

CITY OF PASADENA  
City Council Minutes  
May 8, 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 Holden, Vice Mayor Madison)

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

Councilmember Holden  
arrived at 5:48 p.m.

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

Vice Mayor Madison arrived  
at 6:04 p.m.

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

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

**City Representative: Cynthia J. Kurtz  
Employee Organization: Unrepresented Executive  
Management Employees**

The above two closed session items were discussed, with no reportable action at this time.

On order of the Mayor, the regular meeting reconvened at 6:35 p.m. The Pledge of Allegiance was led by the Mayor.

**ROLL CALL:**

Councilmembers:

Mayor Bill Bogaard  
Vice Mayor Steve Madison (Returned at 6:52 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 Vahe Atchabahian as Human Relations Commissioner.

Dr. Benjamin Chu, Kaiser Foundation Chief Executive Officer, presented a check in the amount of \$415,000 to the City of Pasadena to be used for the construction of a new playground at Memorial Park.

Councilmember Holden thanked the Kaiser Foundation for the generous contribution for this much-needed addition to Memorial Park that will also serve this developing area of the City.

The Mayor acknowledged the support that the Kaiser Foundation has afforded the City in the past.

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

Mr. Christopher Sutton, legal counsel for Rod's Grill (located in Arcadia), provided clarification of State of California Health and Safety Code Section 33426.7 as this relates to issues involving Rusnak/Pasadena and the City of Arcadia, and updated Council on recent actions taken by the Arcadia City Council and on a pending lawsuit between Chrysler Corporation and Rusnak/Pasadena and an injunction that had been granted regarding the possible relocation of the Rusnak/Pasadena car dealership from Pasadena to Arcadia. Mr. Sutton submitted a copy of the Code section cited above to Council, and submitted a copy of the Chrysler Corporation case file that he had received from the Court to the City Attorney for her information.

Ms. Michelle White, Pasadena resident, expressed concerns regarding the status of the Peoria/Fair Oaks tenants who are being relocated.

Councilmember Gordo reported on the work that has been accomplished and what remains to be done in relocating the Peoria Street tenants.

**CONSENT CALENDAR**

**AUTHORIZATION TO ENTER INTO CONTRACTS WITH YELLOWSTONE ROCK, INC., B & B RED-I-MIX CONCRETE, INC., AND WEST COAST SAND AND GRAVEL, FOR THE FURNISHING AND DELIVERY OF AGGREGATE BASE, CEMENT SLURRY AND ASPHALT COLD MIX FOR THE WATER AND POWER DEPARTMENT, SPECIFICATION WD-05-03**

**Recommendation of City Manager:**

- (1) Accept the bid, dated April 11, 2006 submitted by Yellowstone Rock, Inc., in response to Specification WD-05-03 for the Furnishing and Delivery of Aggregate Base for the Water and Power Department;
- (2) Accept the bid dated April 11, 2006 submitted by B & B Red-I-Mix Concrete, Inc., in response to Specification WD-05-03 for the Furnishing and Delivery of Cement Slurry for the Water and Power Department;
- (3) Accept the bid dated April 11, 2006 submitted by West Coast Sand and Gravel, in response to Specification WD-05-03

for the Furnishing and Delivery of Asphalt Cold Mix for the Water and Power Department;

(4) Reject all other bids;

(5) Authorize a contract between the City and Yellowstone Rock, Inc., not to exceed \$180,000;

(6) Authorize a contract between the City and B & B Red-I-Mix Concrete, Inc., not to exceed \$138,000; and

(7) Authorize a contract between the City and West Coast Sand and Gravel, not to exceed \$176,000.

The contracts are for an initial term of one year with an option for two additional one-year terms. (Contract Nos. 19,068-19,070)

**MINUTES APPROVED**

April 24, 2006 (Special Joint Meeting)  
April 24, 2006

**CLAIMS RECEIVED AND FILED**

Claim No. 10,096	Bernard Colorado	\$ Not stated
Claim No. 10,097	Carolyn M. Youssef	Not stated
Claim No. 10,098	Ada Valladares	Not stated

**PUBLIC HEARINGS SET**

May 15, 2006, 7:00 p.m. - Making Findings with Respect to and Approving the Issuance of Bonds by the Pasadena Public Financing Authority and the Pasadena Community Development Commission

June 19, 2006, 7:00 p.m. - Designation of 492 Eldora Road as a Historic Landmark

June 19, 2006, 7:00 p.m. - Designation of 1044 East Orange Grove Boulevard as a Historic Landmark

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

**OLD BUSINESS**

**ORDINANCE – ADOPTED**

Councilmember Haderlein recused himself at 6:51 p.m., due to a conflict of interest.

