

CITY OF PASADENA
City Council Minutes
January 9, 2006 – 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 6:04 p.m. (Absent: Councilmembers Holden, Streator, Vice Mayor Madison)

On order of the Mayor, the regular meeting recessed at 6:04 p.m., to discuss the following closed session:

Vice Mayor Madison arrived at 6:12 p.m.

CONFERENCE WITH LEGAL COUNSEL regarding pending litigation
Name of Case: Patrick Briggs, Mary Gavel v. City of Pasadena
Case No.: United States District Court, No. CV05-6747 FMC

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

On order of the Mayor, the regular meeting reconvened at 6:36 p.m. The Pledge of Allegiance was led by Councilmember Haderlein.

ROLL CALL:

Councilmembers:

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

Staff:

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

CEREMONIAL MATTERS

The Mayor congratulated the Tournament of Roses Association for their leadership and City staff for their work in presenting a successful 2006 Rose Parade and Rose Bowl Game National Championship.

Vice Mayor Madison commented on the contingency planning and precautions that were taken because of the rainy conditions of this year's parade, expressed gratitude to City staff for their efforts, and congratulated Tournament of Roses

President Libby Evans Wright and Grand Marshall Sandra Day O'Connor for their roles in the success of the event.

The Mayor announced that the State of the City Address will be presented on January 18, 2005 at the Maranatha High School Student Center.

Mr. Jeff Chapman, Arroyo Seco Organizations representative, presented the City with the "Arroyo Verde Award – Greening of the Arroyo," which was being given for restoration work and other projects/actions performed by the City in the Arroyo Seco Watershed that contributed to the well being of the natural communities and improved the quality of life in this area. The Mayor accepted the Award.

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

No one appeared for public comment.

CONSENT CALENDAR

AUTHORIZATION TO CONTRACT WITH EBUS, INC., TO PROVIDE AN EXTENDED WARRANTY FOR FIVE (5) HYBRID ELECTRIC BUSES

Recommendation of City Manager:

- (1) Authorize a contract with Ebus, Incorporated in an amount not to exceed \$139,500 for extended warranty service of City hybrid electric buses, without competitive bidding pursuant to City Charter Section 1002(C), contract for labor, materials, supplies or services available from only one vendor; and
- (2) Authorize the City Manager to enter into up to two one-year extensions in the amounts not to exceed \$99,000 and \$108,900, respectively. (Contract Amendment No. 18,402-1)

APPROVAL OF FINAL TRACT MAP NO. 060213, BEING A MIXED USE PROJECT COMPRISED OF COMMERCIAL SPACE AND 103 AIR PARCELS FOR RESIDENTIAL CONDOMINIUM PURPOSES, AT 840 EAST GREEN STREET

Recommendation of City Manager: Adopt a resolution to:

- (1) Approve final Tract Map No. 060213; and
- (2) Authorize the City Clerk to execute the certificate on the map showing the City's approval of said map. (Resolution No. 8551)

APPROVAL OF FINAL TRACT MAP NO. 54002, BEING A NINE-UNIT CONDOMINIUM PROJECT, AT 2449 OSWEGO STREET

Recommendation of City Manager: Adopt a resolution to:

- (1) Approve final Tract Map No. 54002; and
- (2) Authorize the City Clerk to execute the certificate on the map showing the City's approval of said map. (Resolution No. 8552)

Item discussed separately at the request of Councilmember Little.

REJECTION OF BIDS - CONSTRUCTION OF AN UNDERGROUND ELECTRICAL CONDUIT SYSTEM IN LOS ROBLES AVENUE, FROM WASHINGTON BOULEVARD TO WOODBURY ROAD

Item discussed separately at the request of Councilmember Tyler.

AUTHORIZATION TO ENTER INTO A CONTRACT WITH GE MULTILIN FOR A SUBSTATION FIBER OPTIC MULTIPLEXER COMMUNICATION NETWORK FOR AN AMOUNT NOT TO EXCEED \$684,250

Item discussed separately at the request of Councilmember Gordo.

AWARD OF CONTRACT TO VIDO SAMARZICH, INC., FOR CONSTRUCTION OF WASHINGTON PARK MASTER PLAN IMPROVEMENTS, PHASE ONE, IN THE AMOUNT OF \$237,000

Item discussed separately at the request of Councilmember Haderlein.

