

CITY OF PASADENA
City Council Minutes
November 20, 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 5:37 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 Gordo
arrived at 5:40 p.m.

CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS 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 AND COMMISSION CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8

**Property Address: 1150 North Allen Avenue
Negotiators: Cynthia J. Kurtz, Gregory Robinson;
Trademark Development Company, LLC, Joel C. Bryant
Under Negotiation: Price and terms**

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 6:30 p.m. The Pledge of Allegiance was led by Assistant City Manager Brian Williams.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Steve Madison
Councilmember Victor Gordo
Councilmember Steve Haderlein
Councilmember Chris Holden (Arrived at 6:39 p.m.)
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 Waleed Delawari as Northwest Commissioner.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Stacy Lewis, Pasadena resident, asked staff to conduct a study to determine if the Greene and Greene building currently located on the Fuller Seminary campus can be relocated to Allen Avenue and converted to affordable housing.

The Mayor indicated staff will take the above suggestion into account if it would be appropriate.

Councilmember Holden arrived at 6:39 p.m.

David Czamanske, Sierra Club representative, updated Council on a recent meeting of the Intermountain Power Project (IPP) coordinating committee regarding the status of the coal energy production by the IPP, and expressed concerns regarding the City's possible renewal of the IPP contract.

The City Manager clarified that a report on the IPP contract would be discussed by Council some time in December 2006, and staff was gathering information from the State and other sources on steps that could be taken to reduce emissions by the IPP in order to allow the plant to operate under current laws.

CONSENT CALENDAR
Item discussed separately at the request of Vice Mayor Madison.

AUTHORIZATION TO ENTER INTO A CONTRACT WITH MYTHICS SYSTEMS, INC., FOR LICENSING OF ORACLE SOFTWARE

CONTRACT AWARD TO VASILJ, INC., dba IVANKO FOR THE LAGUNA ROAD SEWER - PHASE 4A, BURLEIGH DRIVE TO HILLSIDE TERRACE, FOR AN AMOUNT NOT TO EXCEED \$400,000

Recommendation of City Manager:

(1) Accept the bid dated November 8, 2006, submitted by Vasilj, Inc., dba Ivanko, in response to the Specifications for the Laguna Road Sewer - Phase 4A, Burleigh Drive to Hillside Terrace; reject all other bids received; and authorize the City Manager to enter into a contract as is required.

(2) Acknowledge the project to be categorically exempt under Section 21084 of the California Environmental Quality Act of 1984 in accordance with Article 19, Section 15301 (Class 1), subsection (c) of the Resources Agency of California Guidelines (minor alterations involving negligible expansion of use beyond that previously existing) pursuant to the findings of the Secretary of the Resources Agency and authorize the City Manager to execute, and the City Clerk to file, a Notice of Exemption for the project with the Los Angeles County Clerk. (Contract No. 19,250)

RESOLUTION AUTHORIZING APPLICATION TO THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD FOR THE CITY OF PASADENA TO BECOME A

REGISTERED INDUSTRIAL GENERATOR

Recommendation of City Manager: Adopt a resolution authorizing the application to the California Integrated Waste Management Board for the City of Pasadena to become a Registered Industrial Generator for the purposes of receiving a recycling incentive payment for used oil. (Resolution No. 8680)

AUTHORIZATION TO APPLY FOR AN EXTENSION OF THE EXPENDITURE DEADLINE FOR THE BICYCLE TRANSPORTATION ACCOUNT GRANT FROM THE CALIFORNIA DEPARTMENT OF TRANSPORTATION

Recommendation of City Manager: Authorize the City Manager to apply for an extension of the expenditure deadline for the Bicycle Transportation Account (BTA) grant from the California Department of Transportation (Caltrans) for the Bicycle Transit Station and to execute all necessary agreements.

The City Manager indicated the Old Pasadena Management District (OPMD) no longer supported the proposed Bicycle Transit Station project being located in the Old Pasadena area based on information from other cities that had experienced maintenance and operation problems with these stations and the potential problems that could occur in the proposed location for the City's project. She noted staff was requesting that the authorization be approved, since the application for the extension of the funding deadline must be filed by the end of November 2006, and indicated the project may not go forward if further staff discussion with the OPMD does not produce support from the OPMD. She outlined the scope and negotiations for the project.