**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 TO CHANGE THE DESIGNATION FOR PROPERTY LOCATED ON THE SOUTH SIDE OF CALIFORNIA BOULEVARD AT FAIRMONT AVENUE, A PRIVATE STREET”** (Introduced by Councilmember Streator) (Ordinance No. 7040)

The above ordinance was adopted by the following vote:

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

NOES: None

ABSENT: Councilmember Haderlein, Vice Mayor Madison

**RECOMMENDATIONS  
FROM OFFICERS AND  
DEPARTMENTS**

**REQUEST FOR FUNDING AND APPROVAL OF A WORK  
PLAN FOR A COLLEGIATE RENOVATION FOR THE ROSE  
BOWL**

**Recommendation of Rose Bowl Operating Company:**

It is recommended that the City Council approve the following:

- (1) The outline, described in the agenda report, of a work plan for a Renovation Plan of the Rose Bowl Stadium (assumes no new major tenant); and
- (2) The allocation of up to \$250,000 in City of Pasadena funds for development of the "Renovation Plan".

Vice Mayor Madison returned at 6:52 p.m.

Mr. Ed Garlock, Rose Bowl Operating Company (RBOC) President, introduced the agenda item.

Councilmember Haderlein returned at 6:54 p.m.

Mr. Darryl Dunn, General Manager of the Rose Bowl, reviewed the agenda report and responded to questions.

Councilmember Little suggested the strategic plan for the Rose Bowl contain information on an approach to phase in identified maintenance needs and anticipated improvements, taking into consideration financial constraints.

Councilmember Holden stressed the importance of the inclusion of information on increasing revenue-generating events in the strategic plan and how the Rose Bowl venue fits into the regional venue market.

Councilmember Tyler expressed support for return of the Rose Bowl strategic plan to Council by the end of December 2006 as a target date, and suggested the report contain RBOC's vision, specific recommendations, and financing proposal for the Rose Bowl.

The following persons spoke in support of the work plan and made suggestions regarding the plan process:

Ms. Sue Mossman, Pasadena Heritage representative  
Mr. Richard McDonald, Pasadena First representative,  
submitted a letter in support of the development of the  
work plan.

It was moved by Councilmember Little, seconded by Councilmember Tyler, to approve the Rose Bowl Operating Company's recommendation. (Motion unanimously carried)  
(Absent: None)

**CONSIDERATION OF A CALL FOR REVIEW OF A BOARD  
OF ZONING APPEALS DECISION TO THE CITY COUNCIL  
FOR A SIGN EXEMPTION TO INSTALL A BUILDING  
IDENTITY SIGN AT A HEIGHT LESS THAN 75 FEET AT  
123 SOUTH MARENGO AVENUE - WESCOM BUILDING  
(Vice Mayor Madison)**

Vice Mayor Madison provided a brief history of the application for a sign exemption and his reasons for asking Council to review this matter based on the merits.

The following persons spoke in support of the call for review:

Ms. Yesceni Ramirez, Wescom Credit Union (applicant)  
representative  
Mr. Tim Dolan, Wescom Credit Union (applicant)  
representative

Councilmember Little asked for information on what the sign will look like from street level and the view parallel with the sign, if Council reviews this matter.

It was moved by Vice Mayor Madison, seconded by Councilmember Gordo, to call this matter for review to the City Council. (Motion unanimously carried) (Absent: None)

**PRESENTATION OF CONSTRUCTION ZONE GRAFFITI CONTROL PROGRAM BY OUTSIDE CONSULTANT**  
(Councilmember Holden)

Councilmember Holden introduced the agenda item.

Mr. Armin Ross, National Promotions & Advertising representative, presented information on this private graffiti abatement program, and submitted a handout of photos illustrating the company's work.

Mr. Gary Shafner, owner of National Promotions & Advertising, described the services provided by his company and responded to questions regarding the content of the materials that are posted on the construction site screening.

Councilmember Streater suggested this matter be referred to the City Manager for an analysis of the costs of the program, with a report to Council at a future meeting.

Councilmember Gordo suggested staff also look at the City's existing graffiti removal program and the possibility of increasing funding for the existing program.

Councilmember Little suggested the City Attorney examine the City's ordinances, regulations, and penalties for those engaged in graffiti-making acts; and explore ways to strengthen the regulations and capture reimbursement of monies spent on abatement.

Councilmember Haderlein suggested staff explore a requirement for developers/contractors to provide more aesthetically pleasant screening of construction sites.

On order of the Mayor, the construction zone graffiti control program was referred to the City Manager for cost analysis.

## **PUBLIC HEARINGS**

### **CONTINUED PUBLIC HEARING: FY 2007-2012 RECOMMENDED CAPITAL IMPROVEMENT PROGRAM BUDGET**

**Recommendation of City Manager:** Receive public comment and continue the public hearing to each subsequent regular meeting of the City Council at 7:00 p.m. until May 15, 2006, or such other later date as the City Council may determine, and at which time the City Council will be asked to close the public hearing and formally adopt the FY 2007-2012 Capital Improvement Program Budget.

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

Councilmember Little, Chair of the Finance Committee, reported the Committee had discussed reports on Arroyo projects, Pasadena Center improvements, Rose Bowl improvements, water system, and electric system at the special joint meeting of the City Council and Finance Committee held on May 8, 2006 at 3:00 p.m.; and announced the next joint meeting of the City Council and Finance Committee will be held on May 15, 2006 at 3:00 p.m.