RESOLUTION APPROVING PROGRAM SUPPLEMENT AGREEMENT TO RECEIVE STATE REIMBURSEMENT FOR SAFE ROUTES TO SCHOOL PROJECT (CIP NO. 75601)

MINUTES APPROVED

December 12, 2005
December 19, 2005
December 26, 2005 (Cancelled)
January 2, 2006 (Cancelled)

CLAIMS RECEIVED AND FILED

Claim No. 9990	Deborah L. Freund	\$ 175.71
Claim No. 9991	William R. Schmitt	Not Stated
Claim No. 9992	Billy Vaughns	100,000.00
Claim No. 9993	Robert Kikkawa	860.00
Claim No. 9994	Susan Pinsky	1,150.00
Claim No. 9995	Alfred M. Ortiz	150.00
Claim No. 9996	California Design Offices	7,500.00
Claim No. 9997	Mercury Insurance Group, California Automobile Insurance Company, Subrogee of Paula Krueger	651.89
Claim No. 9998	California Department of Water Resources	Not Stated
Claim No. 9999	George Afram	895.00
Claim No. 10000	SBC/Pacific Bell	3,000.00
Claim No. 10001	Mario Cervantes	1,440.00
Claim No. 10002	Lawrence M. Logue	545.20

PUBLIC HEARINGS SET

January 23, 2006, 7:30 p.m. - Fair Oaks/Orange Grove Specific Plan Amendments

January 30, 2006, 8:00 p.m. - Inclusionary Housing In-Lieu Fee Schedule (*rescheduled from January 9, 2005*)

February 6, 2006, 8:00 p.m. - Consideration of Capital Improvements to the Rose Bowl Stadium and City Hall, and the Financing and Refinancing of Such Capital Improvements Through the Issuance of Lease Revenue Bonds

It was moved by Councilmember Gordo, seconded by Councilmember Tyler, to approve the Consent Calendar with the exceptions of Item 4 (Rejection of Bids for Underground Electrical Conduit System), Item 5 (Contract with GE Multilin), Item 6 (Contract with Vido Samarzich, Inc.), and Item 7 (Resolution Approving Safe Routes to School Project), which were discussed separately. (Motion unanimously carried) (Absent: Councilmembers Holden, Streator)

**CONSENT ITEMS
DISCUSSED SEPARATELY**

REJECTION OF BIDS - CONSTRUCTION OF AN UNDERGROUND ELECTRICAL CONDUIT SYSTEM IN LOS ROBLES AVENUE, FROM WASHINGTON BOULEVARD TO WOODBURY ROAD

Recommendation of City Manager: Reject all bids received on November 30, 2005 in response to Specifications LD-05-7 to construct an underground electrical conduit system in Los Robles Avenue, from Washington Boulevard to Woodbury Road.

In response to Councilmember Little's question, Mr. Joe Awad, Business Unit Director, explained the reason for rejecting the bids.

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

AUTHORIZATION TO ENTER INTO A CONTRACT WITH GE MULTILIN FOR A SUBSTATION FIBER OPTIC MULTIPLEXER COMMUNICATION NETWORK FOR AN AMOUNT NOT TO EXCEED \$684,250

Recommendation of City Manager: Authorize the City Manager to enter into a contract with GE Multilin for an amount not to exceed \$684,250.

The Mayor noted his possible conflict of interest and Councilmember Tyler's stated his conflict of interest in this matter.

On order of the Mayor, the above item was held to the Council meeting of January 23, 2006 when the full Council is expected to be present.

AWARD OF CONTRACT TO VIDO SAMARZICH, INC., FOR CONSTRUCTION OF WASHINGTON PARK MASTER PLAN IMPROVEMENTS, PHASE ONE, IN THE AMOUNT OF \$237,000

Recommendation of City Manager:

(1) Accept the bid dated December 21, 2005, submitted by Vido Samarzich, Inc., in response to the Specifications for

Construction of Washington Park Master Plan Improvements, Phase One; reject all other bids received; and
(2) Authorize the City Manager to enter into such contract as required, in the amount of \$237,000, that includes a base bid of \$216,844.50 and \$20,155.50 for any additional work the City may order pursuant to the project specifications. (Contract No. 18,999)

In response to Councilmember Gordo's questions, Mr. Martin Pastucha, Director of Public Works Department, provided information on the funding of this project.

