (Resolution No. 8542)

Item discussed separately at the request of Councilmember Tyler.

RESOLUTION APPROVING A LICENSE AGREEMENT BETWEEN THE CITY OF PASADENA AND WALNUT ACQUISITION PARTNERS, LLC, FOR THE INSTALLATION OF TIE-BACKS UNDER THE PUBLIC RIGHT-OF-WAY FOR SUBTERRANEAN PARKING ALONG LOCUST STREET, MENTOR AVENUE, WALNUT STREET AND LAKE AVENUE

AMENDMENT TO THE MASTER STREET TREE PLAN

Recommendation of City Manager: It is recommended that the City Council approve an amendment to the Master Street Tree Plan (MSTP) to allow for the planting of *Prunus serrulata* 'Pink Cloud' on Palm Terrace.

Recommendation of Urban Forestry Advisory Committee: At its regular meeting on August 1, 2005, the Urban Forestry Advisory Committee recommended the City Council approve an amendment to the MSTP that would designate the *Prunus serrulata* 'Pink Cloud' as an alternate street tree for Palm Terrace.

Recommendation of Design Commission: At its regular meeting on November 14, 2005, the Design Commission recommended that the City Council approve an amendment to the MSTP that would designate the *Prunus serrulata* 'Pink Cloud' as an alternate street tree for Palm Terrace.

RECOMMENDED AMENDMENTS TO SECTIONS 3.24.110(A) AND 6.12.010(A) OF THE PASADENA MUNICIPAL CODE TO ALLOW DOGS OFF-LEASH IN DESIGNATED PUBLIC PARK AREAS

Recommendation of City Manager: It is recommended that the City Council direct the City Attorney to prepare an ordinance, within 60 days, that will amend Chapter 3.24.110(A) and 6.12.010(A) of the Pasadena Municipal Code and any related sections to provide that persons may allow dogs off-leash in the designated public park areas and to establish certain regulations for the use of those areas.

MINUTES APPROVED

November 14, 2005
 November 21, 2005
 November 28, 2005 (Cancelled)

CLAIMS RECEIVED AND FILED

Claim No. 9973	Ruth Beveridge	\$	Not Stated
Claim No. 9974	Seth M. Harris		1,604.22
Claim No. 9975	Susan L. Nafziger		469.91
Claim No. 9976	Domenick Samuel Clemente		Not Stated
Claim No. 9977	Candice Elise Brown, Ayerin Simmerman and Louie Simmerman		Not Stated
Claim No. 9978	Melissa Winchak		4,000.00
Claim No. 9979	Yu-Han Chang		Not Stated

PUBLIC HEARINGS SET

January 9, 2006, 8:00 p.m. - Appeal of Board of Zoning Appeals Decision Regarding Conditional Use Permit No. 4533, 94-112 Waverly Drive (Waverly School)

January 30, 2006, 8:00 p.m. - Adoption of a Master Development Plan for Art Center College of Design's South Campus, a Zone Change, and an Amendment to the South Fair Oaks Specific Plan

January 30, 2006, 8:00 p.m. - Establishment of the Bellefontaine Landmark District

January 30, 2006, 8:00 p.m. - Establishment of the Madison Landmark District

It was moved by Councilmember Tyler, seconded by Councilmember Streater, to approve the Consent Agenda, with the exception of Item 2 (License Agreement with Walnut Acquisition Partners, LLC), which was discussed separately. (Motion unanimously carried) (Absent: Councilmember Haderlein)

Councilmember Little requested that staff provide him with additional information on alternative street trees that can be planted for the Michigan Avenue-north of Washington Boulevard area.

**CONSENT ITEM
DISCUSSED SEPARATELY**

**RESOLUTION APPROVING A LICENSE AGREEMENT BETWEEN THE CITY OF PASADENA AND WALNUT ACQUISITION PARTNERS, LLC, FOR THE INSTALLATION OF TIE-BACKS UNDER THE PUBLIC RIGHT-OF-WAY FOR SUBTERRANEAN PARKING ALONG LOCUST STREET, MENTOR AVENUE, WALNUT STREET AND LAKE AVENUE
Recommendation of City Manager:**

- (1) Adopt a resolution approving a License Agreement with Walnut Acquisition Partners, LLC, for the property located at 220 North Lake Avenue, with terms and conditions as set forth in the background section of the agenda report; and
- (2) Authorize the City Manager to execute and the City Clerk to attest said License Agreement on behalf of the City of Pasadena. (Resolution No. 8543; Agreement No. 18,988)

In response to Councilmember Tyler's questions, Mr. Martin Pastucha, Director of Public Works Department, confirmed the insurance requirements under the agreement.