Councilmember Gordo indicated he would submit questions on the Budget in writing to the Director of Public Works Department, who could either respond directly or provide the information at the next Council meeting.

No one appeared for public comment.

It was moved by Councilmember Little, seconded by Councilmember Tyler, to continue the public hearing to May 15, 2006 at 7:00 p.m. (Motion unanimously carried)  
(Absent: None)

### **PUBLIC HEARING: PROPOSED ZONING MAP AND GENERAL PLAN AMENDMENT FOR THE RM-12 SECTION OF THE LOS ROBLES/ADENA STUDY AREA**

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

(1) Adopt the Environmental Negative Declaration for the zone changes and General Plan amendments listed in Attachment 4 of the agenda report; approve the De Minimis Impact Finding on the State Fish and Wildlife Habitat (Attachment 5 of the

agenda report); and direct the City Clerk to file a Notice of Determination and Certificate of Fee Exemption for the California Department of Fish and Game, with the Los Angeles County Recorder (Attachment 6 of the agenda report).

(2) Find that the proposed zone changes and General Plan amendments are consistent with the goals, objectives, and policies of the General Plan and the findings required in Section 17.74.070 of the Pasadena Municipal Code.

(3) Determine that remaining sites identified in the adopted 2000-2005 Housing Element are adequate to accommodate the City's share of the regional housing need for the planning period pursuant to Government Code Section 65584.

(4) Change the zoning in the Northern section of the study area (see Figure 1 of the agenda report) from Multi-Family Residential RM-16 to Multi-Family Residential RM-12 and amend the corresponding General Plan designation from Medium Density Residential (0-16 dwelling units/net acre) to Low-Medium Density Residential (2 dwelling units per lot).

(5) Change the zoning along the Mountain section of the study area (see Figure 1 of the agenda report) from Multi-Family Residential RM-32 to Multi-Family Residential RM-12 and amend the corresponding General Plan land use designation from Medium-High Density Residential (0-32 dwelling units/net acre) to Low-Medium Density Residential (2 dwelling units per lot).

(6) Direct the City Attorney to prepare an ordinance amending the official zoning map of the City of Pasadena established by Section 17.20.040 of the Pasadena Municipal Code in the manner described in the agenda report and return within 90 days.

**Recommendation of Planning Commission:** The Planning Commission considered the zone changes and General Plan amendments on September 21, 2005, and recommended that the City Council approve the amendments, as recommended in the agenda report.

**Recommendation of Northwest Commission:** On September 13, 2005, the Northwest Commission voted to disapprove the recommendation to rezone the study area. The Commission's concerns centered on whether the zone changes would be the most effective way of providing affordable housing. The Commission expressed that the most certain way of providing affordable housing was to rely on the affordable units required by the Inclusionary Housing Ordinance in new developments. Furthermore, the Commission expressed that keeping the existing zoning would provide more affordable units than the proposed zoning.

Councilmember Gordo recused himself at 7:33 p.m., due to a possible conflict of interest on the two Los Robles/Adena study area public hearings.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on April 24, 2006 in the Pasadena Star-News; 78 copies of the notice were posted on April 21, 2006;

531 copies of the notice were mailed on April 21, 2006; and 6 letters in support of and 2 letters in opposition to the zone changes and General Plan amendment were received.

The City Manager introduced the agenda item, summarized the goals of the General Plan area, and responded to questions.

The City Manager and City Attorney explained the rationale for holding separate public hearings on different parts of the study area that resulted in separate recommendations/discussions.

Mr. Scott Reimers, Associate Planner, summarized the staff recommendation, distributed a map showing the zoning for the surrounding areas around the study area, and responded to questions.

The following persons spoke in opposition to the zone changes and General Plan amendment:

Mr. Jim Kermath, Door of Hope Executive Director  
Ms. Leticia Ortiz, Pasadena resident  
Ms. Michelle White, Affordable Housing Services representative, submitted a copy of a map of study areas.  
Pastor Lucious Smith, Clergy Community Coalition representative  
Ms. Jill Shook, Pasadena Affordable Housing Alliance (PAHA) representative  
Mr. Darell Weist, Pasadena resident  
Ms. Kitty Galt, Passageways outreach team member  
Mr. David Best, Pasadena resident  
Pastor Henry Sideropoulos, Agape Christian Church representative  
Ms. A. Claire Okeke, PAHA member  
Mr. Heriberto Soria, Pasadena resident  
Mr. Tim Lewis, William Carey International University President  
Ms. Irma Muñoz, Mujeres de la Tierra, representing the Peoria/Fair Oaks tenants  
Ms. Julie Grant, Pasadena resident  
Mr. Harden Carter, Pasadena resident  
Mr. Ben Donley, Agape Life Enterprise, Inc. representative  
Ms. Donna Sider, PAHA member

The following persons spoke in support of the zone changes and General Plan amendment and/or expressed concerns:

Mr. Mark Mortenson, Garfield Heights Neighborhood Association Board member  
Ms. Michelle Long, Pasadena resident  
Ms. Sue Mossman, Pasadena Heritage representative  
Mr. Raymond Renzullo, Pasadena resident  
Mr. Christopher Renzullo, Pasadena resident



In response to the comments of various speakers, the City Manager clarified that the information shown on the map (prepared in January 2003) submitted by Michelle White related to single-family areas that bordered on multi-family areas and that actions had been taken in regards to these study areas as an issue separate from this report. She noted that progress had been made in relocating the Peoria/Fair Oaks tenants. The City Manager also noted that staff recommendations come through numerous reviews and reflect a total picture of all considerations and discussions on a particular recommended action and not the position of a single staff person.

