

CITY OF PASADENA
City Council Minutes
March 27, 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: Councilmembers Gordo, Haderlein, Holden, Vice Mayor Madison)

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

Agency Negotiators: Karyn Ezell, Art Chavez
Employee Organization: Pasadena Firefighters Management Association

There being no quorum of the City Council at this time, the above closed session item was not discussed, and the regular meeting was recessed.

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

ROLL CALL:

Councilmembers:

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

Staff:

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

CEREMONIAL MATTERS

The Mayor presented a proclamation designating March 27, 2006 as Cesar Chavez Day. The proclamation was received by Roberta Martinez, Latino Heritage Association representative.

Ms. Martinez acknowledged representatives from the following organizations who were present: Pasadena Latino Forum, Pasadena Latino Employees Association, and Latino Heritage Association; and outlined some of the events and activities planned to honor the work and values of Cesar Chavez.

Councilmember Gordo commended those who were in attendance to honor Cesar Chavez Day and also those persons who participated in recent peaceful demonstrations in protest of proposed changes in the immigration laws.

The Mayor presented a proclamation designating April 8, 2006 as Arbor Day. The proclamation was received by Linda Chan, Neighbors Acting Together Helping All (NATHA) representative; Emina Darakjy, Pasadena Beautiful Foundation representative; and Martin Pastucha, Director of Public Works Department.

Ms. Darakjy thanked the City for the proclamation, and described a tree project that will be a part of the Arbor Day activities and services provided by the Pasadena Beautiful Foundation.

Mr. Antonio Watson, Project Manager, invited the Council and community to a kickoff event for the City's First Source Local Hiring program that is scheduled for April 1, 2006 and will provide an opportunity for residents to register for work related to local construction projects that are subject to the City's local hiring ordinance.

The City Manager announced that Jason Kruckeberg, Senior Planner, is leaving the City to accept a position with the City of Arcadia as Director of Community Development.

Mr. Kruckeberg thanked the City Manager and City for the opportunity and experience of working with an engaged community.

The Mayor commended Mr. Kruckeberg on his professionalism and congratulated him on the new position.

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

Mr. Alex Plumb, Pasadena resident, expressed concerns regarding Edison's proposed public storage units to be constructed on Sierra Madre Boulevard and the negative impacts of this project on the current property tenant (Persson's Nursery).

The City Manager commented on the status of the Edison proposal, the City's role in reviewing and approving the proposal, and the private nature of the negotiations between the property owner and current tenant as this relates to the proposal.

CONSENT CALENDAR

AGREEMENTS FOR SEWER SERVICE AT 125 INVERNESS DRIVE AND 3715 NORMANDY DRIVE, CITY OF LA CAÑADA FLINTRIDGE

Recommendation of City Manager: Adopt a resolution authorizing the City Manager to enter into separate agreements

among County Sanitation District No. 16 of Los Angeles County, the City of Pasadena, and the respective property owners governing the conveyance, treatment, and disposal of wastewater from single-family homes at 125 Inverness Drive and 3715 Normandy Drive in the City of La Cañada Flintridge, and agreeing to the recordation thereof. (Resolution No. 8570; Agreement Nos. 19,042 and 19,043)

In response to Councilmember Tyler's questions, Martin Pastucha, Director of Public Works Department, and Dan Rix, City Engineer, clarified the various fees that will be collected from the property owners and the status of the fees being collected.

AUTHORIZATION TO ISSUE ANNUAL PURCHASE ORDERS FOR POSTAGE FROM THE UNITED STATES POSTAL SERVICE FOR A PERIOD NOT TO EXCEED TEN YEARS

Recommendation of City Clerk: Authorize the Purchasing Administrator to issue purchase orders for the purchase of postage from the United States Postal Service on an annual basis, in amounts necessary to meet the needs of the City for a period not to exceed ten years. The proposed purchase orders are exempt from competitive bidding pursuant to City Charter Section 1002(H), contracts with other governmental entities for labor, material, supplies, or services.

