

CITY OF PASADENA  
City Council Minutes  
July 31, 2006 – 5:30 P.M.  
Pasadena Senior Center, Multi-Purpose Room  
85 East Holly Street

REGULAR MEETING

**OPENING:**

Vice Mayor Madison called the regular meeting to order at 5:56 p.m. (Absent: Councilmembers Holden, Little, Mayor Bogaard)

On order of the Vice Mayor, the regular meeting recessed at 5:56 p.m., to discuss the following closed sessions:

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL REGARDING PENDING LITIGATION pursuant to Government Code Section 54956.9(a)**

**Name of Case: 3570 East Foothill Boulevard et al. v City of Pasadena et al.**

**Case No.: Los Angeles Superior Court No. GC032788; Court of Appeal Case No. B181774**

Councilmember Holden arrived at 6:11 p.m.

**CITY COUNCIL AND COMMUNITY DEVELOPMENT COMMISSION CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8**

**Property Locations: 44 South Madison Avenue; 615 East Green Street**

**Negotiating parties: Cynthia J. Kurtz; Madison Group (Lloyd Haffner)**

**Under Negotiation: Price and terms**

**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 three closed session items were discussed, with no reportable action at this time.

On order of the Vice Mayor, the regular meeting reconvened at 6:31 p.m. The Pledge of Allegiance was led by Sergeant-at-Arms Pete Hetterna.

**ROLL CALL:**

Councilmembers:

Mayor Bill Bogaard (Absent)  
Vice Mayor Steve Madison  
Councilmember Victor Gordo  
Councilmember Steve Haderlein  
Councilmember Chris Holden  
Councilmember Paul Little (Absent)  
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 oaths of office to Jonathan Litvack as Pasadena Center Operating Company Board member and Tarik Ross as Northwest Commissioner.

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

The following persons expressed concerns regarding the continuing failure of local taxicabs to comply with the Americans with Disabilities Act (ADA), especially as this relates to service animals, and with the rude treatment of taxicab clients with disabilities; and stressed the need for a City ordinance that provides punitive measures for taxicab operators who violate the rights of clients with disabilities:

Terrie Allen, Pasadena resident  
Donna Pomerantz, Pasadena resident  
Mitch Pomerantz, Pasadena resident

The City Manager updated Council on the preparation of an ordinance that will address the concerns expressed above and that will be presented to Council within the next 30-60 days. She noted staff was scheduling a meeting with the taxicab operators, as a courtesy prior to the ordinance being presented to Council, so that the operators could be informed of the provisions in the ordinance and the changes in taxicab operation and training that will be required.

David Czamanske, Sierra Club Pasadena Group Conservation Co-Chair, asked Council to support and endorse the U.S. Mayors' Climate Protection Agreement, which addresses the problem of human-caused climate change and related environmental, social, and economic impacts on the United States and other parts of the world; suggested the City create a green ribbon commission to develop detailed plans for specific actions to meet the goals of the Agreement; and submitted an informational letter about these matters dated July 31, 2006.

The Vice Mayor indicated that the Economic Development and Technology Committee will be discussing the U.N. Urban Environmental Accords and the U.S. Mayors' Climate Protection Agreement at a Committee meeting in September, with a report to be presented to Council in September 2006.

Heather Jones, Day One intern/youth advocate, highlighted various activities that are planned in August in conjunction with Youth Month 2006 (Kick-Off Dance, Youth Summit, and Youth Fest), asked for the City's support of Youth Month, and submitted a calendar handout of the scheduled events.

Janet Thigpen, Pasadena resident, expressed concerns regarding alleged seizure of personal property.

## CONSENT CALENDAR

### **CONTRACT AMENDMENT TO CONTRACT NO. 19,053 WITH VART CONSTRUCTION FOR MISCELLANEOUS CONCRETE REPAIR - 2006 TO INCREASE THE CONTRACT AMOUNT FROM \$250,000 TO \$310,000**

**Recommendation of City Manager:** Authorize the City Manager to execute an amendment to Contract No. 19,053 with Vart Construction for Miscellaneous Concrete Repair - 2006 to increase the total contract "Not to Exceed" amount from \$250,000 to \$310,000, an increase of \$60,000, for additional concrete repair. (Contract Amendment No. 19,053-1)