Discussion followed on the possibility of transferring density from the study area to other parts of the City (e.g. to specific plan areas), possible impacts on affordable housing units related to the proposed changes, and impacts on density for those areas with proposed changes.

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

It was moved by Councilmember Streator, seconded by Councilmember Little, to change the zoning along the Mountain section of the study area from Multi-Family Residential RM-32 to Multi-Family Residential RM-12, as stated in Recommendation 5, and to approve those parts of Recommendations 1, 2, 3, 5, and 6 that apply to the zone change for this study area section. (Motion unanimously carried) (Absent: Councilmember Gordo)

Councilmember Streator expressed support for affordable and workforce housing and expressed concerns about the elimination of these types of housing as properties are developed.

In response to Council questions, Millie De La Cuba, Principal Planner, discussed the development that is allowed under RM-12 and RM-16 zone designations, the possible ramifications of lot consolidation, and the ability to impose different standards on a zone designation.

Discussion continued on Council's ability to impose different development standards on a zone designation, the character of the neighborhood in the study area, the relationship between the character of the existing neighborhood and the nature of the development standards that are allowed under the current and proposed zone designations, and issues involving the replacement of affordable housing by market rate housing.

Councilmember Little suggested consideration of setting different development standards for the Mountain section of the study area.

Councilmember Holden suggested staff explore identification of potential areas of the City that might be able to absorb the density that is lost in downzoning parts of the study area and provide an alternative to the loss of affordable units by re-allocation of the lost units to other parts of the City.

The Mayor commented on market forces and the continued existence of affordable housing vs. the potential for developing new affordable housing in the study area based on the proposed and alternative zoning changes.

It was moved by Councilmember Holden, seconded by Councilmember Haderlein, to approve the City Manager's recommendation as it pertains to changing the zoning in the Northern section of the study area from Multi-Family Residential RM-16 to Multi-Family Residential RM-12, as stated in Recommendation 4; and to direct the City Manager to examine the potential for re-allocation of the affordable housing units that may be lost in the total study area, as a result of the changes in zoning, to other areas within the community that can better absorb the density and with staff to return to Council with recommendations on how the lost affordable units can be added to other areas of the City. (Motion carried, with Councilmember Little objecting) (Absent: Councilmember Gordo)

**PUBLIC HEARING: PROPOSED ZONING MAP AND GENERAL PLAN AMENDMENT FOR THE RM-16 SECTION OF THE LOS ROBLES/ADENA STUDY AREA**

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

- (1) Adopt the Environmental Negative Declaration for the zone change and General Plan amendment listed in Attachment 4 of the agenda report; approve the De Minimis Impact Finding on the State Fish and Wildlife Habitat (Attachment 5 of the agenda report); and direct the City Clerk to file a Notice of Determination and Certificate of Fee Exemption for the California Department of Fish and Game, with the Los Angeles County Recorder (Attachment 6 of the agenda report).
- (2) Find that the proposed zone change and General Plan amendment are consistent with the goals, objectives, and policies of the General Plan and the findings required in Section 17.74.070 of the Pasadena Municipal Code.
- (3) Determine that remaining sites identified in the adopted 2000-2005 Housing Element are adequate to accommodate the City's share of the regional housing need for the planning period pursuant to Government Code Section 65584.
- (4) Change the zoning in the Southern section of the study

area (see Figure 1 of the agenda report) from Multi-Family Residential RM-32 to Multi-Family Residential RM-16 and amend the corresponding General Plan designation from Medium-High Density Residential (0-32 dwelling units/net acre) to Medium Density Residential (0-16 dwelling units/net acre).

(5) Direct the City Attorney to prepare an ordinance amending the official zoning map of the City of Pasadena established by Section 17.20.040 of the Pasadena Municipal Code in the manner described in the agenda report and return within 90 days.

**Recommendation of Planning Commission:** The Planning Commission considered the zone changes and General Plan amendments on September 21, 2005, and recommended that the City Council approve the amendments, as recommended in the agenda report.

**Recommendation of Northwest Commission:** On September 13, 2005, the Northwest Commission voted to disapprove the recommendation to rezone the study area. The Commission's concerns centered on whether the zone changes would be the most effective way of providing affordable housing. The Commission expressed that the most certain way of providing affordable housing was to rely on the affordable units required by the Inclusionary Housing Ordinance in new developments. Furthermore, the Commission expressed that keeping the existing zoning would provide more affordable units than the proposed zoning.