Joyce Amerson, Director of Transportation Department, reported the Transportation Advisory Commission is on record in support of the project.

Councilmember Haderlein suggested the Public Safety Committee become involved in an evaluation of the discussions with OPMD and benefits of the project.

Item discussed separately at the request of Councilmember Tyler.

AUTHORIZATION TO ENTER INTO A "CARDIAC CARE PROGRAM EQUIPMENT AGREEMENT" WITH THE COUNTY OF LOS ANGELES TO PURCHASE AND SUBMIT FOR REIMBURSEMENT OF EIGHTEEN 12-LEAD ELECTROCARDIOGRAPH MACHINES AND ASSOCIATED TRAINING ON THE USE OF THE MACHINES

MINUTES APPROVED

October 23, 2006
October 30, 2006 (Cancelled)
November 6, 2006

CLAIMS RECEIVED AND FILED

Claim No. 10,239	Robert A. Cameron	\$ 5,000,000.00
Claim No. 10,241	Darrin Jonell Wyatt	Not Stated

It was moved by Councilmember Streater, seconded by Councilmember Little, to approve the Consent Calendar, with the exceptions of Item 1 (Contract with Mythics Systems, Inc.) and Item 5 (Agreement with County of Los Angeles and Contract with Medtronic Emergency Response Systems), which were discussed separately. (Motion unanimously carried) (Absent: None)

CONSENT ITEMS DISCUSSED SEPARATELY

Councilmember Tyler and Vice Mayor Madison recused themselves at 6:54 p.m., due to conflicts of interest.

Councilmember Tyler recused himself at 6:54 p.m., due to a conflict of interest.

AUTHORIZATION TO ENTER INTO A CONTRACT WITH MYTHICS SYSTEMS, INC., FOR LICENSING OF ORACLE SOFTWARE

Recommendation of City Manager:

- (1) Authorize a contract without competitive bidding pursuant to City Charter Section 1002(F), contracts for professional or unique services, with Mythics Systems, Inc., for the City's licensing of Oracle Software in an amount not to exceed \$145,912.
- (2) Grant the proposed contract an exemption from the competitive selection process of 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. 19,251)

AUTHORIZATION TO ENTER INTO A "CARDIAC CARE PROGRAM EQUIPMENT AGREEMENT" WITH THE COUNTY OF LOS ANGELES TO PURCHASE AND SUBMIT FOR REIMBURSEMENT OF EIGHTEEN 12-LEAD ELECTROCARDIOGRAPH MACHINES AND ASSOCIATED TRAINING ON THE USE OF THE MACHINES

Recommendation of City Manager:

- (1) Authorize the City Manager to enter into a Cardiac Care Program Equipment Agreement, by and between the County of Los Angeles.
- (2) Authorize the issuance of a contract to Medtronic Emergency Response Systems (Medtronic) in the amount not to exceed \$293,255 for the purchase of eighteen 12-Lead Electrocardiograph (EKG) machines.
- (3) Grant the proposed purchase order an exemption from competitive bidding pursuant to City Charter Section 1002(H), contracts with other governmental entities or their contractors for labor, material, supplies or services. (Agreement No. 19,252; Contract No. 19,253)

The above two agenda items were addressed concurrently.

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

RECESS/JOINT MEETING

On order of the Mayor, the regular meeting of the City Council recessed at 6:55 p.m. to a joint meeting with the Community Development Commission. (Absent: Vice Mayor Madison)

**REPORTS AND COMMENTS
FROM COUNCIL
COMMITTEES**

**FINANCE/AUDIT
COMMITTEE**

Councilmember Tyler returned at 6:55 p.m.

JOINT ACTION: FISCAL YEAR JUNE 30, 2006 ANNUAL FINANCIAL REPORTS

Recommendation of City Manager/Chief Executive Officer:

It is recommended that the following audited reports for the year ending June 30, 2006 be received by the City Council and/or Community Development Commission (PCDC):

- (1) Comprehensive Annual Financial Report
- (2) Single Audit Report on Federal Awards
- (3) Pasadena Community Development Commission Annual Financial Report
- (4) Management Letter - City of Pasadena
- (5) Pasadena Center Operating Company Basic Financial Statements
- (6) Rose Bowl Operating Company Basic Financial Statements
- (7) Pasadena Fire and Police Retirement System Report on Audited Financial Statements and Required Supplemental Information
- (8) Air Quality Improvement Fund Financial and Compliance Report
- (9) Independent Accountant's Report on Agreed-Upon Procedures Applied to Appropriation Limit Worksheets
- (10) Independent Accountant's Report on Agreed-Upon Procedures Applied to Employee Deduction for the Internal Revenue Code Section 457.