Councilmember Gordo asked staff to send him a memo/e-mail with information on those projects that remain to be funded in the Washington Park Master Plan.

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

RESOLUTION APPROVING PROGRAM SUPPLEMENT AGREEMENT TO RECEIVE STATE REIMBURSEMENT FOR SAFE ROUTES TO SCHOOL PROJECT (CIP NO. 75601)

Recommendation of City Manager:

(1) Adopt a resolution approving a Program Supplement Agreement to Administering Agency - State Agreement No. 000064 between the City of Pasadena and the State of California, for State Reimbursement covering construction for the Safe Routes to School Project, State Project No. SR2SL-5064(042), Program Supplement Agreement No. B37.

(2) Authorize the City Manager to execute the same on behalf of the City. (Resolution No. 8553); (Agreement Amendment No. 17,433-2)

In response to questions, Ms. Joyce Amerson, Director of Transportation Department, outlined the criteria used in identification of the locations for the project funding and listed the sites that would receive the improvements.

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

**REPORTS AND
COMMENTS FROM
COUNCIL COMMITTEES**

FINANCE COMMITTEE

CONTRACT AWARD TO LMT ENTERPRISES, INC., DBA TYNER PAVING COMPANY FOR SIDEWALK REPAIR AT CITY OWNED PARKING STRUCTURES AND OTHER LOCATIONS FOR AN AMOUNT NOT TO EXCEED \$100,000

Recommendation of City Manager:

(1) Accept the bid dated December 7, 2005, submitted by LMT Enterprises, Inc., dba Tyner Paving Company, in response to

the Specifications for Sidewalk Repair at City Owned Parking Structures and Other Locations, reject all other bids received and authorize the City Manager to enter into such contract as required.

(2) Acknowledge the project to be categorically exempt under Section 21084 of the California Environmental Quality Act (CEQA) in accordance with Article 19, Section 15301 (Class 1), subsection (c) of the Resources Agency of California Guidelines (Repair of Existing Public Streets) pursuant to the findings of the Secretary of the Resources Agency and authorize the City Manager to execute, and the City Clerk to file, a Notice of Exemption for the project with the Los Angeles County Clerk.

(3) Approve a journal voucher appropriating \$40,113 from the unencumbered Street Occupancy Rental Charges to Budget Account No. 73601, Sidewalk Improvements along City Owned Parking Structures.

(4) Approve a journal voucher recognizing private capital in the amount of \$19,888 and appropriating it to the Budget Account No. 73580, Preventive Maintenance - Asphalt Streets. (Contract No. 19,000; Journal Voucher No. 2006-33)

Councilmember Haderlein was excused at 6:57 p.m.

Councilmember Little, Chair of the Finance Committee, summarized the agenda report.

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

CONTRACT AWARD TO M.G. CONSTRUCTION CO., INC., FOR 2006 SEWER AND STORM DRAIN REPAIRS FOR AN AMOUNT NOT TO EXCEED \$235,000

Recommendation of City Manager:

(1) Accept the bid dated December 7, 2005, submitted by M. G. Construction Co., Inc., in response to the Specifications for the 2006 Sewer and Storm Drain Repairs, reject all other bids received, and authorize the City Manager to enter into such contract not to exceed \$235,000, which includes the base bid of \$172,100 and \$62,900 for additional work pursuant to the project specifications.

(2) Approve a journal voucher appropriating \$170,000 from the unencumbered Sewer Construction and Maintenance Fund (No. 205) balance to Budget Account No. 76283, Storm Drain Structure Repairs and Improvements - Various Locations. (Contract No. 19,001; Journal Voucher No. 2006-34)

Councilmember Haderlein returned at 6:59 p.m.