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

ORDINANCE – ADOPTED

Adopt "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" (Introduced by Councilmember Tyler) (Ordinance No. 7022)

The above ordinance was adopted by the following vote:

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

NOES: None

ABSENT: Councilmember Haderlein

**REPORTS AND
COMMENTS FROM
COUNCIL COMMITTEES**

**LEGISLATIVE POLICY
COMMITTEE**

FEDERAL LEGISLATIVE PLATFORM

Recommendation of City Manager: It is recommended that the City Council approve the Federal Legislative Platform for 2006.

STATE LEGISLATIVE PLATFORM

Recommendation of City Manager: It is recommended that the City Council approve the State Legislative Platform for 2006.

The Mayor, Chair of the Legislative Policy Committee, provided background for the Federal and State Legislative Platforms, and introduced the above two agenda items, which were discussed concurrently.

Ms. Julie Gutierrez, Assistant City Manager, responded to questions regarding the Route 210 Soundwalls priorities.

Discussion followed on the Route 210 soundwalls projects; housing issues; prioritization of issues involving children, youth, and families; and possible changes to the Education Code.

Councilmember Little suggested the Legislative Policy Committee look at the Eminent Domain issue by studying and proposing possible City guidelines that would stress local control. He also suggested that legislators be reminded of each community's responsibility in addressing affordable housing issues, and that consideration be given to methods for disincentivizing communities that do not address these issues or choose to take no action.

Councilmember Tyler suggested next year's platforms more clearly state a fair share concept as this relates to the responsibility for all communities to address housing issues, and that children's issues be listed as a priority in the legislative platforms.

Councilmember Gordo noted that the City has a policy on children, youth and families that could be used as a foundation for legislative priorities with specific recommendations for actions/programs to be made a part of the platforms; and suggested the information on these platforms/recommendations be shared with the Pasadena Unified School District (PUSD) for their reaction.

Vice Mayor Madison was excused at 7:53 p.m.

Councilmember Holden suggested the Legislative Policy Committee coordinate with PUSD on suggestions for reforming the Education Code (e.g. to address equity issues on financial disbursements), and work with the District on legislative issues related to the closure of public schools and District finances.

The Mayor indicated he would follow up with the PUSD Board of Education regarding Councilmember Holden's suggestions.

The City Manager indicated staff would be presenting Council with recommendations on the allocation of any funding that might be received for soundwalls some time in the future; and noted staff could craft language based on the City's children, youth and families policy that could be included in the legislative platforms.

It was moved by Councilmember Tyler, seconded by Councilmember Gordo, to approve the Federal and State Legislative Platforms and to incorporate the City's children, youth, and families policy into these Platforms for 2006. (Motion unanimously carried) (Absent: Councilmember Haderlein, Vice Mayor Madison)

**RECOMMENDATIONS
FROM OFFICERS AND
DEPARTMENTS**

Vice Mayor Madison returned at 7:57 p.m. and recused himself at 7:58 p.m., due to a conflict of interest.

AUTHORIZE THE CITY MANAGER TO ENTER INTO THE MONK HILL TREATMENT SYSTEM AGREEMENT WITH THE CALIFORNIA INSTITUTE OF TECHNOLOGY FOR THE TREATMENT OF CONTAMINATED GROUNDWATER IN THE ARROYO SECO AREA

Recommendation of City Manager: Subject to resolution of the City's claim under the Federal Tort Claims Act, it is recommended that the City Council authorize the City Manager to enter into an agreement with the California Institute of Technology (Caltech) for reimbursement of costs associated with the Monk Hill Treatment System for the removal of perchlorate and volatile organic compounds (VOCs) from contaminated groundwater in City-owned wells in the Arroyo Seco area. (Agreement No. 18,989)

The City Manager introduced the agenda item.

Ms. Phyllis Currie, General Manager of Water and Power Department, reviewed the agenda report and responded to questions.

Mr. Scott Rasmussen, Assistant City Attorney, responded to questions regarding legal issues about the City's outstanding claims associated with contaminated groundwater.