MINUTES APPROVED

February 27, 2006
March 13, 2006

CLAIM RECEIVED AND FILED

Claim No. 10,064 State Farm Insurance for \$ 1,191.27
Laura Woodruff

It was moved by Councilmember Streater, seconded by Councilmember Little, to approve all items on the Consent Calendar. (Motion unanimously carried) (Absent: Councilmembers Haderlein, Holden, Vice Mayor Madison)

INFORMATION ITEM

ORAL PRESENTATION BY CHANEY AND ASSOCIATES REGARDING 2006 FEDERAL PRIORITIES UPDATE

Ms. Carolyn Chaney, Federal Legislative Advocate, provided an overview of the process that has been developed in working with the Federal government on the following issues as prioritized by the Council: intelligent transportation system, reservoir rehabilitation program, interoperable communication upgrades, Robinson Park renovation, SR 210 soundwall construction, extension of the Gold Line, and Arroyo Seco watershed. She noted the Federal government will also be addressing issues on telecommunications, eminent domain, and community block grant funding for housing that will affect all cities.

Mr. Chris Giglio, assistant to Carolyn Chaney, indicated Congress will be focused on budget issues, telecommunications reform, and immigration law reform; and briefly discussed a proposal for a national franchising program for telecommunications services.

In response to questions, Ms. Chaney outlined issues impacting the City related to rights of way, lack of universal service, and franchising fees, if a national franchise program is implemented; commented on efforts in coordinating with other local lobbyists (e.g. Jet Propulsion Laboratory); and stressed the City's role in lobbying for its own interests.

The Mayor thanked Ms. Chaney and Mr. Giglio for the information provided to Council.

**REPORTS AND COMMENTS
FROM COUNCIL
COMMITTEES**

FINANCE COMMITTEE

APPROVAL OF A JOURNAL VOUCHER AMENDING PROJECTS IN THE FISCAL YEAR 2006 CAPITAL IMPROVEMENT PROGRAM BUDGET

Recommendation of City Manager:

(1) Approve a journal voucher in the amount of \$562,959 amending 14 projects in the FY 2006 Capital Improvement Program as detailed in Attachment A of the agenda report; and
(2) Amend the FY 2006 Capital Improvement Program budget to create the Play Equipment and Restroom Building at Madison School/Park project and recognize and appropriate \$60,500 in Residential Impact Fees to the project. (Journal Voucher No. 2006-39)

Recommendation of Planning Commission: On January 11, 2006, the Planning Commission found the Play Equipment and Restroom Building at Madison School/Park project to be in compliance with the General Plan.

Councilmember Little, Chair of the Finance Committee, reviewed 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 Haderlein, Holden, Vice Mayor Madison)

**MUNICIPAL SERVICES
COMMITTEE**

**RESOLUTION AMENDING THE WATER AND POWER DEPARTMENT ELECTRIC SERVICE REQUIREMENTS, REGULATION 21, TO REFLECT THE PROPOSED REVISIONS EFFECTIVE FEBRUARY 1, 2006
MARCH 27, 2006**

Recommendation of City Manager: Adopt a resolution amending Water and Power Electric Service Requirements, Regulation 21, to update and revise the guidelines, standards, terms and conditions by which customers connect to the power distribution system. (Resolution No. 8571)

The Mayor announced that the proposed resolution/revisions will be effective March 27, 2006, if approved, rather than the date of February 1, 2006 as shown in the agenda report.

Councilmember Tyler, Chair of the Municipal Services Committee, reviewed the agenda report, which included changes recommended by the Municipal Services Committee as stated in the City Manager's memorandum dated March 27, 2006.

The City Manager clarified that part of the proposed changes would become effective the date that the resolution is adopted by Council and that changes requiring amendment of the Pasadena Municipal Code would become effective at some future date when an ordinance is presented to Council for adoption.

In response to Councilmember Tyler's questions, George Wilson, Jr., Business Unit Director-Power Delivery Field Services, clarified the costs for connection to the electric distribution system that are to be paid by parties other than the City.

Following brief discussion, Mr. Wilson indicated the language in the third "Whereas" clause of the resolution should be corrected to read: ". . . (iv) and requires that all department costs related to the installation and removal of temporary construction be paid for by the contractor or developer; and"

Councilmember Tyler requested the language to inform property owners of their responsibilities in maintaining private vaults be presented to the Municipal Services Committee when this has been developed.