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: Councilmembers Holden, Streator)

STATUS REPORT ON HAZELRIGG RISK MANAGEMENT SERVICES' WORKERS COMPENSATION CLAIMS ADMINISTRATION AND REQUEST TO EXTEND SERVICES FOR AN ADDITIONAL YEAR FOR AN AMOUNT NOT TO EXCEED \$385,245

Recommendation of City Manager:

- (1) Receive the following status report on workers compensation claims administration for the Police and Fire Departments performed under contract by Hazelrigg Risk Management Services; and
- (2) Authorize the City Manager to extend Contract No. 18,820 with Hazelrigg for an additional year at an amount not to exceed \$385,245 for administration of workers' compensation claims for the Police and Fire Departments. (Contract Amendment No. 18,820-1)

Councilmember Little reviewed the agenda report and noted staff will provide an update report to the Finance Committee on claims services in six months.

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

FISCAL YEAR 2006 OPERATING AND CAPITAL BUDGET AMENDMENTS

Recommendation of City Manager: Approve a journal voucher implementing certain amendments to the FY 2006 Operating Budget, including the addition of 1.0 Full-Time Employee (FTE) as detailed in the Background Section of the agenda report. (Journal Voucher No. 2006-35)

Councilmember Little summarized the agenda report, and noted that the Finance Committee had asked staff to explore a means by which developers who are responsible for the impacts that lead to the requirement for the engineer position would pay a fee for the services of the FTE, Engineer to the Transportation Department described in Item 6, as listed in the Background section of the agenda report.

The City Manager stated the Engineer position was designated to be paid through the Building Services Fund, which is derived from fees, and that an increase to the fee schedule to cover the increased costs will be brought to Council during budget discussions; and responded to questions.

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

The City Manager announced that this was the last Council meeting that Jay Goldstone, Director of Finance Department, would attend as he was leaving the City to take another position as Director of Finance for San Diego, California.

Council praised Mr. Goldstone for his excellent service to the City and the problem-solving skills he brought to the position, expressed appreciation for his assistance in explaining difficult and complex financial issues to the Council, and congratulated Mr. Goldstone on his new position with the City of San Diego.

Mr. Goldstone thanked the City for the opportunities afforded during his tenure with the City, thanked Council for their treatment of respect, acknowledged the City Manager and staff for their work with him, and expressed excitement in taking on the challenges of his new position and the reunion of his family in San Diego.

PUBLIC SAFETY COMMITTEE

Councilmember Haderlein, Chair of the Public Safety Committee, reported on the recent decision of the Pasadena Unified School District (PUSD) to disband the PUSD Police Department and the impact of this decision on the Pasadena Police Department (PPD). He noted that the Committee had determined that a high priority/urgency should be placed on this matter as this pertains to the current discussions by the Legislative Policy Committee on the relationships between the City and PUSD and possible cost-saving strategies that could be implemented.

The City Manager reported on her discussions with Police Chief Bernard Melekian regarding possible changes in police resources to address the policing situation, and indicated a report would be presented to Council after the matter has been more completely studied in consultation with the District.

Discussion followed on some of the implications of a shift of safety (policing) responsibilities for the schools from PUSD to the PPD, the role of the County Sheriff's Department in policing responsibilities at school sites, the possible need to contact the high school administrations/personnel regarding their service needs, the need to provide for the safety and security of students at the various school sites, and the importance of continued off-site policing of students.

Vice Mayor Madison and Councilmember Gordo expressed concerns regarding the short notice that the City received from the District regarding the PUSD policing change.

Councilmember Little suggested that school site administrators and the Sheriff's Department be included in the discussions on policing, and that on-site police officers in Los Angeles schools be consulted regarding their policing duties and practices.

The Mayor affirmed that staff would study this matter and the appropriate Council committee which would review the report would be decided when the nature of the issues have been determined, and he commented on the critical need for dialogue between the City and District.

**REPORTS FROM
REPRESENTATIVES**

Councilmember Tyler, Southern California Association of Governments (SCAG) representative, provided an update on the California Department of Transportation's (Caltrans) audit of the San Gabriel Valley subregion, on SCAG's strategy ("growth visioning") for the region to move at least 2% of each community's new housing into either an urban core or to locations close to transportation and jobs, and on a proposal to revive the California Environmental Quality Act (CEQA) in the interest of making regional environmental reviews possible.