### **APPROVAL OF FINAL TRACT MAP NO. 054089, BEING A 30-UNIT CONDOMINIUM PROJECT AT 3-49 SOUTH GRAND AVENUE**

**Recommendation of City Manager:** Adopt a resolution to:  
(1) Approve Final Tract Map No. 054089;  
(2) Accept the offer of an easement dedication for street purposes as show on said map; and  
(3) Authorize the City Clerk to execute the certificate on the map showing the City's approval of said map. (Resolution No. 8629)

### **AMENDMENTS TO THE MASTER STREET TREE PLAN**

**Recommendation of City Manager:** Approve an amendment to the Master Street Tree Plan to allow the planting of the *Chitalpa tashkentensis*, Pink Dawn Chitalpa, as an alternate tree species on Alegra Street from the dead end to Michillinda Avenue.

**Recommendation of Urban Forestry Advisory Committee:** The Urban Forestry Advisory Committee reviewed and unanimously supported the staff recommended amendment at their meeting of June 5, 2006.

**Recommendation of Design Commission:** The Design Commission reviewed and unanimously supported the staff recommended amendment to the Master Street Tree Plan to allow for the planting of the *Chitalpa tashkentensis*, Pink Dawn Chitalpa, as an alternate tree species on Alegra Street from the

dead end to Michillinda Avenue, at their regular meeting on July 10, 2006. The Design Commission further recommended that all of the *Calocedrus decurrens*, Incense Cedar trees, be removed and replaced at the same time with the new designated street tree.

Item discussed separately at the request of Councilmember Streator.

**APPROVAL OF FINAL TRACT MAP NO. 062016 FOR THE CONVERSION OF 98 EXISTING APARTMENT UNITS INTO 92 CONDOMINIUM UNITS AT 64 MAR VISTA AVENUE**

**AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH EXSELL SALES ASSOCIATES FOR SPLICING AND TESTING OF FIBER OPTIC CABLE**

**Recommendation of City Manager:**

- (1) Accept the bid dated June 2, 2006, submitted by Exsell Sales Associates; and
- (2) Authorize the City Manager to enter into a contract with Exsell Sales Associates for splicing and testing fiber optic cable to support the City Hall Retrofit Project, 24/7 fiber outage emergency response service, and other fiber projects for a period of one year, with a one-year option to renew, in the amount not to exceed \$90,720. (Contract No. 19,175)

**RESOLUTION FOR THE SUMMARY VACATION OF A PORTION OF ARROYO DRIVE ADJACENT TO VISTA DEL ARROYO BUNGALOWS, LOCATED AT 44 ARROYO DRIVE**

**Recommendation of City Manager:**

- (1) Adopt a resolution that:
  - (a) Affirms that the City Council has previously adopted a Mitigated Negative Declaration for the project associated with the proposed summary street vacation and that no further environmental review is required because no significant changes in the environment would result from the summary vacation.
  - (b) Summarily vacates a portion of Arroyo Drive adjacent to 44 Arroyo Drive, pursuant to Sections 8831, 8333, and 8334 of the California Streets and Highways Code.
- (2) 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. (Resolution No. 8630)

**AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER WITH CARMENITA FORD TRUCK SALES, INC., FOR TWO FRONT-LOADING REFUSE TRUCKS; AUTHORIZE THE INCREASE OF PURCHASE ORDER CONTRACT NO. 30923 TO CARMENITA FORD TRUCK SALES, INC., FOR THE PURCHASE OF ONE ADDITIONAL AUTOMATED SIDE-LOADING REFUSE PACKER**

**Recommendation of City Manager:**

- (1) Accept the bid dated July 10, 2006, submitted by Carmenita Ford Truck Sales, Inc., in response to specifications

for two front-loading refuse trucks; reject all other bids; and authorize the issuance of a Purchase Order Contract for a not-to-exceed amount of \$449,170 for the purchase of two front-loading refuse packers; and

(2) Authorize the increase of Purchase Order Contract No. 30923 by the amount of \$260,997 for a revised not to exceed amount of \$1,684,314 for the purchase of one additional side-loading refuse packer.

