

CITY OF PASADENA
City Council Minutes
January 30, 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 5:30 p.m.
(Absent: Councilmember Gordo, Vice Mayor Madison)

On order of the Mayor, the regular meeting recessed at
5:30 p.m., to discuss the following closed session:

**CITY COUNCIL CONFERENCE WITH REAL PROPERTY
NEGOTIATOR pursuant to Government Code Section
54956.8**

**Property: 72 E. Glenarm Street, Pasadena, California
City Negotiators: Cynthia Kurtz and Richard Bruckner
Negotiating Parties: Richard Koshalek, George Falardeau,
and Fred Nicholas
Under Negotiation: Price and terms**

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

On order of the Mayor, the regular meeting reconvened at
6:40 p.m. The Pledge of Allegiance was led by
Councilmember Holden.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Steve Madison (Arrived at 7:10 p.m.)
Councilmember Victor Gordo
Councilmember Steve Haderlein
Councilmember Chris Holden
Councilmember Paul Little
Councilmember Joyce Streater
Councilmember Sidney F. Tyler

Staff:

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

CEREMONIAL MATTERS

The City Clerk administered the oath of office to Jason C.
Harris as Human Relations Commissioner.

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

The following persons spoke in opposition to HR 4437, Border Protection, Antiterrorism, and Illegal Immigration Control Act of 2005; and expressed concerns regarding the possible negative impacts of this bill on the Latino community and public policy:

Mr. Raul Añorve, Instituto de Educacion Popular del Sur de California (IDEPSCA) Executive Director, read into the record and submitted a proposed draft resolution from IDEPSCA in opposition to HR 4437

Mr. Raúl Borbon, APPLE-IDEPSCA representative

Ms. Victoria Dominguez, Teens In Action (TIA) representative for school students

Ms. Maria Matias, APPLE representative

Mr. Joel Jimenez, Day Labor Community Center representative

Ms. Eden Flynn, UCLA Paulo Freire Institute representative

Mr. Daniel Liou, UCLA Paulo Freire Institute representative

Vice Mayor Madison arrived at 7:10 p.m.

The Mayor indicated the above concerns and resolution would be referred to the Legislative Policy Committee for review and would be handled in a timely manner by the Committee.

Councilmember Little commented on the Pasadena Police Department's current policy to not be involved in immigration matters, and suggested staff research resolutions adopted by other cities on this issue to be used as a possible model for consideration by the City Council.

Councilmember Gordo asked the Committee to move forward in a timely manner in order to bring this matter to the City Council before the Senate takes action, and expressed concerns regarding human and civil rights issues related to the bill. He also expressed concerns regarding provisions in the bill that call for a jurisdiction to be subject to the loss of federal funding if a local agency does not participate in the enforcement of immigration laws and that eliminate the diversity visa lottery program.

Councilmember Haderlein suggested the City engage Congressman Adam Schiff in this matter.

Ms. Nancy Nelson, Pasadena resident, distributed a letter outlining problems with her apartment manager, asked for assistance in exploring alternative housing options, and noted that Assistant City Manager Brian Williams had contacted her to offer the City's help in this matter.

Mr. Craig Blackbill, AFSCME Local 1802/Chapter 1001, described problems with current management operations and ongoing labor negotiations at Metropolitan Water District of Southern California (MWD).

Councilmember Streator requested that Tim Brick, City representative on the MWD Board, be scheduled to provide a status on the labor issues and problems outlined by Mr. Blackbill.

The Mayor indicated that Mr. Brick would be contacted to schedule an update on the above matter.