**RECOMMENDATIONS
FROM OFFICERS AND
DEPARTMENTS**

SUSPENSION OF THE NOISE ORDINANCE RELATING TO THE SUSAN G. KOMEN BREAST CANCER FOUNDATION'S RACE FOR THE CURE 5K RUN/WALK, TO BE HELD ON AREA H AND IN THE PUBLIC RIGHT-OF-WAY ON SUNDAY, FEBRUARY 26, 2006

Recommendation of City Manager:

(1) Acknowledge that the proposed Susan G. Komen Breast Cancer Foundation's Race for the Cure 5k Run/Walk and the lifting of the Noise Ordinance are categorically exempt under California Environmental Quality Act (CEQA) Guidelines Section 15023, Normal Operations of Facilities and Gatherings; and

(2) Approve an ordinance to suspend the Noise Ordinance by permitting amplified sound on a Sunday beginning at 9:00 a.m. and a Notice of Exemption and hold the first reading of same on Monday, January 9, 2006, with respect to the proposed Susan G. Komen Breast Cancer Foundation's Race for the Cure 5k Run/Walk to be held at Area H and in the Public right-of-way on Sunday, February 26, 2006 from 9:00 p.m. to 3:00 p.m.

**ORDINANCE – FIRST
READING**

Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA SUSPENDING SECTIONS 9.36.220 AND 9.36.230 OF THE PASADENA MUNICIPAL CODE RELATING TO LIMITATIONS ON HOURS OF OPERATION OF AMPLIFIED SOUND ON A SUNDAY FROM 9:00 A.M. - 10:00 A.M. AND NOISE SOURCES FOR A PERMITTED EVENT AT AREA H AND ON THE RIGHT-OF-WAY ON SUNDAY, FEBRUARY 26, 2006 (THE SUSAN G. KOMEN BREAST CANCER FOUNDATION RACE FOR THE CURE)"

The above agenda item and first reading of an ordinance were discussed concurrently.

The City Manager summarized the agenda report and ordinance.

It was moved by Vice Mayor Madison, seconded by Councilmember Gordo, to approve the City Manager's recommendation and offer the ordinance for first reading:

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

NOES: None

ABSENT: Councilmembers Holden, Streator

APPOINTMENT OF DALE H. OLIVER TO THE ARTS AND CULTURE COMMISSION (District 6 nomination)

It was moved by Vice Mayor Madison, seconded by Councilmember Haderlein, to approve the above appointment. (Motion unanimously carried) (Absent: Councilmembers Holden, Streator)

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 7:43 p.m. to the regular meeting of the Community Development Commission.

RECONVENED

On order of the Mayor, the regular meeting of the City Council reconvened at 7:44 p.m. (Absent: Councilmembers Holden, Streator)

ORDINANCES – FIRST READING

Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA ADDING A NEW SECTION 1.26.066 AND AMENDING CHAPTERS 3.24 AND 6.12 OF THE PASADENA MUNICIPAL CODE TO ALLOW DOGS OFF LEASH IN DESIGNATED PUBLIC PARK AREAS AND ESTABLISHING REGULATIONS FOR OFF LEASH DOG PARK USE"

The City Attorney clarified that an existing provision in the Pasadena Municipal Code requires the licensing of dogs, which would apply to dogs using the park, and responded to questions.

The City Manager indicated that signs listing the rules to be followed by the dog owners will be posted at the parks.

Mr. Martin Pastucha, Director of Public Works Department, specified that park rangers would be responsible for administering the Code and responded to questions.

Councilmember Haderlein suggested staff give attention to the establishment of a method for tracking those dogs/owners who violate the behavior provisions of the ordinance.

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

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

NOES: None

ABSENT: Councilmembers Holden, Streator

Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF PASADENA ESTABLISHED BY SECTION 17.20.020 OF THE PASADENA MUNICIPAL CODE FOR PARCELS WITHIN SINGLE FAMILY ZONING DISTRICTS AND THE HILLSIDE OVERLAY DISTRICT"

The following persons expressed concerns regarding the treatment of certain flat lots under the proposed ordinance, and asked Council to reconsider its action of December 5, 2005 which excluded Recommendation 6 as stated in the agenda report ("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)"):

Ms. Callae Walcott-Rounds, Pasadena resident
Ms. Rena Morris, Pasadena resident

Mr. Richard Bruckner, Director of Planning and Development Department, discussed Council's action on December 5, 2005.

Vice Mayor Madison requested the ordinance be held for two weeks to allow time for staff to report on the issues raised by the above speakers.