Councilmember Little, Chair of the Finance/Audit Committee, introduced the agenda item.

Ken Al-Imam, auditor for Mayer Hoffman McCann PC, commented on the audit process and results.

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

JOINT ACTION: 2006-2007 INVESTMENT POLICY

Recommendation of City Manager/Chief Executive Officer:

It is recommended that the City Council and Pasadena Community Development Commission adopt the City Treasurer's Statement of Investment Policy and Investment Strategy for Fiscal Year 2007.

Councilmember Little summarized the agenda report.

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

RECONVENED

On order of the Mayor, the joint meeting with the Community Development Commission adjourned at 7:00 p.m. and the regular meeting of the City Council reconvened at this time. (Absent: Vice Mayor Madison)

FINANCE COMMITTEE

ISSUANCE OF A PURCHASE ORDER TO DUNCAN PARKING TECHNOLOGIES, INC., FOR \$228,000 FOR THE PURCHASE OF MULTI-SPACE PARKING METERS AND AMEND THE 2007 OPERATING BUDGET

Recommendation of City Manager:

(1) Authorize the issuance of a purchase order to Duncan Parking Technologies, Inc., for the purchase and installation of 32 multi-space parking meters to be placed along Colorado Boulevard, in an amount not to exceed \$228,000. Competitive bidding is not required pursuant to City Charter Section 1002(H), contract with other governmental entities or their contractors for labor, materials, supplies or services.

(2) Recognize and appropriate \$228,000 from the 2006 Equipment Lease Line of Credit Financing for the purchase of 32 paid by space multi-space parking meters to the Non Department Account No. 8503-213-952139. (Journal Voucher No. 2007-12)

Recommendation of Old Pasadena Parking Meter Advisory Commission: The Old Pasadena Parking Meter Advisory Commission reviewed the staff recommendation and recommended approval at their October 19, 2006 meeting.

Vice Mayor Madison returned at 7:03 p.m.

Councilmember Little introduced the agenda item.

Amir Sedadi, Parking Manager, reviewed the agenda report.

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

Councilmember Little congratulated Mr. Sedadi on his new position with the City of Los Angeles Department of Transportation and thanked him for his service.

QUARTERLY INVESTMENT REPORT QUARTER ENDING SEPTEMBER 30, 2006

Recommendation of City Manager: This report is for informational purposes only.

Councilmember Little introduced the agenda item.

Vic Erganian, City Treasurer, summarized the agenda report.

It was moved by Councilmember Little, seconded by Councilmember Streator, to receive and file the report. (Motion unanimously carried) (Absent: None)

Councilmember Little thanked Mr. Erganian and staff for their diligent stewardship of the City's finances.

MUNICIPAL SERVICES
COMMITTEE

AUTHORIZATION TO INCREASE THE AMOUNT OF NATURAL GAS PURCHASED UNDER THE "NATURAL GAS PROJECT GAS SALES AGREEMENT" NO. 18,842 WITH THE SOUTHERN CALIFORNIA PUBLIC POWER AUTHORITY TO A MINIMUM OF 2,000 MILLION BRITISH THERMAL UNITS ("MMBtu") PER DAY

Recommendation of City Manager: Authorize the City Manager to increase the amount of natural gas purchased under the Natural Gas Project Gas Sales Agreement, Contract No. 18,842 ("Contract") with the Southern California Public Power Authority to a maximum of 2,000 MMBtu per day

The contract is exempt from competitive bidding pursuant to City Charter Section 1002(H), contracts with other governmental agencies or their contractors.

Councilmember Tyler, Chair of the Municipal Services Committee, introduced the agenda item.

Robert Sherick, Director of Power Supply, summarized the agenda report.