CONSENT CALENDAR

CONTRACT AWARD TO SENTRY CONTROL SYSTEMS FOR THE INSTALLATION OF A PARKING ACCESS AND REVENUE CONTROL SYSTEM IN THE HOLLY STREET GARAGE

Recommendation of City Manager: Authorize the City Manager to enter into a contract with Sentry Control Systems to install SkiData parking access and revenue control equipment at the Holly Street garage for an amount not to exceed \$180,000. The contract amount includes a 10% contingency of \$16,000. The proposed contract is exempt from competitive bidding pursuant to City Charter Section 1002(F), contracts for professional or unique services. (Contract No. 19,006)

AUTHORIZATION TO ENTER INTO PURCHASE ORDER CONTRACTS WITH SOUTHWEST POWER TO FURNISH AND DELIVER THREE 34.5 KV 10.8 MVAR CAPACITOR BANKS FOR AN AMOUNT NOT TO EXCEED \$147,200 AND TO FURNISH AND DELIVER THREE 34.5 KV LOAD INTERRUPTER SWITCHES FOR AN AMOUNT NOT TO EXCEED \$180,700 FOR THE CITY OF PASADENA

Recommendation of City Manager:

- (1) Accept the bid dated January 10, 2006 submitted by Southwest Power representing Cooper Power Systems in response to Specification LD-05-11: Furnish and Delivery 34.5kV 10.8 MVAR Capacitor Bank;
- (2) Accept the bid dated January 13, 2006 submitted by Southwest Power in response to Specification LD-05-12: Furnish and Delivery 34.5 kV Load Interrupter Switch;
- (3) Reject all other bids;
- (4) Authorize the issuance of purchase order contract to Southwest Power for a total amount not to exceed \$147,200 for the Capacitor Banks;
- (5) Authorize the issuance of a purchase order contract to Southwest Power for a total amount not to exceed \$180,700 for the Switches.

MINUTES APPROVED

December 15, 2005 (Special Meeting)
January 9, 2006

CLAIMS RECEIVED AND FILED

Claim No. 10014	Clara Maria Del Rio Romo	\$ Not Stated
Claim No. 10015	James Maund	1,254.00

It was moved by Councilmember Little, seconded by Councilmember Tyler, to approve all items on the Consent Calendar. (Motion unanimously carried) (Absent: None)

OLD BUSINESS

Councilmember Tyler, Vice Mayor Madison, and Mayor Bogaard recused themselves at 7:21 p.m., due to conflicts of interest; and Councilmember Streater assumed the Chair.

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

Councilmember Tyler, Vice Mayor Madison, and Mayor Bogaard returned at 7:22 p.m.

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. (Contract No. 19,007)

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

EXPANSION OF OLD PASADENA PARKING METER ZONE DISTRICT

Recommendation of City Manager:

(1) Direct the City Attorney to prepare an ordinance amending the boundaries of the Old Pasadena Parking Meter Zone District and charging the rate of \$0.25 for every thirty minutes in this new area, which is the same as the rate charged in the surrounding area, and return to City Council 45 days after a legal description of the boundaries is provided to the City Attorney, consistent with the general description boundaries as shown in Exhibit A of the agenda report; and

(2) Amend the existing Old Pasadena Streetscapes and Alley Walkways boundaries to include the expanded areas as shown in Exhibit B of the agenda report and as described in the legal description approved by the City Attorney in the agenda report.

Recommendation of Old Pasadena Parking Meter Zone Advisory Commission: At their regularly scheduled meeting on June 16, 2005, the Old Pasadena Parking Meter Zone Advisory Commission unanimously recommended approval of the expansion of the existing Old Pasadena Parking Meter Zone District.

The City Manager introduced the agenda item.

Mr. Amir Sedadi, Parking Manager, reviewed the agenda report and responded to questions.

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

AMENDMENTS TO PASADENA MUNICIPAL CODE (PMC) CHAPTER 16.46 "STANDARDS FOR CONVERSION PROJECTS"

Recommendation of City Manager: It is recommended that City Council direct the City Attorney to amend the Pasadena Municipal Code (PMC) Standards for Conversion Projects - Relocation Allowance for Displaced Tenants (PMC Section

16.46.050) as follows:

Families whose income level is above 140% of the area median income and who are required to relocate as a result of a condominium conversion project will receive a relocation allowance that is adjusted annually based on the Consumer Price Index (CPI) for Los Angeles-Long Beach.