On order of the Mayor, the first reading of the above ordinance was held to the Council meeting of January 23, 2006

Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTER 5.04 OF THE PASADENA MUNICIPAL CODE REQUIRING COMMERCIAL BUILDING OWNERS, HOSPITALS AND MEDICAL FACILITIES TO REPORT TENANT LISTINGS, INDEPENDENT CONTRACTORS AND PHYSICIANS ENGAGED IN BUSINESS ON THE PREMISES"

Mr. Vic Erganian, City Treasurer, summarized the ordinance fact sheet.

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

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

NOES: None

ABSENT: Councilmembers Holden, Streator

Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTER 5.04 OF THE PASADENA MUNICIPAL CODE RELATING TO AUTHORITY OF BUSINESS TAX INSPECTORS TO ISSUE CITATIONS"

Mr. Vic Erganian, City Treasurer, summarized the ordinance fact sheet.

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

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

NOES: None

ABSENT: Councilmembers Holden, Streator

ORDINANCE – ADOPTED

Adopt "AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTERS 5.04 AND 5.10 OF THE PASADENA MUNICIPAL CODE RELATING TO BUSINESSES REQUIRED TO DISPLAY BUSINESS LICENSE PERMITS ON THEIR VEHICLES" (Introduced by Councilmember Tyler) (Ordinance No. 7023)

Mr. Vic Erganian, City Treasurer, highlighted the ordinance.

The above ordinance was adopted by the following vote:

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

NOES: None

ABSENT: Councilmembers Holden, Streator

ORDINANCE – FIRST READING

Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17, CHAPTERS 17.42 AND 17.80 OF THE PASADENA MUNICIPAL CODE BROADENING THE DEFINITION OF 'RESIDENTIAL PROJECTS' TO INCLUDE SUBDIVISION MAPS AND SINGLE ROOM OCCUPANCY PROJECTS, REQUIRING ON-SITE INCLUSIONARY UNITS FOR PROJECTS DISPLACING VERY LOW, LOW, AND/OR MODERATE INCOME HOUSEHOLDS, AUTHORIZING THE USE OF PREFERENCE AND PRIORITY SYSTEM, AND EXTENDING THE PERIOD FOR-SALE, INCLUSIONARY, UNITS ARE REQUIRED TO REMAIN AFFORDABLE FROM 30 YEARS TO 45 YEARS"

The City Attorney summarized the ordinance fact sheet, noted the fee schedule for the in-lieu fee would be presented at the second reading of the ordinance, clarified that the regulations would not become effective until the ordinance was adopted and effective, and responded to questions.

Mr. Brian Williams, Assistant City Manager, explained that staff was still addressing issues and developing the regulations, with the proposed regulations to be presented to Council by the end of January 2006.

Vice Mayor Madison was excused at 8:09 p.m.

Brief discussion followed on the timeframe for Council consideration and approval of the regulations and fee changes and adoption of the ordinance.

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

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

NOES: None

ABSENT: Councilmembers Holden, Streator, Vice Mayor Madison

It was noted the ordinance would be scheduled for second reading/adoption on January 30, 2006.

PUBLIC HEARING

PUBLIC HEARING: APPEAL OF CONDITIONAL USE PERMIT NO. 4533, 94-112 WAVERLY DRIVE (WAVERLY SCHOOL)

Recommendation of City Manager:

- (1) Adopt a Mitigated Negative Declaration for the project in accordance with California Environmental Quality Act (CEQA); and
- (2) Adopt the findings in Attachment A of the agenda report and approve the application with Conditions of Approval in Attachments B, C, and D of the agenda report to establish a proposed private high school.

The Mayor opened the public hearing.

The City Clerk reported 53 copies of the notice of public hearing were posted on December 22, 2005; 60 copies of the notice were mailed on December 22, 2005; 1 letter in opposition to the project was received; 9 letters in support of the project were received; and a packet of information was received from Waverly School.

Mr. John Steinmeyer, Senior Planner, reviewed the agenda report and responded to questions.

Mr. Richard Bruckner, Director of Planning and Development Department, discussed traffic and parking issues in the area surrounding the school and the use of on-site parking spaces by business owners, and responded to questions. Mr. Bruckner offered to have staff work with the business/property owners, including the Southwest Pasadena Business and Property Owners Association, to collectively address traffic and parking issues that have been identified.

