

CITY OF PASADENA  
City Council Minutes  
October 16, 2006 – 5:30 P.M.  
Pasadena Senior Center, Multi-Purpose Room  
85 East Holly Street

Teleconference Location  
Carlton Hotel Baglioni, Room No. 121  
Via Senato, 5 - 20121  
Milan, Italy

REGULAR MEETING

**OPENING:**

Mayor Bogaard called the regular meeting to order at 5:37 p.m. (Absent: Councilmembers Gordo, Holden, Vice Mayor Madison)

On order of the Mayor, the regular meeting recessed at 5:37 p.m., to discuss the following closed sessions:

Councilmember Holden  
arrived at 5:54 p.m.

**CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATOR  
pursuant to Government Code Section 54957.6  
City Representatives: Karyn S. Ezell and Arthur Chavez  
Employee Organization: Pasadena Association of Clerical  
and Technical Employees/Laborers International Union of  
North America, Local 777; American Federation of State,  
County and Municipal Employees, Local 858; Pasadena  
Management Association; International Brotherhood of  
Electrical Workers, Local 18; International Union of  
Operating Engineers, Local 501; Service Employees  
International Union, Local 347; and all Unrepresented Non-  
Safety Employees**

Councilmember Gordo  
arrived at 6:09 p.m.

**CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATOR  
pursuant to Government Code Section 54957.6  
City Representatives: Karyn S. Ezell and Arthur Chavez  
Employee Organization: International Brotherhood of  
Electrical Workers, Local 18**

**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**

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

On order of the Mayor, the regular meeting reconvened at 6:46 p.m. The Pledge of Allegiance was led by Councilmember Tyler.

**ROLL CALL:**

Councilmembers:

Mayor Bill Bogaard  
Vice Mayor Steve Madison (Participated via teleconference beginning at 7:36 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 Daniel Yen as member of the Community Development Committee.

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

Jeannette Henderson, Pasadena-Foothills Association of Realtors representative, commented on the passing of Theodore Bartlett, who was honored by the Realtors' Board with the Distinguished Achievement Award in 2005; and praised Mr. Bartlett's accomplishments in real estate and his legacy in promoting diversity.

Sondra Hauge, League of Women Voters Pasadena Area President, presented a DVD of interviews with Superior Court candidates that had been conducted by the League to the local cable television provider to be used for public viewing on 55 KPAS, and distributed copies of the League's non-partisan publication titled "2006 General Election Info".

**SPECIAL PRESENTATION**

**PRESENTATION BY THE COUNTY OF LOS ANGELES REGISTRAR-RECORDER/COUNTY CLERK'S OFFICE REGARDING THE INKAVOTE VOTING SYSTEM**

Deborah Wright, Community Voter Outreach Committee Co-Chair representing County of Los Angeles Registrar-Recorder/County Clerk's Office, demonstrated the InkaVote Plus voting system, which checks ballots for overvotes and blank ballots; provided information on the availability of an audio ballot booth at polling sites; and distributed information materials regarding the InkaVote Plus system and early voting at Touchscreen sites. Ms. Wright responded to questions regarding polling sites, voter turnout, and early voting.

The Mayor thanked Ms. Wright for the presentation and information.

**CONSENT CALENDAR**

MINUTES APPROVED

September 25, 2006  
October 2, 2006 (Cancelled)

CLAIMS RECEIVED AND  
FILED

Claim No. 10,205	Sempra Energy Utilities	\$	341.85
Claim No. 10,206	Larry Tatum dba Larry Tatum's Kenpo Karate Studio		Not Stated
Claim No. 10,207	Pasadena Cinco De Mayo, Inc.		Not Stated
Claim No. 10,208	Interinsurance Exchange of the Automobile Club as subrogee of Terryl Gelinias		924.97
Claim No. 10,209	Mark Darren Walker		Not Stated
Claim No. 10,210	Ileana de Regil Martinez		548.55
Claim No. 10,211	Francis Louise Burke		25,000.00+
Claim No. 10,212	Keith Carter		Not Stated
Claim No. 10,213	Jaime Balderas Vargas on behalf of Aldair Balderas (minor)		Not Stated
Claim No. 10,214	Diane M. Ortiz		Not Stated
Claim No. 10,215	Jim Y. Kishi		125.00