**RESOLUTION AUTHORIZING THE ENTRY INTO AN INTEREST RATE SWAP TRANSACTION RELATED TO THE CONFERENCE CENTER FINANCING AND CERTAIN ACTIONS RELATING THERETO**

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

(1) Adopt a resolution authorizing the City to enter into an interest rate swap transaction and certain actions relating thereto; and

(2) Adopt a resolution declaring the City's intention to reimburse itself from the proceeds of one or more tax-exempt financings for certain expenditures made, and/or to be made, in connection with the Conference Center Expansion Project. (Resolution Nos. 8631 and 8632)

**MINUTES APPROVED**

July 17, 2006

**CLAIMS RECEIVED AND FILED**

Claim No. 10,148	Roy Nishimura	\$ 850.00
Claim No. 10,149	Edward Lee Stevenson	Not Stated
Claim No. 10,150	Darrin J. Wyatt	Not Stated

It was moved by Councilmember Tyler, seconded by Councilmember Streator, to approve the Consent Calendar, with the exception of Item 4 (Approval of Final Tract Map for 64 Mar Vista Avenue), which was discussed separately. (Motion unanimously carried) (Absent: Councilmember Little, Mayor Bogaard)

**CONSENT ITEM DISCUSSED SEPARATELY**

**APPROVAL OF FINAL TRACT MAP NO. 062016 FOR THE CONVERSION OF 98 EXISTING APARTMENT UNITS INTO 92 CONDOMINIUM UNITS AT 64 MAR VISTA AVENUE**

Councilmember Streator asked for clarification on how the 20 affordable housing units cited in the agenda report will be created within this project.

On order of the Vice Mayor, the above agenda item was held to the meeting of August 7, 2006 to allow time for staff to respond to Councilmember Streator's question.

**REPORTS AND COMMENTS FROM COUNCIL COMMITTEES**

**AUTHORIZATION TO ENTER INTO NEGOTIATIONS WITH EARTHLINK FOR DEPLOYMENT OF A CITYWIDE WIRELESS NETWORK**

ECONOMIC DEVELOPMENT  
AND TECHNOLOGY  
COMMITTEE

**Recommendation of City Manager:** Authorize the City Manager to enter into an exclusive contract negotiation with EarthLink for deployment of a citywide wireless network and use of City street lights and other poles in the public rights-of-way. (Contract No. 19,176)

Councilmember Gordo, Chair of the Economic Development and Technology Committee, reviewed the agenda report.

John Pratt, Chief Information Technology Officer, displayed a model of the wireless device that will be mounted on City streetlight poles, and responded to questions regarding the timeframe for the build out of the system and potential uses of the wireless system by City employees.

Lori Sandoval, Information Technology Planning and Project Manager, responded to questions regarding the revenue stream from the contract.

The City Manager clarified that there will be some investment in equipment for employees in the field to access the wireless system.

Councilmember Tyler suggested staff negotiate deal points involving revenue sources and the determination of what the basis for future rate increases will be (e.g., future increases to subscription fees).

Councilmember Holden expressed concerns regarding getting involved in a long-term contract for these services, encouraged staff to extract as much as possible for the City in the contract negotiations, and asked staff to keep Council apprised on the negotiations as they progress in the event that Council might have suggestions to integrate into the deal points.

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

MUNICIPAL SERVICES  
COMMITTEE

**AUTHORIZATION TO ENTER INTO A LONG TERM CONTRACT WITH MINNESOTA METHANE WEST COVINA POWER, LLC, FOR THE PURCHASE OF FOUR MEGAWATTS OF LANDFILL GAS TO ELECTRICITY GENERATION PROJECT GENERATED ELECTRICAL ENERGY**

**Recommendation of City Manager:** Authorize the City Manager to enter into the Renewable Power Purchase Agreement between the City of Pasadena and Minnesota Methane West Covina Power, LLC ("MM"), for the purchase of a 4 megawatts share of the 8 megawatts landfill gas to electricity generation project from MM's facility located in West

Covina, California.

This contract is exempt from competitive bidding pursuant to City Charter Section 1002(C), contracts for labor, materials, supplies or services available from only one vendor. (Contract No. 19,177)

**AUTHORIZATION TO ENTER INTO REVISED CONTRACTS WITH THE SOUTHERN CALIFORNIA PUBLIC POWER AUTHORITY FOR THE PURCHASE OF UP TO FOUR 6.67 MEGAWATTS OF AMERESCO LANDFILL GAS POWER PROJECT OUTPUT**

**Recommendation of City Manager:** Authorize the City Manager to enter into a revised Power Purchase Agreement and a Scheduling Service Agreement ("Contracts") with the Southern California Public Power Authority ("SCPPA") for up to a 6.67 megawatts share of Ameresco Landfill Gas Project ("Project").