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

**RECOMMENDATIONS
FROM OFFICERS AND
DEPARTMENTS**

RESIGNATION OF CHARLENE YU VAUGHN FROM THE COMMISSION ON THE STATUS OF WOMEN (District 7 Nomination)

RESIGNATION OF JASON HARRIS FROM THE HUMAN RELATIONS COMMISSION (District 1 Nomination)

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

RECESS

On order of the Mayor, the regular meeting of the City Council recessed at 7:12 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 7:13 p.m. (Absent: None)

PUBLIC COMMENT
(Continued)

Dimitrios Papagiannis, Pasadena resident, expressed concerns regarding the lack of available affordable housing in the City, problems with rent increases, and the need for effective action in addressing these issues.

Brian Williams, Assistant City Manager, updated Council on the status of a preliminary action plan that had been developed from data gathered at a Housing Summit held in March 2005 and used in conjunction with additional housing information to develop a housing blueprint/agenda that will be presented to Council in February/March 2007. He noted that a report on a proposal for a housing roundtable would be presented to Council in December 2006 and that staff was moving forward with additional steps in determining how best to use the City's housing funds.

The City Manager clarified provisions in the City's affordable housing ordinance.

Councilmember Little expressed concerns regarding apartments with affordable units being converted to market-rate condominiums and the need for the City to address this issue.

Vice Mayor Madison suggested staff explore construction of affordable housing in partnership with Habitat for Humanity.

COUNCIL COMMENTS

Councilmember Tyler described a recent visit that he and Councilmember Streator had made to a Leadership in Energy and Environmental Design (LEED) Gold building located at 45 Eureka Street that was sponsored by Jaylene Moseley and exhibited exceptional green building features (use of sustainable materials, water and energy saving parameters).

Councilmember Streator commended Ms. Moseley on the completed project and acknowledged City staff for their leadership in moving forward with the City's green building program and providing assistance to developers in achieving LEED certification.

The City Manager commented on opportunities to meet LEED standards for buildings being constructed or renovated in the City.

Richard Bruckner, Director of Planning and Development Department, recognized staff for their leadership in this new program.

PUBLIC HEARINGS

Councilmember Tyler recused himself at 7:34 p.m., due to a conflict of interest.

PUBLIC HEARING: DESIGNATION OF 969 SOUTH MADISON AVENUE AS A LANDMARK
Recommendation of City Manager:

(1) Acknowledge that the designation of a historic resource is categorically exempt from the California Environmental Quality

Act under Class 8, Actions by Regulatory Agencies for Protection of the Environment (California Environmental Quality Act Guidelines, Article 19, Section 15308);

(2) As recommended by the Historic Preservation Commission, find that the house at 969 South Madison Avenue is significant under Criterion c for designation as a landmark (Pasadena Municipal Code Section 17.62.040 B) because it is architecturally intact and an excellent example of a two-story Arts and Crafts period house;

(3) Approve the designation of the property at 969 South Madison Avenue as a landmark;

(4) Adopt a resolution approving a Declaration of Landmark Designation for 969 South Madison Avenue, Pasadena, California;

(5) Authorize the Mayor to execute the Declaration of Landmark Designation for 969 South Madison Avenue, Pasadena, California; and

(6) Direct the City Clerk to record the declaration with the Los Angeles County Recorder. (Resolution No. 8675)

Recommendation of Historic Preservation Commission: On October 16, 2006, at a noticed public hearing, the Historic Preservation Commission voted unanimously to recommend approval of the designation of 969 South Madison Avenue as a landmark.

The Mayor opened the public hearing.

The City Clerk reported 29 copies of the notice of public hearing were posted on November 6, 2006; 83 copies of the notice were mailed on November 3, 2006; and no correspondence was received.

Emily Stadnicki, Planner, reviewed the agenda report and responded to questions.

No one appeared for public comment.

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

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

Vice Mayor Madison and Mayor Bogaard recused themselves at 7:38 p.m., due to conflicts of interest. Councilmember Tyler returned at this time and assumed the Chair.