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

**RECOMMENDATIONS FROM  
OFFICERS AND  
DEPARTMENTS**

**AUTHORIZATION TO ENTER INTO PURCHASE ORDER CONTRACTS WITH CENTRAL MOLONEY, INC., HOWARD INDUSTRIES, INC., AND WESCO DISTRIBUTION FOR THE FURNISHING AND DELIVERY OF DISTRIBUTION TRANSFORMERS FOR WATER & POWER DEPARTMENT**

**Recommendation of City Manager:** Authorize the issuance of purchase order contracts to Central Moloney, Inc., Howard Industries, Inc., and Wesco Distribution to purchase various distribution transformers and find that competitive bidding is not required pursuant to City Charter, Section 1002(G).

The City Manager reviewed the agenda report, distributed a copy of a Taxpayer Protection Amendment disclosure form for Howard Industries, and responded to questions.

Joe Awad, Business Unit Director, responded to questions regarding the purchase order contract process and unit prices for the transformers.

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

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 7:15 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 7:16 p.m. (Absent: Vice Mayor Madison)

**ORDINANCE - FIRST READING**

**Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA AMENDING THE OFFICIAL ZONING MAP AND THE ZONING CODE (TITLE 17) OF THE CITY OF PASADENA ESTABLISHED BY SECTION 17.20.020 OF THE PASADENA MUNICIPAL CODE TO CREATE PLANNED DEVELOPMENT-32 (ROSE AVENUE) AND ESTABLISH DEVELOPMENT STANDARDS"**

Richard Bruckner, Director of Planning and Development Department, clarified that the developer is required to pay for the water and power infrastructure for the project as set out in the City's Rules and Regulations.

The City Attorney noted that the Development Standards attached to the ordinance only call out those items that are special circumstances, while the City's standards require payment for water and power construction/connection costs.

The City Manager discussed the standard requirements vs. special circumstances related to a planned development project.

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

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

NOES: None

ABSENT: Vice Mayor Madison

**RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS**

**RESOLUTIONS RELATED TO THE CALLING OF THE REGULAR MARCH 6, 2007, PRIMARY NOMINATING ELECTION AND CONSOLIDATION OF THE PASADENA BOARD OF EDUCATION PRIMARY WITH SAID ELECTION**

**Recommendation of City Clerk:** It is recommended that the City Council adopt the following resolutions:

(1) A resolution calling a primary nominating election for the office of Mayor and for the offices of members of the City Council for Districts 1, 2, 4, and 6 of the City of Pasadena, and consolidating with said election the Pasadena Unified School District (PUSD) Board of Education Primary, Seats 2, 4 and 6, and authorizing the City Clerk to enter into a contract with PUSD for the City Clerk to provide election services to PUSD. (Resolution No. 8656)

(2) A resolution requesting the Board of Supervisors of Los Angeles County to permit the Registrar of Voters of said County to render specified services to said City relating to the conduct of a consolidated City of Pasadena and Pasadena Board of Education primary nominating election on

March 6, 2007 and, if necessary, a general municipal election to be held on April 17, 2007. (Resolution No. 8657)

(3) A resolution setting forth regulations relating to candidate statements for said primary and general municipal elections. (Resolution No. 8658)

**AUTHORIZATION TO ENTER INTO A CONTRACT WITH MARTIN & CHAPMAN COMPANY FOR PROFESSIONAL ELECTION SERVICES AND SUPPLIES FOR AN AMOUNT NOT TO EXCEED \$351,663**

**Recommendation of City Clerk:**

(1) Authorize the City Clerk to enter into a contract with Martin & Chapman Company, without competitive bidding pursuant to City Charter Section 1002(F) (professional or unique services) for professional election services and supplies for the March 6, 2007 consolidated City of Pasadena and Pasadena Unified School District primary nominating election, and the April 17, 2007, general municipal election for an amount not to exceed \$351,663.

(2) Grant the proposed contract an exemption from the competitive selection process of the Competitive Bidding and Purchasing Ordinance pursuant to Pasadena Municipal Code Section 4.08.049(B), contracts for which the City's best interests are served. (Contract No. 19,219)

The above two agenda items were discussed concurrently.

The City Clerk reviewed the agenda reports.