The Mayor and Council commended Ms. Currie, Mr. Rasmussen, staff, and the various parties involved in the effort to reach agreement on this matter.

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

PUBLIC HEARINGS

PUBLIC HEARING: APPEAL OF A DECISION BY THE HISTORIC PRESERVATION COMMISSION TO DENY THE ALTERATIONS TO THE EXISTING HOUSE AT 468 RJO GRANDE (NORMANDIE HEIGHTS LANDMARK DISTRICT)

Recommendation of City Manager: It is recommended that the City Council:

- (1) Acknowledge that the installation of replacement doors is categorically exempt from the California Environmental Quality Act (Article 19, Section 15301, existing facilities);
- (2) Find that the replacement of the door on the west side elevation does not significantly impact the character-defining features of the house or the landmark district;
- (3) Find that the replacement and design of the new door on the north (front) elevation does not comply with the applicable Design Guidelines for Historic Districts because the original historic door is a significant character-defining feature that should be repaired and preserved if feasible and if not feasible,

should be replaced with new doors that match the original doors as closely as possible (Guidelines 7.7 and 7.10); and
(4) Based on this finding, approve the new door on the west (side) elevation.

Decision of Historic Preservation Commission:

On October 17, 2005 the Historic Preservation Commission:

(1) Found that the design of the new doors does not comply with the Secretary of the Interior's Standards for Rehabilitation and the Design Guidelines for Historic Districts, specifically, because the project does not comply with the requirements to preserve the functional and decorative features of an historic door (Guidelines 7.6, pg. 57), and to repair wooden door components by patching, piecing-in, consolidating or otherwise reinforcing the wood (Guideline 7.7, pg. 57) and, when replacement is necessary, match the original door as closely as possible (Guideline 7.10, pg. 58); and

(2) Based on these findings, denied the application for a Certificate of Appropriateness and specified that the applicant shall have 30 days to sort out replacement of the doors and another 30 days to complete the installation.

Vice Mayor Madison returned at 8:09 p.m.

The Mayor opened the public hearing.

The City Clerk reported 28 copies of the notice of public hearing were posted on November 18, 2005; 71 copies of the notice were mailed on November 18, 2005; and 2 letters in support of the City Manager's recommendation were received.

The City Manager introduced the agenda item.

Ms. Mary Jo Winder, Senior Planner, summarized the agenda report, described the landmark designation process and notification to property owners, and responded to questions.

Mr. Richard Bruckner, Director of Planning and Development Department, clarified the options that are available regarding the front door of the house.

The City Manager outlined the roles of the City and the neighborhood associations in the landmark designation process and notification to property owners, and responded to questions.

The following persons spoke in support of the City Manager's recommendation and/or expressed concerns:

Mr. Dale Trader, Pasadena resident, distributed materials regarding the landmark district designation.

Mr. Bob Kneisel, Pasadena resident

Mr. John Grote, Pasadena resident

The following person spoke in opposition to the City Manager's recommendation:

Ms. Zoila Martinez, appellant

Discussion followed regarding the Design Guidelines for the Landmark District, notification given to property owners during and after the landmark designation process, the permit process for front door replacements with and without a landmark designation, and the process and timeframe for restoring the original door to the house and/or installing an appropriate door.

Councilmember Holden expressed concerns regarding the notification process and balancing equity issues involving the property owner.

Councilmember Gordo suggested a resolution be worked out with the appellant and neighbors prior to taking action on the staff recommendation.

The City Attorney explained the impact of continuing the public hearing and the role of Councilmembers in working out a resolution to the current problem with the front door.

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

It was moved by Councilmember Holden, seconded by Councilmember Little, to approve the City Manager's recommendation, with the understanding that there is flexibility as to the timing for compliance, and that staff will work with the applicant and the neighbors for a reasonable solution. (Motion carried, with Councilmember Gordo objecting) (Absent: Councilmember Haderlein)

PUBLIC HEARING: HILLSIDE OVERLAY DISTRICT RE-ZONING STUDY

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

- (1) Approve the Initial Environmental Study and Negative Declaration (Attachment B of the agenda report);
- (2) Approve the De Minimis Impact Finding on the State Fish and Wildlife Habitat (Attachment C of the agenda report);
- (3) Direct the City Clerk to file a Notice of Determination and a Certificate of Fee Exemption for the California Department of Fish and Game, with the Los Angeles County Recorder;
- (4) Find that the proposed revisions to the Hillside Development Overlay District and Single Family Residential Districts are consistent with the goals and policies of the General Plan;

- (5) Approve the Zoning Map changes as shown on Attachments A-1, A-2 and A-3 of the agenda report;
- (6) Approve the Zoning Code amendment to Section 17.29.080 of the Zoning Code, related to floor area ratio calculations on flat lots (Attachment D of the agenda report); and
- (7) Direct the City Attorney to prepare an ordinance that implements this recommendation and return within 60 days.