These contracts are exempt from competitive bidding pursuant to City Charter Section 1002(H), contracts with other governmental agencies or their contractors. (Contract Amendment Nos. 18,405-1 and 18,406-1)

The above two agenda items were discussed concurrently.

Councilmember Tyler, Chair of the Municipal Services Committee, summarized the agenda reports.

Erik Klinkner, Business Unit Director, noted the subject line of the Ameresco Landfill Gas Project agenda report should be corrected to read: "AUTHORIZATION TO ENTER INTO REVISED CONTRACTS WITH THE SOUTHERN CALIFORNIA PUBLIC POWER AUTHORITY FOR THE PURCHASE OF UP TO FOUR 6.67 MEGAWATTS OF AMERESCO LANDFILL GAS POWER PROJECT OUTPUT" (to match the number stated in the recommendation).

It was moved by Councilmember Streater, seconded by Councilmember Tyler, to approve the City Manager's recommendations for the above two agenda items. (Motion unanimously carried) (Absent: Councilmember Little, Mayor Bogaard)

**RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS**

Councilmember Gordo was excused at 7:20 p.m.

**APPOINTMENT OF MILDRED HAWKINS TO THE HUMAN SERVICES COMMISSION (District 3 Nomination)**

**REAPPOINTMENT OF KATHLEEN RODARTE TO THE HUMAN SERVICES COMMISSION (Pasadena City College Nomination)**

**REAPPOINTMENT OF MAURA HARRINGTON TO THE HUMAN SERVICES COMMISSION (District 6 Nomination)**

It was moved by Councilmember Haderlein, seconded by Councilmember Holden, to approve the above appointment and reappointments. (Motion unanimously carried) (Absent: Councilmembers Gordo, Little, Mayor Bogaard)

RECESS

On order of the Vice Mayor, the regular meeting of the City Council recessed at 7:21 p.m. to the regular meeting of the Community Development Commission.

RECONVENED

On order of the Vice Mayor, the regular meeting of the City Council reconvened at 7:22 p.m. (Absent: Councilmembers Gordo, Little, Mayor Bogaard)

**ORDINANCES – ADOPTED**

Councilmember Gordo returned at 7:23 p.m.

**Adopt “AN ORDINANCE OF THE CITY OF PASADENA AMENDING THE DENSITY BONUS PROVISIONS OF TITLE 17 (THE ZONING CODE) TO COMPLY WITH RECENT CHANGES IN STATE LAW REGARDING DENSITY BONUS”** (Introduced by Councilmember Holden) (Ordinance No. 7056)

The above ordinance was adopted by the following vote:

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

NOES: None

ABSENT: Councilmember Little, Mayor Bogaard

**Adopt “AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17 (THE ZONING CODE), – SERIES I – INCLUDING CONVERSION OF HISTORIC STRUCTURES TO OFFICES IN THE WEST GATEWAY SPECIFIC PLAN AREA, INCREASING THE ALLOWABLE SIZE OF ACCESSORY STRUCTURES IN THE RM-12 DISTRICT, TRANSFERRING ZONING ADMINISTRATOR HEARINGS TO THE HEARING OFFICER, AND OTHER AMENDMENTS, INCLUDING CODIFICATION OF INTERPRETATIONS AND CORRECTIONS”** (Introduced by Councilmember Little) (Ordinance No. 7057)

The above ordinance was adopted by the following vote:

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

NOES: None

ABSENT: Councilmember Little, Mayor Bogaard

**Adopt “AN ORDINANCE OF THE CITY OF PASADENA AMENDING THE OFFICIAL ZONING MAP ESTABLISHED BY TITLE 17, CHAPTER 20, SECTION 17.20.020 OF THE PASADENA MUNICIPAL CODE, AND AMENDING TITLE 17 (THE ZONING CODE) TO REMOVE SPECIFIC ZONING DISTRICTS”** (Introduced by Councilmember Little) (Ordinance No. 7058)



The above ordinance was adopted by the following vote:  
AYES: Councilmembers Gordo, Haderlein, Holden,  
Streator, Tyler, Vice Mayor Madison  
NOES: None  
ABSENT: Councilmember Little, Mayor Bogaard

## **INFORMATION ITEM**

### **INFORMATION UPDATE ON THE Foothill EMPLOYMENT AND TRAINING CONSORTIUM AND Foothill WORKFORCE INVESTMENT BOARD**

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

Councilmember Streator, Council representative on the Foothill Workforce Investment Board (WIB), introduced the agenda item.