It was moved by Councilmember Holden, seconded by Councilmember Little, to approve the above two City Clerk's recommendations. (Motion unanimously carried) (Absent: Vice Mayor Madison)

**RESIGNATION OF FRANK OSEN FROM THE RECREATION AND PARKS COMMISSION (District 7 Nomination)**

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

**DISCUSSION OF EMERGING DEVELOPMENT PROJECTS IN THE CENTRAL DISTRICT (Councilmember Holden)**

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

Councilmember Holden provided background for his request for a discussion of projects being developed in the Central District that may be consistent with City planning documents and yet cause concerns that are expressed by the public regarding impacts from the projects and the degree of

development that is occurring. He questioned whether alternative approaches could be applied to the way these projects are evaluated in order to move the projects more efficiently through the process, while gaining greater consensus from the community and assuring that the projects are moving in a direction that the City would like to see.

The City Manager briefly discussed the informational material and attached maps, and responded to questions.

Eric Duyshart, Business Development Manager, outlined information illustrated on the maps depicting potential development sites identified by staff.

Richard Bruckner, Director of Planning and Development Department, discussed the planned development process vs. the standard approval process that could be followed for large-scale development projects, and responded to questions.

The City Attorney commented on the legal implications for implementing a City-imposed planned development on a project.

Vice Mayor Madison joined the meeting at 7:36 p.m. via the teleconference location.

Discussion followed on the need for community involvement in the approval process, development market trends (commercial vs. residential), possible implementation of a City-initiated planned development process, and Council's role in any alternative development process.

Councilmember Haderlein stressed the need to continue to include community involvement in any development process, and asked staff to provide information on how a planned development project would be evaluated, under what circumstances planned developments are currently being used, and what the justification is for using a planned development process.

The Mayor expressed concerns about having assurances that an alternative process (e.g., planned development) would not lead to over-building or greater density in the downtown area.

It was moved by Councilmember Holden, seconded by Councilmember Little, to direct staff to study and evaluate the feasibility of the use of planned developments for parcels of certain sizes in the Central District Specific Plan area, and report back to Council with this information for further evaluation and Council action:

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

NOES: None

ABSENT: None

**PUBLIC HEARINGS**

**PUBLIC HEARING: DESIGNATION OF 1855 EAST COLORADO BOULEVARD (FORMER DRAPER'S BUILDING) AS A LANDMARK**

By consensus and on order of the Mayor, the above public hearing was continued to November 13, 2006 at 7:30 p.m.

Councilmember Haderlein recused himself at 8:04 p.m., due to a conflict of interest.

**PUBLIC HEARING: APPEAL OF CONDITIONAL USE PERMIT NO. 4663, 3880 EAST SIERRA MADRE BOULEVARD (LA SALLE HIGH SCHOOL - ATHLETIC FIELD LIGHTS)**

**Recommendation of City Manager:**

- (1) Adopt a Mitigated Negative Declaration for the project in accordance with the California Environmental Quality Act (CEQA); and
- (2) Adopt the findings in Attachment A of the agenda report and approve the application with Conditions of Approval in Attachment B of the agenda report.

The Mayor opened the public hearing.

Councilmember Little stated he would not recuse himself on the above matter since the installation of athletic field lights will have no financial impact on himself or his family, and also stated that the City Attorney and California Fair Political Practices Commission had been consulted and opined that there would be no conflict of interest related to his participation in this matter.

Vice Mayor Madison confirmed that he was participating in the proceeding by teleconference.

The City Clerk reported 65 copies of the notice of public hearing were posted on October 2, 2006; 204 copies of the notice were mailed on October 2, 2006; and 105 letters in support of the Conditional Use Permit (CUP), 17 letters in opposition to the CUP, and 2 letters that did not contain a position were received.

The City Manager introduced the agenda item.

John Steinmeyer, Senior Planner, reviewed the agenda report and responded to questions. Mr. Steinmeyer noted that Recommendation No. 1 should be corrected to read: "Adopt a ~~Mitigated~~ Mitigated Negative Declaration for the project in accordance with CEQA."

Richard Bruckner, Director of Planning and Development Department, briefly discussed the Conditions of Approval for the CUP, the development/submittal of school master plans, and the Board of Zoning Appeals' decision; and responded to questions.