PUBLIC HEARING: DESIGNATION OF 345 MARKHAM PLACE (NARVER RESIDENCE) AS A HISTORIC MONUMENT

Recommendation of City Manager:

(1) Acknowledge that the designation of a historic resource is categorically exempt from the California Environmental Quality Act under Class 8, Actions by Regulatory Agencies for Protection of the Environment (California Environmental Quality Act Guidelines, Article 19, Section 15308);

- (2) As recommended by the Historic Preservation Commission, find that the property (including the main house, guest house and gardens) at 345 Markham Place is significant under Criterion c for designation as a historic monument (Pasadena Municipal Code Section 17.62.040 A) because it is exceptional in the embodiment of the distinctive characteristics of mid-century modern residential architecture and landscape architecture, and is an important representation of the work of the regionally significant architectural firm of Buff & Hensman;
- (3) Approve the designation of the property at 345 Markham Place as a historic monument;
- (4) Adopt a resolution approving a Declaration of Historic Monument Designation for 345 Markham Place, Pasadena, California;
- (5) Authorize the Mayor to execute the Declaration of Historic Monument Designation for 345 Markham Place, Pasadena, California; and
- (6) Direct the City Clerk to record the declaration with the Los Angeles County Recorder. (Resolution No. 8679)

Recommendation of Historic Preservation Commission: On October 16, 2006, at a noticed public hearing, the Historic Preservation Commission voted unanimously to recommend approval of the designation of 345 Markham Place as a historic monument.

Councilmember Tyler opened the public hearing.

The City Clerk reported 29 copies of the notice of public hearing were posted on November 3, 2006; 169 copies of the notice were mailed on November 3, 2006; and no correspondence was received.

Kevin Johnson, Associate Planner, reviewed the agenda report.

No one appeared for public comment.

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

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

PUBLIC HEARING: MAYFIELD SENIOR SCHOOL - 500 BELLEFONTAINE STREET MASTER DEVELOPMENT PLAN AND ZONE CHANGE & GENERAL PLAN AMENDMENT FOR AN ADJACENT RESIDENTIAL PARCEL (465 ORANGE GROVE CIRCLE) PROPOSED TO BE INCORPORATED INTO THE SCHOOL CAMPUS

Recommendation of City Manager:

- (1) Approve the Initial Environmental Study and Mitigated Negative Declaration (Attachment 5 of the agenda report);
- (2) Approve the De Minimis Impact Finding on the State Fish and Game (Attachment 6 of the agenda report);
- (3) Find that the proposed zone change from RS-4HD (Single-Family Residential, 4 units per acre, Hillside Overlay District) to PS (Public, Semi-Public) and amendment to the General Plan land use designation from Low Density Residential, 0-6 units per acre to Institutional, for the parcel located at 465 Orange Grove Circle are consistent with the goals, objectives and policies of the General Plan Land Use Element, and the purposes of Chapter 17.26 (Special Purpose Zoning Districts) of the Zoning Code (See Attachment 9 of the agenda report);
- (4) Find that the proposed Master Development Plan is consistent with the required procedures and findings pursuant to Section 17.61.050 of the Zoning Code, and approve the proposed new Mayfield Senior School Master Development Plan (MDP) subject to the Conditions of Approval (Attachments 1 and 4 of the agenda report);
- (5) Adopt a resolution amending the General Plan Land Use Diagram for 465 Orange Grove Circle from Low Density Residential, 0-6 units per acre to Institutional (Attachment 8 of the agenda report);
- (6) Direct the City Attorney to prepare an ordinance amending the Zoning Map from RS-4HD to PS for 465 Orange Grove Circle and a resolution adopting the Mayfield Senior School Master Development Plan within 60 days; and
- (7) Direct the City Clerk to file a Notice of Determination and a Certificate of Fee Exemption for the California Department of Fish and Game, with the Los Angeles County Recorder (Attachment 7 of the agenda report). (Resolution No. 8674)

Recommendation of Planning Commission: The Planning Commission held a public hearing on October 25, 2006, and adopted the staff recommendation with 8-0 vote. The Commission recommended amending Condition of Approval No. 25 - to require that City staff review the on-site parking demand prior to each proposed increase of student enrollment to ensure that the school has either created additional on-site parking or instituted a car pool plan that reduces parking demand. Staff concurs with this amendment and it is reflected in the Conditions of Approval (Attachment 4 of the agenda report).

Vice Mayor Madison and Mayor Bogaard returned at 7:49 p.m.

The Mayor opened the public hearing.