Vice Mayor Madison was excused at 9:23 p.m.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on April 24, 2006 in the Pasadena Star-News; 80 copies of the notice were posted on April 21, 2006; 531 copies of the notice were mailed on April 21, 2006; and 6 letters in support of and 2 letters in opposition to the zone changes and General Plan amendment were received.

Mr. Scott Reimers, Associate Planner, summarized the staff recommendation and the alternative set forth in the City Manager's memorandum dated May 8, 2006, clarified the use of SB 1818 on properties in the study area, and responded to questions.

Ms. Millie De La Cuba, Principal Planner, responded to questions.

Ms. Theresa Fuentes, Assistant City Attorney, indicated that historic structures in the area would need to be addressed under the Pasadena Municipal Code requirements for designating historic buildings/districts.

The following persons spoke in support of the zone changes and General Plan amendment:

Ms. Janet Whaley, Pasadena resident  
Mr. Raymond Renzullo, Pasadena resident, submitted copies of housing listings located citywide.  
Ms. Tina Renzullo, Pasadena resident  
Mr. Christopher Renzullo, Pasadena resident  
Ms. Karen Bateman, Pasadena resident  
Ms. Renee Pierson, Garfield Heights Neighborhood Association member  
Mr. Mark Mortenson, Garfield Heights Neighborhood Association Board member  
Ms. Laura Stewart, Pasadena resident  
Mr. Dale Trader, Pasadena Neighborhood Coalition Chair

The following persons spoke in opposition to the zone changes and General Plan amendment and/or expressed concerns:

Ms. Michelle White, Affordable Housing Services representative  
Mr. Eric Winter, South Pasadena  
Ms. Kathleen Saxton, Pasadena resident  
Ms. Jill Shook, Pasadena Affordable Housing Alliance (PAHA) representative  
Pastor Henry Sideropoulos, Agape Christian Church representative  
Ms. Julie Grant, Pasadena resident  
Mr. Lucien Saxton, Pasadena resident

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

Discussion followed on the definition of workforce housing and the covenants that would apply to the property, consideration of imposing an overlay with alternative development standards, possible use of a historic overlay, impacts of SB 1818 on properties in the study area, and possible effects of lot consolidation in the study area.

it was moved by Councilmember Streator, seconded by Councilmember Holden, to approve the City Manager's recommendation, and to impose an overlay on the parcels facing Los Robles Avenue that allows increased density to 24 units/acre, with the provisions that the additional units are reserved for workforce housing, property owners will enter into covenants for a period of time that is consistent with the City's affordable housing covenants, but that development standards will be RM-16, and historic structures will be preserved wherever this is possible in order to maintain the character of

the neighborhood; and to direct the City Manager to examine the potential for re-allocation of the affordable housing units that may be lost in the study area, as a result of the changes in zoning, to other areas within the community that can better absorb the density and with staff to return to Council with recommendations on how the lost affordable units can be added to other areas of the City. (Motion unanimously carried) (Absent: Councilmember Gordo, Vice Mayor Madison)

Councilmember Streater thanked Jill Shook for previously sending a report/study titled "Higher Density Development: Myth And Fact" from the Urban Land Institute, which provided useful information on this issue.

### **COUNCIL COMMENTS**

Councilmember Gordo returned at 10:25 p.m.

Councilmember Little suggested staff examine the Inclusionary Housing Ordinance and report back to Council on the possibility of adding a requirement that off-site affordable housing units allowed for a project come online at the same time as the market rate units of the project.

The Mayor suggested staff also explore an approach that would provide the City with a letter of credit or lien against real property to assure that the affordable units will be delivered in order to provide flexibility, when needed.

### **PUBLIC HEARINGS**

#### **PUBLIC HEARING: FISCAL YEAR 2007 RECOMMENDED OPERATING BUDGET**

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

- (1) Open the public hearing on the City Manager's Recommended Fiscal Year 2007 Operating Budget; and
- (2) Continue this public hearing to each subsequent regular meeting of the City Council at 7:00 p.m. until June 19, 2006 or such other later date as the City Council may determine, and at which time the City Council will be asked to close the public hearing and formally adopt the Operating Budget.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on April 21, 2006 in the Pasadena Star-News and on April 27, 2006 in the Pasadena Journal; and no correspondence was received.

Councilmember Little, Chair of the Finance Committee, reported the City Manager had provided an overview of the Recommended Fiscal Year 2007 Operating Budget at the special joint meeting of the City Council and Finance Committee held on May 8, 2006 at 3:00 p.m.; and announced the next joint meeting of the City Council and Finance Committee will be held on May 15, 2006 at 3:00 p.m.

The City Manager announced the proposed schedule for the department presentations was being adjusted to allow the Police Chief to begin the Budget review process with a report and discussion on the plan for deployment of City police personnel dedicated to Pasadena Unified School District (PUSD) policing responsibilities.

No one appeared for public comment.