Anthony Tartaglia, WIB Chair, briefly updated Council on the Board's goals and activities, and thanked Philip Dunn and staff for their diligence in obtaining funding for various activities.

Philip Dunn, Career Services Administrator, provided an overview of the limited funding provided at the national and state level; reviewed the agenda report and various services provided by the Consortium involving employers, job seekers, and students; and responded to questions regarding the target figures for job placements.

The Vice Mayor thanked Mr. Tartaglia and Mr. Dunn for the information update and their efforts in job placement services for the community.

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

## **PUBLIC HEARINGS**

### **CONTINUED PUBLIC HEARING: CALL FOR REVIEW OF MINOR VARIANCE NO. 11536, 1149 WOTKYNS DRIVE**

#### **Recommendation of City Manager:**

- (1) Acknowledge that this action is categorically exempt from the California Environmental Quality Act (CEQA);
- (2) Approve the minor variance application to allow a six-foot tall block wall in the front yard of a single-family residence with the Conditions of Approval in Attachments B and C of the agenda report.

The Vice Mayor opened the public hearing.

The City Clerk reported 26 copies of the notice of public hearing were posted on June 30, 2006; 28 copies of the notice were mailed on June 30, 2006; and one letter including a petition with 37 signatures in support of the fence was received.

David Sinclair, Associate Planner, reviewed the agenda report and responded to questions.

The following persons spoke in support of the fence:

Walter Dennis, applicant  
John Mohler, Pasadena resident  
Clayton Tave, Pasadena resident

The following persons spoke in opposition to the fence:

Cara Crosetti, Pasadena resident, submitted a handout titled "A Request for Code Consistency."  
Kevin Lucas, Pasadena resident, submitted a handout titled "1149 Wotkyns Drive."  
Neil Barry, Pasadena resident  
John Matthes, Pasadena resident  
Arnold Siegel, Pasadena resident

The City Attorney discussed legal issues related to the issuance of a permit in error and equity factors that might be considered by a court in this situation, and confirmed that the City is not bound to honor a permit that is issued in error.

Councilmember Streator explained her rationale in calling the matter for Council review and commented on the applicant's efforts in following the City's permit and variance processes.

Discussion followed on the staff error in the permit process that resulted in an illegal fence being built, the differences in the Municipal Code involving fences for houses with attached vs. detached garages, and the rationale for approving a variance in this matter.

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

Councilmember Tyler expressed opposition to the variance being approved.

Councilmember Haderlein expressed opposition to the variance and support for the City being held responsible for costs of a claim for damages that might be filed by the applicant if the fence is required to be corrected to meet code.

Following brief discussion on procedural matters, Mr. Dennis (applicant) agreed to a continuance of the public hearing to a time when the full Council could be present.

It was moved by Councilmember Streator, seconded by Councilmember Gordo, to continue the matter to September 11, 2006. (Motion unanimously carried) (Absent: Councilmember Little, Mayor Bogaard)

**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 Vice Mayor announced now was the time for the continued public hearing.

The City Clerk reported on new correspondence received: one new letter in opposition to the landmark designation and one new letter responding to questions from Council and opposing inclusion of the house in a proposed expansion of the Garfield Heights Landmark District.

Richard Bruckner, Director of Planning and Development Department, explained the recent granting of a variance affecting the house that included conditions for the house to be retained and restored to the Secretary of the Interior of State's standards for the treatment of historic properties.

Councilmember Gordo noted that the granting of the variance for the house, with the conditions stated above, would serve to preserve the house.

Karen Bateman, co-applicant, formally withdrew her application for landmark designation, with the understanding that the variance will provide protection from demolition and preservation of the house to the National Register's standards and that an application for designation of the house as a landmark will be re-submitted if the current or future owner of the property does not choose to use the variance.

Laura Kaufman, Pasadena resident, spoke in support of the variance and preservation of the house, and asked that the

Preservation Commission review any future development proposal related to the house.