The City Clerk reported 36 copies of the notice of public hearing were posted on November 3, 2006; 216 copies of the notice were mailed on November 3, 2006; and 26 letters in support and 2 letters in opposition or expressing concerns were received.

Laura Dahl, Senior Planner, reviewed the agenda report.

The City Manager discussed staff's reasons for not recommending a four-way stop at the corner of Bellefontaine Street and Grand Avenue and the proposed hours for left turn restrictions going west on Bellefontaine Street, and responded to questions. She indicated that a warrant study for a four-way stop sign could be conducted at the end of a year or some set time in the future to determine if the traffic had increased at the Bellefontaine/Grand intersection and would warrant a four-way stop sign.

Eric Shen, Transportation Planning and Development Manager, outlined the uses for the traffic management funding to be paid by the applicant, defined the proposed peak hours for left turn restrictions on Bellefontaine Street, and responded to questions.

Richard Bruckner, Director of Planning and Development Department, confirmed that the home located on Bellefontaine Street will continue to be used as a residence rather than for school purposes, and responded to questions.

Discussion followed on the issue of the sufficiency of the amount of money to be paid by the applicant for traffic management funding and concerns regarding possible rezoning of the residence located on Bellefontaine Street.

The following persons spoke in support of the proposed Mayfield Senior School Master Development Plan:

Rita McBride, Mayfield Head of School
Stephen Sweeney, Mayfield Board of Trustees Chair
Pat Gibson, Kaku Associates representative, submitted a handout regarding peak school traffic and the traffic plan.
Mary Mansell, Mayfield Assistant Head of School
Colleen Shalby, Mayfield Study Body President, submitted letters of support from Mayfield students.
Linda Mennis, Mayfield Parents Board President
Cori Lewis, Mayfield Student Body Vice President
Jessica Korzenecki, Pasadena resident
Mike McCullough, Mayfield Board of Trustees member
Al Clark, Pasadena resident
Marla Alders, Pasadena resident
Javier Rivera, The Ratkovich Company/Town Homes at Orange Gove Circle representative, submitted a letter in support of the Plan.
Clemmie Phillips, Mayfield Director of Admissions
Anamaria Young, Pasadena resident
Elisabeth Rosenson, Los Angeles resident
Dan Levenick, Pasadena resident

Monsignor Clem Connolly, Mayfield Board of Trustees member

Scott Jenkins, legal counsel for Mayfield Senior School, stated: the Mayfield Board of Trustees had resolved to sell the property located at 484 Bellefontaine Street with all deliberate speed; for special events, Mayfield intends to load the parking lots at the lower level first from Grand Avenue with the Bellefontaine entrance lots to be used for special needs and overflow parking and with shuttle buses from satellite sites to be used, if necessary; Mayfield will comply with the installation of a four-way stop at Bellefontaine Street and Grand Avenue intersection if the City determines that this is warranted; and Mayfield is willing to pay a total of \$50,000 for traffic improvements (rather than the \$25,000 recommended in the agenda report) with the hope that the extra \$25,000 will be used in the immediate area. Mr. Jenkins noted that the West Pasadena Residents Association (WPRA) had dropped their requests on points not covered by his statements above.

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

Melissa Tighe, Mayfield faculty representative
Dan Newton, Grand Avenue Supporters of Mayfield representative
Joseph Gorman, Jr., San Marino resident

The following persons spoke in opposition and/or expressed concerns regarding the proposed Mayfield Senior School Master Development Plan:

Kathleen Thorne-Thomsen, Pasadena resident
Karlene Goller, Pasadena resident
Janice Raney, Pasadena resident
Fred Zepeda, West Pasadena Residents Association President
Robert Holmes, Concerned Neighbors of Mayfield representative

The Mayor submitted for the record an oversized greeting card signed by Mayfield students who were unable to attend the public hearing.

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

Discussion continued on a proposal to increase the amount of the applicant's contribution for traffic mitigation/management measures cited as \$25,000 in the staff recommendation to a

new total of \$50,000 and concerns related to the implementation of left turn restrictions on Bellefontaine Street.

The City Manager suggested that if the applicant's contribution for traffic management/mitigation is increased from \$25,000 to \$50,000, the second \$25,000 could be used to conduct a study of the traffic impacts once the construction is completed and the new traffic pattern is in place, with the balance used to implement traffic mitigation that might be needed; and noted that the second \$25,000 could be collected at a time when the monies are needed for the traffic study.