On order of the Mayor, the public hearing was continued to May 15, 2006 at 7:00 p.m.

**REPORTS AND COMMENTS  
FROM COUNCIL  
COMMITTEES**

**FINANCE COMMITTEE**

**FISCAL YEAR 2006 OPERATING AND CAPITAL BUDGET AMENDMENTS; PURCHASE ORDER AWARD TO CARMENITA FORD TRUCK SALES, INC., CONTRACT AWARD TO DAVIS LANGDON AND RBF CONSULTING RELATED TO "GREEN BUILDINGS"; AND INCREASE THE NOT TO EXCEED AMOUNT OF PURCHASE ORDER NO. 29095 WITH G. P. RESOURCES FROM \$1.5 MILLION TO \$2.5 MILLION**

**Recommendation of City Manager:**

- (1) Approve a journal voucher implementing certain amendments to the FY 2006 Operating and Capital Budgets;
- (2) Authorize a purchase order to Carmenita Ford Truck Sales, Inc., in the amount of \$1,423,317 for the purchase of five Refuse Automated Side Loaders;
- (3) Authorize a contract with Davis Langdon, without competitive bidding pursuant to City Charter Section 1002(F), contracts for professional and unique services, for an amount not to exceed \$155,000 to review building compliance with the requirements set forth in the Pasadena Municipal Code Chapter 14.90, Green Building Practices, for a period of 18 months;
- (4) Authorize a contract with RBF Consulting, without competitive bidding pursuant to City Charter Section 1002(F), contracts for professional or unique services, for an amount not to exceed \$107,000 to develop and implement a green building outreach and education component for a period of 18 months; and
- (5) Authorize an increase to the not to exceed amount of Purchase Order Contract No. 29095 with G. P. Resources from \$1.5 million to \$2.5 million, for the purchase of fuel for the City's fleet of vehicles. (Journal Voucher No. 2006-44; Contract Nos. 19,071 and 19,072)

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

Mr. Martin Pastucha, Director of Public Works Department, responded to Councilmember Gordo's questions regarding the bidding process and the specialized nature of these trucks.

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

MUNICIPAL SERVICES  
COMMITTEE

**WATER REVENUE INCREASE TO FUND THE FISCAL YEAR (FY) 2007 WATER FUND CAPITAL IMPROVEMENT PROGRAM (CIP)**

**POWER REVENUE INCREASE TO FUND THE POWER DISTRIBUTION SYSTEM MASTER PLAN**

On order of the Mayor, the above two agenda items were held to the meeting of May 15, 2006, due to time constraints.

**RECOMMENDATIONS  
FROM OFFICERS AND  
DEPARTMENTS**

**REQUEST FROM THE TRANSPORTATION ADVISORY COMMISSION TO REVIEW THE VALLEY HUNT CLUB MASTER PLAN**

On order of the Mayor, the above agenda item was held to the meeting of May 15, 2006, at the request of Vice Mayor Madison.

**RESOLUTION RECOMMENDING AMENDMENTS TO H.R. 5252, THE COMMUNICATIONS, OPPORTUNITY, PROMOTION, AND ENHANCEMENT ACT OF 2006**

**Recommendation of City Manager:**

- (1) Adopt a resolution recommending amendments be made to Federal Legislative Bill H.R. 5252 on telecommunication; and
- (2) Authorize the Mayor to send correspondence to the appropriate authorities stating Pasadena's position. (Resolution No. 8586)

The Mayor summarized the agenda report.

Councilmember Tyler commented on the need to continue to explore ways to persuade carriers to participate, on the City's terms, to make the necessary investments in increasing broadband capacity that the market wants.

Councilmember Little suggested staff explore ways to protect the City's interests, as best as possible, if the proposed legislation passes without being amended (e.g. maintaining the City's interest in parkway areas as public right-of-ways).

Mr. Michael Overing, Pasadena Community Access Corporation (PCAC) representative, expressed concerns regarding the threat of this legislation as it pertains to community access, and asked Council's support in protecting local community access from this legislation.

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

**RESPONSE TO QUESTIONS REGARDING INITIATIVE PETITION: "PROPOSAL FOR THE NATIONAL FOOTBALL LEAGUE RENOVATION OF THE ROSE BOWL STADIUM FOR PROFESSIONAL FOOTBALL USE"**

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

The City Manager noted page 4 of the City Manager's report, Parks section, park improvements list should be corrected to add the following improvement that was inadvertently omitted: Make field improvements at Robinson Park (cost estimate: \$2.8 million). She indicated this correction will be made to the report if printings of this information are made available in the future.

The City Attorney discussed the Court's role in ruling on possible deficiencies in the initiative and other legal issues.