The City Manager introduced the agenda item.

Mr. Greg Robinson, Housing Community Development Administrator, summarized the agenda report and responded to questions.

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

TITLE 16 OF THE PASADENA MUNICIPAL CODE - SUBDIVISIONS - CHANGES IN PARKING REQUIREMENT FOR CONDOMINIUM CONVERSIONS

Recommendation of City Manager:

(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) Approve the proposed amendments related to parking for condominium conversions as contained in the report; and

(3) Direct the City Attorney to prepare an ordinance amending Title 16 for these amendments and return for first reading within 60 days.

Recommendation of Planning Commission: The Planning Commission reviewed these amendments on December 14, 2005. The Commission recommended approval of the amendments.

Recommendation of Transportation Commission: The Transportation Commission reviewed these amendments on November 4, 2005. The Commission recommended approval of the amendments.

The City Manager introduced the agenda item.

Mr. Denver Miller, Principal Planner, reviewed the agenda report, clarified that existing compact parking spaces will be treated in the same way as regular parking spaces as the recommendation is currently written, and responded to questions.

Councilmember Streater expressed concerns regarding the size of the total parking area that will be allowed if compact spaces are treated the same as regular parking spaces.

Discussion followed on the impacts of allowing existing compact spaces to be counted as full-size spaces while at the same time a reduction is made in the number of required parking spaces.

The City Manager indicated that all parking spaces could be required to be full-size.

It was moved by Councilmember Streator, seconded by Councilmember Little, to approve the City Manager's recommendation, as amended to provide that all parking spaces are required to be full-size area. (Motion unanimously carried) (Absent: None)

ORDINANCES - ADOPTED

Adopt "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" (Introduced by Councilmember Little) (Ordinance No. 7028)

The above ordinance was adopted by the following vote:

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

NOES: None

ABSENT: None

Adopt "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" (Introduced by Vice Mayor Madison) (Ordinance No. 7029)

Councilmember Streator indicated she would abstain since she had an outstanding question that had not been answered due to her absence from the meeting when the ordinance received first reading.

The above ordinance was adopted by the following vote:

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

NOES: None

ABSTAIN: Councilmember Streator

ABSENT: None

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 7:39 p.m. to the regular meeting of the Community Development Commission.

RECONVENED/RECESS

On order of the Mayor, the regular meeting of the City Council reconvened at 7:40 p.m. (Absent: None)

On order of the Mayor, the regular meeting of the City Council recessed at 7:40 p.m., to discuss the following closed session:

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

Agency Negotiators: Cynthia Kurtz

Employee Organization: Unrepresented Executive Management Employees

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

RECONVENED

On order of the Mayor, the regular meeting of the City Council reconvened at 8:03 p.m. (Absent: Vice Mayor Madison)

PUBLIC HEARINGS

PUBLIC HEARING: ADOPTION OF A ZONE CHANGE TO DESIGNATE A LANDMARK DISTRICT OVERLAY FOR THE SOUTH MADISON AVENUE LANDMARK DISTRICT (LD-11)
Recommendation of City Manager: It is recommended that, following a public hearing, the City Council:

(1) Find that the application for a zone change to establish a landmark district is categorically exempt from environmental review under the California Environmental Quality Act (Class 8, Actions by Regulatory Agencies for Protection of the Environment);

(2) Find that the proposed zone change is consistent with the General Plan and the purposes of the zoning ordinance;

(3) Acknowledge the decision of the Historic Preservation Commission on April 18, 2005 that the proposed South Madison Avenue Landmark District (Attachment 1 of the agenda report) meets the criteria for designation as a landmark district (Section 17.52.040 Pasadena Municipal Code);

(4) Acknowledge that the petition with signatures in support of landmark overlay district exceeds the 51 percent requirement in Pasadena Municipal Code Section 17.52.070;

(5) Based on these findings, approve the landmark district and the zoning map overlay for the South Madison Avenue Landmark District, LD-11; and

(6) Direct the City Attorney to prepare an ordinance within 60 days amending the official zoning map of the City of Pasadena established by Section 17.08.040 of the Pasadena Municipal Code to designate the landmark district with the LD-11 overlay zone.