It was moved by Councilmember Tyler, seconded by Councilmember Streater, to approve the City Manager's recommendation, with the following revised language in the third "Whereas" clause of the resolution to read: ". . . (iv) and requires that all department costs related to the installation and removal of temporary construction be paid for by the contractor or developer; and" and with the effective date of the resolution/revisions revised to read March 27, 2006. (Motion unanimously carried) (Absent: Councilmembers Haderlein, Holden, Vice Mayor Madison)

AUTHORIZATION TO ENTER INTO A CONTRACT WITH SOUTHERN CALIFORNIA PUBLIC POWER AUTHORITY TO PERFORM DUE DILIGENCE ON RENEWABLE RESOURCE OPTIONS

Recommendation of City Manager: Authorize the City Manager to enter into a contract with the Southern California

Public Power Authority (SCPPA), a Joint Powers Authority of which Pasadena is a member, for the purpose of performing due diligence on renewable resource options for an amount not to exceed \$300,000. The term of the contract shall extend until negotiations for renewable energy are completed, or until the City Manager terminates the agreement. Competitive bidding is not required pursuant to City Charter Section 1002(H), contracts with other governmental agencies or their contractors. (Contract No. 19,044)

Councilmember Tyler introduced the agenda item.

Mr. Robert Sherick, Director-Power Supply, summarized the agenda report and responded to questions.

The City Manager explained the City's ongoing relationship with the Southern California Public Power Authority (SCPPA).

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

**RECOMMENDATIONS
FROM OFFICERS AND
DEPARTMENTS**

**APPROVAL OF COMMUNITY DEVELOPMENT BLOCK
GRANT (CDBG) CITY SET-ASIDE RECOMMENDATIONS
(2006-2007)**

Recommendation of City Manager: Approve the 2006-2007 Community Development Block Grant (CDBG) Program City Set-Aside of \$1,744,665 with an allocation of \$948,383 to four eligible City administered projects and \$785,617 to two mandatory projects (Section 108 Loan Repayment and CDBG Program Administration). (Agreement Nos. 19,045-19,048)

The City Manager introduced the agenda item and discussed funding issues related to the Community Development Block Grant (CDBG) Program.

Ms. Eunice Gray, Project Planner, summarized the agenda report and responded to questions.

Mr. Gregory Robinson, Housing/Community Development Administrator, confirmed these funds covered an annual period beginning July 1, 2006, and responded to questions.

The City Manager explained the use of CDBG funds to supplement code enforcement services in those areas where CDBG recipients are located.

Councilmember Streater requested staff provide information on costs related to code enforcement services showing a breakdown of the funding allocated from the General Fund vs. CDBG funds.

Discussion followed on the decrease in federal funding of the CDBG Program and the amount of the funding allocated for CDBG Program Administration.

Councilmember Tyler expressed concerns regarding the amount of money allocated for administration of the program, and questioned if this amount should be reduced as the total amount of the City's entitlement is decreased.

The City Manager explained that although total CDBG funding had decreased over the years and administrative costs had been capped, the record keeping and work required by the government to receive the funding has increased; and indicated staff will continue to monitor this situation in the future.

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

RESIGNATION OF INMAN MOORE FROM THE HUMAN RELATIONS COMMISSION (District 2 Nomination)

It was moved by Councilmember Little, seconded by Councilmember Tyler, to accept the above resignation with regrets. (Motion unanimously carried) (Absent: Councilmembers Haderlein, Holden, Vice Mayor Madison)

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 7:53 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 7:55 p.m. (Absent: Councilmembers Haderlein, Holden, Vice Mayor Madison)

ORDINANCES – FIRST READING

Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 16, (SUBDIVISIONS), TO REQUIRE THAT CONDOMINIUM CONVERSIONS MEET THE PARKING REQUIREMENT OF THE DISTRICT IN WHICH THEY ARE LOCATED, AND TO PROHIBIT COMPACT PARKING SPACES"

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

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

NOES: None

ABSENT: Councilmembers Haderlein, Holden, Vice Mayor Madison

Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17 (THE ZONING CODE), ARTICLE 2 (ZONING MAP) TO ESTABLISH A HEIGHT OVERLAY DISTRICT (HL-28) ON CERTAIN PARCELS ALONG NORTH ALLEN AVENUE AND AMENDING THE DEVELOPMENT STANDARDS OF THE COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS TO LIMIT THE MAXIMUM HEIGHT AND LOWER THE ENCROACHMENT PLANE REQUIREMENTS WHEN ABUTTING RESIDENTIAL DISTRICTS"

Councilmember Little thanked staff for their responsiveness in addressing the issues raised by the neighbors and the work involved in developing the ordinance.