Discussion followed on the Conditions of Approval, possible need for a school master plan and/or environmental studies, validation by the City of the calculations cited in the illumination study, and need for information on current and future student enrollment.

The following persons spoke in support of the CUP:

Dr. Richard Gray, La Salle High School President (applicant), responded to Council's questions, described the school's football field project, and discussed La Salle's plans to submit a master plan at some future date when infilling on the current campus is possible. Dr. Gray confirmed that La Salle has a master plan concept, indicated it would be possible for La Salle to proceed with developing a master plan on a parallel track with obtaining an off-site location for the school's baseball field, confirmed that no additional structures of any type will be placed on the campus until a master plan is submitted, and offered to work with the City and neighborhood regarding public access to the athletic field. Dr. Gray indicated the school would be comfortable with the City imposing an additional condition that would require La Salle's next interaction with the City to be the submittal of a master plan. He also agreed to a scheduled review of the approved conditions by the Zoning Administrator after the lights have been installed. A packet of information was submitted by Eric Johnson, representative from Musco Lighting, who will install the lighting.

Morris Victor, Alhambra resident and member of La Salle High School Board of Trustees

Matthew Bamberger, Sierra Madre resident and La Salle student

Samantha DeSurra, Pasadena resident and La Salle student

Debbie Bamberger, Sierra Madre resident

Colleen Doan, San Gabriel resident

Michael Healy, La Salle Board of Trustees President

Katherine Robi, Pasadena resident

Andrew Saldaña, Pasadena resident and La Salle student

Jackie Don, Pasadena resident

Antonio Govea, Pasadena resident

Bradford Wright, Pasadena resident and La Salle Parent Association Co-President

Paul Bigley, Arcadia resident

Carlo Mejia, Pasadena resident

Rafael Mirasol, Arcadia resident

Peter Godfrey, Arcadia resident

Scott Jenkins, legal counsel for La Salle High School (applicant)



The following persons submitted speaker cards and waived speaking in support of the project:

Mike Stoddard, Pasadena resident  
Liza Billington, Pasadena resident  
David Desmond, West Covina resident  
Yolanda Valadez, Alhambra resident  
Therese Valiquette, Monrovia resident  
Jeff Burch, Monrovia resident  
Louis Johnston, Pasadena resident  
Cliff Houser, Pasadena resident  
Lisa Nelson, Pasadena resident  
Dennis Jebbia, Pasadena, resident  
Lulana Ayala, Alhambra resident  
Margaret Mackel, Pasadena resident  
David Skibinski, Pasadena resident  
Thomas Johnston, Pasadena resident  
Dr. Alan Mirasol, Pasadena resident  
Mark Tracy, Pasadena resident  
Fritz Miller, Pasadena resident  
Margaret Doherty, Pasadena resident

The following persons spoke in opposition to the CUP and/or expressed concerns:

Robert Silverstein, legal counsel for the Lower Hastings Ranch Homeowners' Association (LHRHA) and Pasadena Residents for a Healthy Environment (PRHE), submitted written materials in opposition to the CUP and a map illustrating a multi-phase school improvements project.

Bob Terjenian, Pasadena resident  
Kevin Wheeler, Pasadena resident  
Benita Schwartz, Pasadena resident  
Laura Rodriguez, Pasadena resident  
Velina Petrovic, Lower Hastings Ranch Association (LHRA) member  
Jeff Jaffee, LHRA member  
Diane Kirby, Pasadena resident  
Becky Spiro Green, Pasadena resident  
Ellen Baum, Pasadena resident, submitted three photographs.  
Liz Trussell, Pasadena resident  
Bing Wang, Pasadena resident  
Xialoling Hong, Pasadena resident  
Irma Strantz, Pasadena resident, submitted one photograph.

It was moved by Councilmember Little, seconded by Councilmember Gordo, to close the public hearing:

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

NOES: None

ABSENT: Councilmember Haderlein

Discussion continued on the merits of requesting/requiring a master plan, residents' concerns regarding noise issues, the need to monitor traffic and parking mitigation measures during athletic activities, flexibility for athletic field usage by non-La Salle teams/users, and issues related to relocation of the La Salle baseball field.

Councilmember Streator expressed support for use of the athletic field for activities on Saturday.