Recommendation of Historic Preservation Commission: At a public hearing on April 18, 2005, the Historic Preservation Commission determined that the proposed district meets the criteria in Section 17.52.040 Pasadena Municipal Code, for designation of a landmark district and unanimously recommended approval.

Recommendation of Planning Commission: Following a public hearing on October 26, 2005, the Planning Commission found that the proposed zone change to create a landmark district is consistent with the General Plan and the purposes of the zoning ordinance and voted unanimously to recommend that the City Council approve designation of the South Madison Avenue Landmark District.

The Mayor opened the public hearing.

The City Clerk reported 34 copies of the notice of public hearing were posted on January 13, 2006; 14 copies of the notice were mailed on January 13, 2006; and no correspondence was received.

Ms. Emily Stadnicki, Planner, summarized the agenda report, reviewed the process for designating a landmark district, and responded to questions.

The following person spoke in support of the landmark district:

Mr. Albert Cohen, Pasadena resident

The following person spoke in opposition to the landmark district:

Ms. Mim Paggi, Pasadena resident

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

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

PUBLIC HEARING: RECOMMENDED ADOPTION OF A ZONE CHANGE TO DESIGNATE A LANDMARK DISTRICT OVERLAY FOR THE BELLEFONTAINE LANDMARK DISTRICT (LD-12)

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

(1) Find that the application for a zone change is categorically exempt from environmental review under the California Environmental Quality Act (Class 8, Actions by Regulatory Agencies for Protection of the Environment);

- (2) Find that the proposed zone change is consistent with the General Plan and the purposes of the zoning ordinance;
- (3) Acknowledge the decision of the Historic Preservation Commission on February 22, 2005 that the proposed Bellefontaine Landmark District (Attachment 1 of the agenda report) meets the criteria for designation as a landmark district (Pasadena Municipal Code Section 17.62.040);
- (4) Acknowledge that the petition with signatures in support of the landmark overlay district exceeds the 51 percent requirement in Pasadena Municipal Code Section 17.62.070;
- (5) Based on these findings, approve the landmark district and the zoning map overlay for the Bellefontaine Landmark District, LD-12; and
- (6) Direct the City Attorney to prepare an ordinance amending the official zoning map of the City of Pasadena established by Pasadena Municipal Code Section 17.20.020 to designate the landmark district with the LD-12 overlay zone within 60 days.

Recommendation of Historic Preservation Commission: At a public hearing on February 22, 2005, the Historic Preservation Commission determined that the proposed district meets the criteria in Section 17.62.040 Pasadena Municipal Code for designation of a landmark district and unanimously recommended approval.

Recommendation of Planning Commission: Following a public hearing on October 26, 2005, the Planning Commission found that the proposed zone change to create a landmark district is consistent with the General Plan and the purposes of the zoning ordinance and voted unanimously to recommend that the City Council approve designation of the Bellefontaine Landmark District.

Vice Mayor Madison returned at 8:14 p.m.

The Mayor opened the public hearing.

The City Clerk reported 47 copies of the notice of public hearing were posted on January 13, 2006; 19 copies of the notice were mailed on January 13, 2006; and no correspondence was received.

Mr. Darrell Cozen, Senior Planner, reviewed the agenda report, discussed the configuration of the landmark district and the signature-gathering process for the petition, and responded to questions.

Mr. Richard Bruckner, Director of Planning and Development Department, noted the properties that were not included in the landmark district were noncontributing properties and that this was the configuration presented by the petitioner.

The City Manager confirmed that property owners who did not sign the petition were assumed to be "no" votes in calculating percentages.

The City Attorney clarified the City Council could approve a district that is smaller in area than the district presented for approval.

Discussion followed regarding concerns about the carving out of properties from the landmark district and possible differences in the percentage of support if the noncontributing properties had been included in the district.