Mr. Eric Shen, Transportation Planning and Development Manager, briefly described the proposed traffic management plan/operations for the project and responded to questions.

The following persons spoke in opposition to the project and/or expressed concerns regarding traffic/parking issues:

Mr. Rob Hunter, appellant and Southwest Pasadena Business and Property Owners Association representative, distributed packets of information.

Mr. Bill Bedford, Southwest Pasadena Business and Property Owners Association member

Ms. Pat Bedford, Southwest Pasadena Business and Property Owners Association member

Mr. Fred Capriccio, Southwest Pasadena Business and Property Owners Association member

The following persons spoke in support of the project:

Ms. Heidi Johnson, Waverly School Director

Mr. Richard McLaughlin, architect for Waverly School

Mr. Carl Botterud, Pasadena resident

Ms. Annaly Bennett, Pasadena resident

Ms. Robin Sohmer, Altadena resident

Mr. Richard McDonald, Board of Zoning Appeals member, regarding a separate issue, reported on the Board's suggestion that Council consider asking the City Attorney for recommendations regarding the establishment of a minimum threshold to be met before an appeal is granted and heard by Council.

Mr. Chip Heller, Glendale resident

Ms. Holly Huber, Shadow Hills resident

Mr. Daniel Markowicz, Waverly School Treasurer

Mr. Robert Dixon, Pasadena real estate broker

Mr. Jay Rho, Pasadena resident

Ms. Jane Carr Arnott, Los Angeles resident

Mr. Paul Ottengheime, Altadena resident

Mr. Thomas Walsh, Waverly School Board member

Mr. Bennel Thompkins, Waverly School teacher

Mr. Dashiell James Arnott, Los Angeles resident

Mr. Abdulla Mohammad, Covina resident

Ms. Vivian Luther, Pasadena resident

Ms. Eve Kikawa, Waverly School Board Chair

Mr. Jared Crawford, Pasadena resident

Mr. Felix Loya, Altadena resident

Ms. Kathleen Loya, Waverly School Board member

Ms. Diane Woods, Altadena resident

Mr. Blake Traister, Pasadena resident

Ms. Judy Spencer, Pasadena resident

The following persons waived speaking and stood in support of the project:

Mr. Justin Wolf, Pasadena resident
Mr. Mark Arnott, Los Angeles resident
Ms. Andrea Cawlina, Pasadena resident
Ms. Emily Corey, Pasadena resident
Ms. Ellen Osheroff, Pasadena resident
Mr. James Denby, Pasadena resident
Ms. Kathy Vlaming, Pasadena resident
Ms. Joanne Topol, Pasadena resident
Mr. Jeffrey Vlaming, Pasadena resident
Ms. Deveney Kelly, Pasadena resident
Mr. Andrew Fishkin, Pasadena resident
Ms. Amanda Boesche, Los Angeles resident
Mr. Roger Boesche, Los Angeles resident
Ms. Maxine Cain, Altadena resident
Mr. Anthony Koerner, Pasadena resident

Councilmember Tyler stressed his support of an ultimate objective for Waverly School to provide on-site parking only at the high school, with the school to provide incentives and/or enforcement that would eliminate school parking on the streets.

Councilmember Gordo suggested staff follow up on the traffic and parking issues in this area and work with the stakeholders to address these global issues.

The City Manager indicated staff will start a dialogue with the Southwest Pasadena Business and Property Owners Association, Waverly School, and other interested parties regarding the traffic and parking concerns.

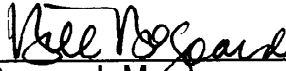
Vice Mayor Madison offered assistance in facilitating an ongoing dialogue regarding the issues that have been discussed.

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

It was moved by Councilmember Little, seconded by Councilmember Gordo, to affirm the decision of the Board of Zoning Appeals and approve the City Manager's recommendation. (Motion unanimously carried) (Absent: Councilmembers Holden, Streator)

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 9:46 p.m., in memory of James Graham Pulliam, renowned Pasadena architect, who designed various buildings in Pasadena, worked to lessen the impact of the 210 Freeway on the City, and performed other civic services.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



Janet Rodriguez
City Clerk