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

**RESOLUTIONS RELATED TO THE CALLING OF A SPECIAL MUNICIPAL ELECTION TO BE CONSOLIDATED WITH THE STATE GENERAL ELECTION ON TUESDAY, NOVEMBER 7, 2006, FOR THE SUBMISSION TO THE VOTERS AN INITIATIVE MEASURE FOR THE NATIONAL FOOTBALL LEAGUE RENOVATION OF THE ROSE BOWL STADIUM FOR PROFESSIONAL FOOTBALL USE**

**Recommendation of City Clerk:**

(1) Receive and accept the City Clerk's certification that, based upon the examination and verification of signatures by the Los Angeles County Registrar-Recorder's Office, the initiative petition submitted for "Proposal for the National Football League Renovation of the Rose Bowl Stadium for Professional Football Use" contains a sufficient number of valid signatures to place the proposed initiative on a special election ballot.

(2) Find that the City's placement of the initiative on the ballot is exempt from the California Environment Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15378(b)(3).

(3) Adopt the following resolutions related to the calling of a special municipal election on Tuesday, November 7, 2006:

(a) A resolution of the City Council of the City of Pasadena calling and giving notice of a Special Municipal Election to be held on Tuesday, November 7, 2006, for the submission of a proposed initiative ordinance relating to the National Football League renovation of the Rose Bowl Stadium for professional football use. (Resolution No. 8587)

(b) A resolution of the City Council of the City of



Pasadena requesting the Board of Supervisors of the County of Los Angeles to authorize and order the consolidation of a Special Municipal Election of the City of Pasadena with the statewide General Election to be held on Tuesday, November 7, 2006, and requesting the County Clerk/Registrar of Voters to provide certain services. (Resolution No. 8588)

(4) Determine whether the following optional resolutions shall be adopted:

(a) A resolution of the City Council of the City of Pasadena setting priorities for filing written arguments regarding the proposed initiative ordinance ("the measure") and directing the City Attorney to prepare an impartial analysis. (Resolution No. 8589)

(b) A resolution of the City Council of the City of Pasadena providing for the filing of rebuttal arguments with respect to the measure. (Resolution No. 8590)

(5) That the City Council direct the City Clerk to either:

(a) Print the full text of the measure (including exhibits) in a supplemental voter information pamphlet, or

(b) Pursuant to Elections Code Section 9280, provide a statement in the voter information pamphlet that the full text of the measure will be available on the City's Home Page at [www.cityofpasadena.net](http://www.cityofpasadena.net) or a copy will be mailed at no cost to the voter by calling the City Clerk's Office at (626) 744-4124.

The Mayor introduced the agenda item, and noted the City Clerk had distributed a handout titled "Outline of Council Actions and Policy Decisions to Make re: Item 7.C.1. – Resolutions Calling Special Municipal Election."

**MOTION ON  
RECOMMENDATIONS 1, 2,  
AND 3**

It was moved by Councilmember Holden, seconded by Councilmember Gordo, to approve the City Clerk's Recommendations 1, 2, and 3. (Motion unanimously carried) (Absent: Vice Mayor Madison)

The City Clerk reviewed Recommendation 4(a), explained the process for setting priorities for filing written arguments, and responded to questions.

The City Attorney discussed the preparation and content of an impartial analysis, as set forth in the Elections Code, and responded to questions.

**MOTION ON  
RECOMMENDATION 4(a)  
(Subsequently withdrawn)**

Following discussion, it was moved by Councilmember Streater, seconded by Councilmember Streater, to direct the City Attorney to prepare an impartial analysis and to adopt a revised resolution with a modified title "A Resolution of the City Council of the City of Pasadena Directing the City Attorney to Prepare an Impartial Analysis" and to delete Section 1 of the resolution (which authorizes members of the City Council to file an argument against the measure) and to renumber Section 2 to Section 1.

The Mayor announced the Vice Mayor would be returning to the Council meeting.

Vice Mayor Madison returned at 11:05 p.m.

Following brief discussion, Councilmember Streater withdrew her motion.

MOTION ON  
RECOMMENDATION 4(a)

Following additional discussion, it was moved by Councilmember Haderlein, seconded by Councilmember Tyler, to approve Recommendation 4(a) and to designate the following members of the City Council to file an argument against the measure: Councilmembers Gordo, Haderlein, Tyler, Vice Mayor Madison, and Mayor Bogaard; and to direct the City Attorney to prepare an impartial analysis. (Motion carried, with Councilmembers Holden and Streater objecting) (Absent: None)

The Mayor summarized Recommendation 4(b).

Councilmember Little expressed support to also allow rebuttal arguments for future ballot items.

MOTION ON  
RECOMMENDATION 4(b)

Following discussion, it was moved by Councilmember Haderlein, seconded by Councilmember Tyler, to approve Recommendation 4(b) and allow rebuttal arguments for this election only, with future Councils to decide whether to allow rebuttal arguments on future ballot measures. (Motion unanimously carried) (Absent: None)

The City Clerk reviewed Recommendation 5, discussed the options to print the full text of the measure and exhibits in a supplemental voter information pamphlet and options for printing the information pamphlet in English only or English/Spanish, described sources for community access to information on the measure, and responded to questions.

Discussion followed on issues and costs related to translating and making available to voters the various voter information materials, on options for printing a supplemental pamphlet in English vs. English/Spanish, and differences between the administration of an election by the County vs. the City.