Following discussion, it was moved by Vice Mayor Madison, seconded by Councilmember Tyler, to approve the City Manager's recommendation, as amended for the applicant to contribute \$50,000 to a neighborhood traffic management plan, with the first \$25,000 to be paid up front and the second \$25,000 to be paid after the circulation pattern is in place and City staff to request the dollars as needed for a traffic study or implementation of neighborhood traffic mitigation. (Motion unanimously carried) (Absent: None)

Councilmember Little complimented the Mayfield students on their behavior during the public hearing.

Councilmember Streator expressed appreciation for the work the Mayfield Senior School had done in developing the master plan and working with the neighborhood.

PUBLIC HEARING: FULLER THEOLOGICAL SEMINARY MASTER DEVELOPMENT PLAN, FINAL ENVIRONMENTAL IMPACT REPORT, AND DEVELOPMENT AGREEMENT

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

- (1) Adopt a resolution to certify the Final Environmental Impact Report and adopt the Mitigation Monitoring Reporting Program;
 - (2) Adopt by resolution, the Findings of Fact and Statement of Overriding Considerations;
 - (3) Adopt by resolution, the Specific Findings for the Master Development Plan and approve the proposed Master Development Plan with conditions;
 - (4) Adopt the Findings and approve the Development Agreement;
 - (5) Direct the City Attorney to prepare an ordinance to adopt the Development Agreement;
 - (6) Approve the De Minimis Impact Finding on the State Fish and Wildlife Habitat;
 - (7) 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 Nos. 8676, 8677, and 8678)

Recommendation of Planning Commission: The Planning Commission considered the Master Development Plan (MDP) on October 25, 2006 and November 1, 2006. The Planning Commission concurred with staff's recommendation to approve the Master Plan by a 4-3 vote. The Planning Commission recommended denial of the Development Agreement by a 5-1-1 vote.

Recommendation of Transportation Advisory Commission, Design Commission, and Historic Preservation Commission: On January 13, 2006, the Transportation Advisory Commission (TAC) provided comments on the Draft Environmental Impact Report (Draft EIR), and unanimously supported the project. On January 23, 2006, the Design Commission and Historic Preservation Commission provided comments on the Draft EIR and the proposed MDP. The Design and Historic Preservation Commissions jointly recommended that the Final EIR describe the preservation of properties in more detail and that the applicant work with Pasadena Heritage to develop project alternatives to preserve more of the existing buildings. As a result, the Final EIR includes a Preservation Alternative.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on November 6, 2006 in the Pasadena Star-News; 107 copies of the notice were posted on November 3, 2006; 297 copies of the notice were mailed on November 3, 2006; and 9 letters in support, 2 letters in opposition, and 3 letters commenting on floor area ratios were received.

Antonio Gardea, Associate Planner, reviewed the agenda report and responded to questions.

Richard Bruckner, Director of Planning and Development Department, noted that Fuller Theological Seminary (applicant) had agreed to move the Professor Hammond House and to contribute \$100,000 and commit 180 days in attempting to relocate the Herkimer Arms building, and responded to questions.

Theresa Fuentes, Deputy City Attorney, confirmed that the Development Agreement did not constrain Council's discretion as this relates to any future street vacation process, and responded to questions.

The City Manager responded to questions regarding the Master Development Plan and Development Agreement.

The following persons spoke in support of the proposed Master Development Plan and/or Development Agreement:

Richard Mouw, Fuller Theological Seminary President, submitted a handout titled "Fuller Theological Seminary – Deeply Dedicated to Architectural Preservation in Pasadena".

Bill McDonough, architect for Fuller, provided a PowerPoint presentation on the master plan and design process, and submitted a handout titled "Fuller Theological Seminary Master Development Plan".

Patrick Perry, Esq., legal counsel for Fuller

Erica Clark, Art Center College of Design, Senior Vice President of International Initiatives

Eric Jacobsen, Pasadena resident and Fuller PhD student

John Catalani, Pasadena Chamber of Commerce External Affairs Manager

Nancy Shaw, The University Club Board of Governors President

Dr. Mark Smutny, Pasadena Presbyterian Church Co-Pastor

Allison Ash, Fuller student and Director of Chapel

Margarita Flores, Fuller student

Catherine Haskett-Hany, Playhouse District Association representative

Bob Oltman, Pasadena resident, submitted a letter in support of the Plan.