Recommendation of Planning Commission: The Planning Commission reviewed the proposed hillside re-zoning study on September 21, 2005. Following public testimony, the item was split into two separate actions. The first action included the entirety of the staff recommendation with the exception of the Rosita Lane Study Area (Study Area No. 5). The Rosita Lane Study Area was removed from this action because one Commissioner requested to be withdrawn from voting on this area due to a conflict. The vote on this action was 5-2 in favor of the staff recommendation. The second action was only on the Rosita Lane Study Area recommendation and the vote was 6-0 in favor of the staff recommendation.

The Mayor opened the public hearing and provided a brief history of the study process.

The City Clerk reported the notice of public hearing was published in the Pasadena Star-News on November 21, 2005; and 22 pieces of correspondence were received.

Mr. Jason Kruckeberg, Senior Planner, reviewed the agenda report and responded to questions.

The City Manager differentiated between conditional use permits vs. variances.

Mr. Richard Bruckner, Director of Planning and Development Department, responded to questions related to flat lots and possible discretionary actions under the Hillside Ordinance.

Vice Mayor Madison expressed concerns regarding the creation of exceptions in the Hillside Overlay District Ordinance as this relates to Recommendation No. 6 in the agenda report.

The following persons spoke in support of the City Manager's recommendation:

Mr. Tom McGuire, Pasadena resident
Mr. Ken Kiessling, Pasadena resident
Mr. Wei Ming Koo, Pasadena resident
Ms. April Seymour, Pasadena resident

The following persons spoke in opposition to portions of the City Manager's recommendation and/or expressed concerns:

Mr. John Quinn, Pasadena resident
Mr. Michael Hurley, Linda Vista Annandale Association representative

Discussion followed on inclusion/exclusion of flat lots within certain areas of the Hillside Overlay District, and the rationale for inclusion/exclusion of certain flat lots from the Hillside Overlay District.

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

It was moved by Vice Mayor Madison, seconded by Councilmember Tyler, to approve the City Manager's recommendation, with the exception of Recommendation No. 6, which is not approved, and to remove the properties south of Old Mill Road and east of Banning Way (located in Study Area 9) from the Hillside Overlay District. (Motion unanimously carried) (Absent: Councilmember Haderlein)

The Mayor thanked Mr. Kruckeberg and staff for their work on this matter.

CONTINUED 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 provisions of Chapter 4.02 of the Pasadena Municipal Code as indicated in Section 4.02.040(A) of said Chapter; and

(4) Authorize the City Manager to execute a Condition Satisfaction Contract between the City and the applicant.

Vice Mayor Madison recused himself at 9:42 p.m., due to a conflict of interest.

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.

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

Councilmember Holden was excused at 9:44 p.m.

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

Ms. Bonnie Hopkins, Principal Engineer, highlighted the agenda report, summarized the City Manager's memorandum dated December 5, 2005, and responded to questions.

The following persons spoke in support of the City Manager's recommendation:

Ms. Shannon Quinn, applicant

Mr. Scott Jenkins, Hahn & Hahn LLP, representing the applicant, outlined possible provisions for reasonable usage of the vacated land to be offered as part of the covenant agreements to be entered into with the applicant's neighbors and confirmed that the applicant was agreeable to the possible condition regarding building in the area that is being vacated as set forth in the City Attorney/Senior Assistant City Attorney memorandum dated December 1, 2005.

The following persons spoke in opposition to the City Manager's recommendation and/or expressed concerns:

Mr. Tony Trujillo, Pasadena resident, submitted materials and a petition with 91 signatures.

Mr. Stephen Crump, Pasadena resident

Mr. Tim Terrio, Pasadena resident

Mr. Lyman Ennis, Linda Vista Annandale Association representative

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

Discussion followed on a possible additional condition to require the reconveyance of the easement for the vacated land to the City at no cost if the two adjoining properties in question

are ever sold to separate owners, the inclusion of the covenant agreements with the neighbors as a condition to the vacation, the public benefits derived from the vacation of the street, and the language in the resolution being adopted by Council.