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

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

NOES: None

ABSENT: Councilmembers Haderlein, Holden, Vice Mayor
Madison

ORDINANCES – ADOPTED

Adopt "AN UNCODIFIED ORDINANCE OF THE CITY OF PASADENA SUSPENDING SECTIONS 9.36.220(B) AND 9.36.230(B)(9) OF THE PASADENA MUNICIPAL CODE RELATING TO LIMITATION ON HOURS OF OPERATION OF AMPLIFIED SOUND FOR SPECIFIED HOURS AND AREAS ON MAY 5, 2006 (SOCCER MATCH FEATURING THE MEN'S NATIONAL TEAM OF MEXICO - HOURS OF OPERATION ONLY)" (Introduced by Councilmember Little) (Ordinance No. 7032)

The above ordinance was adopted by the following vote:

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

NOES: None

ABSENT: Councilmembers Haderlein, Holden, Vice Mayor
Madison

Adopt "AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17 OF THE PASADENA MUNICIPAL CODE TO ADD 'FLOOR RATIO ADJUSTMENT FOR FLAT LOTS' IN THE HILLSIDE DEVELOPMENT PERMIT PROCESS" (Introduced by Councilmember Streater) (Ordinance No. 7033)

The above ordinance was adopted by the following vote:

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

NOES: None

ABSENT: Councilmembers Haderlein, Holden, Vice Mayor
Madison

PUBLIC HEARINGS

PUBLIC HEARING: LOS ROBLES/ADENA ZONE CHANGE AND GENERAL PLAN AMENDMENT

Councilmember Gordo stated he would be recusing himself at this time, with the City Attorney to investigate the facts and circumstances being used as the basis for the recusal.

The Mayor announced that a quorum was lost as a result of Councilmember Gordo's recusal, with the public hearing to be re-scheduled and re-noticed for a date and time in the near future.

CONTINUED PUBLIC HEARING: DESIGNATION OF 361 ADENA STREET AS A LANDMARK

Recommendation of City Manager:

(1) Find that the circa 1890 house at 361 Adena Street does not meet the criteria for landmark designation in Section 17.62.040(B) of the Pasadena Municipal Code because it lacks architectural integrity due to substantial fire damage in the 1960's; and because evidence that the property has an important association with the lives of a person or persons who may have owned or occupied the house is inconclusive.

(2) Deny the application for designation of the property as a landmark.

Recommendation of Historic Preservation Commission: On November 7, 2005, the Historic Preservation Commission voted to recommend denial of the application for designation of 361 Adena Street as a landmark.

The Mayor announced now was the time for the continued public hearing. He reported the applicants had requested that the public hearing be continued.

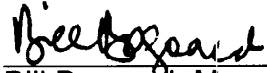
Mr. Omel Nieves, representing the property owner (Ritz Townhomes), expressed concerns regarding the ongoing delays in obtaining entitlements for his client's project caused by continuance of the public hearing, and asked that the hearing be scheduled in as timely a manner as possible, with appropriate attention being given to allow time for Council's consideration of the issue.

The City Manager indicated the applicants had not specified a date for the continued public hearing in their written request.

Following brief discussion, it was moved by Councilmember Gordo, seconded by Councilmember Tyler, to continue the public hearing to April 24, 2006 at 7:00 p.m. (Motion unanimously carried) (Absent: Councilmembers Haderlein, Holden, Vice Mayor Madison)

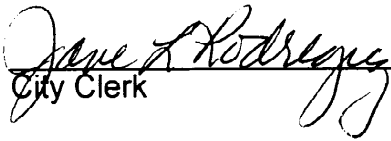
ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 8:11 p.m.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



Jane A. Rodriguez
City Clerk