Councilmember Streator questioned the exclusion of the noncontributing properties and the level of support by the property owners for the designation.

Vice Mayor Madison expressed concerns with possibly setting a precedent for carving out specific properties within a block rather than setting boundaries by blocks and excluding properties in the outlying edges of the boundaries.

The following persons spoke in support of the landmark district:

Mr. Robert Holmes, Concerned Neighbors of Mayfield School representative
Ms. Mic Hansen, Pasadena resident

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

It was moved by Vice Mayor Madison, seconded by Councilmember Little, to approve the City Manager's recommendation. (Motion carried, with Councilmember Streator objecting) (Absent: None)

PUBLIC HEARING: MASTER DEVELOPMENT PLAN FOR ART CENTER COLLEGE OF DESIGN SOUTH CAMPUS; ZONE CHANGE FROM IG-SP2-HL56 (INDUSTRIAL, SOUTH FAIR OAKS SPECIFIC PLAN) TO PS (PUBLIC AND SEMI-PUBLIC); AND AMENDMENT TO THE SOUTH FAIR OAKS SPECIFIC PLAN

Recommendation of City Manager:

- (1) Approve the Initial Environmental Study and Mitigated Negative Declaration (Attachment No. 1 of the agenda report);
- (2) Amend the South Fair Oaks Specific Plan to permit the "colleges - traditional campus setting" land use in the area including both sides of Raymond Avenue south of California Boulevard to Glenarm Street and including the Glenarm Power Plant site and permit the "dormitories" land use along both sides of Raymond Avenue south of California Boulevard to Glenarm Street, excluding the Power Plant site;
- (3) Adopt the findings that the proposed zone change is consistent with the Zoning Code and approve a zone change from IG-SP2-HL56 (Industrial, South Fair Oaks Specific Plan) to PS (Public and Semi-Public);

(4) Adopt the findings that the Art Center College of Design South Campus Master Development Plan is consistent with Pasadena Municipal Code Title 17 (Zoning Code) and the General Plan;

(5) Approve the Art Center College of Design South Campus Master Development Plan subject to the Conditions of Approval (Attachment No. 2 of the agenda report); and

(6) Direct the City Attorney to prepare an ordinance within sixty days amending the Zoning Ordinance for the Art Center South Campus site and resolutions adopting the Master Development Plan and amending the South Fair Oaks Specific Plan.

Recommendation of Planning Commission: The Planning Commission reviewed the proposed project on November 9, 2005. Following public testimony, the Planning Commission adopted the staff recommendation with a change to "Planning & Development Condition No. 4" in the Draft Master Development Plan. The Planning Commission recommended adding the italicized text to the condition as follows: "Residents of the dormitory building shall be limited to students and faculty of the Art Center College of Design *or other educational institutions of higher learning in the City of Pasadena.* Staff concurs with this change and it has been incorporated into the recommended conditions of approval.

Recommendation of Design Commission: On October 24, 2005, the Design Commission reviewed the proposed Master Development Plan and acknowledged that future development proposed by the Art Center College of Design South Campus Master Development Plan will be subject to the thresholds for design review in the Pasadena Municipal Code and the Citywide Design Principles such that design review would be conducted by the Design Commission and that the development standards proposed in the Master Development Plan and Conditions of Approval are appropriate.

The Mayor opened the public hearing.

The City Clerk reported 88 copies of the notice of public hearing were posted on January 13, 2006; 64 copies of the notice were mailed on January 13, 2006; and no correspondence was received.

Ms. Laura Dahl, Senior Planner, reviewed the agenda report and responded to questions.

Vice Mayor Madison announced a conflict of interest related to the proposed amendment of the South Fair Oaks Specific Plan due to a business interest in property located at the northwest corner of California Boulevard and Arroyo Parkway.

Vice Mayor Madison recused himself at 8:49 p.m., due to a conflict of interest.

The City Attorney advised that the conflict could be addressed by segregating the actions/discussions on the Fair Oaks Specific Plan from the actions/discussions on the Art Center College of Design South Campus Master Development Plan.