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

It was moved by Councilmember Gordo, seconded by Councilmember Tyler, to acknowledge the withdrawal of the application for designation of 361 Adena Street as a landmark. (Motion unanimously carried) (Absent: Councilmember Little, Mayor Bogaard)

Councilmember Gordo thanked the applicant for her efforts on behalf of the house, and urged staff to inform the neighbors if this property is sold and to convey the history of these proceedings to any party that might purchase the property in the future.

RECESS

On order of the Vice Mayor, the regular meeting of the City Council recessed at 8:36 p.m. to the special meeting of the Board of Appeals.

RECONVENED

On order of the Vice Mayor, the regular meeting of the City Council reconvened at 8:39 p.m. (Absent: Councilmember Little, Mayor Bogaard)

**PUBLIC HEARINGS**

**PUBLIC HEARING: ZONING MAP AMENDMENT: ADOPT THE TWO-STORY HEIGHT LIMIT (HL-1) OVERLAY DISTRICT WITHIN THE FORMER PD-8 MULTI-FAMILY RESIDENTIAL (RM-32) ZONING DISTRICT IN THE SOUTH MARENGO STUDY AREA**

**Recommendation of City Manager:**

(1) Acknowledge that the proposed Height Overlay does not have the potential for causing a significant effect on the environment and thus under the California Environmental Quality Act (CEQA) Guidelines Article 5 (Section 15061(b)(3)) are exempt because they do not have the potential for having an impact on the environment;

(2) Approve an amendment to the Zoning Map adopting the Height Limit Overlay District (HL-1) in the South Marengo Study Area on parcels designated PD-8 (Multi-family Residential), in whole or in part, as shown on Attachment A of the agenda report;

(3) Find that the adoption of the HL-1 Height Limit Overlay District in the South Marengo Study Area is consistent with the goals, objectives and policies of the General Plan and the purposes of the Pasadena Municipal Code Title 17 (Zoning), as outlined in the body of the agenda report;

(4) Approve and implement the RM-32-OC to replace the PD-8 along South Marengo Avenue, as shown on Attachment B of

the agenda report; and

(5) Direct the City Attorney to prepare an ordinance that implements these recommendations as described in the agenda report and return within 60 days for first reading.

**Recommendation of Planning Commission:** The Planning Commission recommends approval of these amendments.

The Vice Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on July 17, 2006 in the Pasadena Star-News; 36 copies of the notice were posted on July 17, 2006; 315 copies of the notice were mailed on July 17, 2006; and no correspondence was received.

Jose Jimenez, Associate Planner, summarized the agenda report and responded to questions.

The City Manager and Richard Bruckner, Director of Planning and Development Department, commented on various areas of the City that abut against residential areas and have been studied by staff for a possible height overlay.

The following person spoke in support of the height overlay:

Barkeley Harrison, Madison Heights Neighborhood Association representative

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

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

**PUBLIC HEARING: EXTEND THE INTERIM URGENCY ORDINANCE OF THE CITY OF PASADENA TEMPORARILY PROHIBITING THE ISSUANCE OF BUILDING, MECHANICAL, AND ELECTRICAL PERMITS IN THE B-7 ELECTRIC CIRCUIT AREA OF THE CITY (WEST OF THE 210 FREEWAY TO THE WESTERN CITY LIMIT, NORTH OF COLORADO BOULEVARD TO CHARLES STREET)**

**Recommendation of City Manager:**

(1) Find the proposed moratorium to be exempt from environmental review pursuant to the California Environmental Quality Act (CEQA), State CEQA Guidelines Section 15060(C)(2), because the moratorium will not result in a direct or reasonably foreseeable indirect physical change in the environment; and State CEQA Guidelines Section 15262,

because the project involves only feasibility or planning studies for possible future actions, which the City has not approved, adopted, or funded, and does not involve adoption of a plan that will have a legally binding effect on later activities.

(2) Extend the existing interim moratorium for an additional 10 months and 15 days pursuant to Government Code Section 65858 limiting new electrical connections or electrical upgrades on all parcels within the B-7 electric circuit area boundary, defined in Attachment A of the agenda report (B-7 Area).

(3) Find that (a) continued approval of new electrical construction and electrical upgrades on all parcels in the B-7 Area under the existing requirements would have current and immediate threat to the public health, safety, or welfare pursuant to the standards and policies set forth in the General Plan, and (b) an interim ordinance establishing the proposed moratorium is necessary to avoid these threats.