The Mayor suggested an additional condition to require the applicant to pursue a master plan process, with a good faith effort on the part of the applicant to make a significant beginning in the process within the next 12 months.

Councilmember Tyler suggested some framework be included that would provide noise monitoring by City staff when the field is being used.

The City Manager commented on the master plan process, and indicated staff would monitor noise during the athletic field events.

## MOTION

Following discussion, it was moved by Councilmember Streator, seconded by Councilmember Holden, to approve the following revised City Manager's recommendation, except for Condition of Approval No. 4 as cited on Attachment B of the agenda report, which will be voted on separately:

1. Adopt a ~~Mitigated~~ Negative Declaration for the project in accordance with CEQA; and
2. Adopt the findings in Attachment A of the agenda report and approve the application with Conditions of Approval (Attachment B of the agenda report), with the following revisions:

Modify Condition No. 3 to read: "All non-football nighttime athletic events and light usage on the athletic field occurring Monday through Friday shall terminate no later than ~~7:00 p.m.~~ 7:30 p.m.

Modify Condition No. 13 to read: "The Zoning Administrator, at any time, can call for a review of the approved conditions at a duly noticed public hearing before the Hearing Officer. The Zoning Administrator shall conduct a hearing to review the Conditional Use Permit one year after the lights are installed. These conditions may be modified or new conditions added

to reduce any impacts of the use. The Hearing Officer may revoke the Conditional Use Permit if ~~such cause is given.~~ grounds exist as set forth in the Municipal Code.

Add a new Condition No. 16 to read: "Prior to commencing use of the lighting, the applicant, residents on adjacent streets, and City staff shall develop a traffic mitigation plan regarding field events which shall be approved by City staff."

Add a new Condition No. 17 to read: "There shall be no construction of new buildings or expansion of structures or facilities that would increase square footage or capacity until the applicant has submitted an application for a Master Plan."

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

NOES: None

ABSENT: Councilmember Haderlein

Councilmember Streator reiterated support for flexibility in the possible use of the athletic field for activities on Saturday.

It was moved by Councilmember Streator, to delete Condition No. 4 from the Conditions for Approval for Conditional Use Permit No. 4663. (Motion died due to lack of a second)

## MOTION

It was moved by Councilmember Gordo, seconded by Councilmember Holden, to approve Condition No. 4 as cited in the Conditions for Approval for Conditional Use Permit No. 4663:

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

NOES: Councilmember Streator

ABSENT: Councilmember Haderlein

## COUNCIL COMMENTS

Councilmember Little commented on possible problems arising from the practice of the Board of Zoning Appeals (BZA) in requesting staff to provide the necessary findings to justify decisions made by the BZA at an earlier date, and suggested that the BZA be required to articulate their decision and the rationale for the decision at the time that the decision is made. He also commented on issues involving a possible conflict of interest involving a BZA member and the need to consider applying the rules and regulations that apply to the Design Commission to all commissions.

The City Manager indicated staff will research the rules and regulations for the conflict of interest issue.

Councilmember Streator suggested staff report on possible changes to the rules and regulations regarding conflicts of interest, if this is needed.

The City Attorney noted that in some instances it may be appropriate and/or necessary for staff to return with findings that support the BZA's decision, when this is requested by the BZA, in order to support the record of the BZA's action and make the action defensible.

Richard Bruckner, Director of Planning and Development Department, outlined the process for producing findings when the BZA decision differs from the staff recommendation.

**ADJOURNMENT**

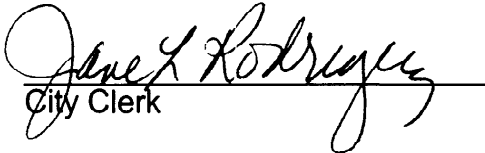
On order of the Mayor, the regular meeting of the City Council adjourned at 11:23 p.m., in memory of: Rev. David Scott, Pasadena resident and minister who worked with at-risk youth; Theodore Daniel Bartlett, Sr., native Pasadenan and first African American to join the Pasadena Board of Realtors; and Professor Nelson Leonard, Pasadena resident and world-acclaimed chemist.



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Bill Bogaard, Mayor  
City of Pasadena

ATTEST:



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Janet Rodriguez  
City Clerk