Richard Gray, Pasadena resident and La Salle High School President, speaking as an individual

Scott Jenkins, legal counsel for Fuller, confirmed Fuller's support of Historic Preservation Alternative 5A, the Professor Hammond House will be relocated, the three Marston Apartments buildings will be preserved, and the Herkimer Arms building will be offered for relocation outside of the Plan area with a contribution of \$100,000 from Fuller for the relocation costs.

The following persons spoke in opposition to the proposed Master Development Plan, in support of the preservation of the Herkimer Arms apartment building, and/or expressed concerns:

Mariza Desper, Corona resident speaking for a property owner located in the area.

Helen Bunt Smith, Pasadena resident, submitted a letter asking for the omission of certain private properties from the Plan.

Hunt Salembier, Pasadena Heritage Board of Directors Chair

Shauna Clark, Pasadena Heritage Board of Directors Vice Chair, Advocacy

Lambert Giessinger, Pasadena Heritage Board of Directors member

Christine Lazzaretto, Pasadena Heritage Preservation Director

Susan Mossman, Pasadena Heritage Executive Director

Edward Bosley, The Gamble House Director, submitted a letter in support of preserving the Herkimer Arms building.

Karen Crawford, Pasadena resident speaking for a property owner located in the area.

Ann Scheid, Pasadena resident

Michael Cornwell, Pasadena resident

The Mayor clarified that a street vacation was not included in the proposed Plan and would be handled as a separate action if requested some time in the future.

Councilmember Little noted that any future sale of private property in the area of the Plan would be conducted between the property owner and Fuller.

Mr. Bruckner indicated that the Plan is intended to cover only those properties currently owned by Fuller and this can be clarified on the Plan map so that it shows only Fuller properties in the Plan.

Discussion followed on the weighing of the benefits afforded the City vs. the benefits afforded the applicant under the Development Agreement, possible impacts of the Development Agreement on the street vacation process, options for preserving the Herkimer Arms building and financing the relocation, and options for adding the Herkimer Arms units to the City's affordable housing inventory if the building is relocated.

Councilmember Holden suggested the City actively participate in an attempt to relocate the Herkimer Arms building and provide financial assistance for the relocation, with Pasadena Heritage to play a part in the relocation efforts.

Councilmember Little suggested the City's financial assistance for relocation be related to providing affordable housing units at the new site.

Councilmember Gordo suggested staff explore working a proposal of the Herkimer Arms relocation into projects that are currently being developed or are somewhere in the works.

The City Manager indicated the City would be interested in financially participating in and negotiating for affordable housing units if the Herkimer Arms building is relocated within the City.

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

Following discussion, it was moved by Councilmember Streator, seconded by Councilmember Holden, to approve the City Manager's recommendation, with the change that the time referenced in Historic Preservation Alternative 5A to allow for relocation of the Herkimer Arms Apartment House be increased to 360 days, and that the City would participate in attempting to save this building for affordable housing. If there is no final decision or agreement in the relocation of the building at the end of the 360-day period, staff will report back to Council:

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

NOES: None

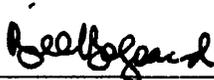
ABSENT: None

For the record, the applicant agreed to a 360-day period for relocating the Herkimer Arms building and to increase its \$100,000 relocation contribution to \$200,000. Pasadena Heritage will be expected to be an active and integral partner with the City and Fuller in the relocation effort. It was noted by the Mayor for the record that this action is a commitment to City participation, expertise, and finance to work with Fuller and Pasadena Heritage, and possibly other interested members of the community to succeed in the relocation and authentic rehabilitation of the Herkimer Arms building.

The Mayor congratulated Fuller for all of their work and efforts in this process.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 12:47 a.m., November 21, 2006, in memory of Glenn Edward "Bo" Schembechler, renowned football coach at the University of Michigan, whose Big Ten teams made 10 of their 17 bowl game appearances at the Rose Bowl.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



Jane L. Rodriguez
City Clerk