(4) Recognize that an impact on the Building and Development permit exists, and authorize the Building Official, Planning Manager, and the Zoning Administrator to stay any effective building or development permit within the affected area.

(5) Direct the City Attorney to prepare an extension of the interim urgency ordinance implementing this recommendation.

#### **ORDINANCE – FIRST READING**

#### **Conduct first reading of “AN EXTENSION OF THE INTERIM URGENCY ORDINANCE OF THE CITY OF PASADENA TEMPORARILY PROHIBITING THE ISSUANCE OF BUILDING, MECHANICAL, AND ELECTRICAL PERMITS IN THE B-7 ELECTRIC CIRCUIT AREA OF THE CITY”**

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

The Vice Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on July 21, 2006 in the Pasadena Star-News; 698 copies of the notice were mailed on July 24, 2006; and two letters in support of the extended moratorium (one of which requested an exemption) were received.

The City Manager introduced the agenda item and responded to questions. She clarified that although residents could not have a new or upgraded electrical panel connected to the City's grid during the moratorium, permits could be obtained for other construction or work that did not include connection to the grid.

Joe Awad, Business Unit Director, reviewed the agenda report, briefly described the short-term solutions that would be implemented during the moratorium, and responded to questions.

The following person spoke in support of the moratorium and asked for an exemption from the moratorium for projects involving the remodeling of single-family homes:

Lloyd (Bill) Pellman, Pasadena resident, submitted an information letter stating his request for exemption.

The following persons expressed concerns and/or asked for clarification regarding the moratorium:

David Flores, Pasadena resident  
Daniel Armel, Pasadena resident  
Taylor Price, Pasadena resident

Discussion followed on the impacts of a possible exemption for a remodeling project and the timing of the lifting of the moratorium.

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

It was moved by Councilmember Streator, seconded by Councilmember Holden, to approve the City Manager's recommendation and offer the ordinance for first reading:

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

NOES: None

ABSENT: Councilmember Little, Mayor Bogaard

**RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS**

**REGULATION OF GROUP HOMES IN RESIDENTIAL DISTRICTS**

**Recommendation of City Attorney:** Direct the City Attorney to prepare an ordinance amending the Pasadena Municipal Code to regulate group homes in residential districts to the extent allowed by law.

The City Attorney summarized the agenda report and responded to questions.

The following persons expressed concerns regarding restrictions that could be included in the proposed regulations of group homes in residential districts:

Michelle White, Affordable Housing Services representative  
Ronald Lewis, Pasadena resident representing Arroyo Coalition of Concerned Citizens

Discussion followed on possible creation of a task force to study the issues involved with various types of group homes,

the difference in status of licensed vs. unlicensed facilities, the inclusion of various interest groups in the development of the regulations, and possible licensing of unlicensed facilities as businesses.

Councilmember Haderlein asked the City Attorney to continue to distinguish between the City's ability to regulate unlicensed vs. licensed facilities as this matter is discussed with the community and to explore a possible requirement for residents to be notified when a licensed facility is going to open in a residential district.

It was moved by Councilmember Streator, seconded by Councilmember Haderlein, to approve the City Attorney's recommendation, with the understanding that the City Attorney will meet with various interest groups to provide input as the ordinance is drafted. (Motion unanimously carried) (Absent: Councilmember Little, Mayor Bogaard)

**INFORMATION ITEM**

**PRELIMINARY PLAN REVIEW (PPR) FOR NEW MIXED-USE DEVELOPMENT AT 680 EAST WALNUT STREET**

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

Robert Avila, Associate Planner, reviewed the agenda report and responded to questions.


Richard Bruckner, Director of Planning and Development Department, responded to questions regarding the project and possible need for an environmental impact report and additional discretionary review.

In response to Councilmember Tyler's questions, Mr. Bruckner indicated staff will provide him with information on the lot coverage requirements for a mixed-use project and the calculation of the lot coverage percentage for this project.

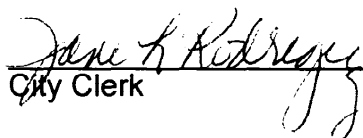
On order of the Vice Mayor, the report was received and filed.

**ADJOURNMENT**

On order of the Vice Mayor, the regular meeting of the City Council adjourned at 9:39 p.m.

  
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Bill Bogaard, Mayor  
City of Pasadena

ATTEST:

  
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Jane K. Rodriguez  
City Clerk