MOTION ON  
RECOMMENDATION 5

It was moved by Councilmember Streater, seconded by Councilmember Holden, to direct the City Clerk to not print the full text of the measure, and pursuant to Elections Code Section 9280, provide a statement immediately following the impartial analysis on how the voter may obtain a copy of the full text at no cost to the voter, and that the voter information pamphlet be printed in English only, with Spanish and Chinese translations of the pamphlet to be automatically mailed to all voters in the County data file requesting such translations.

Discussion continued on the normal process followed by the City in printing, translating, and mailing voter information for municipal elections, and options for providing a supplemental ballot.

Councilmember Gordo expressed support for ballot materials that are mailed to the voters to be provided in English/Spanish in order to encourage greater voter participation, to be consistent with the process followed in municipal elections.

The City Attorney suggested consideration of an amendment to the pending motion that would request the County Clerk to provide English/Spanish information in the County voter information pamphlet, and if the County will not agree to the request, to fall back to whatever process the County normally follows in the administration of the general election.

Following discussion and with the consensus of the seconder, Councilmember Streater amended the pending motion to include direction to the City Clerk to request that the County Clerk provide English/Spanish voter information in the pamphlet to be mailed to voters for the election, with the information to be provided in English only (as originally stated in the motion), if the English/Spanish version cannot be provided by the County Clerk.

The City Clerk discussed the process/content options for providing a supplemental voter information pamphlet to be mailed to all voters.

With the consensus of the maker and seconder of the motion, Councilmember Gordo amended the pending motion to include direction to the City Clerk to request that the County Clerk provide English/Spanish voter information in the pamphlet, and to provide that the City send out an English/Spanish supplemental voter information pamphlet, if the English/Spanish option is not available from the County.

AMENDED AND RE-STATED  
MOTION ON  
RECOMMENDATION 5

It was moved by Councilmember Streater, seconded by Councilmember Gordo, to direct the City Clerk to not print the full text of the measure and pursuant to Elections Code Section 9280, provide a statement immediately following the impartial analysis on how the voter may obtain a copy of the full text at no cost to the voter; to direct the City Clerk to request that the County Clerk provide English/Spanish translation in the County voter information pamphlet sent to voters; and if this request is not available as an option from the County, to direct the City Clerk to provide an English/Spanish supplemental voter information pamphlet (of the ballot question, impartial analysis, primary arguments, and rebuttal arguments). (Motion unanimously carried) (Absent: None)

It was noted the full text of the proposed initiative ordinance, with exhibits, would be available to voters upon request and also posted on the City's web page, and Spanish and Chinese translations would be available upon request and also posted on the City's web page.

**RESIGNATION OF JILL SWITZER FROM THE LIBRARY COMMISSION (At Large Nomination)**

It was moved by Councilmember Little, seconded by Councilmember Tyler, to accept the above resignation with regrets. (Motion unanimously carried) (Absent: None)

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 11:47 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 11:48 p.m.

**Adopt "AN ORDINANCE OF THE CITY OF PASADENA ADDING SECTION 13.04.125 TO THE PASADENA MUNICIPAL CODE RELATING TO PRIVATE UNDERGROUND ELECTRIC VAULTS"** (Introduced by Councilmember Little) (Ordinance No. 7041)

The above ordinance was adopted by the following vote:

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

NOES: None

ABSENT: None

**Adopt "AN ORDINANCE OF THE CITY OF PASADENA IMPLEMENTING VARIOUS CHANGES TO THE WATER AND POWER DEPARTMENT LOW INCOME ASSISTANCE PROGRAM"** (Introduced by Councilmember Little) (Ordinance No. 7042)

The above ordinance was adopted by the following vote:

AYES: Councilmembers Gordo, Haderlein, Holden, Little, Streater, 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 (SOUTH MADISON AVENUE LANDMARK OVERLAY DISTRICT)"** (Introduced by Councilmember Little) (Ordinance No. 7043)

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

### COUNCIL COMMENTS

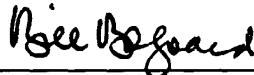
Councilmembers Haderlein,  
Streator, Vice Mayor Madison  
were excused at 11:51 p.m.

Councilmember Little expressed concerns regarding the design of several projects under construction and the way the projects present themselves to the street, and the impacts of urban/downtown design elements that may be creeping into areas of the City where the newer urban elements may not be consistent with the existing character of these areas; and asked staff to fast track the previously-requested discussion/consideration of the City's design guidelines for multi-family structures to return to Council in 60 days.

The City Manager indicated staff is preparing a work plan for review of the City's design guidelines, and the discussion could be scheduled as soon as it will fit into Council's schedule.

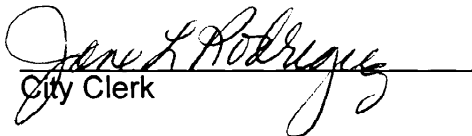
### ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 11:55 p.m.



\_\_\_\_\_  
Bill Bogaard, Mayor  
City of Pasadena

ATTEST:



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Jane L. Rodriguez  
City Clerk