Discussion followed on the actions related to the South Fair Oaks Specific Plan.

The following persons spoke in support of the project:

Mr. Kevin Daly, architect for Art Center College of Design, responded to Councilmember Tyler's questions regarding mechanical equipment/screening on the roof.

Mr. Patrick Perry, Art Center College of Design representative

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

It was moved by Councilmember Little, seconded by Councilmember Tyler, to approve the City Manager's Recommendation Nos. 1, 2, 3 and that portion of Recommendation 6 for actions related to the South Fair Oaks Specific Plan. (Motion unanimously carried) (Absent: Vice Mayor Madison)

Vice Mayor Madison returned at 8:56 p.m.

It was moved by Vice Mayor Madison, seconded by Councilmember Little, to re-open the public hearing. (Motion unanimously carried) (Absent: None)

Discussion followed on the actions related to the Art Center College of Design South Campus Master Development Plan.

Mr. George Falardeau, Art Center College of Design representative, responded to questions regarding the development of the master plans for the hilltop and south campuses, the design of the roof tops for the south campus buildings, and the goal to design sustainable buildings as part of the project.

Mr. Richard Bruckner, Director of Planning and Development Department, discussed the development of separate master plans for the two campuses and the coordination of possible mitigation measures between the campuses.

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

It was moved by Vice Mayor Madison, seconded by Councilmember Little, to approve the City Manager's Recommendation Nos. 4, 5, and that portion of Recommendation 6 for actions related to the Art Center College of Design South Campus Master Development Plan. (Motion unanimously carried) (Absent: None)

Councilmember Little complimented the Art Center for making the wind tunnel space available for community events and groups.

RECESS/JOINT MEETING

On order of the Mayor, the regular meeting of the City Council recessed at 9:04 p.m. to a joint meeting with the Community Development Commission. (Absent: None)

JOINT PUBLIC HEARING: APPROVAL OF AMENDED INCLUSIONARY HOUSING IN-LIEU FEE SCHEDULE AND INCLUSIONARY HOUSING REGULATIONS; AND JOINT APPROVAL BY THE CITY COUNCIL AND THE PASADENA COMMUNITY DEVELOPMENT COMMISSION OF THE LOCAL PREFERENCE AND PRIORITY SYSTEM GUIDELINES

Recommendation of City Manager/Chief Executive Officer:

It is recommended that after close of the public hearing:

(1) The City Council adopt a resolution amending:

(a) Inclusionary Housing In-Lieu Fee Schedule as set forth in Exhibit "A" of the agenda report, and

(b) Inclusionary Housing Regulations as follows:

(i) Use of Inclusionary Housing Trust Funds to assist residential developments shall be subject to review and to threshold criteria which limits the concentration of such developments in Sub-area "B";

(ii) Eligible uses of Inclusionary Housing Trust Funds shall be expanded to include purchase of affordability covenants;

(iii) In-Lieu Fee Schedule shall be updated and adopted by the City Council every five years, based on a real estate market study, with the following provisions: 1) the updated In-Lieu Fees shall incorporate a 10% adjustment which would be fully waivable; and 2) during the five-year period the In-Lieu Fee Schedule shall be adjusted annually in accordance with Consumer Price Index (Housing Component);

(iv) City shall have a "right of first refusal" to purchase Inclusionary ownership units in the event of a resale;

(v) Preparation of a Biennial Inclusionary Housing Program Performance Assessment; and

(vi) Institution of a Preference and Priority System for local residents and employees. (Resolution No. 8558)

(2) The City Council and Pasadena Community Development Commission adopt a joint resolution approving the Pasadena Local Preference and Priority System Guidelines and its application to City of Pasadena and Pasadena Community

Development Commission sponsored and/or supported affordable and workforce housing units. (Resolution Nos. 8559 and CDR-243)

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on January 16 and 20, 2006 in the Pasadena Star-News; and one letter in opposition was received.