Mr. Martin Pastucha, Director of Public Works Department, provided information on an informal survey that had been conducted on properties/streets in the area that might present the opportunity for this same type of request for vacation, and responded to questions.

The City Manager responded to questions regarding the conditions proposed for this matter, situations involving requests for vacations of streets/properties, and the public benefits from the vacation of the street.

Mr. Nicholas Rodriguez, Senior Assistant City Attorney, commented on possible discretionary action to be taken by Council as it relates to this matter and similar situations.

Councilmember Little suggested that the issue of reasonable access to the vacated area for the neighbors be addressed.

Councilmember Tyler expressed concerns regarding the precedent being set and the citywide impact for this type of action/vacation, the impact on the character of the neighborhood in this instance, and the public benefit set out in the resolution.

The Mayor suggested the final language of the resolution be brought back for final approval by the Council within the next two weeks to assure that the condition related to the agreements with the neighbors on Madia Street and the concessions and considerations offered by the property owners (the Quinns) could be incorporated into the resolution to strengthen the public benefit that comes from this transaction as a whole.

The City Attorney indicated staff would attempt to provide the provisions of the covenant agreements with the neighbors, if possible; and clarified that only the approval of the resolution language would be considered by Council, since the public hearing had been closed.

It was moved by Councilmember Streator, seconded by Councilmember Gordo, to approve the City Manager's recommendation, with the addition of those conditions which the owners have agreed to with regard to access to the vacated property, and with the matter to be continued for final wording of the resolution to be presented to the City Council for approval. (Motion unanimously carried) (Absent: Councilmembers Haderlein, Holden, Vice Mayor Madison)

RECESS/JOINT MEETING

On order of the Mayor, the regular meeting of the City Council recessed at 10:33 p.m. to a joint meeting with the Community Development Commission. (Absent: Councilmembers Haderlein, Holden, Vice Mayor Madison)

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

JOINT ACTION: ADOPTION OF A RESOLUTION FOR THE USE OF LAKE/WASHINGTON REDEVELOPMENT PROJECT AREA FUNDS FOR THE DESIGN, MANUFACTURE, AND INSTALLATION OF STREET BANNERS ALONG NORTH LAKE AVENUE

Recommendation of City Manager: It is recommended that the City Council:

(1) Authorize the Pasadena Community Development Commission to utilize tax increment funds in the amount of \$23,000 generated from the Lake/Washington Redevelopment Project Area (Project Area) for street banners within and adjacent to the Project Area.

(2) Adopt a resolution adopting the findings for the use of Lake/Washington Redevelopment Project Area funds within the Project Area and the North Lake Specific Plan Area (Specific Plan Area). (Resolution No. 8544)

Recommendation of Chief Executive Officer: It is recommended that the Pasadena Community Development Commission:

(1) Authorize the use of Lake/Washington redevelopment project area funds for the design, manufacture, and installation of street banners along North Lake Avenue.

Recommendation of Community Development Committee:

On November 10, 2005, the Community Development Committee approved staff recommendations and advised that the design process should involve a student-based organization, such as the Art Center College of Design.

Staff agrees with the Community Development Committee's recommendation and will inquire if an accredited school can incorporate the design of the street banner into their curriculum or activities starting January 2006. If this can not be arranged, a professional design firm will be contracted through a Request for Proposal (RFP) process for the Project.

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

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

RECESS

On order of the Mayor, the joint meeting with the Community Development Commission adjourned at 10:35 p.m., and the regular meeting of the City Council recessed at this time to the regular meeting of the Community Development Commission.

RECONVENED

On order of the Mayor, the regular meeting of the City Council reconvened at 10:36 p.m. (Absent: Councilmembers Haderlein, Holden, Vice Mayor Madison)

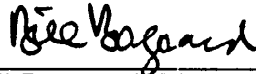
COUNCIL COMMENTS

Councilmember Little asked staff to explore development of a policy that would restrict private developers from closing down a lane of traffic on corridors during peak hours of traffic.

The City Manager indicated the restrictions should already be in place, and staff would gather information on problems regarding enforcement for violations and the costs related to funding an additional position that could enforce lane closures.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 10:38 p.m.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



Gene L. Rodriguez
City Clerk