The City Manager introduced the agenda item.

Mr. Greg Robinson, Housing Community Development Administrator, reviewed the agenda report, discussed the local preference and priority system and different ways of implementing the system, and responded to questions.

Mr. Brian Williams, Assistant City Manager, outlined outreach plans related to the local preference and priority system, and indicated that the Pasadena Unified School District (PUSD) would be notified about availability of housing under the preference and priority system.

The City Manager discussed the City's role in administering the marketing and outreach strategies and procedures to ensure compliance, and responded to questions.

Discussion followed regarding the adjustment of in-lieu fees for market rate increases in the costs of housing, the City's role in the development and approval of the marketing and selection plans, development of outreach to City employees and other affected classifications regarding the availability of the local preference and priority system, the need for an educational effort to reach those people who can participate in the system, the City's role vs. the developer's role in implementing various aspects of the system, the relationship between the local preference and priority system and Section 8 housing, the need to conform the language for the priority categories, and the need to review the system for possible changes and/or additions in a timely manner.

Councilmember Tyler stressed the City's leadership role in implementing the local preference and priority system and approving the marketing and selection plans and the need to receive an annual report on the Inclusionary Housing Trust Fund.

Councilmember Little suggested staff ensure that PUSD employees are included in outreach for the system, and expressed his opinion that the in-lieu fee should be set at the unit's market value, rather than taking into consideration the affordability gap.

Mr. Brad Fuller, Assistant City Attorney, discussed legal ramifications of including specific groups of people (e.g. PUSD employees) and/or excluding protected classifications as this relates to fair housing regulations.

The City Attorney discussed legal questions that might be raised in giving priority to public employees.

Ms. Kathy Head, Keyser Marston Associates, Inc. (KMA) representative, responded to questions regarding KMA's analysis of the Inclusionary Housing Ordinance in-lieu fees and the use of the affordability gap.

The following person expressed support for the local preference and priority system and concerns regarding certain portions of the system:

Ms. Michelle White, Pasadena resident

Councilmember Holden expressed concerns regarding the possible lack of available land for building affordable units off-site.

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

The City Manager listed the following corrections and modifications to the agenda report and resolutions resulting from the staff presentation and Council discussion:

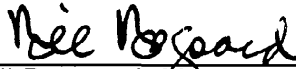
- Page 9 of the agenda report (Exhibit "B") – Item 4.a.vii. will read: "Substandard Housing. Written verification from a reliable, knowledgeable professional with skills consistent with those of a City Code Enforcement Officer."
- Pages 9 and 10 of the agenda report (Exhibit "B") – Items 5.a. and 5.d. – insert language that the Marketing and Selection Plans will need to be approved by the Housing Administrator.
- Page 10 of the agenda report (Exhibit "B") – Item 5.d. – insert language that the Selection Plan will be prepared and retained six months prior to the issuance of an occupancy permit and may be presented for approval in less than this six-month period.
- Page 12 of the agenda report (Exhibit "B") – Item 9.c. – could include a penalty of the City's refusal to issue an occupancy permit.
- Exhibit A of the joint resolution – Items 7.a.iii., 7.a.iv., and 7.a.v. will be corrected to conform to the language used in the Preference and Priority System section of the agenda report and will result in the use of the four categories as shown on page 3 of the agenda report.
- Staff will return to Council in less than a year with a

- report on how the local preference system is working.
- Staff will return to Council with an annual report on the Inclusionary Housing Trust Fund.

It was moved by Councilmember Tyler, seconded by Councilmember Holden, to approve the City Manager's/Chief Executive Officer's recommendation, as amended by the list of corrections and modifications cited above by the City Manager. (Motion unanimously carried) (Absent: None)

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council reconvened at 10:15 p.m. and adjourned at this time in memory of Helen Mary Williams, former Pasadena Unified School District teacher and co-founder of Outward Bound Adventures, a local non-profit environmental educational youth organization servicing at-risk, low income, and urban youth.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



Janet Rodriguez
City Clerk